

# **Elsinboro Township Board of Education**



## **DISTRICT POLICY MANUAL**

**The Policies of the Elsinboro Township Board of Education are filed herein. These documents are to be considered to be copies.**

**The Official Policy Manual of the Elsinboro Township Board of Education is on file with the Chief School Administrator. Documents found herein must be compared to the Official Policy Manual to ensure accuracy.**

## **IMPORTANT NOTICE**

**The documents found herein are the property of the Elsinboro Township Board of Education and no unauthorized copying, editing, changing, altering or deleting of any of this material is permitted.**

**The policies found here file should be considered to be current, however before considering any policy, verification of any revisions should be made by consulting the "Official Copy of the Mannington Township Board of Education Policy Manual" on file with the Chief School Administrator of the Elsinboro Township School District.**

# **Elsinboro Township Board of Education District Policy Manual**

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The Elsinboro Township Board of Education has adopted the policies contained on the accompanying file. The format of the policies is Adobe Acrobat® and you will need the Adobe Reader® to view these policies. If the computer you are using does not currently have the Adobe Reader® installed on it, you may obtain the appropriate Adobe Reader, which is available at [www.adobe.com](http://www.adobe.com). This is a free download and it takes up very little disk space.

Once loaded, you can view any and all policies of the Elsinboro Township Board of Education District Policy Manual. The manual is divided into 8 sections (series). In brief, the content of each series is as follows:

- Series 1000 – Community Relations
- Series 2000 – Administration
- Series 3000 – Business & Non-instructional Operations
- Series 4000 – Instructional & Support Personnel
- Series 5000 – Students
- Series 6000 – Instructional Program
- Series 7000 – Property
- Series 9000 – Bylaws of the Board

In addition, there is a Cross Reference of revised and renumbered policies formerly in effect that can be found at the end of this manual.

Open the manual. You will be looking at the Table of Contents. Scroll through the table of contents to find the policy you wish to view. At this point you may scroll through the pages of that series until you locate the policy you wish to view or you can find the policy or topic by using the embedded search engine, known as "Find" or "Search."

If you are looking for a policy and you wish to see if there is any reference to (as an example) remodeling a facility, all you have to do is click on the "Edit" tab on the tool bar, then click on either "Find" or "Search." A dialog box will open and you can type in the word "remodeling" in the window. Then click on the "Find," "Search" or "Enter" button and you will be directed to Policy 7110 with the word "remodeling" highlighted. You will then be able to scroll through all of the policies in which the subject "remodeling" appears.

Using "Find" or "Search" will make researching the Elsinboro Township Board of Education District Policy Manual fast and efficient.

The only Official Policy Manual for the Elsinboro Township School District is on file with the Chief School Administrator. Only policies in the Official Policy Manual should be considered accurate and up-to-date.

Please refer to the Official Policy Manual to assure accuracy.

The Chief School Administrator is responsible for maintaining the Official Policy Manual.



# **Elsinboro Township Board of Education**

## **District Policy Manual**



## **Community Relations**

### **Series 1000**



**Elsinboro Township  
Board of Education  
District Policy Manual**

**TABLE OF CONTENTS**

**Community Relations – Series 1000**

|  |               |
|--|---------------|
| <b>Mission Statement</b>   | <b>0100</b>   |
| <b>Educational Philosophy</b>  | <b>0110</b>   |
| <b>Educational Goals</b>   | <b>0120</b>   |
| <b>District Goals &amp; Objectives (T&amp;E)</b>                           | <b>0300</b>   |
| <b>Concepts &amp; Roles in Community Relations: Goals &amp; Objectives</b> | <b>1000</b>   |
| <b>Communicating with the Public</b>                                       | <b>1100</b>   |
| <b>Public's Right to Know</b>  | <b>1100.1</b> |
| <b>Media</b>   | <b>1110</b>   |
| <b>District Publications</b>   | <b>1111</b>   |
| <b>Student Publications</b>  | <b>1111.1</b> |
| <b>Student Publications other than Official School Publications</b>        | <b>1111.2</b> |
| <b>Public Press, Radio &amp; Television</b>                                | <b>1112.1</b> |
| <b>School News Releases</b>  | <b>1112.2</b> |
| <b>Board of Education Meetings</b>   | <b>1120</b>   |
| <b>Distribution of Materials by Pupils &amp; Staff</b>                     | <b>1140</b>   |
| <b>Community Organizations</b>   | <b>1210</b>   |
| <b>Ad Hoc Advisory Committees</b>  | <b>1220</b>   |
| <b>Other School-Connected Organizations - E.S.A.</b>                       | <b>1230</b>   |
| <b>Participation of the Public / Volunteers</b>                            | <b>1240</b>   |
| <b>Visitors</b>  | <b>1250</b>   |
| <b>Loitering or Causing a Disturbance</b>                                  | <b>1251</b>   |
| <b>Public Activities Involving Staff, Students or School Faculty</b>       | <b>1300</b>   |
| <b>Public Complaints and Inquiries</b>                                     | <b>1311</b>   |
| <b>Chain of Command / Complaints &amp; Inquiries</b>                       | <b>1312</b>   |
| <b>Public Gifts to the School District</b>                                 | <b>1313</b>   |
| <b>Fund Raising by Outside Organizations</b>                               | <b>1314</b>   |
| <b>Soliciting Funds From and By School Personnel</b>                       | <b>1314.1</b> |
| <b>Relations Between Public &amp; Pupils</b>                               | <b>1320</b>   |
| <b>Contests for Pupils</b>   | <b>1322</b>   |
| <b>Collections for Charitable Causes</b>                                   | <b>1324</b>   |
| <b>Selling and Advertising on School Property</b>                          | <b>1325</b>   |
| <b>Use of School Property</b>  | <b>1329</b>   |

|  |               |
|--|---------------|
| <b>Use of School Facilities</b>  | <b>1330</b>   |
| <b>Use of School Facilities – Administrative Procedure</b>                             | <b>1330</b>   |
| <b>Application for Use of School Facilities</b>  | <b>1330</b>   |
| <b>Public Conduct on School Property</b>   | <b>1330.1</b> |
| <b>Hours of Use of School Grounds &amp; Equipment, Fields, Basketball Courts, Etc.</b> | <b>1330.2</b> |
| <b>Trespassing on School Property</b>  | <b>1330.5</b> |
| <b>Local Units</b>   | <b>1410</b>   |
| <b>Relations Between Other Organizations Including Nonpublic Schools</b>               | <b>1600</b>   |
| <b>Cooperative Arrangements and Other Relationships with Other School Districts</b>    | <b>1650</b>   |

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Mission Statement**

**Policy 0100**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: August 11, 2008  |               |             |

The Elsinboro Township Board of Education is committed to provide a system of education which facilitates the development of the potential of every student. The Elsinboro Township Board of Education offers equal education opportunities in accordance with the student's abilities and needs, consistent with available resources. The mission statement enables Elsinboro Township School District to not only meet, but exceed the New Jersey Core Curriculum Content Standards established by the state of New Jersey for all schools.

The Elsinboro Township Board of Education expects that all students shall master the skills stipulated in the New Jersey Core Curriculum Content Standards (NJCCCS) at all grade levels.

Furthermore, the Elsinboro Township Board of Education will maintain a staff of professional educators that supports the New Jersey Core Curriculum Content Standards and the New Jersey Standards for Professional Development.

### Legal References:

NJSA 18A:11-1

NJAC 6:8-2(a, b); 6:8-3.1(a, b, c, d); 6:8-3.2(d)

# **Elsinboro Township Board of Education District Policy Manual**

**Community Relations**

**Series 1000**

**Educational Philosophy**

**Policy 0110**

Date Adopted: September 8, 2008

Date Revised:

Page 1 of 1

First Reading: August 11, 2008

Our society is founded on the worth of each individual and the value of his/her contributions to that society. The Elsinboro Township Board of Education is committed to providing a system of education that offers equal education opportunities in accordance with student interest, abilities and needs consistent with available resources.

The Elsinboro Township Board of Education believes that such equal educational opportunities are the right of every child without regard to race, creed, gender, national origin or family circumstances.

The Elsinboro Township Board of Education is the agent responsible for overseeing public education in the development of each child to his/her fullest potential. The Board of Education also believes that public education should develop habits, attitudes, understandings and skills necessary for a productive, satisfying life in society.

It is the intent of the Board of Education to respond to these needs in concern with the community and in alignment with the New Jersey Core Curriculum Content Standards.

## Legal References:

NJSA 18A:11-1

NJAC 6:8-2(a, b); 6:8-3.1(a, b, c, d); 6:8-3.2(d)

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Educational Goals**

**Policy 0120**

Date Adopted: September 8, 2008

Date Revised:

Page 1 of 2

First Reading: August 11, 2008

The Elsinboro Board of Education hereby establishes the following Educational Goals Policy:

1. Learn how to be a good citizen
  - Develop an awareness of civic rights and responsibilities
  - Develop attitudes for productive citizenship in a democracy
  - Develop an attitude of respect for personal and public property
  - Develop an understanding of the obligations and responsibilities of citizenship
  - Develop a knowledge and appreciation of the rights and privileges in a democracy
  - Develop patriotism and loyalty to the ideals of democracy
2. Learn how to respect and get along with people who think, dress and act differently
  - Develop an appreciation for and an understanding of other people and other cultures
  - Develop an understanding of political, economic, and social patterns of the rest of the world
  - Develop an awareness of the interdependence of races, creeds, nations and cultures
  - Develop an awareness of the processes of group relationships
3. Learn about and try to understand the changes that take place in the world
  - Develop the ability to adjust to the changing demands of society
  - Develop an awareness and the ability to adjust to a changing world and its problems
  - Develop an understanding of the past, identify with the present, and the ability to meet the future
4. Develop skills in language arts, mathematics, social studies and science
  - Develop the ability to communicate ideas and feelings effectively
  - Develop skills in oral and written English
  - Develop the background and skills in the use of numbers, natural science, mathematics and social sciences
5. Learn how to examine and use information
  - Develop the ability to examine constructively and creatively
  - Develop the ability to use scientific methods
  - Develop reasoning abilities
  - Develop the skills to think and proceed logically
6. Learn to respect and get along with people with who we work and live
  - Develop an appreciation and respect of the worth and dignity of individuals
  - Develop a respect for individual worth and understanding of minority opinions and acceptance of majority decisions
  - Develop a cooperative attitude toward living and working with others
  - Develop attitudes leading to acceptance of responsibilities as family members

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations Educational Goals**

**Series 1000  
Policy 0120**

Page 2 of 2

7. Learn how to be a good manager of money, property and resources
  - Develop an understanding of economic principles and responsibilities
  - Develop the ability and understanding of personal buying, selling and investments
  - Develop a positive attitude toward continuing independent education.
8. Develop an desire for learning now and in the future
  - Develop intellectual curiosity and eagerness for lifelong learning
  - Develop a positive attitude toward learning
  - Develop a positive attitude toward continuing independent education
9. Learn how to use leisure time
  - Develop the ability to use leisure time productively
  - Develop a positive attitude toward participation in a range of leisure time activities – physical, intellectual and creative
  - Develop appreciation and interests that will lead to wise and enjoyable use of leisure time
10. Practice and understand the ideas of health and safety
  - Establish an effective individual physical fitness program
  - Develop an understanding of good physical health and well being
  - Establish sound personal health habits and information
  - Develop a concern for public health and safety
11. Appreciate culture and beauty in the world
  - Develop abilities for effective expression of ideas and cultural appreciation (fine arts)
  - Cultivate appreciation for beauty in various forms
  - Develop creative self-expression through various media (art, music, writing, etc.)
  - Develop special talents in music, art and literature
12. Gain information needed to make job selections
  - Promote self-understanding and self-direction in relation to student's occupational interests
  - Develop the ability to use information and counseling services related to the selection of the job
  - Develop an knowledge of specific information about a particular vocation
13. Develop a pride in work and a feeling of self-worth
  - Develop a feeling of a student's pride in his/her achievements and progress
  - Develop a self-understanding and self-awareness
  - Develop the student's feeling of positive self-worth, security and self-assurance
14. Develop good character and self-respect
  - Develop moral responsibility and sound ethical and moral behavior
  - Develop the student's capacity to discipline himself/herself to work, study, and play constructively
  - Develop a moral and ethical sense of values, goals and processes of a free society
  - Develop standards of personal character and ideals

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **District Goals & Objectives (T&E)**

**Policy 0300**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: August 11, 2008  |               |             |

In compliance with the State of New Jersey's Educational Goals as enumerated in NJAC 6:8-2.1 this Board accepts the responsibility for the annual adoption of a five year plan of education for the school.

A written educational plan shall be prepared annually by the Chief School Administrator with input by the teaching staff and comment by the public and shall include a time table for implementation developed in five year cycles.

The plan shall incorporate the following goals and objectives into the short and long-range programs for the school:

1. To ensure that each student develops proficiency in basic academic skills;
2. To ensure that each student develops the capacity to recognize and cope with future problems;
3. To ensure the development of meaningful interpersonal relationships among students, staff and community;
4. To ensure that staff, students and parents are afforded maximum feasible participation in the development and evaluation of progress and policies that meet the educational needs of each community;
5. To assure maximum efficiency in the allocation of material resources; and,
6. To ensure maximum efficiency in the allocation of human resources.

The Board will establish Board goals and specific objectives within budget limitations, and will expect the Chief School Administrator to employ all appropriate means to provide for continuous and candid reports of the accomplishment of those goals and objectives for which reliable measurement indicators have been established by the Chief School Administrator.

The Board shall annually provide district citizens with an accomplishment report, which shall include the Commissioner of Education's classification of the school. This report shall be in clear and concise language and supported as necessary by meaningful graphics in order that the significance of all information be easily understood by lay citizens.

### Legal References:

NJAC 6:8-2(a, b); 6:8-3.1(a, b, c, d); 6:8-3.2(d)



# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

### **Concepts & Roles in Community Relations: Goals & Objectives**

**Policy 1000**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 3 |
| First Reading: August 11, 2008  |               |             |

The Board of Education believes that school district public relations is not solely an information program, but encompasses all aspects of the schools' relationship with the total community.

The Board of Education believes a school-community communications program should:

- A. Promote public interest and participation in the operation of the school system;
- B. Gather information about public attitudes toward the school system and its programs and report them to the Chief School Administrator and the Board;
- C. Provide an honest, continuous, comprehensive flow of information about the policies, procedures, programs, problems and progress of the school system to the community and the staff;
- D. Develop the most effective means of communication with the school system's public and use available media as appropriate;
- E. Develop programs in the schools that will integrate home, school, and community in meeting the needs of district pupils;
- F. Develop and maintain the confidence of the community in the school Board and school staff;
- G. Develop a climate that attracts good teachers and encourages staff to strive for excellence in the educational program;
- H. Anticipate and forestall problems that are brought about by lack of understanding; and,
- I. Evaluate past procedures in order to make improvements in future communications.

The Chief School Administrator shall be responsible for developing programs, techniques and channels for implementing this policy.

#### Relations with Parents/Guardians

The Board believes that the education of children is a joint responsibility, one it shares with the parents/guardians of the school community. To insure that the best interests of the child are served in the process, a strong program of communication between home and school must be maintained.

The Board feels that it is the parents/guardians who have the ultimate responsibility for their children's in-school behavior, including the behavior of pupils who have reached the legal age of maturity, but are still for practical purposes, under parental authority. During school hours, the Board, through its designated administrator acts in loco parentis or in place of the parents/guardians.

The Board directs that the following activities be implemented to encourage parent-school cooperation:

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

### **Concepts & Roles in Community Relations: Goals & Objectives**

**Policy 1000**

Page 2 of 3

- A. Parent-teacher conferences to permit two-way communication between homes and school;
- B. Open house activities in the district school to provide parents/guardians the opportunity to see the school facilities, meet the faculty and sample the program on a first hand basis. The school will hold an open house at least once annually;
- C. Meetings of staff members and groups of parent/guardians of those students having special abilities, disabilities, needs or problems;
- D. Any meetings required by the State Department of Education to add additional community for input.

For the benefit of children, the Board believes that parents/guardians have a responsibility to encourage their child's career in school by:

- A. Supporting the school in requiring that the children observe all school rules and regulations and by accepting their own responsibilities for children's willful in-school behavior;
- B. Sending children to school with proper attention to their health, personal cleanliness and dress;
- C. Maintaining an active interest in the student's daily work and making it possible for the student to complete assigned homework by providing a quiet place and suitable conditions for study;
- D. Reading all communications from the school, and signing and returning them promptly when required to do so;
- E. Cooperating with the school in attending conferences set up for the exchange of information on the child's progress in school.

#### Relations with Other Educational Institutions

It is the policy of the Board of Education that strong lines of communication be maintained by the district with other districts and institutions that provide programs, training, or services not available to children residing in this district.

In order to maintain cordial and constructive relationships with other education institutions:

In the case of the regional school district school the Chief School Administrator shall:

- Cooperate with the professional staff in articulation studies to ensure that pupils of this district are properly prepared to enter the school of the receiving district;
- Inform pupils in their final year in this district of program options in the receiving district and counsel them regarding their program choices;
- Provide an orientation program to pupils in their final year in this district to familiarize them with the facilities, procedures and rules of the receiving district;
- Develop procedures to follow the progress of the pupils of this district during their careers in the receiving school(s).

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

### **Concepts & Roles in Community Relations: Goals & Objectives**

**Policy 1000**

Page 3 of 3

In the case of parochial and private schools, the Chief School Administrator shall:

- Cooperate fully in the implementation of all state and federal programs administered by this district that benefit in whole or in part, eligible pupils attending private or parochial schools.

In the case of institutions of higher education, the Chief School Administrator shall:

- Cooperate with state institutions in the placement and evaluation of practice teachers in accordance with Board policy on student teachers and interns;
- Encourage local colleges to provide graduate level courses for the benefit of district staff members.

#### Legal References:

NJSA 10:4-6 et seq., 18A: 11-1, 18A:58-37.1 et seq, 47:1A-1 et seq.,  
NJAC 6:8-1.1, 6:8-2.1, 6:8-2.2, 6:8-3.4, 6:20-6.1 et seq, 6A:30-1.4(a) 1

Manual for the Evaluation of Local School Districts (September 2002)

#### Possible Cross References:

3510, 3542, 3570, 4131/4131.1, 5020, 5131.6, 6010, 6142.1, 6142.2, 6142.13,  
6171.1, 6171.3, 6171.4, 6300, 7110, 9322, 9323/9324, 9326

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Communicating with the Public**

**Policy 1100**

Date Adopted: September 8, 2008

Date Revised: September 12, 2011, December 10, 2012

Page 1 of 3

The Board of Education will keep the community informed of the status of the school through advertised public meetings, press releases and such other means as may be appropriate.

The public information program of the Board and the district shall be directed by the Chief School Administrator, who shall arrange to keep the public informed regarding the policies, administrative operations, objectives, and successes or failures of the schools and shall provide interpretation and explanation of the school's plans and programs.

The district's budget; its annual goals and progress toward achievement of them; its special education plans; its basic skills improvement plan; its bilingual/ESL program (if any); pupil progress; graduation statistics and any other information shall be communicated to the public as required by law.

Each year by September 30<sup>th</sup>, the Chief School Administrator shall oversee the compilation of a report card of each school in the district that includes all statistical information specified by the State Department of Education and any additional information required by federal law. The report card shall be disseminated to staff and parents/guardians and made available to the media and other interested members of the school community.

### Avoiding Excessive Expenditures when Communicating with the Public

District publications will be produced and distributed in a cost-efficient manner, for example:

- A. The use of expensive materials or production techniques where lower cost methods are available, such as the use of multi-color glossy publications instead of suitable, less expensive alternatives, is prohibited.
- B. Distribution of pictures of school Board of Education members is prohibited within 90 days of any district election.
- C. Excessive public relations activities that are not part of the instructional program are prohibited.

The homepage of each school and the district website will include the grade received from the Commissioner of Education on the effort of each school and the district to implement policies and programs consistent with the laws on harassment, intimidation or bullying. The Chief School Administrator/designee shall oversee the postings. The grade shall be posted within 10 days of its receipt. In addition, the district shall provide a link to the twice-yearly report prepared by the Chief School Administrator/designee detailing the number and nature of violence vandalism, and harassment, intimidation or bullying reports in the schools.

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

### **Communicating with the Public**

**Policy 1100**

Page 2 of 3

The Board invites public discussion at all regular meeting. Members of the public will be heard in accordance with Policy 9325.5 - Persons Addressing the Board of Education.

The role of teachers in public relations shall be to show parents, prospective students and the community the work of the school and its pupils and to build and maintain friendly and cooperative relations between the school and the community.

The Board's meetings and records shall be a matter of public information except as such meetings and records pertain to individual personnel and other classified matters.

#### Use of Social Networking Sites (Social Media) to Communicate with the Public

The Board of Education recognizes the fact that social media is a means of communication that may be beneficial in the dissemination of important district information and therefore, the Board authorizes the Superintendent of Schools or his/her designee to establish a social media account for the district such as, but not limited to Twitter®, Facebook® or other similar such sites in order to open lines of communication with the public when practicable.

Under normal circumstances, this social media account shall be used to convey important emergency information or information that may require distribution in as many formats as possible and shall contain only official district information.

Any such social media account shall be under the direct auspices of the Superintendent of Schools and/or his/her designee, who shall be responsibility for the content of any communications posted therein. Under no circumstances shall this social media account be used or posted on by any individual staff member, student or Board Member. Any password(s) and username(s) associated with this social media account(s) shall be secured to prevent unauthorized access.

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations Communicating with the Public**

**Series 1000  
Policy 1100**

Page 3 of 3

### Legal References

NJSA 10:4-6 et seq. Open Public Meetings Act  
18A:7E-2 through -5 School report card program  
47:1A-1 et seq. Examination and copies of public records ("Open Public Records Act")

NJAC 6A:8-3.1(a)3 Curriculum and instruction  
6A:23A-5.2 Public relations and professional services  
6A:23-8.1 et seq. Budget Review and Approval  
6A:23-8.3 Commissioner to ensure achievement of CCCS  
6A:30-1.4(a)1 Evaluation process for the annual review  
6A:32-12.1 Reporting Requirements  
6A:32-12.2 School-level planning

Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)  
No Child Left Behind Act of 2001  
Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.  
New Jersey Core Curriculum Content Standards

### Possible Cross References

1000/1010, 1120, 2232, 2240, 3570, 6142.6, 6142.10, 6171.1, 6171.3, 6171.4, 6300, 9160

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Public's Right to Know**

**Policy 1100.1**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: August 11, 2008  |               |             |

The Board of Education recognizes the right of the public to information concerning all of its actions, its policies and the details of its educational and business operations. The Board encourages study, discussion and active participation by all concerned in the promotion of the best possible program of education in the community. It is the practice of the Board to utilize the advice and the assistance of interested individuals and groups in the solution of its educational and financial problems.

In recognizing the cooperating organizations in the Elsinboro Township School District and by encouraging their active participation in educational policymaking, the Board wishes to make it clear that in no way does it wish to escape its responsibility to the citizens of the community as the official governing body responsible for final decisions on all matters of policy and educational programs. The Board accepts the following basic principles that are essential to a good public relations program:

1. The Board will transact all official business in open meetings which the press, the public and the school employees are welcome to attend, and at which time communication, both oral and written, will be received and considered.
2. The Board will function as speedily and as efficiently as circumstances will permit and always with due regard for the public interest.
3. The Board will make provision for recording proceedings of all meetings. Minutes and financial records of all Board meetings shall be considered matters of public record.
4. The Board will keep in mind that maintaining the confidence and respect and continued open communications with the community is of paramount importance to the success of the educational program of the district.

### Legal References:

NJSA 10:4-6 et seq, 18A:7E-2 through -5, 47:1A-1 et seq  
NJAC 6:8-2.1, 6:8-2.2, 6:19-1.1 et seq, 6A:30-1.4(a) 1

### Possible Cross References:

1000/1010, 1120, 2232, 2240, 3570, 6142.2, 6142.6, 6142.10, 6171.1, 6171.3,  
6171.4, 6300

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Media**

**Policy 1110**

Date Adopted: September 8, 2008

Date Revised:

Page 1 of 1

First Reading: August 11, 2008

Every effort shall be made to assist all local communications media to gain complete and adequate coverage of the programs, problems, planning, and activities of the school system.

General releases of interest to the entire district shall be made available to all media simultaneously. There shall be no exclusive releases except as media representatives request information on particular programs, plans, or problems.

The Chief School Administrator shall bear responsibility for establishing relations with news media, and providing particular information to each through the means found most suitable.

The Board of Education encourages public presentation of the programs, policies and progress of the school through press, radio and television. The staff member in charge shall clear all proposed presentations and/or press releases with the Chief School Administrator. The staff member in charge shall also ensure that the parents of pupils who participate in such events are informed.

The Chief School Administrator or designee shall devise procedures for optimum benefit from such presentations.

The Board shall make a periodic review of its relations with the news media.

### Legal References:

NJSA 10:4-6 et seq., 18A:10-6, 18A:11-1, 18A:54-20, 47:1A-1 et seq.,  
NJAC 6:8-2.1, 6:8-2.2(a)1, 6A:30-1.2,

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

1100, 9020



# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **District Publications**

**Policy 1111**

Date Adopted: September 8, 2008

Date Revised:

Page 1 of 1

First Reading: August 11, 2008

The Chief School Administrator/designee shall direct development and review of informational newsletters and handbooks for parents/guardians, pupils, staff and the general community as deemed necessary by the Board. The district annual report shall be printed for distribution. The Board Secretary shall make the district audit available to the public as required by law.

Centralized control of district publications shall be designed to ensure that their contents reflect district-wide policies and regulations accurately. All matters representing the official position of the district prepared for publication by any of its employees shall be approved by the Chief School Administrator prior to release to the public press.

In accordance with law, the Chief School Administrator/designee shall prepare procedures to ensure that the district website shall not publish any personally identifiable information about a student without prior written consent from the student's parents/guardians. Consent shall be obtained on a form that shall contain a statement describing the potential dangers of posting personally identifiable information about students on the Internet.

### Legal References:

NJSA 18A:11-1, 18A:17-20, 18A:23-1 et seq., 18A:36-35, 18A:54-20,  
NJAC 6:8-2.1, 6:8-2.2, 6A:30-1.4(a)1,

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

1000/1010, 1100, 1110, 2232, 3100, 5124, 5125, 5131, 5145.12, 6142

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Student Publications**

**Policy 1111.1**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 2 |
| First Reading: August 11, 2008  |               |             |

Official school publications shall reflect the judgment of the faculty sponsors and student editors. This entails the obligations to be governed by the standards of responsible journalism such as avoidance of libel, obscenity, defamation, false statements or material advocating violation of laws and racial or religious prejudice. The Chief School Administrator is responsible for the development of a standard operating procedure in regard to all school publications.

### Code of Ethics for School Publications

#### Administration

1. The Chief School Administrator is ultimately responsible for all activities taking place within the school, and thus has final authority over all school publications.
2. As a matter of administrative necessity, the Chief School Administrator delegates his authority to the faculty advisor(s) of the publication. It thus becomes the advisor's responsibility to ensure that the publications under his or her control adhere to the letter and spirit of this code. When in doubt about the propriety of any specific article or issue, he or she is to consult the Chief School Administrator for final decision.
3. The advisor may, in turn, grant to his or her student editors, the authority to ensure adherence to this code, although the responsibility still must rest with the advisor.
4. It is incumbent upon student editors to understand in full the provisions of this code. They can assume the editorship only when they have subscribed completely to the principles and provisions of this code in word and practice. Repeated failure of the editors to follow the principles and provisions of this code will constitute grounds for dismissal for the publication staff.

#### Specific Provisions Governing All School Publications

1. The stories and articles shall not contain any language that is profane, obscene, offensive or suggestive.
2. The stories and articles shall not deal with any subject that by its nature would offend the taste and sensibilities of the community.
3. No individual student or faculty member may ever be singled out for censure, criticism or ridicule in a school publication.
4. No group of individuals may similarly be identified in print for such censure, criticism or ridicule in a school publication, although positive suggestions may be made in editorial columns or letters for the improvement of such organizations.
5. No religious, racial or national group shall be held up to ridicule by statement or innuendo in the school publications.
6. As a matter of courtesy and as a guarantee of accuracy, all news stories concerning a faculty member should be cleared with that faculty member; and all stories dealing with a school organization should be cleared with the sponsor of that organization.

# **Elsinboro Township Board of Education District Policy Manual**

**Community Relations  
Student Publications**

**Series 1000  
Policy 1111.1**

Page 2 of 2

7. No article may covertly or overtly advocate the overthrow of our democratic system of government.

## Specific Provisions Regarding Special Kinds of Writing

1. Editorials are always unsigned and as a matter of newspaper tradition, reflect the opinions of the entire editorial staff not one individual. They may make constructive suggestions for improvement, although they should do so in a positive fashion and must not hold up to ridicule, censure, or criticism any group or individual. The school newspaper should not indulge in political controversy, or support any one political party.
2. Columns of opinion (sports opinion, editorial opinion, literacy opinion, etc.) represent the thinking of one individual; as such, they must always be signed with the proper name of the student-author. He or she is held personally responsible for such opinions and must conform in all particulars with the provisions of this code.
3. Reviews of student performances (in sports, shows, etc.) present special problems and require special provisions. Sure reviews are opinions, not news, and as such belong in signed opinion columns. Negative comments can have a deleterious effect on team or group achievement. In view of these considerations, no individual may ever be singled out for condemnation or criticism of such reviews.
4. Letters to the editor – student letters to the editor may be published only after the student editor has checked their authenticity and only when they are signed by the senders' name, and conform in full to the provisions of this code.

## Legal References:

NJSA 2C:34-3, 18A:11-1, 18A:42-4

## Possible Cross References:

1110, 1111, 1111.2

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

### **Student Publications other than Official School Publications**

**Policy 1111.2**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 2 |
| First Reading: August 11, 2008  |               |             |

It is the intent of this policy to clarify student rights and responsibilities in regard to the publication and distribution of literature other than official school publications.

The Board of Education recognizes that each student has the right of free speech and free press under the First Amendment of the United States Constitution.

The Board, in an attempt to guarantee and protect the aforementioned rights of students, as well as assuring the continual orderly process of the educational program, establishes the following guidelines for the publication and distribution of newspapers, magazines, petitions, leaflets and other written materials which are not official school publications.

#### Acceptable Materials

Materials not proscribed as “unacceptable” per this policy, unless the Chief School Administrator is convinced that the item would materially disrupt class work or involve substantial disorder or the invasion of rights of others.

#### Unacceptable Materials

- “So-called “hate” literature which scurrilously attacks ethnic, religious and racial groups, other irresponsible publications aimed at creating hostility and violence, hardcore pornography and similar materials are not suitable for distribution in the schools.” [From a decision of the Commissioner of Education in Goodman vs. Board of Education, June 18, 1969, p.3]
- Materials that denigrate specific individuals in or out of the school; materials designed for commercial purposes to advertise a product or service for sale or rent and materials that are designed to solicit funds, are prohibited unless approved by the Chief School Administrator.
- “Literature which in any manner and in any part thereof promotes, favors or opposes the candidacy of any candidate for election at any annual school elections, or the adoption of any bond issue, proposal, or any questions submitted at any general municipal or school election...”

[Decision of the New Jersey Commissioner of Education in Goodman vs. Board of Education, June 18, 1969, p.3]

#### Special Note

Students who edit, publish, post or distribute printed, handwritten or duplicated material among fellow students within the school are responsible for the content of such publications. Libel,

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

### **Student Publications other than Official School Publications**

**Policy 1111.2**

Page 2 of 2

obscenity, profanity, personal attacks and encouragement of the violation of laws are prohibited, as is conduct that interrupts school activities or infringes on the rights of others.

#### Identification

All materials submitted for approval must identify the author, editor and publisher.

#### Approved Materials

Materials must be submitted to the Chief School Administrator or designee for approval the previous day or earlier. For materials not readily classifiable or approvable, more than one day but not more than five (5) school days should be allowed.

#### Places of Distribution

Acceptable materials (newspapers, magazines, petitions, leaflets), which have been defined, judged and approved as such, may be distributed on the schools' sidewalks in front of main entrances to the building. In case of bad weather, two pupils only will be permitted in front of the main lobby. Specific approval to distribute material inside must be obtained from the Chief School Administrator on each occasion. Distribution may be by pupils enrolled in the school in front of which material is being distributed.

#### Times for Distribution

Distribution of approved literature must be restricted to the following time periods unless a more definite time is designated by the Chief School Administrator.

- A. Fifteen minutes prior to the beginning of the school day (first class).
- B. Fifteen minutes after the school day ends (last class).

#### Littering

All distributed materials, which are dropped in the immediate area on sidewalks to the street, inside lobbies and down adjacent corridors must be removed by persons distributing material.

#### Appeal

Pupils denied approval may appeal to the Chief School Administrator who, with a student representative from each class, will review the matter. Should the petition be denied, the petitioner may still appeal to the Board of Education.

#### Legal References:

NJSA 2C:34-3, 18A:11-1, 18A:42-4

#### Possible Cross References:

1110, 1111, 1111.1

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Public Press, Radio & Television**

**Policy 1112.1**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: August 11, 2008  |               |             |

Representatives of all news media are invited to attend all public meetings of the Board of Education. Meeting announcements shall be furnished to newspapers and other news media active within the school district.

Members of the Board, the Chief School Administrator, and others as may be necessary, will be available for interview by media representatives, in its dealing with the media, the school system will recognize the requirements of the Open Public Meetings Act.

The Chief School Administrator shall supervise development of press releases concerning district programs, events and accomplishments that might be of interest to the general public.

### Legal References:

NJSA 10:4-6 et seq, 18A:10-6

# **Elsinboro Township Board of Education District Policy Manual**

**Community Relations**

**Series 1000**

**School News Releases**

**Policy 1112.2**

Date Adopted: September 8, 2008

Date Revised:

Page 1 of 1

First Reading: August 11, 2008

The Chief School Administrator is responsible for all news releases relative to the Elsinboro Township School.

All matters representing the official position of the district prepared for publication by any of its employees shall be approved by the Chief School Administrator and be released by the Chief School Administrator. The Chief School Administrator will give appropriate credit and recognition to any person who has made a significant contribution in preparing material for publication.

## Legal References:

NJSA 18A:11-1

NJAC 6:8-4.3(a) 2i

Manual for the Evaluation of Local Districts

## Possible Cross References:

1000, 1100, 1120, 2240, 3100, 9020

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Board of Education Meetings**

**Policy 1120**

|                                 |                                  |             |
|---------------------------------|----------------------------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: September 12, 2011 | Page 1 of 2 |
| First Reading: August 11, 2008  |                                  |             |

Board of Education meetings shall be a primary means of sharing information with community members and inviting their comments and suggestions. Regular and special meetings of the Board of Education are open to the public and representatives of the media except when, by resolution at the public meeting, the Board excludes the public from those parts of a meeting, which deal with matters held confidential in accordance with law.

The Board welcomes participation of interested organizations and individuals and will schedule time as appropriate for the public to speak. The length of time scheduled for public discussion shall be stated in the agenda, together with any time limit proposed for individual speakers.

At each public meeting of the Board, the presiding officer shall administer the rules of the Board for public participation and comments. Where his/her ruling is disputed, it may be overruled by a majority vote of those Board Members present and voting.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted only as indicated on the order of business or agenda.
- B. Any person wishing to participate in a public Board meeting shall register his/her intent with the Chief School Administrator in advance of the meeting and include the topic to be addressed.
- C. Each participant must be recognized by the presiding officer and must preface his/her comments by an announcement of his/her name, address and group affiliation if appropriate.
- D. Each statement made by a participant shall be limited to five minutes duration, unless permission has been granted in advance of the meeting.
- E. No participant may speak more than once on the same topic unless all other who wish to speak on that topic have been given an opportunity to speak.
- F. All statements shall be directed to the presiding officer; no participant may address or question Board Members individually.
- G. The presiding officer may interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene or irrelevant.
- H. The portion of the meeting during which the participation of the public is invited shall be limited to thirty minutes unless prior permission has been granted.

No person shall be referred to as "educationally disabled" before being formally classified by the Child Study Team. No disabled pupil shall be needlessly identified or publicly labeled.

Educationally disabled students shall be referred to by the initials of the student or case number.

# **Elsinboro Township Board of Education District Policy Manual**

**Community Relations**

**Series 1000**



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

Comments and questions at regular meetings may deal with any topic related to the Board's conduct of the school. Comments at special meetings must be related to the call of the meeting. Advance announcement of all regular, scheduled special, and specially called meetings of the Board is made through newspapers.

The following information will be presented at regularly scheduled meetings of the Board and will be advertised to the public:

- A. Discussion of state rules and local procedures for implementation of district goals, objectives and standards;
- B. Presentation of audit report;
- C. Presentation of budget;
- D. Report on pupil progress, including testing program results;
- E. Annual plans for special education, bilingual/ESL, and basic skills programs;
- F. Graduation and dropout statistics.

Legal References:

NJSA 10:4-6 et seq, 18A:7C-7, 18A:10-6, 18A:22-10, 18A:22-13, 18A:23-5,  
NJAC 6:3-1.6, 6:8-2.1, 6:8-2.2, 6A:8-5.2(e), 6A:14-1.1 et seq.,  
6A:30-1.1 et seq., 6A:30-2.4, -3.1

Manual for the Evaluation of Local School Districts (September 2002)

Possible Cross References:

1100, 2240, 3100, 3570, 3571.2, 5145.4, 6142.2, 6142.6, 6171.1, 6171.3, 6171.4,  
9322, 9323/9324, 9326

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Distribution of Materials by Pupils & Staff**

**Policy 1140**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: August 11, 2008  |               |             |

The participation of pupils in disseminating public information materials shall be encouraged with the understanding that:

- A. Pupils shall not be exploited for the benefit of any individual, group, or profit-making organization;
- B. Pupils shall participate only in appropriate situations as approved by the Chief School Administrator/designee or the Board of Education;
- C. Pupils shall participate in fund raising activities for school activities only;
- D. Pupils shall not be used to distribute partisan materials or information pertaining to a school election, budget or bond issue, or negotiations.

Any nonprofit service organization which is based solely within the boundaries of this district and has no relationship or responsibility to a parent/guardian organization on a regional, County, state, or national level, that raises its operating budget through donations and provides a service directly to this community and its children shall be permitted to utilize the schools communication systems to alert the community to its fund-raising activities.

All publicity or materials to be disseminated by pupils shall be presented to the Chief School Administrator or designee for approval prior to distribution.

All surveys, questionnaires or other similar items requiring pupil or parent response shall be reviewed and approved by the Chief School Administrator prior to dissemination. The Chief School Administrator shall inform the Board of Education of any such communications at its next regular meeting.

### Legal References:

NJSA 18A:42-4, 19:34-6, 19:34-15

34 CFR 98.1 – Pupil Protection Rights Amendment  
Hazelwood School District v Kuhlmeir, 484 US 260 (1988)

### Possible Cross References:

1100, 1315, 1322, 4135.16, 4235.16, 5136, 6142.10, 6145.3, 6162.5

# **Elsinboro Township Board of Education District Policy Manual**

**Community Relations**

**Series 1000**

**Community Organizations**

**Policy 1210**

Date Adopted: September 8, 2008

Date Revised:

Page 1 of 1

First Reading: August 11, 2008

The Board of Education appreciates the efforts of concerned citizens who form or belong to organizations that contribute funds or equipment for district approved pupil extracurricular activities, or for recognition of pupil achievement.

The Chief School Administrator shall formulate a procedure for review of the proposed use of such funds. Proposed equipment must be approved for safety in the same manner in which district-purchased equipment is reviewed.

The Board encourages active support of and cooperation with community associations by teachers and other district employees.

## Legal References:

NJSA 18A:11-1

NJAC 6:8-2.1(c)9

## Possible Cross References:

1000/1010, 1100, 1210, 1330, 3280, 4136, 5020, 5136, 6010

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Ad Hoc Advisory Committees**

**Policy 1220**

Date Adopted: September 8, 2008

Date Revised:

Page 1 of 2

First Reading: August 11, 2008

Community and/or parent advisory committees can be particularly useful both in keeping the Board and administration informed with regard to community opinion and in representing the community in the study of specific school issues and concerns. The Board shall, when required by law or when it finds it beneficial, appoint advisory committees to assist in research projects, long-range studies, program evaluation, and development of policies or educational goals/programs. Each committee shall be appointed for a specific purpose and time. The Board may dissolve any Board-appointed committee at its sole discretion.

Such committees shall be representative of the community in relation to the tasks delegated to them, and may include staff and pupils when appropriate. No appointee shall represent an organization, geographic area, religious group or any other subdivision of the community in an official capacity.

Systematic programs shall be set up to draw on what business, labor, and other organizations have to offer in developing vocational, technical and enrichment programs and in providing pupils with practical work experience.

The Board shall adopt the committee structure and organization it deems appropriate to the assignment at hand, except for funded programs where requirements are set by law. The Board is responsible for approving all members of a committee and the method of their selection in consultation with the Chief School Administrator. Staff members shall not constitute a majority of any general community advisory committee.

Recommendations from the committee shall not reduce the responsibility of the Board, which shall be free to accept or reject the recommendations as it sees fit. Only the Board has the power to act. It will be the responsibility of the chairperson to see that the members of the committee are informed as to the final decision of the Board.

Any publicity concerning the organization, membership, operations, findings or recommendations of any committee shall be released only by the Board designee.

In district-initiated advisory committees, the Chief School Administrator shall draft procedures for instructing committees as to the length of time each member is being asked to serve, the services the Board wishes them to render, the resources the Board intends to provide, and the approximate date on which the Board wishes to dissolve the committee. Furthermore, the Committee shall be instructed as to the relationship it has to the Board, to the individual Board members, to the Business Administrator/Board Secretary, to the Chief School Administrator, and to the rest of the professional staff.

# **Elsinboro Township Board of Education District Policy Manual**

**Community Relations  
Ad Hoc Advisory Committees**

**Series 1000  
Policy 1220**

Page 2 of 2

When the law regulates the formation and activities of an advisory committee, the administration shall cooperate fully in its activities.

## Legal References:

NJSA 10:4-6 et seq., 18A:10-6,  
NJAC 6:8-2.1, 6A:16-4.2(a)

Hawkins-Stafford Elementary and Secondary School Improvement  
Amendments of 1988 (P.L. 100-297)

[34 C.F.R. 200.1 to 200.89 - Part 200](#)

Manual for the Evaluation of Local School Districts (September 2002)

## Possible Cross references:

2240, 6142.1, 6142.12, 6144, 6162.4, 6171.3, 9020, 9130

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Other School-Connected Organizations –E.S.A.**

**Policy 1230**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: August 11, 2008  |               |             |

The Board of Education recognizes the importance and benefits of the active participation and cooperation of parent-school organizations. To this end, the following guidelines have been established for the creation and operation of parent-school organizations:

- A. Any organization consisting of parents, school staff and/or friends of the school shall be a Board-approved voluntary organization.
- B. The parent/school organization shall have as its objectives the promotion of student welfare; the development of close relationships between the home and the school; and the development between educators and the public of such united efforts as will secure for every pupil in the community the best kind of educational program possible for his physical, mental, social and moral development.
- C. The parent/school organization may not establish educational policy, participate in the administration of the school, or authorize management and direction of school affairs.
- D. The Chief School Administrator or another professional staff member designated by the Chief School Administrator shall serve as advisor to the parent/school organization.
- E. All members of the school's professional staff shall be encouraged to join the organization and actively cooperate in its projects and on committees. All professional staff shall be encouraged to support E.S.A. ("Elsinboro School Association") sponsored activities, as appropriate.
- F. Organizations shall not use the district's name in their titles without the Board's express consent. Such permission to use the district's name does not constitute permission to act as the district's representative.
- G. The Board shall make it a practice not to interfere in the internal workings of such groups.
- H. Permission to hold regular meetings of such associations in school facilities will be extended by the Board of Education for a particular school year in accordance with Policy 1330.
- I. The Board may select one of its members as advisor to the general parent/teacher organization.
- J. All banquets, fund raising and other activities involving students must be approved by the Chief School Administrator.

### Legal References:

NJSA 18A:11-1

NJAC 6:8-2.1© 9

### Possible Cross References:

1000/1010, 1100, 1210, 1330, 3280, 4136, 5020, 5136, 6010

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Participation by the Public / Volunteers**

**Policy 1240**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 2 |
| First Reading: August 11, 2008  |               |             |

### Citizen Volunteers

The Board of Education encourages citizen assistance to school personnel in ways that will enhance the school program. Volunteers shall be designated by and serve at the discretion of the Chief School Administrator or designee. They will be supervised by the appropriate certified professional staff member to whom they are assigned and under no circumstances will citizen volunteers provide the direct instruction of pupils.

Citizen volunteers may be invited to act as advisors both as groups and individually in:

- A. Clarifying the general ideas and attitudes held by residents about the school;
- B. Determining the purposes of courses of study and special services to be provided by present practices;
- C. Offering suggestions on a specific problem or set of closely related problems about which the Board must make a decision; and/or,
- D. Coordinating the delivery of social services to students.

Citizen volunteers carrying out prescribed functions under the supervision of designated professional staff members shall be covered by the Board's liability insurance policy.

The Chief School Administrator shall supervise the development of programs and procedures to enlist community participation in school events and deliberations. He/she shall keep on file information on all volunteers and documentation that requirements of law have been fulfilled.

The following regulations for the appointment of volunteers will apply:

- A. All volunteers are to be approved by the Board of Education based on the request of the immediate program supervisor and the Chief School Administrator.
- B. All approved volunteers are authorized to supplement the work of paid professional and para-professional staff members under whom they are assigned but are not substitutes for paid staff members nor are they authorized to speak formally or informally for any program in conjunction with the paid professional staff member responsible for the program.
- C. Staff member to whom volunteers are assigned are responsible for the direct guidance and supervision of the volunteers. A volunteer may not work with, teach or coach students without a certified staff member present in the immediate area.
- D. The Board of Education reserves the right to accept, deny, retain or terminate the services of any volunteer. This may be done through the Chief School Administrator as the Board's authorized representative.

All school volunteers who assist in the school more than 15 hours per week must:

- A. Undergo a criminal background check and be fingerprinted at Board expense.
- B. Provide documentation that a Mantoux test has been administered.

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

### **Participation by the Public / Volunteers**

**Series 1000**

**Policy 1240**

Page 2 of 2

Prospective volunteers shall receive a copy of the policy and sign a form indicating that they have received, read and understand the material contained therein.

The Chief School Administrator shall report to the public annually on all aspects of community support of the educational program of the district.

#### Legal References:

NJSA 18A:6-7, 18A:11-1, 18A:40-16

NJAC 6:8-2.1, 6A:24-2.1 et seq.

Manual for the Evaluation of Local School Districts (September 2002)

#### Possible Cross References:

1000/1010, 1120, 1210, 5020, 6162.4



**ELSINBORO TOWNSHIP SCHOOL**  
**631 Salem-Ft. Elfsborg Road**  
**Salem, NJ 08079**

**APPLICATION TO SERVE AS A ELSINBORO TOWNSHIP SCHOOL VOLUNTEER**

- All volunteers are to be approved by the Board of Education based on the request of the immediate program supervisor and the Chief School Administrator.
- All approved volunteers are authorized to supplement the work of paid professional and para-professional staff members under whom they are assigned but are not substitutes for paid staff members nor are they authorized to speak formally or informally for any program in conjunction with the paid professional staff member responsible for the program.
- Staff member to whom volunteers are assigned are responsible for the direct guidance and supervision of the volunteers. A volunteer may not work with, teach or coach students without a certified staff member present in the immediate area.
- The Board of Education reserves the right to accept, deny, retain or terminate the services of any volunteer. This may be done through the Chief School Administrator as the Board's authorized representative.

I have read the Board of Education Policy 1240 – Participation by the Public / Volunteers and agree to the regulations contained therein.

|                                    |   |
|------------------------------------|---|
| _____<br>Volunteer (print or Type) | _____<br>Signature of Volunteer             |
| _____<br>Date                      | Address<br>_____<br>_____<br>Phone<br>_____ |
| <br>Recommended by:                |   |
| _____<br>Staff                     | _____<br>Chief School Administrator         |
| _____<br>Date                      | _____<br>Date                               |

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

### **Visitors**

**Policy 1250**

Date Adopted: September 8, 2008

Date Revised:

Page 1 of 1

First Reading: August 11, 2008

The Board welcomes visits to the school by parents/guardians, Board Members, other adult residents of the community and interested educators, when they fit into the classroom or school routine. In order for the educational program to continue undisturbed when visitors are present, and to prevent the intrusion of disruptive persons into the schools, the Chief School Administrator shall devise regulations controlling visitors.

The building shall be secured during school hours. Visitors must use the main entrance and be admitted by staff. All visitors shall be required to report to the office upon entering the building.

A “visitor” is anyone other than a pupil enrolled in or a staff member employed in the school. Visitors may not consult with the teaching staff or pupils during class time without the permission of the Chief School Administrator.

When the parental rights of a parent have been terminated by a court of appropriate jurisdiction, the legal guardian must inform the school so that the administration may apply appropriate regulations. The Chief School Administrator shall seek confirmation of legal custodianship where necessary.

No one may visit the school during school hours for the purpose of recommending or exhibiting books, maps, etc., to staff. No person shall be allowed to deliver any address or lecture on any subject unless authorized by the Chief School Administrator/designee.

All visitors to the school must obey regulations prohibiting smoking and any other regulations designed to ensure orderly operation of the school. All persons violating this policy shall be considered “disorderly persons” and subject to appropriate action.

#### Legal References:

NJSA 2:18-3, 2C:33.2, 26:3D-15 through -21, 18A:11-1

#### Possible Cross References:

1220, 3327, 3515, 4131/4131.1, 5020, 5124, 5125, 5142, 5145.11, 6144, 9010

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

### **Loitering or Causing a Disturbance**

**Policy 1251**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: August 11, 2008  |               |             |

The Board subscribes to the fundamental law that all children of school age have a right to attend public schools and to receive a suitable education.

Therefore, violence, vandalism, seizure of school buildings or any other disruption to the education process will not be condoned or tolerated.

Any person who is not a member of the school staff or student body and who loiters in or about the school building or grounds without written permission or who causes disturbances may be prosecuted according to the law.

Also, unauthorized persons who enter onto school premises or grounds and cause a disruption shall be prosecuted. Pupils, who are guilty of continued and willful disobedience, or of open defiance of the authority of any teachers or person having authority over them, shall be liable to suspension or expulsion from school.

Any pupil leading or instigating an illegal or unauthorized demonstration or walkout shall be liable to immediate suspension consistent with due process. Re-entry into the school program shall be permitted only after satisfactory consultation with the pupil and parents/guardians.

#### Disturbances at School Events

The Board welcomes the attendance of members of the community at athletic and other public events held by the school, but the Board also acknowledges its duty to maintain order and preserve the facilities of the district during the conduct of these events.

The Board holds the legal authority to bar the attendance of any person whose conduct may constitute a disruption at a school event. In compliance with law, the Board directs no alcoholic beverage shall be consumed at any function on school property or that any betting occurs on school premises.

#### Legal References:

NJSA 2:18-3, 2C::18.3, 2C:33.2, 26:3D-15 through -21, 18A:11-1, 18A:17-42

#### Possible Cross References:

1220, 1312, 1410, 4131/4131.1, 5020, 5124, 5125, 5142, 5145.11, 6144, 9010

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

### **Public Activities Involving Staff, Students or School Facilities**

**Policy 1300**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: August 11, 2008  |               |             |

#### Soliciting Funds from and by Students / Profit-Making Through School Activities

- A. Money-making activities revolving around school activities and student personnel shall generally be sponsored for the benefit of student and school organizations.
- B. Money-making activities by school organizations shall be held to a minimum. The money-making activity should meet the following two criteria:
  - 1. The activity shall be educational in itself.
  - 2. The need for the funds shall be of a magnitude that cannot be met by dues of the activity concerned.
- C. The Chief School Administrator shall establish such rules and regulations as are necessary to implement this policy.
- D. No fund raising drives may be conducted by non-school organizations including those of a charitable nature except with the express approval of the Board of Education.

#### Legal Reference:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Public Complaints & Inquiries**

**Policy 1311**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: August 11, 2008  |               |             |

Any person or group having a legitimate interest in the schools of this district shall have the right to present a request, suggestion, complaint or grievance concerning district personnel, the program or the operations of this district. At the same time, the Board has the duty to protect its staff from unnecessary harassment.

The Chief School Administrator shall develop procedures to investigate and solve problems promptly, and to provide accurate factual information in answer to inquiries. Such procedures shall conform to state law and applicable negotiated agreements. These procedures must provide that:

- A. All such requests, suggestions or complaints be in writing;
- B. Whenever possible the process be initiated and solved at the lowest effective level and follow protocol, i.e.; staff, administration, administrative team review, Board committee review.
- C. District response be courteous and prompt;
- D. Successive steps of appeal and mechanisms for review are available when necessary.

Parents/guardians and pupils will be informed of the proper avenues to follow in the school.

It is the desire of the Board to rectify any misunderstandings between the public and the school district by direct discussion of an informal nature among the interested parties. It is only when such informal meetings fail to resolve the differences that more formal procedures shall be employed.

Any requests, suggestions, complaint or grievances reaching the Board or Board Members shall be referred to the Chief School Administrator as soon as possible who will set up the following procedures:

- A. A conference will be set up between the person making the complaint and the staff member involved within ten school days after receipt of complaint.
- B. If the problem is not resolved at this stage, a conference will be set up between the Superintendent, staff member, person making the complaint and the parent/guardian within ten school days.
- C. If the complaint is still not satisfied, a meeting will be set up with the Board of Education in executive session to try to resolve the situation at the next Board meeting.

All signed complaints shall be acknowledged promptly. No anonymous letters shall be considered by the Board.

### Legal References:

NJSA 10:4-6 et seq, 18A:11-1, 47:1A-1 et seq.

### Possible Cross References:

1120, 3570, 4112.6, 4116, 4148, 4212.6, 4248, 5145.6, 6144, 6161.1, 6161.2,

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Chain of Command / Complaints & Inquiries**

**Policy 1312**

Date Adopted: September 8, 2008

Date Revised:

Page 1 of 2

The Board of Education recognizes that at times concerns may arise. It is the Board's intention to attempt to resolve these matters promptly and efficiently. In order to resolve issues in a professional manner, Board Members, employees, parents and/or community members, and are to follow the "chain of command." The "chain of command" provides for courtesy and respect among all those who are involved in the concern.

### Employees

Employees who have a concern about policies, procedures, practices or any issue arising in the school are directed to refer them to their immediate supervisor first for discussion and resolution. The employee is expected to take this step before bringing the matter directly to the next higher line of authority. In the event that the resolution offered by his/her immediate supervisor does not satisfy the employee, the employee may then present his/her case to the next higher line of authority. It is suggested that employee review and follow the Board of Education's District Organization Chart (Policy 2120) to ensure that the chain of command is followed. Employees who have followed the chain of command are invited to petition the Board of Education in writing. Included in this written petition shall be a brief description of the issue of concern, dates, times (when appropriate) and any resolutions previously sought and/or offered.

Nothing in this policy shall be construed to violate or contradict formal negotiated grievance procedures in place with any bargaining unit employee.

The Board may elect to invite the employee to an executive meeting with the Board to discuss the matter.

Should the employee circumvent the "chain of command" by bringing his/her complaint directly to the Board or an individual Board Member, the Board or the Board Member will refer the employee to the Chief School Administrator to resolve the issue. In such cases, the Board will not act on the employee's complaint until after resolution has been attempted between the employee and the Chief School Administrator.

Failure on the part of the employee to follow this procedure may result in a letter of reprimand being placed in the employee's personnel file. Employees represented by a bargaining unit who fail to follow the chain of command may be in violation of the grievance procedures contained in the contract between the district and the bargaining unit.

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Chain of Command / Complaints & Inquiries**

**Policy 1312**

Page 2 of 2

### Parents and/or Community Members

Parents and/or community members who have a concern about policies, procedures, practices or any issue arising in the school are directed to refer them to the employee or group of employees who are directly responsible for resolving the matter first. Should the issue not be resolved to the satisfaction of the parents and/or community members, they are to be instructed to follow the chain of command as diagramed in Policy 2120 – Organization Chart until the matter is resolved. They are expected to take this step before bringing the matter directly to the Board of Education. In the event that the resolution offered by the Chief School Administrator does not satisfy the parent(s) or community members, the parent(s) or community members may then present the matter directly to the Board of Education. The Board suggests that the matter should be made in writing and that it be presented in a timeframe that will allow the Board to review the matter before acting on it at a regularly scheduled meeting.

The Board may elect to invite the parent(s) and/or community member(s) to an executive meeting of the Board to discuss the matter. Should the parent(s) and/or community member(s) circumvent the “chain of command” by bringing the complaint directly to the Board or to an individual Board, the Board or Board Member will refer the parent(s) and/or community member(s) to attempt to resolve the issue with the Chief School Administrator. In such cases, the Board will not act on the parent(s) and/or community member(s) complaint until after resolution has been attempted between the parent(s) and/or community member(s) and the Chief School Administrator.

### Board Members

Board Members who have a concern or complaint, about policies, procedures, practices or any issue arising in the school are directed to refer them to the Chief School Administrator for discussion and resolution. In the event that the resolution offered by the Chief School Administrator does not satisfy the Board Member, the Board Member may then present the matter directly at a regularly scheduled Board meeting. As a professional courtesy, it is suggested that the matter be discussed with the Board President prior to the Board meeting.

### Legal References

NJSA 10:4-6 et seq. Open Public Meetings Act  
18A:11-1 General mandatory powers and duties  
18A:54-20 Powers of board (county vocational schools)  
47:1A-1 et seq. Examination and copies of public records ("Open Public Records Act")

### Possible Cross References

1120, 3570, 4112.6, 4116, 4148, 4212.6, 4248, 5145.6, 6144, 6161.1, 6161.2, 6163.1, 9010, 9020, 9123

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Public Gifts to the School District**

**Policy 1313**

Date Adopted: September 8, 2008

Date Revised:

Page 1 of 1

First Reading: August 11, 2008

Only the Board of Education may accept for the school district any bequest or gift of money, property or goods exceeding a value of \$1,000.00, except that the Chief School Administrator may accept on behalf of the Board any such gift pending Board approval.

The Board reserves the right to refuse to accept any gift that does not contribute toward the achievement of the goals of the district or the ownership of which would tend to deplete the resources of the district.

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

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

### Grants

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

### Legal References:

NJSA 18A:6-8, 18A:6-33.1 et seq, 18A:11-1, 18A:20-4, 18A:20-11,  
18A:29A-1 through -7, 18A:71-27  
NJAC 6:22-2.1

### Possible Cross References:

1230, 3200, 3220/3230, 3453, 6163.1, 7230



# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Fund Raising by Outside Organizations**

**Policy 1314**

Date Adopted: September 8, 2008

Date Revised:

Page 1 of 1

First Reading: August 11, 2008

The district may cooperate in furthering the work of any non-profit, community wide social service agency provided such cooperation does not restrict or impair educational programs. As a matter of policy, the Board expects such activities to be kept to a minimum.

No organization may solicit funds from staff members within the schools, nor may anyone distribute flyers or other materials related to fund drives through the school, without the approval of the Chief School Administrator, nor shall any staff member be made responsible, or assume responsibility for, the collection of any money or distribution of any fund drive literature without such activity being approved by the Board on the recommendation of the Chief School Administrator.

The Chief School Administrator shall seek direction from the Board in instances where prior practice has set no policy as to a particular fund drive.

### Legal References:

NJSA 18A:11-1, 52:14-15.9c 1 et. Al.

### Possible Cross References:

1314.1, 3453

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

### **Soliciting Funds from & by School Personnel**

**Policy 1314.1**

Date Adopted: September 8, 2008

Date Revised:

Page 1 of 1

First Reading: August 11, 2008

#### Solicitations by Staff

Staff members must refrain from using their positions in the school district for personal gain and for soliciting support of parents/guardians or pupils in the district for projects or enterprises in which the staff member is directly or indirectly involved, except as may be approved by the Chief School Administrator.

#### Solicitations of Staff

In the interest of preventing the exploitation of staff, solicitation of staff by whatever source is prohibited during the school day on school grounds unless approval in writing is obtained from the Chief School Administrator.

#### Solicitation by Pupils

It is the policy of the Board to permit in-school sponsorship of only those solicitations that has educational value for the pupil and which do not interfere with the educational program. All activities must have the approval of the Chief School Administrator.

#### Solicitations of Pupils

In the interest of preventing the exploitation of pupils, solicitations by outside organizations, commercial enterprises and individuals are prohibited on school grounds both during and after school hours.

Outside organizations are not permitted to advertise events or sell products through the schools or use the children to sell tickets and/or products except those events jointly sponsored with a school and school-approved parents-teacher activities, and those specifically approved by the Chief School Administrator.

#### Legal References:

NJSA 18A:11-1, 52:14-15.9c 1 et. al.

#### Possible Cross References:

1314, 3453

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Relations Between Public and Pupils**

**Policy 1320**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: August 11, 2008  |               |             |

The Chief School Administrator shall review all proposals for pupil involvement in civic or charitable activities that are to be considered part of school-sponsored programs. He/she shall inform the Board of all such proposals and make recommendations.

### Pupil Participation in Public Events

The Board recognizes the value to pupils of sharing their talents and skills with the community through participation and performance in public events. The Board endorses such performances when:

- A. they constitute a learning experience that contributes to the educational program;
- B. they do not interfere with other scheduled activities of the school;
- C. the circumstances of the event do not pose a threat to the health, safety, and well being of the public who will be involved.

School groups may not participate in events that fall into any of the following classifications:

- A. Events that are for the purpose of private gain or to advertise any commercial project or product. A school name, the names of school sponsored groups or school equipment shall not be exploited in events of a commercial nature.
- B. Events that are for the furtherance of any partisan interest, either political or sectarian.
- C. Events that cause an undue amount of interference with the regular school program or that cause an excessive amount of absence due to rehearsal or preparation. This shall be a value judgment by the Chief School Administrator.

The Chief School Administrator shall ensure that:

- A. Parental permission is sought and received before pupils may participate.
- B. No pupil is compelled to participate in a public performance or penalized in any way for failure to do so; (if public performance is part of a course/program requirement, pupils must be informed. This policy does not address that type of participation.)
- C. No pupil or group of pupils receive compensation for their performance in public in an organized school activity; donations may be given to the general school funds by the sponsoring organization.
- D. Sponsoring organizations pay the expenses of transportation when appropriate.
- E. Pupils who participate in public performance make prior arrangements with teachers of classes to be missed in order to make up work.

### Legal References:

NJSA 18A:11-1, 18A:42-2

### Possible Cross References:

3453, 5136, 6115, 5145.4, 6154

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Contests for Pupils**

**Policy 1322**

Date Adopted: September 8, 2008

Date Revised:

Page 1 of 1

First Reading: August 11, 2008

The Chief School Administrator shall approve participation in extracurricular contests sponsored by organizations outside the schools, as long as participation does not interfere with the instructional program. When such contests involve promotional aid, school time, or faculty assistance to pupils in essay writing, poster making, or other activities, the Chief School Administrator shall determine whether the experiences are closely enough allied to and in support of the instructional work of the school and will clearly serve to advance the educational aims of the district. The worthiness of the sponsoring agency's cause or the opportunity for individuals to win prizes shall not in themselves constitute sufficient reason for approving a contest.

Contests and awards whether local, state, or national shall be:

- A. For the benefit of the pupil;
- B. Open to all pupils regardless of race, creed, color, national origin, ancestry, age or sex;
- C. Consistent with district objectives;
- D. Judged by disinterested parties;
- E. Properly supervised with safety precautions in place;
- F. Voluntary for pupils and teachers.

Contests and awards shall not place undue time or financial burdens on pupils, teachers and parents. They shall not promote commercial products or partisan viewpoints. Participation shall not be dependent on the financial status of the pupil.

### Legal References:

NJSA 18A:11-1, 18A:42-2

### Possible Cross References:

1314, 1320, 3280, 5126, 6145, 6145.1/6145.2, 6145.4, 6153

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Collections for Charitable Causes**

**Policy 1324**

Date Adopted: September 8, 2008

Date Revised:

Page 1 of 1

First Reading: August 11, 2008

Collections and participation by staff and/or students for charitable causes are to be approved by the Board of Education on an individual basis.

### Legal References:

NJSA 18A:11-1, 18A:20-34

NJAC 6:8-8.3(b) 2

### Possible Cross References:

1000, 1314, 1314.1

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Selling & Advertising on School Property**

**Policy 1325**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: August 11, 2008  |               |             |

Selling and advertising on school property is prohibited except with the approval of the Chief School Administrator.

### Legal Reference:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Use of School Property**

**Policy 1329**

Date Adopted: September 8, 2008

Date Revised:

Page 1 of 1

First Reading: August 11, 2008

The operation of all unauthorized motor vehicles, including motor bikes, mini-bikes, motorcycles, golf carts, and any other power operated vehicle is prohibited on the grounds owned by the Elsinboro Township Board of Education.

In addition, the use of unauthorized skateboards or roller skates is also prohibited on the grounds owned by the Elsinboro Township Board of Education.

### Legal References:

NJSA 18A:11-1

### Possible Cross References:

1330.1

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Use of School Facilities**

**Policy 1330**

Date Adopted: September 8, 2008

Date Revised: April 16, 2012

Page 1 of 3

First Reading: August 11, 2008

The district facilities belong to the community, which paid for them for the primary purpose of offering a full educational program for its children. Prudent use and management of school facilities outside of the regular operating schedules providing that such use does not interfere with the orderly conduct of a thorough and efficient system of education allows the community to benefit more broadly from the use of its own property.

Permission for the use of school facilities will be granted when such permission has been requested in writing through the Chief School Administrator or Board Secretary/Business Administrator and has received Board approval.

- A. Uses and groups directly related to the school and the operations of the school;
- B. Youth and service organizations of Salem County;
- C. Uses and organizations indirectly related to the school;
- D. Departments or agencies of the municipal government;
- E. Other governmental agencies;
- F. Community organizations formed for charitable, civic or educational purposes.

The use of school facilities shall not be granted for the advantage of any commercial or profit-making organization, private social functions, ~~of political organizations~~ or any purpose, which is prohibited by law.

### Political Activities

As used in this section, “school property” shall mean a building or buildings used for school operations.

In accordance with the provisions of NJSA 19:44A-19.1, candidates for elective public office, holders of elected public office or their agent or representative are prohibited from soliciting campaign contributions on school property. No person shall make contributions, directly or indirectly, to or on behalf of any candidate for elective public office, or the candidate committee or joint candidates committee of any such candidate, while on school property.

This shall not apply to persons or groups reserving or renting school property for a nongovernmental purpose as a meeting location.



# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations Use of School Facilities**

## **Series 1000 Policy 1330**

Page 2 of 3

Any person in violation of this section of this policy may be reported to the Election Law Enforcement Commission and liable to a penalty of not less than \$5000, for each violation.

In the event the Chief School Administrator deems it advisable, any application may be submitted to the Board of Education for action.

The Board of Education may refuse to grant the use of a school building whenever in their judgment there is good reason why permission should be refused. The Board shall not be required to give a reason for such refusal.

Smoking is not permitted in any school facility or on any school property. Intoxicating beverages and the use of illegal drugs are prohibited on all school properties at all times, and any person under the influence of alcohol and/or drugs shall not be permitted to remain thereon. All facility use shall comply with state and local fire, health, safety and police regulations. Responsibility for these controls rests upon the party signing the application.

The building shall not be available for community use during holidays, vacation periods, or during the time school is not in session over the summer when the programs interfere with cleaning and maintenance schedules.

Use of district equipment on the premises by nonschool personnel is limited to the equipment that is an integral part of the facility being used, i.e., the stage lights and piano in the auditorium, the

basketballs in the gym. No district equipment shall be removed from the premises for use by non-district personnel.

The Board shall require that all users of school facilities comply with the policies of the Board and the rules and regulations of the district. Each user for athletic related activities shall present a copy of its Certificate of Insurance as evidence of the purchase of organization liability insurance to the limit prescribed by such rules. This certificate shall be viewed by the Board Secretary/Business Administrator and attached to the application.

Authorization for use of school facilities shall not be considered as an endorsement of or approval of the activity, person, group or organization nor the purposes they represent.

# Elsinboro Township Board of Education District Policy Manual

**Community Relations**  
**Use of School Facilities**

**Series 1000**  
**Policy 1330**

Page 3 of 3

NJSA 2C:33-16 Alcoholic beverages; bringing or possession on school property by person of legal age; penalty  
18A:11-1 General mandatory powers and duties  
18A:20-34 Use of schoolhouse and grounds for various purposes  
26:3D-55 et seq. New Jersey Smoke-Free Air Act  
19:44A-19.1 solicitation on state property; prohibited – political activity

NJAC 6A:26-12.2(a)4 Policies and procedures for school facility operation

20 U.S.C.A. 4071 – 4074 – Equal Access Act

GOALS 2000: Educate America Act (Pro Children Act of 1994), Pub. L. 103-227

No Child Left Behind Act of 2001, Pub. L. 107-110,

USCA 6301 et seq

Resnick v. East Brunswick Twp. Bd. of Ed., 77 N.J. 88 (1978)

Good News Club v. Milford Central School, 121 S.Ct. 2093 (2001)

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

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

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials (1999 Revisions)

## Possible Cross References

1330, 1420, 3220/3230, 3320, 5125, 5131.5, 5131.6, 5141.1, 5141.4, 5141.6, 5145.11, 5145.12, 6114, 6122, 6145.1/6145.2, 6172, 7110, 7150

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Use of School Facilities**

## **Administrative Procedure 1330**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 3 |
| First Reading: August 11, 2008  |               |             |

### Administrative Procedures for Community Use of the School Facilities

#### Conditions Governing Use of School Facilities

- A. An employee of the Board of Education must be on duty whenever the school building is used by an organization or group.
- B. No building will be used for commercial or personal gain.
- C. No out-of-school group will begin an activity until school is dismissed in the afternoon and students have left the building.
- D. On days when school is closed because of snow or other emergency, all activities scheduled for that day will be cancelled or postponed.
- E. Private individuals or family affairs will not be permitted to use the building or grounds.
- F. No group or organization will, under any circumstances, tamper with any electrical or heating controls.
- G. The kitchen will not be used by any group or organization unless arrangements are made with the Chief School Administrator and approved by the Board of Education.
- H. No smoking is permitted in the building or on the grounds of the school.
- I. The Board of Education reserves the right to require, if necessary, that groups or organizations using the building or grounds post a cash bond of \$100 or \$500 to cover any damages that might be done to any property, equipment or grounds.
- J. Any group or organization using the school building or grounds will leave them in the same condition as found. All litter must be removed.
- K. Any group or organization using school facilities must comply with local ordinances for permits and security.
- L. Any group or organization not specifically exempt from use fees must pay for the uses of facilities, equipment, support staff, etc. at established rates.

#### Application Procedures

Any group or organization requesting the use of the school building or grounds must submit an application on designated form to the Board of Education through the Chief School Administrator or Board Secretary/Business Administrator. An application must assure the Chief School Administrator and Board of Education that the group or organization will comply with all rules and regulations and Board policies, respects the property, equipment and grounds of the school.

Application forms are available in the school office. Applications must be submitted by the first of the month proceeding the month of the program for Board of Education approval.

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations Use of School Facilities**

## **Series 1000 Administrative Procedure 1330**

Page 2 of 3

A sponsoring organization or group must indicate on its application:

- A. The purpose of the program or event
- B. Pay for the use of equipment, property or grounds at the established rates
- C. Guarantee orderly behavior
- D. Indicate whether permits are required and obtained; indicate whether outside security is required and obtained
- E. Provide Certificate of Insurance for athletic related activities. The will be kept on file with Board Secretary/Business Administrator after he/she has examined them for adequacy of liability insurance.

### Fees

The Board of Education may assess fees to recover costs when appropriate. The Chief School Administrator will establish a schedule of appropriate fees.

Applications are not required for:

- A. School activities on school days that do not require the assignment of overtime to custodial personnel and that do not extend beyond the hour of 6:00 PM.
- B. The Chief School Administrator's use of the building for such purposes as working in his/her office or holding conferences, small group meetings of faculty, parents or students.
- C. When the building is used without the services of the custodial staff, the Chief School Administrator will be responsible for the care and security of the building.

Organizations such as Boy or Girl Scouts, Brownies, Cub Scouts, E.S.A. ("Elsinboro School Association"), PAC, athletic and booster groups may have free use of the building with completed and approved applications. In all cases then following conditions are to be observed:

- A. Afternoon meetings must end by 6:00 PM and evening meetings by 10:00 PM.
- B. Maximum space for free use is one room.
- C. Maximum number of organizations in the building for free use at any time is two.
- D. Permission must be obtained from the Board for the use and rearrangement of any school equipment or furniture. If such items are to be moved, they will be moved by the using organization or group and replaced exactly in the original position.
- E. Service from the custodial staff is to be limited to admitting the organization or group after its sponsor arrives, assisting the sponsor in an advisory capacity concerning the facility to be used, and to closing up and properly securing the facility when the organization or group has left.

### Use of Special Equipment

Arrangements for the use of special equipment such as projectors, pianos, public address systems, or other equipment belonging to the school must be made at the time the application is filed.

Normally the use of kitchen equipment for food preparation and sanitizing of dishes, utensils, and tableware will require the assignment of a lunchroom employee. The arrangements for securing lunchroom employees and/or custodial staff will be the responsibility of the Chief School Administrator.

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Use of School Facilities**

## **Administrative Procedure 1330**

Page 3 of 3

School equipment must be carefully maintained, accounted for, and properly used since it involves a considerable expenditure.

### Use of Facility by Graduating Class

Should all members of the graduating class and their parents care to use the all purpose room for a party after graduation exercises, such permission is automatically granted in accordance with policy #1330, 1330.1 and 1330.5.

The parents sponsoring the party should make arrangements with the Chief School Administrator in advance of graduation.

All expenses incurred for the graduation party, i.e., food, disc jockey, services of a janitor (if desired)...will be paid from the class fund account. If sufficient funds are not raised, then the parents will pay for the party.

**ELSINBORO TOWNSHIP SCHOOL**  
**631 Salem-Ft. Elfsborg Road**  
**Salem, NJ 08079**

**APPLICATION FOR USE OF SCHOOL FACILITIES**

To the Elsinboro Township Board of Education:

Name of Organization \_\_\_\_\_ Date \_\_\_\_\_

The undersigned hereby makes application for use of the following facilities of the Elsinboro Township Board of Education: (APPLICATION MUST BE SUBMITTED THE FIRST OF THE MONTH FOR APPROVAL AT BOARD MEETING, WHICH IS THE SECOND MONDAY OF EACH MONTH. IT IS SUGGESTED THAT A REPRESENTATIVE OF YOUR ORGANIZATION ATTEND NEXT BOARD MEETING FOLLOWING SUBMISSION OF APPLICATION.)

1. List room or other facility desired. \_\_\_\_\_
2. List grounds or field desired. \_\_\_\_\_
3. List date or dates desired. \_\_\_\_\_
4. List hours desired. \_\_\_\_\_
5. List equipment requested. (If none, so state.) \_\_\_\_\_  
\_\_\_\_\_
6. List types of non-alcohol beverages or food to be served or sold. (If none, so state.) \_\_\_\_\_  
\_\_\_\_\_
7. This application is made for the purpose of (state reason(s) and usage for which application is made) \_\_\_\_\_  
For which an admission charge of \$ \_\_\_\_\_ per person will be made. The funds obtained are to be used for the following purposes: \_\_\_\_\_  
\_\_\_\_\_
8. The applicant agrees to pay the necessary charges:  
Services or rental charge \_\_\_\_\_  
Extra janitorial services \_\_\_\_\_  
Other charges \_\_\_\_\_  
Total charges \_\_\_\_\_

9. The applicant states that Regulation 1330 concerning the use of public school facilities has been read and agrees that, if this application is approved, the building and/or grounds will be sued subject to each and every rule, regulation contained therein, and that the applicant will be responsible.
10. Any organization/person or persons granted the use of school facilities will have to obtain a Fire Permit when such is requested by the Fire Subcode Official for Elsinboro Township.  
\_\_\_\_\_ check if a fire permit is required
11. Any organization/person or persons granted the use of school facilities agrees to the following: The Elsinboro Township Board of Education will not be held responsible for any accidents, damages to any person/persons/equipment or facilities incurred while using the school facilities.

Signed by: \_\_\_\_\_

Street Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Certificate of Insurance Policy #: \_\_\_\_\_ Must be attached for athletic  
related athletic activities

Place on Board Agenda for \_\_\_\_\_. Your attendance is required.  
Date

Approved:

\_\_\_\_\_ Date \_\_\_\_\_ Chief School Administrator  
Elsinboro Township Board of Education

\_\_\_\_\_ Copy Maintenance \_\_\_\_\_ Applicant \_\_\_\_\_ File \_\_\_\_\_ Insurance checked

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Public Conduct on School Property**

**Policy 1330.1**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 2 |
| First Reading: August 11, 2008  |               |             |

The Board of Education of the Elsinboro Township School District hereby enacts and adopts the following policy for the maintenance of public order on real property owned, leased, or otherwise used by the school district.

No person shall:

- A. Injure or threaten the person of another
- B. Damage the property of another or of the school district
- C. Violate any provision of the Penal Law of the State of New Jersey or ordinance of the Township of Elsinboro relating to the maintenance of public order
- D. Conduct himself/herself in such a manner as to impede, delay, or otherwise interfere with the orderly conduct of the education program of the school property which has been authorized by the Board of Education, Chief School Administrator, or other authorized school district administrator.
- E. Enter upon any portion of school premises at any time for purposes other than those that are lawful and/or authorized by the Board.
- F. Willfully violate other rules and regulation adopted by the Board and properly publicized, designed to maintain public order on school property.

Violators shall be dealt with as follows:

- A. Students shall be subject to suspension and expulsion pursuant to the provisions of New Jersey Statutes and Administrative Code or other appropriate penalties as may be determined. If suspension is for more than ten days, students shall be entitled to a hearing.
- B. Tenured faculty shall be subject to the penalties and procedures provided in New Jersey Statutes and Administrative Code or other appropriate penalties as may be determined.
- C. Nontenured faculty shall be subject to the penalties as may be determined.
- D. Any other person on school property will be requested by the Chief School Administrator or his or her agent to register at the proper office stating name, address and purpose or business for being on school property or violating or threatening to violate the above rules relating to the maintenance of public order shall be directed to leave the premises forthwith. Should he/she fail or refuse to do so, the local police, New Jersey State Police or Salem County Sheriff's Department shall be notified and requested to cause his/her ejection as a loiterer or trespasser as defined in the Penal Law of the State of New Jersey.
- E. Appropriate penalties as referred to herein shall range from reprimands to prosecution under the statutes noted above.

In addition to any rule, regulation, penalty or punishment herein noted or provided, all persons on school property shall be subject to the provisions of the Penal Law and Code of Criminal Procedure of the State of New Jersey respecting the maintenance of public order.



# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

### **Public Conduct on School Property**

**Series 1000**

**Policy 1330.1**

Page 2 of 2

The Chief School Administrator will be responsible for enforcement of this policy, and he/she may designate other administrative officers to take enforcement action. The Chief School Administrator will be responsible for preparation implementing rules and regulations for adoption by the Board.

In any case where violations of this policy and implementing rules and regulations do not cease after reasonable warnings in or the cases of willful violation of such directives, the Superintendent of Schools/designee will take appropriate action. In addition, the Chief School Administrator/designee may request public law enforcement officials and/or the courts for necessary assistance.

#### Legal References:

NJSA 2C:18-3, 2C:33-2, 18A:11-1, 263D-15 through 21

#### Possible Cross References:

1330, 1330.2, 1330.5

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

### **Hours of Use of School Grounds & Equipment, Fields, Basketball Courts, Etc**

**Policy 1330.2**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: August 11, 2008  |               |             |

The Board of Education affirms that the buildings, grounds and equipment belong to the community, which paid for them. Responsible use of the school grounds and equipment outside of regular school hours by township residents and members of the public is an efficient use of them. The Board permits the use of the school grounds including basketball courts, athletic fields, and playground equipment by the general public provided that such use does not interfere with their use by the students and staff of the district schools.

All rules and regulations established by the Board of Education and the local municipal government shall be observed by any person or persons while on school property.

The school and facilities shall be made available to the public as freely as is consistent with state statutes and policies of the Board of Education. The facilities will normally be available between the hours of 5:00 PM until 10:00 PM on weekdays and between 9:00 AM and 10:00 PM on weekends and holidays or vacations, unless such use interferes with cleaning and maintenance schedules. The Board directs that signs be posted conspicuously about the grounds stating the permitted hours of such use.

The Board of Education may refuse to grant the use of school grounds and/or facilities whenever in their judgment there is good reason why permission should be refused. The Board shall not be required to give a reason for such refusal.

Smoking is not permitted on school grounds. Intoxicating beverages and the use of illegal drugs are prohibited on all school properties at all times, and any person under the influence of alcohol and/or drugs shall not be permitted to remain thereon. All facility use shall comply with state and local fire, health, safety and police regulations.

Use of school facilities for games of chance or the use of any scheme or device, which encourages or suggests gambling or games of chance, is prohibited.

Violence and/or vandalism of school buildings or facilities or equipment will not be condoned or tolerated.

Disorderly persons who enter onto school premises or grounds and cause a public disturbance or who do not abide by the provisions of this policy may be prosecuted.

#### Legal References:

NJSA 2C:18-3, 2C:33-2, 18A:11-1, 263D-15 through 21

#### Possible Cross References:

1330, 1330.5

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

### **Trespassing on School Property**

**Policy 1330.5**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: August 11, 2008  |               |             |

The Board of Education affirms its responsibility to provide for the safety of its students and staff within the school buildings and on school property. In order to meet this obligation, the Board establishes this policy to ban trespassing on school property.

During the school day, only students, staff, parents/guardians, invited visitors, or vendors on official business shall be permitted to be present on campus or in the school buildings. All other individuals shall be considered to be trespassing and shall be asked to leave immediately.

The Board directs the Chief School Administrator to develop procedures for the staff to follow in the event that a person or persons are reported to be in violation of this policy. The Board further directs that “No Trespassing” signs be posted appropriately on the campus and on all exterior doors of the school buildings.

In the event that a person or persons refuse to leave school property when directed to do so, the Chief School Administrator or his/her designee shall take whatever lawful steps he/she deems necessary, including requesting assistance from the New Jersey State Police and/or filing a complaint against the individual(s) who are in violation of this policy.

In order to reduce or eliminate the number of persons who may be in violation of this policy, students who do not ride the school bus or drive their own personal vehicles in accordance with school policy may only be picked up by their parents/guardians at the end of the school day. In the event that a parent/guardian wishes to grant permission for someone other than himself/herself, the parent must notify the school prior to the end of the school day. The Board directs the Chief School Administrator or his/her designee to take whatever steps he/she deems necessary to validate the request and to require proper identification of the person(s) picking up the student.

The Board further directs that written notification of the intent and content of this policy be sent to all parents/guardians of students each year.

#### Legal References:

NJSA 2C:18-3, 2C:33-2, 18A:11-1, 263D-15 through 21

#### Possible Cross References:

1330, 1330.1

# **Elsinboro Township Board of Education District Policy Manual**

**Community Relations**

**Series 1000**

**Local Units**

**Policy 1410**

Date Adopted: Sept. 8, 2008

Date Revised: Sept. 9, 2013, Nov. 14, 2017

Page 1 of 4

The Board of Education wishes to cooperate as fully as possible with other public agencies in the community, which deal with pupils. Whenever feasible, the Chief School Administrator shall develop positive working relationships with such agencies, including but not limited to investigative committees, pooled resources, and information exchange.

In accordance, with the law, the district may accept or share the use of facilities or equipment with other local organizations. The terms of the acceptance or sharing shall be decided for each instance.

## Relations with Police and Fire Authorities

Cooperation with law enforcement agencies is desirable. This cooperation must recognize the functions of the schools, be in harmony with the Constitution of the United States, the laws of New Jersey, and recognize the potential enrichment that law enforcement agencies can make in the educational program.

## Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials (MOA)

Pursuant to the provisions of NJAC 6A:16-6 et seq, the Board of Education and the Chief School Administrator shall ensure cooperation between school staff and law enforcement authorities as defined therein.

## Live Streaming Memorandum of Understanding Between Education and Law Enforcement Officials (MOU)

Pursuant to the provisions of PL 2017, c.119, effective July 21, 2017, if the school building is equipped with video surveillance equipment that is capable of streaming live video wirelessly to a remote location, the Board of Education and local law enforcement must enter into a Memorandum of Understanding (MOU) which provides the authorities with the capacity to activate the equipment and view the live streaming video.

This MOU regarding live streaming, at a minimum, must include:

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations Local Units**

**Series 1000  
Policy 1410**

Page 2 of 4

- A list of designated law enforcement authorities, including contact information, position, rank, and supervisor's contact information, of those who are authorized to activate the equipment to view the live streaming video. The list may be executed as a confidential attachment to the MOU.
- Description of the circumstances under which the designated individuals could activate and view the live streaming video.
- A detailed plan for preventing and detecting unauthorized access to live streaming video.

Annually, the Chief School Administrator and the Board of Education shall discuss the implementation of and the need for revising the MOA and the MOU and review the effectiveness of the policies and procedures adopted by the Board of Education and implemented by the district in accordance with the requirements of NJAC 6A:16-6, Law Enforcement Operations for Alcohol, Other Drugs, Weapons and Safety

The annual review must include input from the Executive County Superintendent, community members, Board of Education Members, and meetings with the County Prosecutor and the law enforcement officials designated by the County Prosecutor.

The MOA and MOU must be approved and signed by the following school and law enforcement officials:

- President of the Board of Education
- Chief School Administrator
- Appropriate Law Enforcement Agency (Chief of Police, Station Commander, etc.);
- Executive County Superintendent
- County Prosecutor.

Each of these individuals shall sign and received a signed copy of the MOA and the MOU annually, subsequent to the annual discussion of the MOA and the MOU.

### Procedures

The following procedures shall be followed:

- The Chief School Administrator shall schedule meetings with the Appropriate Law Enforcement Agency Leader to discuss the MOA and the MOU and/or revisions to them;
- All copies of the MOA and the MOU shall be signed by the Chief School Administrator and the Appropriate Law Enforcement Agency (Chief of Police, Station Commander, etc.);
- Any and all additional approved MOA and the MOU provisions and all school and law enforcement contacts are to be attached to each signed copy of the MOA and the MOU;

# **Elsinboro Township Board of Education District Policy Manual**

**Community Relations  
Local Units**

**Series 1000  
Policy 1410**

Page 3 of 4

- All copies of the MOA and the MOU are then to be forwarded to the Executive County Superintendent for approval and signature;
- The Executive County Superintendent signs all copies of the MOA and the MOU and forwards them to the County Prosecutor for approval and signature;
- The County Prosecutor signs all copies of the MOA and the MOU, retains one copy of each and arranges for the delivery of one copy of each to the Appropriate Law Enforcement Agency (Chief of Police, Station Commander, etc.) and the remaining copies to the Executive County Superintendent;
- The Executive County Superintendent retains one copy of the MOA and the MOU and arranges for the delivery of the remaining copies of each document to the Chief School Administrator and the President of the Board of Education.

## Cooperative Arrangements with Other School Districts

The Board desires that strong lines of communication be maintained with other districts and institutions which provide programs, training, or services not available to children residing in this district, and with districts whose resident pupils are enrolled in programs in this district.

The district in which pupils are in attendance has responsibility and authority for those pupils. In order that those pupils receive maximum benefit from their program of studies, articulation between the cooperating institutions is essential.

Further, this school district shall cooperate with other school districts in the solution of common educational concerns. District staff under the direction of the Chief School Administrator shall participate in the coordination of such areas as research, exchange of information and data, coordination of curriculum, coordination of school calendar and activities, and any others where it may be advantageous to serve a broader area than this school district.

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

### **Local Units**

**Series 1000**

**Policy 1410**

Page 4 of 4

### Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure  
18A:11-1 General mandatory powers and duties  
18A:18A-11 Joint purchases by districts, municipalities; counties; authority  
18A:20-4.2 Acquisition, improvement, lease, etc., of property for school purposes; authority of board of education  
18A:20-9 Conveyance of unneeded real estate for nominal consideration; qualified recipients; reversion  
18A:20-34 Use of schoolhouse and grounds for various purposes  
18A:36-25 Early detection of missing and abused children; policies of school districts  
18A:38-30 Assistance of sheriffs, police officers, etc  
18A:40A-1 et seq. Substance abuse  
18A:40A-11, -12, -15, -16, -17, -18  
18A:41-1 Fire drills  
18A:41-5 Reporting fires  
40:8A-3 et al. Authority to enter into contract for joint provision services  
40:55D-8 et al. Municipal fees; exemptions
- NJAC 6A:14-7.1 et seq. Receiving Schools  
6A:14-8.1 et seq. Programs Operated by the Departments of Corrections and Human Services, and the Juvenile Justice Commission  
6A:16-1.1 et seq. Student Development Programs  
6A:16-4.1(b)(c), 5.2, 6.1, 6.2, 10.2  
6A:32-9.1(c) Athletics Procedures (General requirements)  
6A:32-12.1 et seq. Annual Reporting and Planning Requirements
- The New Jersey School Search Policy Manual,  
Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials (1999 Revisions)  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

### Possible Cross References

1330, 1420, 3220/3230, 3320, 5125, 5131.5, 5131.6, 5141.1, 5141.4, 5141.6, 5145.11, 5145.12, 6114, 6122, 6145.1/6145.2, 6172, 7110, 7150

# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

### **Relations with Organizations, Including Non-Public Schools**

**Policy 1600**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: August 11, 2008  |               |             |

The Board of Education believes that cooperation between the school district and other organizations concerned with youth, career development and mental health will enhance the opportunities of the district's pupils. Such cooperation will also enable the district to serve its pupils better through appropriate referrals as in drug/alcohol programs, special needs, etc. The Chief School Administrator is encouraged to explore areas of mutual concern with the administrative officers of such organizations and to recommend desirable courses of action.

The Board directs the Chief School Administrator to seek and maintain working relationships with local colleges and universities in such areas as student teaching, in-service staff development, school-college liaison and advanced placement.

#### Relations With Non-Public Schools

The Board of Education will cooperate with parochial and private schools in matters of mutual benefit not expressly prohibited by law. The Chief School Administrator is encouraged to explore areas of mutual benefit with the administrative officer of such schools and to recommend desirable courses of action.

#### Donations To Private Organizations

The authority for a Board of Education to expend public funds is derived from the constitutional mandate to "provide for the maintenance and support of a thorough and efficient system of free public schools." The donation of moneys to any private organization, regardless of the merits of that organization's purpose, is not within the authority of the Board and is, therefore, prohibited.

#### Legal References:

NJSA 18A:11-1, 18A:17-14.1, 18A:17-15, 18A:17-24.1, 18A:20-9, 18A:20-34, 18A:36A-1 et seq., 18A:54-20, 18A:58-37.1 et seq., 18A:61C-1, 18A:61C-4, 40:8A-1 et seq., 52:14-15.9cl et seq.,  
NJAC 6:8-2.1, 6A:8-3.1(a)2, 6A:8-3.3(a), 6A:11-1.1 et seq., 6A:14-7.1 et seq.  
6A:16-1.1 et seq., 6A:16-4.1(a)(b), -4.2(a), 6A:23-6.1 et seq., 6A:24-5.1

Zelman, Superintendent of Schools of Public Instruction of Ohio, et al. V.  
Simmons-Harris et al, 536 US 232

New Jersey Constitution, Article VIII, Section III, pars. 2 and 3, Section IV, par. 1  
Manual for the Evaluation of Local School Districts (September 2002)

#### Possible Cross References:

1320, 1322, 1330, 1410, 1420, 1500, 3280, 4122, 5131.6, 5141.6, 5200, 6010,  
6141.5, 6142.4, 6146, 6162.4, 6171.2, 6171.4



# **Elsinboro Township Board of Education District Policy Manual**

## **Community Relations**

**Series 1000**

## **Cooperative Arrangements & Other Relationships with other School Districts**

**Policy 1650**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: September 8, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: August 11, 2008  |               |             |

The Board may enter into cooperative agreements, otherwise known as “inter-local agreements,” “shared service agreements,” and/or “consortiums,” with other school districts in accordance with law.

### Legal References:

NJSA 18A:18A-11

NJAC 6:8-3.5 (3)

# **Elsinboro Township Board of Education**

## **District Policy Manual**



**Administration**  
**Series 2000**



# Elsinboro Township Board of Education District Policy Manual **TABLE OF CONTENTS**

## **Administration – Series 2000**

|  |                  |
|--|------------------|
| <b>Concepts &amp; Roles in Administration: Goals &amp; Objectives</b>            | <b>2000/2010</b> |
| <b>Code of Ethics for Administrators</b>   | <b>2050</b>      |
| <b>Administrative Staff Organization</b>   | <b>2100</b>      |
| <b>Administrative Team Development</b>   | <b>2110.1</b>    |
| <b>Residency Requirements</b>  | <b>2111.4</b>    |
| <b>Pandemic Situations</b>   | <b>2111.5</b>    |
| <b>Re-Opening School Following a Pandemic</b>                                    | <b>2111.6</b>    |
| <b>District All-Virtual Policy</b>   | <b>2111.63</b>   |
| <b>Contact Tracing &amp; Screening - Pandemic</b>                                | <b>2111.65</b>   |
| <b>COVID – 19 &amp; Transportation</b>   | <b>2111.8</b>    |
| <b>Organizational Chart</b>  | <b>2120</b>      |
| <b>Lines of Responsibility</b>   | <b>2121</b>      |
| <b>Chief School Administrator - Compensation &amp; Benefits</b>                  | <b>2125</b>      |
| <b>Administrative Positions / Job Descriptions of Administrators</b>             | <b>2130</b>      |
| <b>Chief School Administrator – Development Opportunities</b>                    | <b>2131</b>      |
| <b>Evaluation of School Administrative Staff</b>                                 | <b>2131.5</b>    |
| <b>Evaluation of the Chief School Administrator</b>                              | <b>2132</b>      |
| <b>Acting Chief School Administrator</b>   | <b>2133</b>      |
| <b>Teacher in Charge</b>   | <b>2135</b>      |
| <b>Administrative Positions – Review of Contracts</b>                            | <b>2200</b>      |
| <b>Administrative Leeway in Absence of Board Policy</b>                          | <b>2210</b>      |
| <b>Representative &amp; Deliberative Groups</b>                                  | <b>2220</b>      |
| <b>Nondiscrimination / Affirmative Action</b>                                    | <b>2224</b>      |
| <b>Periodicals, Manuals, Directives, Bulletins, Announcements, Reports</b>       | <b>2232</b>      |
| <b>Research, Evaluation &amp; Planning</b>                                       | <b>2240</b>      |
| <b>Needs Assessment of the District and the Individual Programs / Facilities</b> | <b>2241</b>      |
| <b>Action Planning for Thorough &amp; Efficient Certification</b>                | <b>2255</b>      |
| <b>Action Planning for State Monitoring - NJQSAC</b>                             | <b>2256</b>      |
| <b>Holiday Observance</b>  | <b>2260</b>      |
| <b>Evaluation of Educational Administration</b>                                  | <b>2400</b>      |

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

### **Concepts & Roles in Administration: Goals & Objectives**

**Policy 2000/2010**

|                                  |               |             |
|----------------------------------|---------------|-------------|
| Date Adopted: October 6, 2008    | Date Revised: | Page 1 of 1 |
| First Reading: September 8, 2008 |               |             |

The Board of Education shall establish policies that govern all aspects of district operations. The Board expects the educational administration to direct, coordinate and supervise pupils and staff in their efforts to reach the goals and objectives adopted by the Board.

Within the guidelines of Board policy, negotiated agreements and New Jersey law, the Board expects the educational administration to:

1. Provide up-to-date information and sound professional advice to the Board, as an aid in rational decision making;
2. Plan, organize, implement and evaluate the educational programs established by Board policy, in order to provide optimum educational opportunities to the pupils of the district;
3. Provide these optimum educational opportunities at a reasonable cost;
4. Use efficient administrative and management procedures, pursuant to law and regulations, and developed after consultation with and among the Board, administrators and appropriate staff members;
5. Coordinate the resources of the community and the district.
6. Keep the Board informed of all new legislative actions or changes in code and statute that affect the policies, programs or operations of the district.

#### Legal References:

NJSA 18A:7A-3 et. Al., 18A:7F-1, et seq, 18A:11-1, 18A:12-21 et seq,  
NJAC 6:3-4.1, 6:8-1.1 et seq, 6A:28-1.1 et seq, 6A:30-1.1 et seq

#### Possible Cross References:

2131, 2210, 3293.1, 4111, 4115, 4116, 4211, 4215, 9000, 9313

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Code of Ethics for Administrators**

**Policy 2050**

Date Adopted: October 6, 2008

Date Revised:

Page 1 of 2

### Definitions

For the purposes of this policy, the following definitions shall apply:

“Administrator” means any employee of this school district who holds a position that:

- A. Requires certification with the endorsement of school administrator, principal or school business administrator;
- B. Does not require certification but is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by the school district;
- C. Requires certification with the endorsement of supervisor and is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by the school district.

For the purposes of this policy, the following definitions will apply:

“Business” means any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union, political organization, or other legal entity but does not include a school district or other public entity.

“Interest” means the ownership of or control of more than ten percent of the profits, assets, or stock of a business but does not include the control of assets in a labor union.

“Immediate family” means the person to whom the administrator is legally married and any dependent child of the administrator residing in the same household.

### Code of Ethics

No administrator or member of his/her immediate family shall have an interest in a business organization or engage in any businesses, transaction or professional activity that is in substantial conflict with the proper discharge of his/her duties in the public interest.

No administrator shall use or attempt to use his/her official position to secure unwarranted privileges, advantages, or employment for himself/herself, a member of his/her immediate family or any other person.

No administrator shall act in his/her official capacity in any matter where he/she, a member of his/her immediate family, or a business organization in which he/she has an involvement that might reasonably be expected to impair his/her independence of judgment in the exercise of his/her official duties.

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Code of Ethics for Administrators**

**Series 2000**

**Policy 2050**

Page 2 of 2

No administrator shall undertake any employment or service, whether compensated or not, that might reasonably be expected to prejudice his/her independence of judgment in the exercise of his/her office duties.

No administrator shall act in his/her official capacity in any matter where he/she, a member of his/her immediate family, or a business organization in which he/she has an interest shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him/her directly or indirectly, in the discharge of his/her official duties.

No administrator shall accept offers of meals, entertainment, or hospitality that are limited to the clients/customers of the individual providing such hospitality. Administrators may attend hospitality suites or receptions at conferences only when they are open to attending the conference.

No administrator shall use, or allow to be used, his/her public office or any information not generally available to the members of the public that he/she receives or acquires in the course of and by reason on his/her office, for the purpose of securing financial gain for himself/herself, any member of his/her immediate family or any business organization with which he/she is associated.

No administrator or business organization in which he/she has interest shall represent any person or party other than the Board of Education or this school district in connection with any cause, proceeding, application or other matter pending before this school district or in any proceeding not deemed to prohibit representation within the context of official labor union or similar representational responsibilities.

Nothing in this policy shall prohibit an administrator or members of his/her immediate family from representing himself/herself or themselves in negotiations or proceedings concerning his/her or their own interests.

Each administrator shall annually, in accordance with law, file with the New Jersey Commissioner of Education, a report regarding potential conflicts of interest and with the School Ethics Commission, a financial disclosure statement.

#### **Legal References**

- NJSA 18A:11-1 General mandatory powers and duties
- 18A:12-21 et seq. School Ethics Act
- 18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:9-12.3 Authorization
- 6A:9-12.4 School administrator

# **Elsinboro Township Board of Education District Policy Manual**

**Administration**

**Series 2000**

**Administrative Staff Organization**

**Policy 2100**

|                                  |               |             |
|----------------------------------|---------------|-------------|
| Date Adopted: October 6, 2008    | Date Revised: | Page 1 of 1 |
| First Reading: September 8, 2008 |               |             |

The School System shall operate under a unit control system headed by the Chief School Administrator.

The Chief School Administrator shall be responsible for all programs provided by the district, both educational and operational.

## Legal References:

NJSA 18A:7A-5, 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Administrative Team Development**

**Policy 2110.1**

Date Adopted: October 6, 2008

Date Revised:

Page 1 of 1

First Reading: September 8, 2008

Among the criteria used in annual evaluation of members of the administrative team, Board of Education policy includes personal professional growth; keeping the public and the Board informed about modern educational practices and trends; maintaining and enhancing the districts standing in all its major internal and external relationships.

The Board recognizes that a valuable source of the information necessary to accomplish these objectives is attendance and participation by district staff at state, regional and national educational conferences, conventions, workshops and seminars.

Therefore, the Chief School Administrator shall develop forms and regulations to permit each administrative team member to attend such events at district expense subject to the following conditions:

1. Chief School Administrator approval of the relevancy and value of the event;
2. Duration of total absence not to exceed six consecutive school days;
3. Mileage allowance as approved by the Board of Education;
4. Coach accommodation when traveling by train or plane;
5. Mid-fare accommodation at hotels and motels; when pairs of team members are of the same sex, shared accommodations;
6. Participation must be approved by the Board.

These conditions shall apply to travel accommodations and reimbursement procedures for all district-paid attendance at such events.

### Legal References:

NJSA 18A:4-15, 18A:11-1, 18A:27-4

NJAC 6A:8-1.1 et seq, 6:11-9.1 et seq



# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Residency Requirements**

**Policy 2111.4**

Date Adopted: May 14, 2012

Date Revised:

Page 1 of 2

In accordance with the provisions of NJSA 52:14-7 (PL 2011, c. 70), otherwise known as the “New Jersey First Act,” which became effective on September 1, 2011, employees are expected to have their primary residences within the confines of the State of New Jersey, with the exceptions noted within this policy.

A candidate for employment within this district is granted up to 365 days of the effective date of hire to establish his/her principal residence in the State of New Jersey and maintain this principal residence throughout their employment.

For the purposes of this policy, a principal residence shall be defined as:

1. The primary domicile or home location of the employee or employment candidate;
2. The location that is designated as his/her legal address and legal residence for voting;
3. The place where he/she spends the majority of his/her non-working time;
4. The place that is most clearly the center of his/her domestic life;

A New Jersey mailing address shall not, by itself, constitute a principal address in New Jersey.

### Current Employees

Any current employee who relocates his/her principal residence outside of the State of New Jersey, shall forfeit his/her employment with this district.

### New Employees and/or Employment Candidates

Any and all newly hired or contracted employee of this district must, as a condition of employment, be a resident of the State of New Jersey.

### Exemptions

Current employees living outside of the State of New Jersey as of September 1, 2011 are exempted from the residency requirements of this law and as long as the current employee remains an employee of this district, he/she will continue to be exempted from these residency requirements.

A newly hired employee shall be granted up to 365 days to establish his/her principal residence in New Jersey.

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Residency Requirements**

**Policy 2111.4**

Page 2 of 2

Current employees, new employees and/or employment candidates may apply for an exemption on the basis of “critical need or hardship” to the residency requirements of this policy and state law by filing an “Application for Exemption from the Provisions of NJSA 52:14-7a. of the New Jersey First Act” with the Employee Residency Review Committee, NJ Department of Labor and Workforce Development, Office of Legal and Regulatory Services, PO Box 110, Trenton, NJ 08625-0110. Copies of this application shall be available from the appropriate District Office.

### Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination  
18A:3-15.2 Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation  
18A:6-6 No sex discrimination  
18A:6-7.1, -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception  
18A:13-40 General powers and duties of board of newly created regional districts 18A:16-1 Officers and employees in general  
18A:26-1, -1.1, -2 Citizenship of teachers, etc.  
18A:27-1 et seq. Employment and Contracts  
52:14-7 New Jersey First Act  
52:14-7a Exemptions
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education  
6A:9-8.1 et seq. Requirements for Instructional Certification  
6A:9-11.1 et seq. Exceptions for the Requirements for the Instructional Certificate  
6A:9-12.1 et seq. Requirements for Administrative Certification  
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-4.1 Employment of teaching staff  
6A:32-4.8 Support residencies for regularly certified, inexperienced first-year principals  
6A:32-5.1 Standards for determining seniority

### Possible Cross References

4111.4/4211.4

# **Elsinboro Township Board of Education District Policy Manual**

**Administration**

**Series 2000**

**Pandemic Situations**

**Policy 2111.5**

Date Adopted: August 17, 2020

Date Revised:

Page 1 of 1

The Board of Education recognizes that there may come a time when a pandemic is declared by a branch of the government. When and if such occurrences take place, the Board of Education hereby empowers its Chief School Administrator, at his/her sole discretion, to take measures that he/she deems appropriate, including but not limited to closing school sessions, having lessons established that may include learning through accomplished through the use of the internet or other forms of technology, in order to protect the health and safety and/or health of the students, faculty, staff, and/ or visitors and/or contractors within this district.

## Definition

For the purposes of this policy, the following definition shall apply:

Pandemic means a disease that is prevalent over a whole country or the world.

## Law Superseding Policy

The Board of Education also recognizes that there may be instances in which the government (state, local or federal) issue guidelines that may supersede this policy and in such cases, Any and all governmental directives shall supersede any existing policy, regulation or procedure currently in force.

## Legal References

- NJSA 2A:62A-23 to 26 AED emergency medical services, 1999 statute
- 18A:16-6, -6.1 Indemnity of officers and employees against civil actions.
- 18A:35-4.6 et seq. Parents Right to Conscience Act of 1979
- 18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
- 18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian
- 18A:40-5 Method of examination; notice to parent or guardian
- 18A:40-7, -8, -10, -11 Exclusion of pupils who are ill
- 18A:40-23 et seq. Nursing Services for Nonpublic School Pupils
- 18A:40A-1 et seq. Substance Abuse
- 44:6-2 Maintenance by boards of education of clinics for indigent children
- NJAC 6A:16-1.1 et seq. Programs to Support Student Development
- 6A:26-12.1 et seq. Operation and Maintenance of School
- 8:57-1.1 et seq. Reportable Communicable Diseases
- 8:61-1.1 Attendance at school by pupils or adults Infected by Human Immunodeficiency Virus (HIV)
- Plainfield v. Cooperman, 105 NJ 587 (1987)

# **Elsinboro Township Board of Education District Policy Manual**

**Administration**

**Series 2000**

**Re-Opening School Following a Pandemic**

**Policy 2111.6**

Date Adopted: September 21, 2020

Date Revised:

Page 1 of 12

In accordance with any protocols issued by the State of New Jersey, the district shall follow any and all guidance issued by the State of New Jersey as follows:

The Board of Education hereby directs the Chief School Administrator to issue orders to assigned staff members to develop a schedule for increased, routine cleaning and disinfection included in the district's Minimum Standards for the safety of students, staff members, vendors and visitors to the school that encompass continued existing required facilities cleaning practices and procedures, and any new specific requirements of the local health department as they arise. Each school district must develop a procedure manual to establish cleaning/disinfecting schedules, targeted areas to be cleaned, and methods and materials to be used. As a part of this guidance, the Board of Education hereby further directs the assigned staff to:

- Routinely clean and disinfect surfaces and objects that are frequently touched. This may include cleaning objects/surfaces not ordinarily cleaned daily (e.g., doorknobs, light switches, classroom sink handles, countertops). Use all cleaning products according to the directions on the label. For disinfection, most common EPA-registered household disinfectants should be effective. A list of products that are EPA-approved for use against the virus that causes COVID-19 is available on the EPA's website. Follow the manufacturer's instructions for all cleaning and disinfection products (e.g., concentration, application method and contact time, etc.) Examples of frequently touched areas in schools such as:
  1. Classroom desks and chairs
  2. Lunchroom tables and
  3. Door handles and push plates
  4. Handrails
  5. Kitchens and bathrooms
  6. Light switches
  7. Handles on equipment (e.g. athletic equipment)
  8. Buttons on vending machines and elevators
  9. Shared telephones
  10. Shared desktops
  11. Shared computer keyboards and mice
  12. Drinking fountains
  13. School bus seats and windows

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Re-Opening Schools Following a Pandemic**

**Series 2000**

**Policy 2111.6**

Page 2 of 12

The Board of Education specifically directs the Chief School Administrator to ensure that bathrooms are sanitized daily, or between use as much as possible, using protocols outlined by the Environmental Protection Agency (EPA).

Regarding bathrooms, the Chief School Administrator is directed to ensure that users are to avoid crowds by limiting the number of students or others who can enter at the same time; and designate staff members to enforce limited capacity and avoid overcrowding, and consider purchasing no-touch foot pedal trash cans, if possible. At a minimum, doors shall be propped open to avoid touching handles.

Also, drinking fountains should be cleaned and sanitized but encourage staff and students to bring their own water to minimize use and touching of water fountains and, hand sanitizer should be made available at the school bus entrance for each student to use when boarding. Similarly, students must be required to wear face coverings while riding on the bus if social distancing or physical barriers cannot be maintained.

Maintenance staff and administrators shall clean their work areas in accordance with this policy and the direction of the Chief School Administrator

In addition, the Board of Education, directs the Chief School Administrator/designee to develop Contact tracing policies for the district that:

- shall be developed in consultation with the Board's local health department and with school nurses employed by the Board;
- Identify the criteria an individual must meet in order to activate the Board's contact tracing policy;
- Clearly describe the school or district's responsibilities regarding notification of:
  1. Its local health department;
  2. Staff, families and the public;
  3. Identify the school or district's role in assisting its local health department conduct contact tracing activities, including ongoing communication with the identified individual and/or their contacts;
  4. Ensure adequate information and training is provided to school and district staff as necessary to enable staff to carry out responsibilities assigned to them under the policy; and
  5. Adhere to all applicable federal and state requirements regarding privacy of educational records (e.g. FERPA).

|   |                      |
|---|----------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                      |
| <b>Administration</b>   | <b>Series 2000</b>   |
| <b>Re-Opening Schools Following a Pandemic</b>                      | <b>Policy 2111.6</b> |
| Page 3 of 12  |                      |

Designation of a staff liaison or liaisons responsible for providing notifications and carrying out other components of the district tracing policy could help ensure that notifications are carried out in a prompt and responsible manner.

Open communication systems that allow staff, students, and families to self-report symptoms and/or suspected exposure could assist school districts provide prompt notification.

### Anticipated Minimum Standards

The District Reopening Plan should establish the process and location for student and staff health screenings. See below Critical Area of Operation #5 “Screening, PPE, and Response to Students and Staff Presenting Symptoms” for additional information.

If physical distancing (six feet) cannot be maintained for individuals in line waiting to enter or exit a building, require utilization of face coverings. Provide physical guides, such as tape on floors or sidewalks and signs on walls, to help ensure that staff and students remain at least 6 feet apart in lines and at other times (e.g. guides for creating “one-way routes” in hallways) and minimize interaction of students between drop-off and entrance to school facilities and stagger arrival and drop-off times or locations by cohort or put in place other protocols to limit contact between cohorts and direct contact with parents as much as possible.

The plan shall establish separate entrances and exits to school facilities where possible and require visitors and parent/guardians use their own pen for signing in/out.

The plan should create “one-way routes” in hallways as well as maintaining social distancing in hallways and common areas and minimize the number of non-essential interactions between students and staff throughout the day.

It should also create student cohorts as an effective strategy to limit exposure and contact and limit commingling between classes or other district-set groups of students and minimize large group gatherings.

This plan should create a system that allows for physical distancing and provide hand sanitizer at school entrances. It should include requirements that put signage around school buildings to provide hygiene advice and reminders (CDC offers printable resources and handwashing posters), and increase frequency of cleaning all surfaces, including walls (to the appropriate height based on age of students) and limit the number of students in the hallway at the same time by staggering release from classrooms.

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Re-Opening Schools Following a Pandemic**

**Series 2000**

**Policy 2111.6**

Page 4 of 12

The plan should include the installation of physical barriers, such as sneeze guards and partitions, particularly in areas where it is difficult for individuals to remain at least 6 feet apart (e.g., reception desks), and should consider a schedule that limits access, if at all, to lockers to keep traffic in the hallways within social distancing protocols.

#### Anticipated Minimum Standards

The Board supports the State in requiring a policy for screening students and employees upon arrival for symptoms and history of exposure. Said policy must include the following:

- Staff must visually check students for symptoms upon arrival (which may include temperature checks) and/or confirm with families that students are free of COVID-19 symptoms.
- Health checks must be conducted safely and respectfully, and in accordance with any applicable privacy laws and regulations.
- Results must be documented when signs/symptoms of COVID-19 are observed.
- Any screening policy must take into account students with disabilities and accommodations that may be needed in the screening process for those students.

The Board of Education will approve procedures for symptomatic staff and students. Procedures must include the following:

1. Students and staff with symptoms related to COVID-19 must be safely and respectfully isolated from others. Follow current Communicable Disease Service guidance for illness reporting.
2. If the school district becomes aware that an individual who has spent time in a district facility tests positive for COVID-19, district officials must immediately notify local health officials, staff, and families of a confirmed case while maintaining confidentiality.
3. The Board of Education should implement a policy to prepare for when someone tests positive for COVID-19 that include written protocols detailing the district's COVID-19 related response for symptomatic students and staff. Protocols must be consistent with the district's contact tracing policy (see "Critical Area of Operation #6: Contact Tracing") to the maximum extent practicable.
4. Protocols must include: Establishment of an isolation space. Students and staff with symptoms related to COVID-19 must be safely and respectfully isolated from others. Students should remain in isolation with continued supervision and care until picked up by an authorized adult.
5. Follow current Communicable Disease Service guidance for illness reporting.

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Re-Opening Schools Following a Pandemic**

**Series 2000**

**Policy 2111.6**

Page 5 of 12

6. Adequate amount of personal protective equipment (PPE) available, accessible, and provide their usage, including but not limited to mandatory use of face coverings (face masks), that may be provided by parents/guardians.
7. Methods to assist in contact tracing including records of groups/cohorts, assigned staff, and daily attendance.
8. Continuous monitoring of symptoms.
9. The policy shall be consistent with the Department of Health Guidance and Information for schools and Department of Health/Communicable Disease Service's Quick Reference Guidance on Discontinuation of Transmission-Based Precautions and Home Isolation for Persons Diagnosed with COVID-19 and written protocols to address a positive case while encouraging parents to be on the alert for signs of illness in their children and to keep them home when they are sick.

School staff and visitors are required to wear face coverings (face masks), unless doing so would inhibit the individual's health or the individual is under two years of age.

Students are strongly encouraged to wear face coverings (face masks), provided by parents/guardians and are required to do so when social distancing cannot be maintained, unless doing so would inhibit the student's health. It is also necessary to acknowledge that enforcing the use of face coverings may be impractical for young children or individuals with disabilities.

The policy shall provide accommodation for students who are unable to wear a face covering should be addressed according to that student's need and in accordance with all applicable laws and regulations.

#### Exceptions

- Doing so would inhibit the individual's health.
- The individual is in extreme heat outdoors.
- The individual is in water.
- A student's documented medical condition, or disability as reflected in an Individualized Education Program (IEP), precludes the use of face covering.
- The student is under the age of two (2) and could risk suffocation.

If a visitor refuses to wear a face covering for non-medical reasons and if such covering cannot be provided to the individual the point of entry, entry to the school/district facility may be denied.



|   |                      |
|---|----------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                      |
| <b>Administration</b>   | <b>Series 2000</b>   |
| <b>Re-Opening Schools Following a Pandemic</b>                      | <b>Policy 2111.6</b> |
| Page 6 of 12  |                      |

### Additional Considerations

Teachers shall instruct and reinforce use of face coverings among all staff (excluding exceptions). The Chief School Administrator shall consider providing training on hygiene protocols for staff.

Students and employees may be asked to leave or not come into school if they test positive for COVID-19 or exhibit one or more of the symptoms of COVID-19, based on CDC guidance, that may not otherwise be explained:

- A fever of 100° F or greater
- Cough
- Shortness of breath or difficulty breathing
- Chills
- Repeated shaking with chills
- Muscle pain
- Headache
- Sore throat
- New loss of taste or smell
- Fatigue
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

School administrators may use examples of screening methods in CDC's supplemental Guidance for Child Care Programs that Remain Open as a guide for screening students and CDC's General Business FAQs for screening staff.

The district will consider whether additional screening should take place for APSSD's and in-district programs which serve students with underlying conditions who may be at higher risk for more severe COVID-19 infection.

### Synchronous Teaching

As long as schools consider synchronous instruction to be educationally appropriate, provide appropriate professional development and training for their faculty and staff, communicate clearly with parents/guardians and students, and there are no contractual prohibitions, synchronous instruction is legally permissible.

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Re-Opening Schools Following a Pandemic**

**Series 2000**

**Policy 2111.6**

Page 7 of 12

The district shall review applicable Board policies, employee contracts, and Collective Negotiating Agreements (CNAs) to confirm there are no specific, agreed-upon prohibitions or limits against the use of synchronous instruction. To the extent that such instruction is not prohibited by Board policies or CNAs, schools are recommended to provide parents/guardians with notice of and information about this instruction before implementing such methods, considering the participation of multiple students and the potential disclosure of “personally identifiable” student information as implicated under the Family Educational Rights and Privacy Act (FERPA) and related state confidentiality laws.

Unless the school is aware of unauthorized disclosure or access, the provision of synchronous instruction, itself, is not prohibited by FERPA.

FERPA does not expressly prohibit synchronous instruction. FERPA prohibits the disclosure of student educational records, typically defined as information which “personally identifies” a student, to persons who do not have legitimate educational interest, absent parent/guardian or adult student consent. Considering the nature of synchronous instruction, practically, schools must safeguard against the disclosure of the virtual interaction between faculty/staff and students outside of the typical classroom, including parents who may “listen in” to the instruction, or others who may access such instruction remotely. Schools may practically safeguard against such disclosure through faculty/staff technology use (as we further explain below), and make clear the expectation to parents that they “stay out” of the virtual classroom and understand that same is not a parent/teacher conference. The district may advise parents/guardians of the delivery of synchronous instruction, and provide an opportunity for parents/guardians to “opt/out,” through an email along the lines of the following:

- In light of the current school closure related to COVID-19 and the present state of emergency, faculty and staff will be delivering some instruction and services through synchronous instruction. Synchronous instruction is learning, or the receipt of services, that takes place at the same time by connecting faculty/staff and students through electronic or virtual means. The Board discourages parent/guardian monitoring of this instruction, and asks that they understand there is a possibility that parents/guardians may disregard this direction. The recording of synchronous instruction by students and parents/guardians, without prior written approval of the school district, is strictly prohibited.
- In light of the nature of synchronous instruction, including the possibility that the parents/guardians of other students may see/hear the instruction, notwithstanding our clear direction and expectation, if parents/guardians do not want their child(ren) to participate in this instruction, they should immediately notify the Chief School Administrator in writing.

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Re-Opening Schools Following a Pandemic**

**Series 2000**

**Policy 2111.6**

Page 8 of 12

Faculty/staff need to properly chaperone their virtual learning space, just like a regular classroom. If faculty/staff are aware of others, not their assigned students, in the session, including a parent/guardian or sibling, they should be reminded that their presence is not authorized and be invited to leave, immediately. As mentioned, recordings are not permitted, and faculty/staff should remind students. And as always, if inappropriate behavior or language is observed, same needs to be addressed in the usual manner.

Unless written consent by parents/guardians is secured, the Board recommends against recording synchronous instruction.

There is a difference between recording synchronous and asynchronous instruction. The “one way” recording of an asynchronous lesson, in which the faculty/staff member records themselves, which is then made available for students, does not implicate any student confidentiality considerations. As long as there is no CNA or contractual prohibition against same, such recording is permitted.

Synchronous instruction involves the possibility of seeing and hearing students; same likely constitutes “personally identifiable information” protected from disclosure by FERPA. If schools want to record synchronous instruction for later viewing/access by other students, districts need to notify parents/guardians and secure prior written consent. Such notice and consent may be secured through email along the following lines:

In light of the current school closure related to COVID-19 and the present state of emergency, I provide consent for my student's participation in the provision of synchronous instruction/service and provide consent for its recording. I understand that recording may be accessed by other students, and despite the school district's direction, their parents/guardians who may observe the lesson/service.

In accordance with the provisions of NJSA 18A:36-40, all public-school districts are required to adopt and maintain a written policy concerning electronic communications between school employees and enrolled students. Most, if not all, district policies maintained under this statute generally prohibit communications between a teacher and student through a personal cell phone, text messages, social networking applications, and/or other Internet-based websites. Communication through these mediums are permitted, though, when the communication is given prior approval by an appropriate administrator and directly related to the staff member's professional responsibilities.

|   |                      |
|---|----------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                      |
| <b>Administration</b>   | <b>Series 2000</b>   |
| <b>Re-Opening Schools Following a Pandemic</b>                      | <b>Policy 2111.6</b> |
| Page 9 of 12  |                      |

In light of COVID-19 and mandated statewide school closure, districts using technology in ways that might otherwise be prohibited under these policies should consider temporarily approving such communication between students and faculty/staff, especially school counselors and similar personnel, to provide social-emotional support and otherwise deliver their typical services.

Temporary approval given to faculty/staff under these policies should include clear guidelines for the proper and appropriate use of electronic communications in limited circumstances. Such guidelines may include:

1. Always use district technology whenever possible.
2. Notify an appropriate administrator of the platforms, applications, and/or devices being used to communicate with students. To the extent practicable and ethical, staff may provide the appropriate administrator with copies of communications with students.
3. Seek and secure written (can be electronic email) permission from an appropriate administrator before using new and/or previously unapproved platforms, applications, and/or devices.

The district should notify parents/guardians of such communications due to the circumstances created by COVID-19 closures, explaining that the district recognizes different methods of communication between faculty/staff may be necessary to ensure continuity of education, as well as support. Wherever practicable and ethical, the Board suggests that the district explores methods for allowing staff to stay connected with students which also enable appropriate administrative monitoring of communications to ensure proper content.

In light of the current school closure related to COVID-19 and the present state of emergency, our faculty and staff will be delivering some instruction and services through synchronous instruction. Synchronous instruction is learning, or the receipt of services, that takes place at the same time by connecting faculty/staff and students through electronic or virtual means. Please understand that this instruction/services will be provided to groups of students, typically your student's usual class where other students will be able to participate in the instruction and may be able to see/hear interaction involving other students. Although we discourage parent/guardian monitoring of this instruction, there is a possibility that parents/guardians may disregard the Board's direction. The recording of synchronous instruction by students and parents/guardians, without prior written approval of the school district, is strictly prohibited.

In light of the nature of synchronous instruction, including the possibility that the parents/guardians of other students may see/hear the instruction, notwithstanding the clear direction and expectation, if parents/guardians do not want their child(ren) to participate in this instruction, they should immediately notify the Chief School Administrator in writing.

|   |                      |
|---|----------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                      |
| <b>Administration</b>   | <b>Series 2000</b>   |
| <b>Re-Opening Schools Following a Pandemic</b>                      | <b>Policy 2111.6</b> |
| Page 10 of 13   |                      |

The Board hopes, that considering the current school closure and the relative isolation of students, that all students may participate in synchronous instruction and benefit from a virtual connection with his/her teachers and the school staff.

Proper professional development (PD) for faculty and staff implementing synchronous instruction is important, since although the medium “feels” like live classroom instruction, it isn’t. There are best practice considerations regarding the efficacy of the instruction, as well as novel confidentiality issues. PD helps faculty and staff become fluent with the technology, but also importantly safeguards against legal exposure related to student confidentiality.

Proper PD should arm teachers and staff to use them.

For example, in Zoom, the host may control microphones, disable video of students, and create waiting rooms or personalized passwords to limit who may access or enter the classroom. Hosts may direct questions to be asked through “private chat” so questions come directly to the instructor and other students can’t see. Also, chat logs may be saved for future review by hosts. Teachers/staff should also “end” meetings for all at the conclusion of the lesson/session to disable and close the forum.

Faculty/staff need to properly chaperone their virtual learning space, just like a regular classroom. If faculty/staff are aware of others, not their assigned students, in the session, including a parent/guardian or sibling, they should be reminded that their presence is not authorized and be invited to leave, immediately. As mentioned, recordings are not permitted, and faculty/staff should remind students. If inappropriate behavior or language is observed, same needs to be addressed in the usual manner.

Unless written consent by parents/guardians is secured, the Board recommends against recording synchronous instruction.

There is a difference between recording synchronous and asynchronous instruction. The “one way” recording of an asynchronous lesson, in which the faculty/staff member records themselves, which is then made available for students, does not implicate any student confidentiality considerations. As long as there is no CNA or contractual prohibition against same, such recording is permitted.

Synchronous instruction involves the possibility of seeing and hearing students; same likely constitutes “personally identifiable information” protected from disclosure by FERPA. If schools want to record synchronous instruction for later viewing/access by other students, districts need to notify parents/guardians and secure prior written consent. Such notice and consent may be secured through email along the following lines:

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

### **Re-Opening Schools Following a Pandemic**

**Policy 2111.6**

Page 11 of 12

In light of the current school closure related to COVID-19 and the present state of emergency, I provide consent for my student's participation in the provision of synchronous instruction/service and provide consent for its recording. I understand that recording may be accessed by other students, and despite the school district's direction, their parents/guardians who may observe the lesson/service.

In accordance with the provisions of NJSA 18A:36-40, all public-school districts are required to adopt and maintain a written policy concerning electronic communications between school employees and enrolled students. Most, if not all, district policies maintained under this statute generally prohibit communications between a teacher and student through a personal cell phone, text messages, social networking applications, and/or other Internet-based websites. Communication through these mediums are permitted, though, when the communication is given prior approval by an appropriate administrator and directly related to the staff member's professional responsibilities.

In light of COVID-19 and mandated statewide school closure, districts using technology in ways that might otherwise be prohibited under these policies should consider temporarily approving such communication between students and faculty/staff, especially school counselors and similar personnel, to provide social-emotional support and otherwise deliver their typical services. All feel the isolating effects of school closures; how are schools addressing same with students?

Temporary approval given to faculty/staff under these policies should include clear guidelines for the proper and appropriate use of electronic communications in limited circumstances. Such guidelines may include:

1. Always use district technology whenever possible.
2. Notify an appropriate administrator of the platforms, applications, and/or devices being used to communicate with students. To the extent practicable and ethical, staff may provide the appropriate administrator with copies of communications with students.
3. Seek and secure written (can be electronic email) permission from an appropriate administrator before using new and/or previously unapproved platforms, applications, and/or devices.

Face coverings are required times when physical distancing is difficult. Face coverings (face masks) are the responsibility of parents/guardians who shall ensure that these facial coverings are in good repair and cleaned on a daily basis.

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

### **Re-Opening Schools Following a Pandemic**

**Policy 2111.6**

Page 12 of 12

The Board recommends that:

- The same adult drop off and pick up students;
- There be a professional development day for staff to practice screening protocols with each other before applying to students;
- Special consideration may be given to protection for staff members, such as school nurses, custodians, and some Special Education teachers, paraprofessionals and service providers, who will be in close contact with students or will handle waste materials.

#### **Legal References**

- NJSA 2A:62A-23 to 26 AED emergency medical services, 1999 statute  
18A:16-6, -6.1 Indemnity of officers and employees against civil actions.  
18A:35-4.6 et seq. Parents Right to Conscience Act of 1979  
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules  
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian  
18A:40-5 Method of examination; notice to parent or guardian  
18A:40-7, -8, -10, -11 Exclusion of pupils who are ill  
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils  
18A:40A-1 et seq. Substance Abuse  
44:6-2 Maintenance by boards of education of clinics for indigent children
- NJAC 6A:16-1.1 et seq. Programs to Support Student Development  
6A:26-12.1 et seq. Operation and Maintenance of School  
8:57-1.1 et seq. Reportable Communicable Diseases
- Plainfield v. Cooperman, 105 NJ 587 (1987)

# **Elsinboro Township Board of Education District Policy Manual**

**Administration**

**Series 2000**

**District All-Virtual Policy**

**Policy 2111.63**

Date Adopted: September 21, 2020

Date Revised:

Page 1 of 9

In accordance with any protocols issued by the State of New Jersey, the district shall follow any and all guidance issued by the State of New Jersey as they may pertain to virtual learning and/or instruction.

Teachers will be required to have a set schedule with a designated day for evening parent contact and access to all lessons that may be contained on their websites.

## Eligibility

1. Universal eligibility: All students, including students who receive special education or related services, are eligible for fulltime remote learning if their parent or guardian chooses.
2. Policies and procedures: School districts must set clear policies and procedures for families who want fulltime remote learning for their children. School districts also need procedures for students in fulltime remote learning to transition back to in-person services. These procedures should be designed to ensure that families can make necessary arrangements to prepare for their child's transition, and to help schools maintain continuity of services.
3. Communications: School districts must communicate clearly and frequently with families, in their home language, about the availability of this offering and the related procedures.
4. Quality of programming: Students participating in all-remote instruction should receive the same quality of instruction that is provided to any other student. In addition, fulltime remote programs must adhere to the same policies and regulations that in-person and hybrid programs follow regarding student attendance and the length of the school day.
5. Data reporting: To help the Department evaluate fulltime remote learning, school districts will report data to the Department about student participation in these programs.

## Procedures to Transition from Fulltime Remote Learning to In-Person Services

A definition of the minimum amount of time a student must spend in fulltime remote learning before being eligible to transition to in-person services shall be established by the State Department of Education. This will allow families/guardians to make the arrangements needed to effectively serve students' home learning needs and will support educators in ensuring continuity of instruction.



# **Elsinboro Township Board of Education District Policy Manual**

**Administration**

**Series 2000**

**District All-Virtual Policy**

**Policy 2111.63**

Page 2 of 9

It is important to clearly define procedures that a family/guardian must follow to submit a request to transition from fulltime remote learning to in-person services, including any relevant timelines, points of contact for questions and concerns, and information or documentation that must accompany a request.

Definition of the specific student and academic services that will accompany a student's transition from fulltime remote learning to in-person learning to better assist families/guardians anticipate their students' learning needs and help educators maintain continuity of services. School districts that offer Pre-K should consult their Pre-K curriculum providers regarding appropriate measures to assess a Pre-K students' learning progress during the transition from fulltime remote learning to in-person learning.

## Assessment & Grading

Assessment is a process for identifying the extent to which the students are meeting the learning objectives. Grades are measures of individual students' progress. Grading will be approached as humanely as possible during an emergency with flexibility and a focus on achieving the learning outcomes. In addition, it is important to consider humanitarianism and an empathetic positive regard during such circumstances.

## Consideration for Assigned Work

Each learning objective assessments will correspond directly to a measure of progress. Given the situation at hand, humanitarian decisions will be made with respect to grading. Each assessment method will be adapted to the distance delivery method of instruction. Exams will be planned as open book/open access according to the distance delivery practice.

## Delivery Modes

The delivery modes made available, may include email, web based resources that are in place & the district website.

It shall be necessary to meet the needs of all learners and provide all with equitable access which is the reason for a combination of these delivery modes. Some students may have adequate access to the internet, while others will not. Each shall be addressed.

Websites and Online Resources with Free Instructional Materials may include, but shall not be limited to PBS Learning Media, National Geographic Education, Smithsonian Education, National Education Association Lesson Plans, the Khan Academy, EdX, Kahoot and/or the Canvas Network. In addition, the district may use, but not be limited to its foundations,

|   |                       |
|---|-----------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                       |
| <b>Administration</b>   | <b>Series 2000</b>    |
| <b>District All-Virtual Policy</b>                                  | <b>Policy 2111.63</b> |
| Page 3 of 9   |                       |

Accelerated Reader, iReady, SumDog, IXL writing city, and other supplemental programs in addition to the online materials of the district curriculum will be available to our students through their school accounts.

#### Attendance

Staff and student attendance will be monitored by the completion of assignments and login frequency. Staff will also email their activities for evidence of working at home.

Students will get home visits, emails, and calls if they are found to be missing work and not checking in. This is not only for their attendance and work, but also for their safety and well-being.

Administrators, the Chief School Administrator, Counselors, and Social Workers are to be provided lists of students having difficulty completing work or not attempting work and/or failing to participate in class sessions so that they can reach out and determine any issues those families/students have regarding the submission of assignments and attending to a schedule.

Depending on the issue causing student assignments not to be submitted, the district will provide resources to the family/student to assist in the delivery of instruction and assignments in order to promote the student academically and to the next grade level. The district shall work with each household to provide remediation and conduct home visits if transportation to pick up and drop off materials is an issue. In addition, teachers will be provided additional resources to assist these students.

Teachers, Counselors, Nurses and Child Study Team members shall be required to make weekly contact with families of students receiving packets in order to support instruction. When/if teachers are unable to make direct contact with parents and students, they are to notify an appropriate administrator and the Chief School Administrator of the situation.

#### Delivery Modes

The delivery modes being made available includes, but may not be limited to Email, packets for delivery and pick-up, web based resources that are in place the district website

It is necessary to meet the needs of all learners and provide all with equitable access which is the reason for a combination of these delivery modes. Some students may have adequate access to the internet, while others will not. The district will do its best in preparing to reach all of all students.

|   |                       |
|---|-----------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                       |
| <b>Administration</b>   | <b>Series 2000</b>    |
| <b>District All-Virtual Policy</b>                                  | <b>Policy 2111.63</b> |
| Page 4 of 9   |                       |

Websites and Online Resources with Free Instructional Materials

The district may use, but shall not be limited to PBS Learning Media National Geographic Education, Smithsonian Education, National Education Association Lesson Plans, the Khan Academy, EdX, Kahoot, Canvas Network, its foundations, Accelerated Reader, iReady, SumDog, IXL Writing City, and other supplemental programs in addition to the online materials of the district’s curriculum, which shall will be available students.

Attendance

Staff and student attendance will be monitored by the completion of assignments and login frequency. Staff will also email their activities for evidence of working at home.

Students will get home visits, emails, and calls if they are found to be missing work and not checking in, not only for their attendance and work, but also for their safety and well- being.

Administrators, the Chief School Administrator, Counselors, and Social Workers are to be provided lists of students having difficulty completing work or not attempting work and/or failing to participate in class sessions so that they can reach out and determine any issues those families/students have regarding the submission of assignments and attending to a schedule.

Depending on the issue causing student assignments not to be submitted, the district will provide resources to the family/student to assist in the delivery of instruction and assignments in order to promote the student academically and to the next grade level. The district will work with each household to provide remediation and conduct home visits if transportation to pick up and drop off materials is an issue. In addition, teachers will be provided additional resources to assist these students.

Teachers, Counselors, Nurses and Chile Study Team (CST) members are required to make weekly contact with families of students receiving packets in order to support instruction.

When/if Teachers are unable to make direct contact with parents and students, they are to notify their appropriate administrator and the Chief School Administrator.

Related Services

Students requiring related services will be provided an opportunity to receive that service during the school closure time so as to not disrupt the continuity of service. Service providers will be available at a scheduled time listed under schedule. Should students not be able to come to the school to receive services this will be recorded so students can be provided make up services to meet their needs as documented.

|   |                       |
|---|-----------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                       |
| <b>Administration</b>   | <b>Series 2000</b>    |
| <b>District All-Virtual Policy</b>                                  | <b>Policy 2111.63</b> |
| Page 5 of 9   |                       |

Counseling information will be provided via the website and if necessary, counselors will be made available for academic support and guidance to agency referrals in the event of an emergency.

English as a Second Language (ESL) will be provided to assist students and interpreters will be available to translate. The ESL teacher will provide a schedule of times for parents to call in for sessions and materials will be provided to supplement the direct instruction and reviewed via phone/email. Instructional materials will include google docs, online programs and printed material for progress monitoring.

Services for counseling, ESL, and other related services will be conducted via conference calls, , or emails. This will provide the continuity of service and to provide educational opportunities for these student populations.

#### Information Distribution

All information and updates will be provided by the Chief School Administrator. In the event the Chief School Administrator is unavailable; a designee will be appointed to provide updates at the direction of the Chief School Administrator.

#### Meals

Breakfast and lunch will be available for students daily. This will be listed in the schedule section and provisions will be made for delivery if families are not able to pick up the meals.

Meals will be provided for the entire week, inclusive of weekends. Meals will also be distributed to students that are prepared by the Foodbank. All students will be afforded the opportunity to receive daily meals.

#### Medication/Medical Equipment

Student medication shall be signed out in a manner not unlike at the end of the school year.

Any necessary medical equipment that is used both at home and in school shall be made available upon request.

|   |                       |
|---|-----------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                       |
| <b>Administration</b>   | <b>Series 2000</b>    |
| <b>District All-Virtual Policy</b>                                  | <b>Policy 2111.63</b> |
| Page 6 of 9   |                       |

### Field Trips

No field trips will occur during a closure. Field trips that were previously scheduled whose dates fall under the time of closure shall be rescheduled. If it is not possible to reschedule an alternative trip would be scheduled to provide students the opportunity to experience a field trip during their respective class year. When another trip cannot be rescheduled, an alternative activity at the school will be provided for the students to include a virtual field trip.

Parents/Guardians who made payments in advance shall be refunded if the parent/guardian is unable to attend a rescheduled trip or a trip was unable to be rescheduled.

### IEP Meetings and Evaluations

All scheduled IEP meetings, as per NJ Administrative Code, must be held within the established timelines. If a meeting can be rescheduled within the timeline parameters under NJAC 6A:14 efforts will be made to do so without any inconvenience and in consideration of the parent/guardian ability to reschedule.

Meetings that must be conducted to remain in compliance will be held on the scheduled date or via a conference call that will be coordinated for parents/guardians and staff members to participate. A staff member will arrange to obtain signatures to comply with the timelines if such meeting is held via conference call by visitation or scheduling a time for parents and staff to come and sign the documents.

All evaluations will be conducted as scheduled in accordance with NJAC 6A:14 and the CDC Guidelines.

The CST shall send written notices to parents/guardians to invite them to meetings as it typically does throughout the year. Phone calls shall be made and emails sent as well to provide notice.

The CST shall conduct Annual Reviews, Eligibility, Reevaluation Planning, and Reevaluation Eligibility meetings.

Any newly registered special education students transferring into the district are to be placed in the program as would typically occur under the regular operational practices and the IEP is assessed by the team and case manager for appropriate program placement.

Under the current circumstances, difficulties are in place with the restrictions from the CDC, state orders, and the protocols of social distancing that complicates in-person contact. In person evaluations, if unable to achieve data virtually, are to be rescheduled.

|   |                       |
|---|-----------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                       |
| <b>Administration</b>   | <b>Series 2000</b>    |
| <b>District All-Virtual Policy</b>                                  | <b>Policy 2111.63</b> |
| Page 7 of 9   |                       |

Virtual forms of testing may not be feasible for many students as would be on-site observations and home visitations.

The Special Education shall accept new referrals and schedule initial eligibility meetings while rescheduling the evaluations later if an evaluation is deemed to be warranted.

Communications made to the parents are being documented by the CST, Coordinator, Case Managers, and Teachers in the contact log section of the student's IEP.

CST members are to make weekly check-ins with the students and parents to ensure that all of the questions and concerns are addressed.

CST members are to provide progress monitoring and review the goals/objectives on a regular basis as they would under the regular conditions of program and service.

The CST and Related Services Providers are to remain in contact and conduct meetings via telephone conferences, emails, regular mail, and the IEP program software communication.

In addition to any form of tele-therapy, students are also to be provided with packets and websites to reference in relation to the services available.

#### End of Year Closeout

A schedule shall be established for students and teachers to receive their belongings that is compliant with the rulings of the CDC, Executive Orders, and Health Department guidelines.

#### Graduation Planning

Graduation plans with a simulated ceremony that entails the names of all students being called and a picture posted to represent the diploma presentation. This procedure shall also be followed for awards.

Appropriate signs shall be placed in all yards of the graduates.

Diplomas, yearbooks, shirts, and gifts will be available for pick up in accordance with social distancing and CDC guidelines.

The district shall set up a drive by to all houses with the district to honor students.

|   |                       |
|---|-----------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                       |
| <b>Administration</b>   | <b>Series 2000</b>    |
| <b>District All-Virtual Policy</b>                                  | <b>Policy 2111.63</b> |
| Page 8 of 9   |                       |

### Summer Programs/ESY

The district may offer summer programs.

ESY will be offered either virtually or in person.

These programs will provide assistance and remediation to close gaps and reinforce the skills acquired during the school year. It will also provide opportunity to prepare for the next school year.

### Compensatory Services

Due to the disruption to the prescribed methods of service delivery, the district may plan to provide additional and missed services for students requiring services.

### Remediation

Through its Title I services, the district may provide remedial instruction to close any gaps of students who have been identified to fall behind during this period of remote instruction.

Teachers will provide instruction in person or remotely dependent upon the orders provided. In addition, programs will be in place for students to work through digital resources that are geared toward remedial services.

### Transportation

Transportation is under review and discussions are taking place to provide transportation in accordance with any orders and guidelines provided for the safety and well-being of the students.

### Re-Opening Plans

The district may establish a committee to plan for when the district is open and to put the plan together based on the guidelines and executive orders that are provided to ensure the safety and well-being of our staff, students, and parents to the maximum extent possible.

# **Elsinboro Township Board of Education District Policy Manual**

**Administration**

**Series 2000**

**District All-Virtual Policy**

**Policy 2111.63**

Page 9 of 9

## Legal References

NJSA 2A:62A-23 to 26 AED emergency medical services, 1999 statute  
18A:16-6, -6.1 Indemnity of officers and employees against civil actions.  
18A:35-4.6 et seq. Parents Right to Conscience Act of 1979  
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules  
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian  
18A:40-5 Method of examination; notice to parent or guardian  
18A:40-7, -8, -10, -11 Exclusion of pupils who are ill  
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils  
18A:40A-1 et seq. Substance Abuse  
44:6-2 Maintenance by boards of education of clinics for indigent children

NJAC 6A:16-1.1 et seq. Programs to Support Student Development  
6A:26-12.1 et seq. Operation and Maintenance of School  
8:57-1.1 et seq. Reportable Communicable Diseases

Plainfield v. Cooperman, 105 NJ 587 (1987)



# **Elsinboro Township Board of Education District Policy Manual**

**Administration**

**Series 2000**

**Contact Tracing and Screening - Pandemic**

**Policy 2111.65**

Date Adopted: September 21, 2020

Date Revised:

Page 1 of 2

## Contact Tracing

Contact tracing is a key strategy to prevent the further spread of COVID-19. Contact tracing in the United States requires the Board of Education to recruit, hire, and train adequate levels of case investigators and contact tracers. Successful case investigation and contact tracing for COVID-19 depends on a robust and well-trained public health workforce, with staff who have excellent and tactful interpersonal skills, cultural sensitivity, and language and interviewing skills that help them to build and maintain trust with clients and contacts.

The NJDOE Guidance does not include any “anticipated minimum standards” for contact tracing. However, all school and district administrators, school safety specialists, counselors, and any other staff deemed appropriate by the Chief School Administrator/designee should be provided information regarding the role of contact tracing conducted by state, county, and local officials.

School officials should engage the expertise of their school nurses on the importance of contact tracing.

The NJDOE will credit certified School Safety Specialists in accordance with current laws.

## Screening

The school district will provide screenings regarding the screening procedures for students and employees upon arrival at school or work location for symptoms and history of exposure.

These screening procedures must include the following:

- Staff must visually check students for symptoms upon arrival (which may include temperature checks) and/or confirm with families that students are free of COVID-19 symptoms.
- Health checks must be conducted safely and respectfully, and in accordance with any applicable privacy laws and regulations.
- Results must be documented when signs/symptoms of COVID-19 are observed.
- Any screening policy/protocol must take into account students with disabilities and accommodations that may be needed in the screening process for those students.

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Contact Tracing and Screening - Pandemic**

**Policy 2111.65**

Page 2 of 2

The Board must adopt procedures for symptomatic staff and students, which shall include the following:

- Students and staff with symptoms related to COVID-19 must be safely and respectfully isolated from others. School officials will follow current Communicable Disease Service guidance for illness reporting.
- If the school district becomes aware that an individual who has spent time in a district facility tests positive for COVID-19, officials must immediately notify local health officials, staff, and families of a confirmed case while maintaining confidentiality.

The procedures the district will use when someone tests positive for COVID-19 will include written procedures detailing the district's COVID-19 related response for symptomatic students and staff. The procedures must be consistent with the district's contact tracing procedures to the maximum extent practicable.

### Legal References

NJSA 2A:62A-23 to 26 AED emergency medical services, 1999 statute  
18A:16-6, -6.1 Indemnity of officers and employees against civil actions.  
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules  
18A:40-5 Method of examination; notice to parent or guardian  
18A:40-7, -8, -10, -11 Exclusion of pupils who are ill  
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils  
18A:40A-1 et seq. Substance Abuse

NJAC 6A:16-1.1 et seq. Programs to Support Student Development  
6A:26-12.1 et seq. Operation and Maintenance of School  
8:57-1.1 et seq. Reportable Communicable Diseases

Plainfield v. Cooperman, 105 NJ 587 (1987)

# **Elsinboro Township Board of Education District Policy Manual**

**Administration**

**Series 2000**

**COVID-19 & Transportation**

**Policy 2111.8**

Date Adopted: September 21, 2020

Date Revised:

Page 1 of 2

Parents/Guardians may waive transportation for their child(ren) to and from school, should they so desire. Some parents/guardians may be uncomfortable with having their children board a school bus until the COVID-19 pandemic is more thoroughly contained. By advising parents of this option, the district may be able to collect accurate data that allows them to assess the demand for transportation and to plan accordingly. Further, the district may explore an option whereby parents receive a payment to waive transportation services in accordance with the provisions of NJSA 18A:39-1c. This option should specify the time period, up to a full school year, and the corresponding payment, that would be provided.

With respect to parental/guardian waiving of district provided transportation, NJSA 18A:39-1c provides for the following:

“Notwithstanding the provisions of NJSA 18A:39-1 or any other section of law to the contrary, a school district shall not be required to provide transportation services for the school year to an elementary school pupil who lives more than two miles from his public school of attendance or to a secondary school pupil who lives more than 2½ miles from his public school of attendance if the pupil's parent or guardian signs a written statement that the pupil waives transportation services for that school year. The written statement shall be in such form as determined by the Department of Education.”

“In the event that a parent or guardian signs a waiver pursuant to *subsection a.* of this section, the school district shall develop a policy for the provision of transportation services to the pupil in the case of a family or economic hardship.”

In addition, NJAC 6A:27-1.4 (b) provides that:

“Pursuant to NJSA 18A:39-1c, transportation need not be provided if a student's parent or guardian signs a written statement waiving transportation services for the school year.”

In such cases, the Board of Education shall develop a policy for the provision of transportation services to the student in the case of a family or economic hardship, and may develop guidelines and procedures for parental waivers of transportation services.

The Commissioner has already adopted and published the required waiver form on the NJDOE website. An electronic Microsoft Excel copy of that form is attached and can be found on the follow page on the NJDOE website

<https://www.nj.gov/education/finance/transportation/procedures/> (see section titled: “Parental Transportation Waiver and Reinstatement”).

# Elsinboro Township Board of Education District Policy Manual

## Administration

### COVID-19 & Transportation

Series 2000

Policy 2111.8

Page 2 of 2

The Commissioner requires the Board of Education that receives a signed waiver of transportation to adopt a policy for the resumption of transportation services to the student in event of a family or economic hardship.

According to the documentation from the NJDOE, any such policy could consider the following:

- Waivers and reinstatements are subject to Board approval;
- Criteria for determining family or economic hardship;
- The acceptance of more than one waiver and reinstatement in a school year;
- Submission or proof of economic hardship; and
- The length of time between receipt of a Reinstatement request and the estimated start of transportation.

This option is separate and apart from the Parental Transportation Contracts, wherein the district shall provide reimbursement to parents/guardians for their agreement to transport their own child. This scenario usually occurs in out of district placement wherein it is cost beneficial to the district to provide reimbursement to the parent/guardian to transportation their own child(ren).

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|------|--|
| NJSA | 18A:7F-25 Transportation aid<br>18A:22-8.6 Transportation (budget line item)<br>18A:39-1 et seq. Transportation To and From Schools<br>18A:39-1 c Waiver for Pupil Transportation Services<br>18A:46-19.6 Transportation to location or maintenance of vehicular classrooms to obtain services; payment of cost<br>18A:46-23 Transportation of pupils; special classes; handicapped children; state aid<br>39:3-10.9 et al. New Jersey Commercial Drivers License Act  |
| NJAC | 6A:27-1.1 et seq. Student Transportation<br>6A:27-1.4 (b) Student Transportation<br>6A:30-1.1 et seq. Evaluation of the Performance of School Districts<br>Parents for Student Safety, Inc., v. Morris Bd. of Ed., 1986 S.L.D. (February 5), St. Bd. rev'g 1984 S.L.D. (August 24), aff'd App. Div., unreported decision (docket no. A-3257- 85-T7, decided February 17, 1987) certif. den. 108 N.J. 180 (1987)<br>Wayne Board of Education v. Kraft et al., 139 NJ 597 (1995)<br><i>Policies and Procedure Manual for Pupil Transportation NJ State Department of Education</i><br>Manual for the Evaluation of Local School Districts<br>New Jersey Quality Single Accountability Continuum (NJQSAC) |

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Organizational Chart**

**Policy 2120**

|                                  |               |             |
|----------------------------------|---------------|-------------|
| Date Adopted: October 6, 2008    | Date Revised: | Page 1 of 1 |
| First Reading: September 8, 2008 |               |             |

The administration organization of the district shall be considered as an orderly means of achieving the district's primary objective: An effective program of instruction for pupils.

Organization or function charts for the district shall be prepared by the Chief School Administrator and approved by the Board of Education to designate clearly the relationships of all employees within the district organization. The organization or function charts shall be kept up-to-date and changes shall be approved by the Board of Education.

### Legal References:

NJSA 18A:7A-5, 18A:11-1, 18A:17-5 through 14.3, 18A:17-15 through 24,  
NJAC 6:3-1.6, 6:11-9.3, 6:11-9.4, 6:11-9.7

### Possible Cross References:

1312, 2100, 2131, 2210, 3000/3010, 9123, 9313

# **Elsinboro Township Board of Education District Policy Manual**

**Administration**

**Series 2000**

**Re-Opening School Following a Pandemic**

**Policy 2111.6**

Date Adopted: September 21, 2020

Date Revised:

Page 1 of 12

In accordance with any protocols issued by the State of New Jersey, the district shall follow any and all guidance issued by the State of New Jersey as follows:

The Board of Education hereby directs the Chief School Administrator to issue orders to assigned staff members to develop a schedule for increased, routine cleaning and disinfection included in the district's Minimum Standards for the safety of students, staff members, vendors and visitors to the school that encompass continued existing required facilities cleaning practices and procedures, and any new specific requirements of the local health department as they arise. Each school district must develop a procedure manual to establish cleaning/disinfecting schedules, targeted areas to be cleaned, and methods and materials to be used. As a part of this guidance, the Board of Education hereby further directs the assigned staff to:

- Routinely clean and disinfect surfaces and objects that are frequently touched. This may include cleaning objects/surfaces not ordinarily cleaned daily (e.g., doorknobs, light switches, classroom sink handles, countertops). Use all cleaning products according to the directions on the label. For disinfection, most common EPA-registered household disinfectants should be effective. A list of products that are EPA-approved for use against the virus that causes COVID-19 is available on the EPA's website. Follow the manufacturer's instructions for all cleaning and disinfection products (e.g., concentration, application method and contact time, etc.) Examples of frequently touched areas in schools such as:
  1. Classroom desks and chairs
  2. Lunchroom tables and
  3. Door handles and push plates
  4. Handrails
  5. Kitchens and bathrooms
  6. Light switches
  7. Handles on equipment (e.g. athletic equipment)
  8. Buttons on vending machines and elevators
  9. Shared telephones
  10. Shared desktops
  11. Shared computer keyboards and mice
  12. Drinking fountains
  13. School bus seats and windows

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Re-Opening Schools Following a Pandemic**

**Series 2000**

**Policy 2111.6**

Page 2 of 12

The Board of Education specifically directs the Chief School Administrator to ensure that bathrooms are sanitized daily, or between use as much as possible, using protocols outlined by the Environmental Protection Agency (EPA).

Regarding bathrooms, the Chief School Administrator is directed to ensure that users are to avoid crowds by limiting the number of students or others who can enter at the same time; and designate staff members to enforce limited capacity and avoid overcrowding, and consider purchasing no-touch foot pedal trash cans, if possible. At a minimum, doors shall be propped open to avoid touching handles.

Also, drinking fountains should be cleaned and sanitized but encourage staff and students to bring their own water to minimize use and touching of water fountains and, hand sanitizer should be made available at the school bus entrance for each student to use when boarding. Similarly, students must be required to wear face coverings while riding on the bus if social distancing or physical barriers cannot be maintained.

Maintenance staff and administrators shall clean their work areas in accordance with this policy and the direction of the Chief School Administrator

In addition, the Board of Education, directs the Chief School Administrator/designee to develop Contact tracing policies for the district that:

- shall be developed in consultation with the Board's local health department and with school nurses employed by the Board;
- Identify the criteria an individual must meet in order to activate the Board's contact tracing policy;
- Clearly describe the school or district's responsibilities regarding notification of:
  1. Its local health department;
  2. Staff, families and the public;
  3. Identify the school or district's role in assisting its local health department conduct contact tracing activities, including ongoing communication with the identified individual and/or their contacts;
  4. Ensure adequate information and training is provided to school and district staff as necessary to enable staff to carry out responsibilities assigned to them under the policy; and
  5. Adhere to all applicable federal and state requirements regarding privacy of educational records (e.g. FERPA).

|   |                      |
|---|----------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                      |
| <b>Administration</b>   | <b>Series 2000</b>   |
| <b>Re-Opening Schools Following a Pandemic</b>                      | <b>Policy 2111.6</b> |
| Page 3 of 12  |                      |

Designation of a staff liaison or liaisons responsible for providing notifications and carrying out other components of the district tracing policy could help ensure that notifications are carried out in a prompt and responsible manner.

Open communication systems that allow staff, students, and families to self-report symptoms and/or suspected exposure could assist school districts provide prompt notification.

#### Anticipated Minimum Standards

The District Reopening Plan should establish the process and location for student and staff health screenings. See below Critical Area of Operation #5 “Screening, PPE, and Response to Students and Staff Presenting Symptoms” for additional information.

If physical distancing (six feet) cannot be maintained for individuals in line waiting to enter or exit a building, require utilization of face coverings. Provide physical guides, such as tape on floors or sidewalks and signs on walls, to help ensure that staff and students remain at least 6 feet apart in lines and at other times (e.g. guides for creating “one-way routes” in hallways) and minimize interaction of students between drop-off and entrance to school facilities and stagger arrival and drop-off times or locations by cohort or put in place other protocols to limit contact between cohorts and direct contact with parents as much as possible.

The plan shall establish separate entrances and exits to school facilities where possible and require visitors and parent/guardians use their own pen for signing in/out.

The plan should create “one-way routes” in hallways as well as maintaining social distancing in hallways and common areas and minimize the number of non-essential interactions between students and staff throughout the day.

It should also create student cohorts as an effective strategy to limit exposure and contact and limit commingling between classes or other district-set groups of students and minimize large group gatherings.

This plan should create a system that allows for physical distancing and provide hand sanitizer at school entrances. It should include requirements that put signage around school buildings to provide hygiene advice and reminders (CDC offers printable resources and handwashing posters), and increase frequency of cleaning all surfaces, including walls (to the appropriate height based on age of students) and limit the number of students in the hallway at the same time by staggering release from classrooms.



# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Re-Opening Schools Following a Pandemic**

**Series 2000**

**Policy 2111.6**

Page 4 of 12

The plan should include the installation of physical barriers, such as sneeze guards and partitions, particularly in areas where it is difficult for individuals to remain at least 6 feet apart (e.g., reception desks), and should consider a schedule that limits access, if at all, to lockers to keep traffic in the hallways within social distancing protocols.

#### Anticipated Minimum Standards

The Board supports the State in requiring a policy for screening students and employees upon arrival for symptoms and history of exposure. Said policy must include the following:

- Staff must visually check students for symptoms upon arrival (which may include temperature checks) and/or confirm with families that students are free of COVID-19 symptoms.
- Health checks must be conducted safely and respectfully, and in accordance with any applicable privacy laws and regulations.
- Results must be documented when signs/symptoms of COVID-19 are observed.
- Any screening policy must take into account students with disabilities and accommodations that may be needed in the screening process for those students.

The Board of Education will approve procedures for symptomatic staff and students. Procedures must include the following:

1. Students and staff with symptoms related to COVID-19 must be safely and respectfully isolated from others. Follow current Communicable Disease Service guidance for illness reporting.
2. If the school district becomes aware that an individual who has spent time in a district facility tests positive for COVID-19, district officials must immediately notify local health officials, staff, and families of a confirmed case while maintaining confidentiality.
3. The Board of Education should implement a policy to prepare for when someone tests positive for COVID-19 that include written protocols detailing the district's COVID-19 related response for symptomatic students and staff. Protocols must be consistent with the district's contact tracing policy (see "Critical Area of Operation #6: Contact Tracing") to the maximum extent practicable.
4. Protocols must include: Establishment of an isolation space. Students and staff with symptoms related to COVID-19 must be safely and respectfully isolated from others. Students should remain in isolation with continued supervision and care until picked up by an authorized adult.
5. Follow current Communicable Disease Service guidance for illness reporting.

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Re-Opening Schools Following a Pandemic**

**Series 2000**

**Policy 2111.6**

Page 5 of 12

6. Adequate amount of personal protective equipment (PPE) available, accessible, and provide their usage, including but not limited to mandatory use of face coverings (face masks), that may be provided by parents/guardians.
7. Methods to assist in contact tracing including records of groups/cohorts, assigned staff, and daily attendance.
8. Continuous monitoring of symptoms.
9. The policy shall be consistent with the Department of Health Guidance and Information for schools and Department of Health/Communicable Disease Service's Quick Reference Guidance on Discontinuation of Transmission-Based Precautions and Home Isolation for Persons Diagnosed with COVID-19 and written protocols to address a positive case while encouraging parents to be on the alert for signs of illness in their children and to keep them home when they are sick.

School staff and visitors are required to wear face coverings (face masks), unless doing so would inhibit the individual's health or the individual is under two years of age.

Students are strongly encouraged to wear face coverings (face masks), provided by parents/guardians and are required to do so when social distancing cannot be maintained, unless doing so would inhibit the student's health. It is also necessary to acknowledge that enforcing the use of face coverings may be impractical for young children or individuals with disabilities.

The policy shall provide accommodation for students who are unable to wear a face covering should be addressed according to that student's need and in accordance with all applicable laws and regulations.

#### Exceptions

- Doing so would inhibit the individual's health.
- The individual is in extreme heat outdoors.
- The individual is in water.
- A student's documented medical condition, or disability as reflected in an Individualized Education Program (IEP), precludes the use of face covering.
- The student is under the age of two (2) and could risk suffocation.

If a visitor refuses to wear a face covering for non-medical reasons and if such covering cannot be provided to the individual the point of entry, entry to the school/district facility may be denied.

|   |                      |
|---|----------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                      |
| <b>Administration</b>   | <b>Series 2000</b>   |
| <b>Re-Opening Schools Following a Pandemic</b>                      | <b>Policy 2111.6</b> |
| Page 6 of 12  |                      |

### Additional Considerations

Teachers shall instruct and reinforce use of face coverings among all staff (excluding exceptions). The Chief School Administrator shall consider providing training on hygiene protocols for staff.

Students and employees may be asked to leave or not come into school if they test positive for COVID-19 or exhibit one or more of the symptoms of COVID-19, based on CDC guidance, that may not otherwise be explained:

- A fever of 100° F or greater
- Cough
- Shortness of breath or difficulty breathing
- Chills
- Repeated shaking with chills
- Muscle pain
- Headache
- Sore throat
- New loss of taste or smell
- Fatigue
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

School administrators may use examples of screening methods in CDC's supplemental Guidance for Child Care Programs that Remain Open as a guide for screening students and CDC's General Business FAQs for screening staff.

The district will consider whether additional screening should take place for APSSD's and in-district programs which serve students with underlying conditions who may be at higher risk for more severe COVID-19 infection.

### Synchronous Teaching

As long as schools consider synchronous instruction to be educationally appropriate, provide appropriate professional development and training for their faculty and staff, communicate clearly with parents/guardians and students, and there are no contractual prohibitions, synchronous instruction is legally permissible.

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Re-Opening Schools Following a Pandemic**

**Series 2000**

**Policy 2111.6**

Page 7 of 12

The district shall review applicable Board policies, employee contracts, and Collective Negotiating Agreements (CNAs) to confirm there are no specific, agreed-upon prohibitions or limits against the use of synchronous instruction. To the extent that such instruction is not prohibited by Board policies or CNAs, schools are recommended to provide parents/guardians with notice of and information about this instruction before implementing such methods, considering the participation of multiple students and the potential disclosure of “personally identifiable” student information as implicated under the Family Educational Rights and Privacy Act (FERPA) and related state confidentiality laws.

Unless the school is aware of unauthorized disclosure or access, the provision of synchronous instruction, itself, is not prohibited by FERPA.

FERPA does not expressly prohibit synchronous instruction. FERPA prohibits the disclosure of student educational records, typically defined as information which “personally identifies” a student, to persons who do not have legitimate educational interest, absent parent/guardian or adult student consent. Considering the nature of synchronous instruction, practically, schools must safeguard against the disclosure of the virtual interaction between faculty/staff and students outside of the typical classroom, including parents who may “listen in” to the instruction, or others who may access such instruction remotely. Schools may practically safeguard against such disclosure through faculty/staff technology use (as we further explain below), and make clear the expectation to parents that they “stay out” of the virtual classroom and understand that same is not a parent/teacher conference. The district may advise parents/guardians of the delivery of synchronous instruction, and provide an opportunity for parents/guardians to “opt/out,” through an email along the lines of the following:

- In light of the current school closure related to COVID-19 and the present state of emergency, faculty and staff will be delivering some instruction and services through synchronous instruction. Synchronous instruction is learning, or the receipt of services, that takes place at the same time by connecting faculty/staff and students through electronic or virtual means. The Board discourages parent/guardian monitoring of this instruction, and asks that they understand there is a possibility that parents/guardians may disregard this direction. The recording of synchronous instruction by students and parents/guardians, without prior written approval of the school district, is strictly prohibited.
- In light of the nature of synchronous instruction, including the possibility that the parents/guardians of other students may see/hear the instruction, notwithstanding our clear direction and expectation, if parents/guardians do not want their child(ren) to participate in this instruction, they should immediately notify the Chief School Administrator in writing.

|   |                      |
|---|----------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                      |
| <b>Administration</b>   | <b>Series 2000</b>   |
| <b>Re-Opening Schools Following a Pandemic</b>                      | <b>Policy 2111.6</b> |
| Page 8 of 12  |                      |

Faculty/staff need to properly chaperone their virtual learning space, just like a regular classroom. If faculty/staff are aware of others, not their assigned students, in the session, including a parent/guardian or sibling, they should be reminded that their presence is not authorized and be invited to leave, immediately. As mentioned, recordings are not permitted, and faculty/staff should remind students. And as always, if inappropriate behavior or language is observed, same needs to be addressed in the usual manner.

Unless written consent by parents/guardians is secured, the Board recommends against recording synchronous instruction.

There is a difference between recording synchronous and asynchronous instruction. The “one way” recording of an asynchronous lesson, in which the faculty/staff member records themselves, which is then made available for students, does not implicate any student confidentiality considerations. As long as there is no CNA or contractual prohibition against same, such recording is permitted.

Synchronous instruction involves the possibility of seeing and hearing students; same likely constitutes “personally identifiable information” protected from disclosure by FERPA. If schools want to record synchronous instruction for later viewing/access by other students, districts need to notify parents/guardians and secure prior written consent. Such notice and consent may be secured through email along the following lines:

In light of the current school closure related to COVID-19 and the present state of emergency, I provide consent for my student's participation in the provision of synchronous instruction/service and provide consent for its recording. I understand that recording may be accessed by other students, and despite the school district’s direction, their parents/guardians who may observe the lesson/service.

In accordance with the provisions of NJSA 18A:36-40, all public-school districts are required to adopt and maintain a written policy concerning electronic communications between school employees and enrolled students. Most, if not all, district policies maintained under this statute generally prohibit communications between a teacher and student through a personal cell phone, text messages, social networking applications, and/or other Internet-based websites. Communication through these mediums are permitted, though, when the communication is given prior approval by an appropriate administrator and directly related to the staff member’s professional responsibilities.

|   |                      |
|---|----------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                      |
| <b>Administration</b>   | <b>Series 2000</b>   |
| <b>Re-Opening Schools Following a Pandemic</b>                      | <b>Policy 2111.6</b> |
| Page 9 of 12  |                      |

In light of COVID-19 and mandated statewide school closure, districts using technology in ways that might otherwise be prohibited under these policies should consider temporarily approving such communication between students and faculty/staff, especially school counselors and similar personnel, to provide social-emotional support and otherwise deliver their typical services.

Temporary approval given to faculty/staff under these policies should include clear guidelines for the proper and appropriate use of electronic communications in limited circumstances. Such guidelines may include:

1. Always use district technology whenever possible.
2. Notify an appropriate administrator of the platforms, applications, and/or devices being used to communicate with students. To the extent practicable and ethical, staff may provide the appropriate administrator with copies of communications with students.
3. Seek and secure written (can be electronic email) permission from an appropriate administrator before using new and/or previously unapproved platforms, applications, and/or devices.

The district should notify parents/guardians of such communications due to the circumstances created by COVID-19 closures, explaining that the district recognizes different methods of communication between faculty/staff may be necessary to ensure continuity of education, as well as support. Wherever practicable and ethical, the Board suggests that the district explores methods for allowing staff to stay connected with students which also enable appropriate administrative monitoring of communications to ensure proper content.

In light of the current school closure related to COVID-19 and the present state of emergency, our faculty and staff will be delivering some instruction and services through synchronous instruction. Synchronous instruction is learning, or the receipt of services, that takes place at the same time by connecting faculty/staff and students through electronic or virtual means. Please understand that this instruction/services will be provided to groups of students, typically your student's usual class where other students will be able to participate in the instruction and may be able to see/hear interaction involving other students. Although we discourage parent/guardian monitoring of this instruction, there is a possibility that parents/guardians may disregard the Board's direction. The recording of synchronous instruction by students and parents/guardians, without prior written approval of the school district, is strictly prohibited.

In light of the nature of synchronous instruction, including the possibility that the parents/guardians of other students may see/hear the instruction, notwithstanding the clear direction and expectation, if parents/guardians do not want their child(ren) to participate in this instruction, they should immediately notify the Chief School Administrator in writing.

|   |                      |
|---|----------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                      |
| <b>Administration</b>   | <b>Series 2000</b>   |
| <b>Re-Opening Schools Following a Pandemic</b>                      | <b>Policy 2111.6</b> |
| Page 10 of 13   |                      |

The Board hopes, that considering the current school closure and the relative isolation of students, that all students may participate in synchronous instruction and benefit from a virtual connection with his/her teachers and the school staff.

Proper professional development (PD) for faculty and staff implementing synchronous instruction is important, since although the medium “feels” like live classroom instruction, it isn’t. There are best practice considerations regarding the efficacy of the instruction, as well as novel confidentiality issues. PD helps faculty and staff become fluent with the technology, but also importantly safeguards against legal exposure related to student confidentiality.

Proper PD should arm teachers and staff to use them.

For example, in Zoom, the host may control microphones, disable video of students, and create waiting rooms or personalized passwords to limit who may access or enter the classroom. Hosts may direct questions to be asked through “private chat” so questions come directly to the instructor and other students can’t see. Also, chat logs may be saved for future review by hosts. Teachers/staff should also “end” meetings for all at the conclusion of the lesson/session to disable and close the forum.

Faculty/staff need to properly chaperone their virtual learning space, just like a regular classroom. If faculty/staff are aware of others, not their assigned students, in the session, including a parent/guardian or sibling, they should be reminded that their presence is not authorized and be invited to leave, immediately. As mentioned, recordings are not permitted, and faculty/staff should remind students. If inappropriate behavior or language is observed, same needs to be addressed in the usual manner.

Unless written consent by parents/guardians is secured, the Board recommends against recording synchronous instruction.

There is a difference between recording synchronous and asynchronous instruction. The “one way” recording of an asynchronous lesson, in which the faculty/staff member records themselves, which is then made available for students, does not implicate any student confidentiality considerations. As long as there is no CNA or contractual prohibition against same, such recording is permitted.

Synchronous instruction involves the possibility of seeing and hearing students; same likely constitutes “personally identifiable information” protected from disclosure by FERPA. If schools want to record synchronous instruction for later viewing/access by other students, districts need to notify parents/guardians and secure prior written consent. Such notice and consent may be secured through email along the following lines:

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Re-Opening Schools Following a Pandemic**

**Series 2000**

**Policy 2111.6**

Page 11 of 12

In light of the current school closure related to COVID-19 and the present state of emergency, I provide consent for my student's participation in the provision of synchronous instruction/service and provide consent for its recording. I understand that recording may be accessed by other students, and despite the school district's direction, their parents/guardians who may observe the lesson/service.

In accordance with the provisions of NJSA 18A:36-40, all public-school districts are required to adopt and maintain a written policy concerning electronic communications between school employees and enrolled students. Most, if not all, district policies maintained under this statute generally prohibit communications between a teacher and student through a personal cell phone, text messages, social networking applications, and/or other Internet-based websites. Communication through these mediums are permitted, though, when the communication is given prior approval by an appropriate administrator and directly related to the staff member's professional responsibilities.

In light of COVID-19 and mandated statewide school closure, districts using technology in ways that might otherwise be prohibited under these policies should consider temporarily approving such communication between students and faculty/staff, especially school counselors and similar personnel, to provide social-emotional support and otherwise deliver their typical services. All feel the isolating effects of school closures; how are schools addressing same with students?

Temporary approval given to faculty/staff under these policies should include clear guidelines for the proper and appropriate use of electronic communications in limited circumstances. Such guidelines may include:

1. Always use district technology whenever possible.
2. Notify an appropriate administrator of the platforms, applications, and/or devices being used to communicate with students. To the extent practicable and ethical, staff may provide the appropriate administrator with copies of communications with students.
3. Seek and secure written (can be electronic email) permission from an appropriate administrator before using new and/or previously unapproved platforms, applications, and/or devices.

Face coverings are required times when physical distancing is difficult. Face coverings (face masks) are the responsibility of parents/guardians who shall ensure that these facial coverings are in good repair and cleaned on a daily basis.



# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

### **Re-Opening Schools Following a Pandemic**

**Policy 2111.6**

Page 12 of 12

The Board recommends that:

- The same adult drop off and pick up students;
- There be a professional development day for staff to practice screening protocols with each other before applying to students;
- Special consideration may be given to protection for staff members, such as school nurses, custodians, and some Special Education teachers, paraprofessionals and service providers, who will be in close contact with students or will handle waste materials.

#### **Legal References**

- NJSA 2A:62A-23 to 26 AED emergency medical services, 1999 statute  
18A:16-6, -6.1 Indemnity of officers and employees against civil actions.  
18A:35-4.6 et seq. Parents Right to Conscience Act of 1979  
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules  
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian  
18A:40-5 Method of examination; notice to parent or guardian  
18A:40-7, -8, -10, -11 Exclusion of pupils who are ill  
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils  
18A:40A-1 et seq. Substance Abuse  
44:6-2 Maintenance by boards of education of clinics for indigent children
- NJAC 6A:16-1.1 et seq. Programs to Support Student Development  
6A:26-12.1 et seq. Operation and Maintenance of School  
8:57-1.1 et seq. Reportable Communicable Diseases
- Plainfield v. Cooperman, 105 NJ 587 (1987)

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Lines of Responsibility**

**Policy 2121**

|                                  |               |             |
|----------------------------------|---------------|-------------|
| Date Adopted: October 6, 2008    | Date Revised: | Page 1 of 1 |
| First Reading: September 8, 2008 |               |             |

The Board of Education shall operate under a unit control system headed by the Chief School Administrator.

The authority of the Board of Education is transmitted through the Chief School Administrator along specific paths from person to person as illustrated in the organization chart of the school district. The lines of authority represent direction of authority and responsibility. The lines are those approved by the Board of Education and are intended to establish clear understanding on the part of all personnel of the working relationships in the school system.

Personnel are expected to refer matters requiring administrative action to the Chief School Administrator. Personnel are expected to keep the administration informed of their activities by appropriate means.

### Legal References:

NJSA 18A:11-1, 18A:17-5 through 14.3, 18A:17-15 through 23,  
18A:17-24.1 et seq  
NJAC 6:3-1.6, 6:3-2.1, 6:8-2.1, 6:11-9.3, 6:11-9.4, 6:11-9.7

### Possible Cross References:

1312, 2100, 2131, 2210, 3000/3010, 9123, 9313

# **Elsinboro Township Board of Education District Policy Manual**

**Administration**

**Series 2000**

**Chief School Administrator's  
Compensation & Benefits**

**Policy 2125**

Date Adopted: October 6, 2008

Date Revised: November 19, 2018

Page 1 of 1

## Definition / Title

In all cases within this policy manual, references to the Chief School Administrator shall be the same as the Superintendent, CSA, and/or the Superintendent of Schools.

The salary of the Chief School Administrator, additional benefits, vacation entitlement and other leave shall be determined at the time of his/her appointment or reappointment and shall be part of his/her written contract.

Additional benefits such as health and other forms of insurance, annual vacation, holidays and temporary and extended leaves and absences shall be at least proportionally equal to those granted other professional staff members.

In all matters relating to the Chief School Administrator, his/her evaluation, compensation, benefits, etc., the Elsinboro Township Board of Education will reach decisions only when sitting as a committee of the whole.

Vacation leave shall be scheduled upon the mutual agreement of the Board of Education and the Chief School Administrator.

# **Elsinboro Township Board of Education District Policy Manual**

**Administration**

**Series 2000**

**Chief School Administrator's  
Compensation & Benefits**

**Policy 2125**

Page 2 of 2

## Legal References

- NJSA 18A:4-15 General rule-making power  
18A:6-10 through -17 Dismissal and reduction in compensation of persons under tenure in public school system  
18A:12-21 et seq. School Ethics Act  
18A:17-15 through -21 Appointment of superintendents; terms;  
18A:17-20 Tenured and non-tenured superintendents; general powers and duties  
18A:17-24 Clerks in superintendent's office  
18A:17-24.1 Shared Administrators, Superintendents  
18A:27-4.1 Appointment, transfer, removal or renewal of officers and employees; exceptions  
18A:28-3 through -6.1 No tenure for noncitizens  
18A:29-14 Withholding increments; causes; notice of appeals  
40:8A-1 et seq. Interlocal Services Act
- NJAC 6A:9-12 Requirements for Administrative Certification  
6A:28-1.1 et seq. School Ethics Commission  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-4.1 et seq. Employment and Supervision of Teaching Staff  
6A:32-4.3 Evaluation of tenured and nontenured superintendent  
6A:32-4.4 Evaluation of tenured teaching staff members  
6A:32-4.5 Evaluation of nontenured teaching staff members
- 8 U.S.C. 1101 et seq. - Immigration and Nationality Act  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Administrative Positions / Job Descriptions**

**Policy 2130**

|                                  |               |             |
|----------------------------------|---------------|-------------|
| Date Adopted: October 6, 2008    | Date Revised: | Page 1 of 1 |
| First Reading: September 8, 2008 |               |             |

All administrative and supervisory positions shall be established initially by the Board of Education upon recommendation of the Chief School Administrator. Prior to creating a new position, the Board will approve a statement of job requirements as prepared by the Chief School Administrator.

The Board directs the Chief School Administrator to maintain a comprehensive, coordinated set of job descriptions for all positions to promote efficiency in the administration of the schools.

The Chief School Administrator shall supervise development and implementation of the procedures necessary for evaluation of certified and non-certified administrators and supervisors.

Tenured certified administrators and supervisors shall be evaluated annually by appropriate procedures consistent with NJ statutes and the Administrative Code. Non-tenured certified administrators shall be evaluated three times a year by appropriate procedures consistent with NJ statutes and the Administrative Code.

### Legal References:

NJSA 18A:11-1, 18A:17-14.1 through 14.3  
NJAC 6:3-1.19, 6:3-1.21, 6:8-3.3(b)

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

### **Chief School Administrator – Development Opportunities**

**Policy 2131**

|                                  |               |             |
|----------------------------------|---------------|-------------|
| Date Adopted: October 6, 2008    | Date Revised: | Page 1 of 1 |
| First Reading: September 8, 2008 |               |             |

The Chief School Administrator shall keep himself/herself informed of a modern education thought and practices by study, by visiting of other school systems, by attendance at educational conferences, and by such other means as may appear to be appropriate.

The Board of Education shall offer the Chief School Administrator encouragement and assistance for his/her own professional development. So that he/she may keep the Board and the professional staff informed of new and promising educational developments, the Board will encourage the Chief School Administrator to attend educational conferences, seminars, workshops and other professional meetings, visit other school systems and use other means to keep abreast of modern education thought and practices. The Chief School Administrator should keep the Board of Education advised of his/her participation in advanced professional programs, primarily to reassure the Board that he/she is interested in maintaining the best leadership in their mutual interest.

#### Legal References:

18A:11-1

#### Possible Cross References:

2121, 2130, 4116

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Evaluation of School Administrative Staff**

**Policy 2131.5**

|                                  |               |             |
|----------------------------------|---------------|-------------|
| Date Adopted: October 6, 2008    | Date Revised: | Page 1 of 3 |
| First Reading: September 8, 2008 |               |             |

### Policy

All professional administrative staff members shall be evaluated with respect to their ability to perform the duties assigned to them. The Board of Education hereby adopts the following policy and implementations procedures for the evaluation of the administrative staff.

### Purpose

The purpose of the evaluation shall be to:

1. Promote professional excellence and improve the skills of the administrative staff (currently defined as the Chief School Administrator and Board Secretary/Business Administrator)
2. Improve the quality of the education received by the pupils served by the school system.
3. Provide a basis for the review of the performance of the administrative personnel.

### Procedures

Such policy and procedures shall be developed by the Board of Education after consultation with the administrative staff and shall include, but not be limited to:

1. A determination of roles and responsibilities for the implementation of the policy and procedures.
2. Development of job descriptions and evaluation criteria, based upon the goals, program objectives, policies, instructional priorities, state goals, statutory requirements and the functions, duties and responsibilities of the administrative staff
3. Specifications of methods of data collection and reporting appropriate to the job description
4. Provision for the preparation of an individual plan for professional growth and development based in part upon any needs identified in the evaluations, which shall be mutually developed by the Board of Education and the administrative staff.
5. Preparation of an annual written performance report by a majority of the full membership of the Board of Education and an annual summary conference between the Board of Education, with a majority of the total membership of the Board and the administrative staff present.

### Availability of Consultants to the Board

The Board of Education, its sole discretion, may hire a consultant to assist or advise it in the evaluation process.

### Distribution and Amendments to the Policy

1. Such policy shall be distributed to the administrative staff upon adoption. Amendments to the policy shall be distributed within 10 working days after adoption.

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Evaluation of School Administrative Staff**

**Series 2000**

**Policy 2131.5**

Page 2 of 3

2. The administrative staff and Board of Education shall mutually agree to a series of specific and accomplishable job targets at the time of budget review and adoption toward which the district's efforts should be directed during the term of that budget year.

#### Self-Evaluation Instrument

The administrative staff shall present to the Board of Education a Self-Evaluation Instrument at least 45 days prior to April 30<sup>th</sup>, listing specific job targets mutually adopted by the Board and the administrative staff and his/her own perception of the extent of accomplishment of each of the skills of the job, including:

1. Curriculum and Instruction Skills, including achieving the district's instructional priorities and program objectives\*
2. Professional Skills, including achieving and/or implementing the district's goals, policies, state goals and statutory requirements\*
3. Pupil growth, including review of available indicators of pupil progress and growth toward program objectives\*
4. Administrative leadership skills
5. Board relationship skills
6. Staff relationship skills
7. Communication skills, including parent-community relations
8. Personal qualities and relationships
9. In-service growth skills
10. Business practices
11. Long-range planning

\*Mandated in accordance with NJAC 6:3-1.22

#### Board Appraisal Instrument

Each member of the Board of Education shall individually evaluate each area of the Evaluation Instrument and enter his/her perception of the extent of accomplishment of the job targets.

#### Annual Summary Conference

Prior to April 30<sup>th</sup> of each year, the total Board should hold an annual summary conference to review with the administrative personnel their job performance as required by administrative code and Board policy.

The annual summary conference between the Board of Education, with a majority of the total membership of the Board and the administrative personnel, shall be held before the written performance report is filed. The conference shall be held in private, unless the administrative staff request that it be held in public. The conference shall include, but not be limited to:

1. Review of the performance of the administrative staff based upon the job description
2. Review of the administrative staff's progress in achieving and/or implementing the district's goals, program objectives, policies, instructional priorities, state goals and statutory requirement.



# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Evaluation of School Administrative Staff**

**Series 2000**

**Policy 2131.5**

Page 3 of 3

3. Review of available indicators of pupil progress and growth toward the program objectives

At the Annual Summary conference, the total Board shall present the tabulations of the individual evaluation of each Board Member and inform the administrative staff of the range of individual appraisals, as well as the composite score in each area, using the code designated on the form. At the Annual Summary Conference, the Board shall also present an annual written performance report as required in NJAC 6:3-1.22.

#### Annual Written Performance Report

The annual written performance report shall be prepared by April 30<sup>th</sup> by a majority of the total membership of the Board of Education; a copy placed in the personnel file and shall include, but not be limited to:

1. Performance areas of strength
2. Performance areas needing improvement based upon the job description and evaluation criteria set forth in the Procedures subsection of this section
3. Recommendation for professional growth and development
4. A summary of available indicators of pupils progress and growth and a statement of how these available indicators relate to the effectiveness of the educational program and the performance with respect to the Chief School Administrator position
5. Provision for performance data which have not been included in the report prepared by the Board of Education to be entered into the record by the administrative staff within 10 working days after the completion of the report

#### Definitions

For the purposes of this section:

1. Administrative staff means the Chief School Administrator and the Board Secretary/Business Administrator
2. Available indicators of pupil progress and growth mean the results of formal and informal assessment of pupils as defined in NJAC 6:3-3.4
3. Job description means a written specification of the functions, duties and responsibilities of the administrative staff and the relationship of such functions, duties and responsibilities to those of the Board of Education

#### Frequency

1. Administrative staff will be evaluated at the following March Board meetings.
2. Administrative staff Annual Written Performance Report will be evaluated prior to May 30<sup>th</sup>.
3. All new Board Members are required to attend NJSBA orientation in the evaluation of the Chief School Administrator.

#### Legal References:

NJSA 18A:17-15, 18A:17-20, 18A:28-5

NJAC 6:8-6.2(b) 6iv

Possible Cross References: 2000, 2010, 2121

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Evaluation of the Chief School Administrator**

**Policy 2132**

Date Adopted: October 6, 2008

Date Revised: December 9, 2013

Page 1 of 3

In compliance with New Jersey state law, the Board of Education shall evaluate the Chief School Administrator at least annually. Every newly appointed or elected Board Member shall complete the New Jersey School Boards Association's training program on evaluation of Superintendents within six (6) months of commencement of his/her term of office. The purpose of the evaluation shall be:

- A. To promote professional excellence and improve the skills of the Chief School Administrator;
- B. To improve the quality of the education received by the pupils served by the public schools of the district;
- C. To provide a basis for the review of the job performance of the Chief School Administrator.

### **Role & Responsibility of the Board in the Evaluation of the Chief School Administrator**

The role and responsibility of the Board in this evaluation shall be:

- A. To complete a New Jersey School Boards Association training program on the evaluation of the Chief School Administrator within six months of the commencement of newly appointed or elected district Board Member's term of office in accordance with the provisions of NJSA 18A:17-20.3.b;
- B. To review, revise and adopt procedures suggested by the Chief School Administrator for implementation of this policy;
- C. To determine whether the services of a qualified consultant will contribute substantially to the evaluation process and to engage such a consultant as deemed appropriate to assist the Board of Education. The evaluation itself shall be the responsibility of the Board;
- D. To adopt an individual plan for professional growth and development of the Chief School Administrator based in part upon any needs identified in the evaluation. The Board of Education and the Chief School Administrator shall mutually develop this plan. The duration of the plan will be three to five years, depending on the Chief School Administrator' contract with the school district;
- E. To hold an annual summary conference between a majority of its total membership and the Chief School Administrator. The annual summary conference shall be held before the written performance report is filed. The conference shall be held in private, unless the Chief School Administrator requests that it be held in public. The conference shall include, but not be limited to, review of the following:

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Evaluation of the Chief School Administrator**

**Series 2000**

**Policy 2132**

Page 2 of 3

- Performance of the Chief School Administrator based upon the job description;
  - Progress of the Chief School Administrator in achieving and/or implementing the school district's goals, program objectives, policies, instructional priorities, State goals, and statutory requirements; and
  - Indicators of student progress and growth toward program objectives.
- F. By July 1<sup>st</sup>, subsequent to the annual summary conference, an annual written performance report, approved by a majority of the full membership of the Board of Education. This report shall include:
- Performance areas of strength;
  - Performance areas needing improvement based upon the job description and evaluation criteria in "E" above;
  - Recommendations for professional growth and development;
  - A summary of available indicators of pupil progress and growth and a statement of how these available indicators relate to the effectiveness of the overall program and the performance of the Chief School Administrator;
  - Provision for performance data which have not been included in the report prepared by the Board of Education to be entered into the record by the Chief School Administrator within 10 working days after the completion of the report.
- G. To add all written performance reports and supporting data, including, but not limited to, indicators of student progress and growth to a Chief School Administrator' personnel file. The records shall be confidential and not be subject to public inspection or copying pursuant to the Open Public Records Act, NJSA 47:1A-1 et seq.

#### Role & Responsibility of the Chief School Administrator

*The Board of Education shall determine the role and responsibility in consultation with the Chief School Administrator. The Chief School Administrator shall be to provide information and propose procedures for:*

- A. Development of a job description and evaluation criteria, based upon the district's local goals, program objectives, policies, instructional priorities, state goals, statutory requirements, and the functions, duties and responsibilities of the Chief School Administrator. The evaluation criteria shall include but not be limited to available indicators of pupil progress;
- B. Specification of methods of data collection and reporting appropriate to the job description;
- C. Design of evaluation instruments suited to reviewing the Chief School Administrator' performance based upon the job description;

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Evaluation of the Chief School Administrator**

**Series 2000**

**Policy 2132**

Page 3 of 3

- D. Establishing an evaluation calendar to include a date for the annual conference and including appropriate information to allow proper consideration of all the items to be included in the subsequent written performance report;
- E. After the Board of Education's adoption of the annual written performance report, to provide all other appropriate information relative to evaluation of his/her performance not contained in the report.
- F. Preparation and review of the Professional Growth Plan for the administrator's professional development.

The policy shall be delivered to the Chief School Administrator upon adoption. Amendments to the policy shall be distributed within 10 working days after adoption.

#### Legal References

- NJSA 18A:4-15 General rule-making power
- 18A:6-10 through -17 Dismissal and reduction in compensation of persons under tenure in public school system
- 18A:12-21 et seq. School Ethics Act
- 18A:17-15 through -21 Appointment of superintendents; terms;
- 18A:17-20 Tenured and non-tenured superintendents; general powers and duties
- 18A:17-24 Clerks in superintendent's office
- 18A:17-24.1 Shared Administrators, Superintendents
- 18A:27-4.1 Appointment, transfer, removal or renewal of officers and employees; exceptions
- 18A:28-3 through -6.1 No tenure for noncitizens
- 18A:29-14 Withholding increments; causes; notice of appeals
- 40:8A-1 et seq. Interlocal Services Act
  
- NJAC 6A:9-12 Requirements for Administrative Certification
- 6A:28-1.1 et seq. School Ethics Commission
- 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 6A:32-4.1 et seq. Employment and Supervision of Teaching Staff
- 6A:32-4.3 Evaluation of tenured and nontenured superintendent
- 6A:32-4.4 Evaluation of tenured teaching staff members
- 6A:32-4.5 Evaluation of nontenured teaching staff members
  
- 8 U.S.C. 1101 et seq. - Immigration and Nationality Act
- Manual for the Evaluation of Local School Districts
- New Jersey Quality Single Accountability Continuum (NJQSAC)

# **Elsinboro Township Board of Education District Policy Manual**

**Administration**

**Series 2000**

**Acting Chief School Administrator**

**Policy 2133**

|                                  |               |             |
|----------------------------------|---------------|-------------|
| Date Adopted: October 6, 2008    | Date Revised: | Page 1 of 1 |
| First Reading: September 8, 2008 |               |             |

In the absence of the Chief School Administrator, an Acting Chief School Administrator is automatically assigned according to the following order, unless otherwise designated by the Board of Education:

1. Teacher in Charge
2. Board Secretary/School Business Administrator
3. Administrative Assistant

The role of Acting Chief School Administrator shall be the same as for the Chief School Administrator.

## **Legal References:**

NJSA 18A:11-1, 18:17-20  
NJAC 6:3-1.12

## **Possible Cross References:**

3516, 4135.16, 4235.16, 5131.6, 5141.1, 5141.2, 6114, 9311, 9313

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Teacher in Charge**

**Policy 2135**

|                                  |               |             |
|----------------------------------|---------------|-------------|
| Date Adopted: October 6, 2008    | Date Revised: | Page 1 of 2 |
| First Reading: September 8, 2008 |               |             |

It shall be the policy of the Elsinboro Township Board of Education that the Chief School Administrator may assign a staff member to act as Teacher in Charge in the event of the absence of the Chief School Administrator.

In the case of the absence of the Chief School Administrator, the designated Teacher in Charge is authorized and directed to take necessary action to ensure the health, safety and welfare of all personnel, both staff and pupils; to protect school property; and to foster the orderly continuation of the educational program.

The Chief School Administrator, after consultation with the other administrators, shall submit a list of possible Teacher in Charge designees for Board of Education approval. The designated Teacher in Charge shall be compensated at the discretion of the Board of Education.

Under normal circumstances, the Teacher in Charge shall report to the Chief School Administrator, who will provide training, manuals, equipment and supplies to the Teacher in Charge necessary for him/her to function successfully in this role. When it becomes necessary the Chief School Administrator to be absent from the school during normal school hours, the Teacher in Charge will be advised as soon as possible, so that he/she will have ample time to make the necessary adjustments to his/her schedule. It will be the responsibility of the Chief School Administrator to advise the Teacher in Charge when it becomes necessary for the Teacher in Charge to assume his/her duties. In all cases, the Teacher in Charge will be supplied with the means to contact the Chief School Administrator in order to confer with him/her and ask advice.

When it becomes necessary for the Teacher in Charge to assume this role, his/her duties shall include, but not be limited to:

- Assigning staff members as necessary to assure proper coverage in all classes.
- Handling emergency personnel matters (granting emergency leaves of absence, securing substitutes, etc.). In case of accident or illness involving students or staff the Teacher in Charge will refer to Board of Education policies #4152.2-Injuries to School Personnel and 5141.1-Accident/Emergency Procedures, and take appropriate action.
- Resolving immediate and critical discipline incidents by taking appropriate action as outlined in the Board policies on conduct #5114.3, 5114.4 and 5114.5. Final resolution of these matters will be at the discretion of the Chief School Administrator.
- Representing the administration at special events and/or after school activities.
- Assisting the Chief School Administrator during emergencies. In case of the need for an emergency closing of the school during the day the Teacher in Charge will confer with the transportation contractor (B.R. Williams), and the President (or Vice President if the President is unavailable) in order to determine the safest way of having students reach

# **Elsinboro Township Board of Education District Policy Manual**

**Administration  
Teacher in Charge**

**Series 2000  
Policy 2135**

Page 2 of 2

home. The staff, radio and television stations will be notified in order to alert parents or guardians of the impending early closing of school.

## **Additional Duties:**

- Remain after school until the end of the transportation run (approximately 3:30 p.m.).
- Lock/unlock emergency doors at appropriate times (before/after school).
- Assist the Chief School Administrator with curriculum review/revision, including the submission of written and/or verbal reports.

The Teacher in Charge shall provide a report (verbal or written) to the Chief School Administrator detailing any activities or issues encounter while he/she was acting in the role of Teacher in Charge. This report shall be made as soon as possible after the return of the Chief School Administrator.

The Teacher in Charge will support and promote all of the policies of the Elsinboro Township Board while fulfilling the role of Teacher in Charge and he/she shall have the support of the administration and the Board.

## **Legal References:**

NJSA 18A:11-1

## **Possible Cross References:**

2110, 2110.1, 2121, 2130, 2132, 2134

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

### **Administrative Positions – Review of Contracts**

**Policy 2200**

Date Adopted: October 11, 2011

Date Revised:

Page 1 of 3

In accordance with NJAC 6A:23A-3.1, the Executive County Superintendent shall review and approve the following item relative to the contracts of the Chief School Administrator and the Business Administrator:

- New employment contracts, including contracts that replace expired contracts for existing tenured and non-tenured employees;
- Renegotiations, extensions, amendments or other alterations of the terms of existing employment contracts that have been previously approved by the Executive County Superintendent; and,
- Provisions for contract extensions where such terms were not included in the original employment contract or are different from the provisions contained in the original approved employment contract.

In the absence of an Executive County Superintendent, the Assistant Commissioner for Field Services shall review and approve all above contracts.

The contract review and approval shall take place prior to any required public notice and hearing pursuant to NJSA 18A:11-11 and prior to the Board approval and execution of those contracts to ensure compliance with all applicable laws, including but not limited to NJSA 18A:30-3.5, 18A:30-9, 18A:17-15.1 and 18A:11-12.

The public notice and public hearing required pursuant to NJSA 18A:11-11 is applicable to the Board of Education, when it renegotiates, extends, amends, or otherwise alters the terms of an existing contract with the Chief School Administrator or Business Administrator. It does not apply to new contracts, including contracts that replace expired contracts for existing employees in one of these positions, whether tenured or not tenured. Nothing precludes the Board of Education from issuing a public notice and/or holding a public hearing on new contracts, including new contracts that replace expired contracts for existing tenured and non-tenured employees.

In connection with the Executive County Superintendent's review of the contract, the Board of Education shall provide the Executive County Superintendent with a detailed statement setting forth the total cost of the contract for each applicable year, including salary, longevity (if applicable), benefits and all other emoluments.

The contract review and approval shall be consistent with the following additional standards:

1. Contracts for each class of administrative position shall be comparable with the salary, benefits and other emoluments contained in the contracts of similarly credentialed and experienced administrators in other districts in the region with similar enrollment, academic achievement levels and challenges, and grade span.



# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Administrative Positions – Review of Contracts**

**Series 2000**

**Policy 2200**

Page 2 of 3

2. No contract shall include provisions that are inconsistent with the travel requirements pursuant to NJSA.18A:11-12 including but not limited to the provisions for mileage reimbursement and reimbursement for meals and lodging in New Jersey. Any contractual provision that is inconsistent with law is superseded by the law.
3. No contract shall include provisions for the reimbursement or payment of employee contributions that are either required by law or by a contract in effect in the district with other teaching staff members, such as payment of the employee's State or federal taxes, or of the employee's contributions to FICA, Medicare, State pensions and annuities (TPAF), life insurance, disability insurance (if offered), and health benefit costs.
4. No contract shall contain a payment as a condition of separation from service that is deemed by the Executive County Superintendent to be prohibited or excessive in nature. The payment cannot exceed the lesser of the calculation of three months pay for every year remaining on the contract with proration for partial years, not to exceed 12 months, or the remaining salary amount due under the contract.
5. No contract shall include benefits that supplement or duplicate benefits that are otherwise available to the employee by operation of law, an existing group plan, or other means; e.g., an annuity or life insurance plan that supplements or duplicates a plan already made available to the employee. Notwithstanding the provisions of this section, a contract may contain an annuity where those benefits are already contained in the existing contract between that employee and the district.
6. Contractual provisions regarding accumulation of sick leave and supplemental compensation for accumulated sick leave shall be consistent with NJSA 18A:30-3.5. Supplemental payment for accumulated sick leave shall be payable only at the time of retirement and shall not be paid to the individual's estate or beneficiaries in the event of the individual's death prior to retirement. Pursuant to NJSA 18A:30-3.2, a new Board of Education contract may include credit of unused sick leave days in accordance with the new Board of Education's policy on sick leave credit for all employees.
7. Contractual provisions regarding accumulation of unused vacation leave and supplemental compensation for accumulated unused vacation leave shall be consistent with NJSA 18A:30-9. Contractual provisions for payments of accumulated vacation leave prior to separation can be included but only for leave accumulated prior to June 8, 2007 and remaining unused at the time of payment. Supplemental payments for unused vacation leave accrued consistent with the provisions of NJSA 18A:30-9 after June 8, 2007 as well as unused vacation leave accumulated prior to June 8, 2007 that has not been paid, shall be payable at the time of separation and may be paid to the individual's estate or beneficiaries in the event of the individual's death prior to separation.
8. Contractual provisions that include a calculation of per diem for 12 month employees shall be based on a 260 day work year.

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Administrative Positions – Review of Contracts**

**Series 2000**

**Policy 2200**

Page 3 of 3

9. No provision for a bonus shall be made except where payment is contingent upon achievement of measurable specific performance objectives expressly contained in a contract approved pursuant to this section, where compensation is deemed reasonable relative to the established performance objectives and achievement of the performance objectives has been documented to the satisfaction of the Board of Education.
10. No provision for payment at the time of separation or retirement shall be made for work not performed except as otherwise authorized above.
11. No contract shall include a provision for a monthly allowance except for a reasonable car allowance. A reasonable car allowance cannot exceed the monthly cost of the average monthly miles traveled for business purposes multiplied by the allowable mileage reimbursement pursuant to applicable law and regulation and NJOMB circulars. If such allowance is included, the employee cannot be reimbursed for business travel mileage nor assigned permanently a car for official district business. Any provision of a car for official district business must conform with NJAC 6A:23A-6.12 and be supported by detailed justification. No contract can include a provision of a dedicated driver or chauffeur.
12. All Chief School Administrator contracts shall include the required provision pursuant to NJSA 18A:17-51 which states that in the event the Chief School Administrator's certificate is revoked, the contract is null and void.
13. Any actions by the Executive County Superintendent undertaken pursuant to this subchapter may be appealed to the Commissioner pursuant to the procedures set forth in NJAC 6A:3.

#### Legal References

- |      |   |
|------|---|
| NJSA | 18A:11-1 General mandatory powers and duties<br>18A:11-12 Travel<br>18A:17-15.1 Superintendent's contract<br>18A:30-3.2 Unused sick leave<br>18A:30-3.5 Payment for unused sick leave<br>18A:30-9 Payment for accumulated vacation<br>18A:54-20 Powers of board (county vocational schools) |
| NJAC | 6A:3 Controversies and disputes<br>6A:9-12.3 Authorization<br>6A:9-12.4 School administrator<br>6A:23A-3.1 Accountability Regulations<br>6A:23A-6.12 Accountability Regulations<br>6A:32-2.1 Definitions (superintendent)   |

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

### **Administrative Leeway in Absence of Board Policy**

**Policy 2210**

|                                  |               |             |
|----------------------------------|---------------|-------------|
| Date Adopted: October 6, 2008    | Date Revised: | Page 1 of 1 |
| First Reading: September 8, 2008 |               |             |

In cases where emergency action must be taken within the school system and where the Board of Education has provided no guides for administrative action, the Chief School Administrator shall have the power to act, but those decisions shall be subject to review by the Board of Education at its next regular meeting.

It shall be the duty of the Chief School Administrator to inform the Board of Education promptly of such action and of the need for possible additional policies or revisions of existing policies.

#### Legal References:

NJSA 18A: 18A:11-1, 18:17-20  
NJAC 6:3-1.12

#### Possible Cross References:

3516, 4135.16, 4235.16, 5131.6, 5141.1, 5141.2, 6114, 9311, 9313

# **Elsinboro Township Board of Education District Policy Manual**

**Administration**

**Series 2000**

**Representative & Deliberative Groups**

**Policy 2220**

|                                  |               |             |
|----------------------------------|---------------|-------------|
| Date Adopted: October 6, 2008    | Date Revised: | Page 1 of 1 |
| First Reading: September 8, 2008 |               |             |

The Board encourages staff and community participation in decision-making. The Chief School Administrator shall recommend and the Board shall establish such committees as are necessary to make recommendations for the proper functioning of the district.

## Legal References:

NJSA 18A:11-1, 18A:40-16,  
NJAC 6:8-2.1, 6A:24-2.1 et seq.,

Manual for the Evaluation of Local School Districts (September 2002)

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Nondiscrimination / Affirmative Action**

**Policy 2224**

Date Adopted: October 6, 2008

Date Revised: April 14, 2014

Page 1 of 4

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 any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes. The Superintendent of Schools, in determining the candidates to be nominated shall seek information from the candidate's prior employers.

The Board of Education will continue to support its Affirmative Action Resolution of, and implement the districts equal educational opportunity policy, school and classroom practices plan and contract/employment practices plan in accordance with law and regulation.

The Board authorizes the Chief School Administrator to develop and implement a comprehensive equity plan as mandated by the New Jersey Department of Education to ensure that the district provides equality in educational programs and to identify and correct, or assess and prevent, all bias, discrimination and impermissible isolation in policies, practices and facilities of the district. Upon approval of this plan by the state department of education, the Board shall adopt it by resolution. A copy of the districts affirmative action/equity plans and self-evaluation of their achievement shall be available in the district office.

### Affirmative Action Officer(s)

The Board shall appoint annually a certified member of the staff as Affirmative Action Officer(s) and a 504 Compliance Officer. The Board shall adopt the job description of the Affirmative Action Officer(s), and 504 Compliance Officer, granting to them the responsibility to facilitate, oversee and ensure the development of implementation of school and classroom practices plans, employment and contract practices plan, school desegregation plan and section 504 plans, as well as related inter-program coordination. The Affirmative Action Officer(s) shall ensure that the district upholds all regulations, codes and law related to equity in the schools.

The Affirmative Action Officer(s) shall monitor compliance with this policy. The name, work location and telephone number of the district Affirmative Action Officer(s) shall annually be made known to staff, pupils and members of the community.

### Harassment

The Board of Education shall maintain an instructional and working environment that is free from harassment of any kind. Administrators and supervisors will make it clear to all staff, pupils and vendors that harassment is prohibited. Sexual harassment shall be specifically addressed in the affirmative action in-service programs required by law for all staff.

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Nondiscrimination / Affirmative Action**

**Series 2000**

**Policy 2224**

Page 2 of 4

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- A. Submission of the conduct or communication is made a term or condition of employment;
- B. Submission to, or rejection of the conduct or communication is the basis for decisions affecting employment and assignment;
- C. The conduct or communication has the purpose or effect of substantially interfering with an individual's work performance;
- D. The conduct or communication has the effect of creating an intimidating, hostile or offensive working environment.

Sexual harassment of staff or children interferes with the learning process and will not be tolerated in the school. Harassment by Board members, employees, parents, students, vendors and others doing business with the district is prohibited. Any child or staff member who has knowledge of or feels victimized by sexual harassment should immediately report his/her allegation to the Affirmative Action Officer or building Principal. Anyone else who has knowledge of or feels victimized by sexual harassment should immediately report his/her allegation to the Chief School Administrator or Board President. Employees whose behavior is found to be in violation of this policy will be subject to the investigation procedure, which may result in discipline, up to, and including dismissal. Other individuals whose behavior is found to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the Chief School Administrator/Board. This policy state on sexual harassment shall be distributed to all staff members.

Staff or pupils may file a formal grievance related to harassment on any of the grounds addressed in this policy. The affirmative action officer will receive all complaints and carry out a thorough investigation, and will protect the rights of both the person making the complaint and the alleged harasser.

Findings of discrimination or harassment will result in appropriate disciplinary action.

#### School and Classroom Practices

In implementing affirmative action, the district shall:

- A. Identify and correct the denial of equity of educational opportunities for pupils solely on the basis of any classification protected by law;
- B. Continually reexamine and modify, as may be necessary, its school and classroom programs; location and use of facilities; its curriculum development program and its instructional materials; availability of programs for children; and equal access of all eligible pupils to all extracurricular programs.

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Nondiscrimination / Affirmative Action**

**Series 2000**

**Policy 2224**

Page 3 of 4

These topics are included in the pupil and instructional policies or the district of #5145.4 Equal education opportunity, #6121 Nondiscrimination/affirmative action, and #6145 Extracurricular activities.

#### Contract/Employment Practices

The district directs the Chief School Administrator to ensure that appropriate administrators implement the districts affirmative action policy by:

- A. Adhering to the administrative code on selection of vendors and suppliers, informing vendors and suppliers that their employees are bound by the districts affirmative action policies in their contracts with district staff and pupils;
- B. Continuing implementation and refinement of existing practices and affirmative action plans, making certain that all recruitment, hiring, evaluation, training, promotion, personnel-management practices and collective bargaining agreements are structured and administered in a manner which furthers equal employment opportunity principles and eliminates discrimination on any basis protected by law, holding in-service programs on affirmative action for all staff in accordance with law.

These topics are included in the business and non-instructional operations, and the personnel policies of the district at #3320, #3327.

#### Disabled

In addition to prohibiting educational and employment decisions based on non-applicable disabling conditions, the district shall, as much as feasible, make facilities accessible to disabled pupils, employees, and members of the community as intended by Section 504 and as specified in the administrative code.

#### Report on Implementation

The Chief School Administrator shall devise regulations, including grievance forms and procedures to implement the districts affirmative action policies. He/she shall report to the Board annually on the effectiveness of this policy and implementing procedures.

# Elsinboro Township Board of Education District Policy Manual

## Administration

### Nondiscrimination / Affirmative Action

Series 2000

Policy 2224

Page 4 of 4

#### Legal References

- NJSA 2C:16-1 Bias intimidation  
2C:33-4 Harassment  
10:5-1 et seq. Law Against Discrimination  
18A:6-5 Inquiry as to religion and religious tests prohibited  
18A:6-6 Sexual discrimination  
18A:18A-17 Facilities for handicapped persons  
18A:26-1 Citizenship of teachers, etc  
18A:26-1.1 Residence requirements prohibited  
18A:29-2 Equality of compensation for male and female teachers  
18A:37-14 through -19 Harassment, intimidation, and bullying defined  
18A:36-20 Discrimination; prohibition  
26:8A-1 et seq. Domestic Partnership Act
- NJAC 5:23-7.1 et seq. Barrier free subcode of the uniform construction code  
6A:7-1.1 et seq. Managing for Equality and Equity in Education  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-12.1 Reporting requirements  
6A:32-14.1 Review of mandated programs and services
- Executive Order 11246 as amended  
29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended  
20 U.S.C.A. 1681 - 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)  
State v. Mortimer, 135 N.J. 517 (1994)  
Taxman v. Piscataway Bd. of Ed. 91 F. 3d 1547 (3d Cir. 1996)  
Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)  
Saxe v. State College Area School Dist., 240 F. 3d 200 (3d Cir. 2001)  
L.W. v. Toms River Regional Schools Board of Education, N.J., No. A-111-05 (Feb. 22, Comprehensive Equity Plan, New Jersey Department of Education

#### Possible Cross References

3320, 4111, 4111.1, 4131/4131.1, 4211, 4211.1, 4231, 4231.1, 5145.4, 6121, 6145



# **Elsinboro Township Board of Education District Policy Manual**

**Administration**

**Series 2000**

**Periodicals, Manuals, Directives,  
Bulletins, Announcements, Reports**

**Policy 2232**

|                                  |               |             |
|----------------------------------|---------------|-------------|
| Date Adopted: October 6, 2008    | Date Revised: | Page 1 of 1 |
| First Reading: September 8, 2008 |               |             |

The Chief School Administrator/designee shall direct development and review of informational newsletters and handbooks for parents/guardians, pupils, staff and the general community as deemed necessary by the Board of Education.

Centralized control of such publications and of all official directives, announcements, bulleting, etc., shall be designed to ensure that their contents reflect district-wide policies and regulations accurately.

## Legal References:

NJSA 18A:11-1, 18A:17-20  
NJAC 6:8-4.3(a) 2i

Manual for the Evaluation of Local School Districts

## Possible Cross References:

1000, 1010, 1100, 1112.2, 3100, 5124, 5125, 5131, 5144, 5145.12, 6142, 6142.2, 6146, 6171.3, 6171.4, 9310

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Research, Evaluation & Planning**

**Policy 2240**

Date Adopted: October 6, 2008

Date Revised: September 12, 2011

Page 1 of 1

First Reading: September 8, 2008

As required by New Jersey Quality Single Accountability Continuum (NJQSAC), the Superintendent of Schools shall annually direct development or review of district long and short-range goals and the plan of action to attain them. Objectives shall be developed with community participation and approved by the Board of Education; the plan of action shall be prepared in consultation with teaching staff members. The districts plans shall be discussed at a public meeting before the date required by law.

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

### Legal References

NJSA 18A:7A-10 Evaluation of performance of each school  
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills  
18A:7A-14 Review of evaluation of district performance  
18A:7F-4 Periodic review of core curriculum content standard by state board; establishment of thoroughness and efficiency standards and cost per pupil  
18A:7F-6 Approval of budget by Commissioner

NJAC 6A:8-1.1 et seq. Standards and Assessments  
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts  
6A:26-2.1 et seq. Long-Range Facilities Plans  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-2.1 Definitions  
6A:32-12.1 Reporting requirements  
6A:32-12.2 School-level planning  
6A:32-13.1 et seq. Student Behavior  
6A:32-14.1 Review of mandated programs and services

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A., 6301 et seq  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

### Possible Cross References

1120, 1220, 2255, 3510, 5020, 6142.2, 6171.34, 7110, 9130

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Needs Assessment of the District & the Individual Programs / Facilities**

**Policy 2241**

|                                  |               |             |
|----------------------------------|---------------|-------------|
| Date Adopted: October 6, 2008    | Date Revised: | Page 1 of 1 |
| First Reading: September 8, 2008 |               |             |

The Chief School Administrator shall monitor continuously the program and equipment needs of the district and the individual programs/facilities. To this end he/she shall devise appropriate instruments to identify and prioritize these needs, and report them to the Board as necessary, but at least annually before the budget is finalized.

### Legal References:

NJSA 18A:7A-10, 18A:7A-11, 18A:7A-14, 18A:7A-14.1, 18A:7A-14.3,  
18A:7A-14.4, 18A:7F-4, 18A:7F-6, 18A:11-1  
NJAC 6:3-1.6, 6:8-2.1, 6:8-2.2, 6:8-4.1, 6A:8-1.1 et seq, 6A:26-2.1 et seq,  
6A:30-1.1 et seq

Manual for the Evaluation of Local School Districts (August 2000)

### Possible Cross References:

1120, 1220, 2255, 3510, 7110

# **Elsinboro Township Board of Education District Policy Manual**

**Administration**

**Series 2000**

**Action Planning for Thorough  
& Efficient Certification**

**Policy 2255**

|                                  |               |             |
|----------------------------------|---------------|-------------|
| Date Adopted: October 6, 2008    | Date Revised: | Page 1 of 2 |
| First Reading: September 8, 2008 |               |             |

The Chief School Administrator shall be responsible for assembling all necessary documentation to meet state certification requirements.

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

In the event that the district, or a program/facility within the district, does not receive full approval in classification by the Commissioner of Education, the Board of Education shall cooperate in undertaking corrective action by the development of a remedial plan pursuant to the New Jersey Administrative Code.

Certification requirements for teaching staff members shall not be violated.

## Equivalency and Waiver Procedures

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

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

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

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

All applications for equivalency and waivers shall be signed by the Chief School Administrator and approved by the Board of Education.

## Alternative Monitoring

If the district meets the standards set out in the administrative code in student performance and attendance, the Board may decide on an alternative method of evaluation in compliance with code and statute.

# **Elsinboro Township Board of Education District Policy Manual**

**Administration**

**Series 2000**

**Action Planning for Thorough & Efficient Certification**

**Policy 2255**

Page 2 of 2

## Legal References:

NJSA 18A:7A-10, 18A:7A-14, 18A:7A-14.1, 18A:7A-14.3, 18A:7A-14.4,  
18A:7A-15, 18A:7F-1 et al., 18A:26-2,  
NJAC 6:8-1.1, 6:8-2.1, 6:8-2.2, 6:8-4.1, 6A:5-1.1 et seq., 6A:8-1.1 et seq.  
6A:23-8.3, 6A:24-1.1 et seq., 6A:24-1.4 and 1.5, 6A:30-1.1 et seq.

Manual for the Evaluation of Local School Districts (September 2002)

## Possible Cross References:

1120, 1220, 2240

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Action Planning for State Monitoring - NJQSAC**

**Policy 2256**

Date Adopted: September 9, 2013

Date Revised:

Page 1 of 3

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

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

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

District Performance Review form shall be completed by the district committee. The Chief School Administrator shall determine the total number of people that will serve on the committee. The Chief School Administrator shall appoint the following persons to the committee, and, in his or her discretion, may include other persons on the committee with the approval of the Board of Education:

- A. Chief School Administrator;
- B. One or more members of the administrative staff;
- C. One or more teaching personnel, representative of different grade levels and/or;
- D. The business administrator and assistant superintendent for curriculum and instruction, as well as other appropriate personnel;
- E. One or more member representatives of the local collective bargaining unit of the educational staff selected by the local collective bargaining unit; which may include the teaching personnel otherwise appointed in "C" above; and
- F. One or more members of the Board selected by the Board.

The Chief School Administrator shall:

- A. Ensure that the process used by the committee in completing the District Performance Review provides for participation and input by all committee members;
- B. Consult with the committee in formulating a response to all weighted quality performance indicators of each component of school district effectiveness;
- C. Ensure that the responses in District Performance Review encompass and reflect the circumstances that exist in the school district; and

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Action Planning for State Monitoring - NJQSAC**

**Series 2000**

**Policy 2256**

Page 2 of 3

- D. Ensure that all responses to the District Performance Review can be verified by data and supporting documentation or otherwise and provide this verification to the department upon request. In accordance with the provisions of NJAC 6A:30-3.2 District Performance Review.

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

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

The Board shall ensure that:

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

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

Certification requirements for teaching staff members shall not be violated.

#### Equivalency & Waiver Procedures

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

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

### **Action Planning for State Monitoring - NJQSAC**

**Series 2000**

**Policy 2256**

Page 3 of 3

- A. The spirit and intent of New Jersey statutes, applicable federal laws and regulations, and the administrative code are served by granting the equivalency or waiver;
- B. The provision of a thorough and efficient education to the students in the district is not compromised as a result of the equivalency or waiver; and
- C. There will be no risk to student health, safety or civil rights by granting the equivalency or waiver.

All applications for equivalency and waivers shall be in accordance with NJAC 6A:5-1.4 and shall be signed by the Chief School Administrator and approved by the Board of Education.

#### **Legal References**

- NJSA 18A:7A-10 Evaluation of performance of each school
- 18A:7A-14 Review of evaluation of district performance
- 18A:7F-1 et al. Comprehensive Educational Improvement and Financing Act
- 18A:26-2 Certificates required; exception
  
- NJAC 6A:5-1.1 et seq. Regulatory Equivalency and Waiver
- 6A:8-1.1 et seq. Standards and Assessments
- 6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott Districts
- 6A:23-8.3 Commissioner to ensure achievement of the Core Curricular Content Standards
- 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 6A:32-2.1 Definitions
- 6A:32-12.1 Reporting requirements
- 6A:32-12.2 School-level planning
- 6A:32-14.1 Review of mandated programs and services
  
- No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A., 6301 et seq
- Manual for the Evaluation of Local School Districts
- New Jersey Quality Single Accountability Continuum (NJQSAC)



# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Holiday Observance**

**Policy 2260**

|                                  |               |             |
|----------------------------------|---------------|-------------|
| Date Adopted: October 6, 2008    | Date Revised: | Page 1 of 1 |
| First Reading: September 8, 2008 |               |             |

The Chief School Administrator and teachers of the school will be responsible for a suitable observance of legal holidays as outlined in Title 18A:36-6 to 36-13. These holidays include the following:

- Flag Day (NJAC 18A:36-6)
- Arbor Day (NJAC 18A:36-7, 18A:36-8, 18A:36-9)
- Commodore Barry Day (NJAC 18A:36-10, 18A:36-11, 18A:36-11)
- Lincoln's Birthday (NJAC 18A:36-13)
- Washington's Birthday (NJAC 18A:36-13)
- Decoration Day or Memorial Day (NJAC 18A:36-13)
- Columbus Day (NJAC 18A:36-13)
- Veterans Day (NJAC 18A:36-13)
- Thanksgiving Day (NJAC 18A:36-13)
- Martin Luther King Day (NJAC 18A:36-13)

Any other holidays that may be designated by the state

Should the holiday fall on a day that school is closed; the in-school observance shall be held as close to the actual holiday as possible.

### Legal Reference:

NJAC 18A:36-6 to 36-13

# **Elsinboro Township Board of Education District Policy Manual**

## **Administration**

**Series 2000**

## **Evaluation of Educational Administration**

**Policy 2400**

|                                  |               |             |
|----------------------------------|---------------|-------------|
| Date Adopted: October 6, 2008    | Date Revised: | Page 1 of 1 |
| First Reading: September 8, 2008 |               |             |

The Chief School Administrator shall develop criteria and indicators of achievement by which to evaluate the progress of the administration toward district goals and objectives. This evaluation shall be a part of the Chief School Administrator's annual summary on the strengths and weaknesses of the district.

### Legal References:

NJSA 18A:7A-5J, 18A:11-1

NJAC 6:3-1.19, 6:3-1.21, 6:8-3.4(b), 6:8-6.29(b)1v, 6:8-6.2(b)6iv

### Possible Cross References:

2232.1, 6300, 9430

**Elsinboro Township  
Board of Education  
District Policy Manual**



**Business & Non-  
Instructional  
Operations  
Series 3000**



**Elsinboro Township  
Board of Education  
District Policy Manual**

**TABLE OF CONTENTS**

**Business & Non-Instructional Operations –  
Series 3000**

|  |                  |
|--|------------------|
| <b>Goals &amp; Objectives</b>  | <b>3000/3010</b> |
| <b>Budget Planning, Preparation &amp; Adoption</b>   | <b>3100/3110</b> |
| <b>Annual Operating Budget</b>   | <b>3111</b>      |
| <b>Budget Philosophy</b>   | <b>3112</b>      |
| <b>Determination of Budget Priorities</b>  | <b>3113</b>      |
| <b>Transfers of Funds Between Line Items / Amendments /<br/>Purchases Not Budgeted</b>                       | <b>3160</b>      |
| <b>State Funds / Federal Funds</b>   | <b>3220/3230</b> |
| <b>Tuition</b>   | <b>3240</b>      |
| <b>Materials / Services, Fees, Fines &amp; Charges</b>   | <b>3250</b>      |
| <b>Sale &amp; Disposal of Books, Equipment &amp; Supplies /<br/>Sale, Licensing &amp; Rental of Property</b> | <b>3260/3270</b> |
| <b>Gifts, Grants, &amp; Bequests</b>   | <b>3280</b>      |
| <b>Funds Management / Investing</b>  | <b>3290</b>      |
| <b>Depository</b>  | <b>3293</b>      |
| <b>Signatures, Facsimiles</b>  | <b>3293.1</b>    |
| <b>Expenditures / Expending Authority</b>  | <b>3300</b>      |
| <b>Purchasing Procedures</b>   | <b>3320</b>      |
| <b>Incurring Liabilities</b>   | <b>3321</b>      |
| <b>Purchase Orders</b>   | <b>3322</b>      |
| <b>Soliciting Prices, Bids &amp; Quotations</b>  | <b>3323</b>      |
| <b>Contracts</b>   | <b>3324.1</b>    |
| <b>Payment for Goods &amp; Services</b>  | <b>3326</b>      |
| <b>Relations with Vendors</b>  | <b>3327</b>      |
| <b>Direct Deposit of Payroll</b>   | <b>3333</b>      |
| <b>Travel Expenses</b>   | <b>3335</b>      |
| <b>Accounts</b>  | <b>3400</b>      |
| <b>Capital Reserve Account</b>   | <b>3410</b>      |
| <b>Investments</b>   | <b>3420</b>      |
| <b>Inventories</b>   | <b>3440</b>      |

|  |                |
|--|----------------|
| <b>Money in School Buildings</b>                                 | <b>3450</b>    |
| <b>Petty Cash Funds</b>  | <b>3451</b>    |
| <b>School Activity Funds</b>                                     | <b>3453</b>    |
| <b>Operation &amp; Maintenance of Plant</b>                      | <b>3510</b>    |
| <b>Buildings &amp; Grounds Maintenance</b>                       | <b>3510.1</b>  |
| <b>Equipment</b>   | <b>3514</b>    |
| <b>Smoking</b>   | <b>3515</b>    |
| <b>District Telephones / Cellular Phones</b>                     | <b>3515.1</b>  |
| <b>Safety</b>  | <b>3516</b>    |
| <b>First Aid</b>   | <b>3516.3</b>  |
| <b>Vandalism</b>   | <b>3516.5</b>  |
| <b>Management of Life-Threatening Allergies</b>                  | <b>3516.6</b>  |
| <b>Property Records</b>  | <b>3518</b>    |
| <b>Insurance &amp; Indemnification</b>                           | <b>3530</b>    |
| <b>Liability Insurance</b>                                       | <b>3532</b>    |
| <b>Property Insurance</b>  | <b>3532.2</b>  |
| <b>Employee Indemnification and Bonding</b>                      | <b>3532.3</b>  |
| <b>Unsafe Conditions</b>   | <b>3540.3</b>  |
| <b>Transportation Routes &amp; Services</b>                      | <b>3541.1</b>  |
| <b>Transportation Aides</b>                                      | <b>3541.2</b>  |
| <b>Student Transportation in Private Vehicles</b>                | <b>3541.31</b> |
| <b>Educationally Disabled Transportation</b>                     | <b>3541.32</b> |
| <b>Transportation Safety</b>                                     | <b>3541.33</b> |
| <b>School Bus Scheduling &amp; Routing</b>                       | <b>3541.34</b> |
| <b>Monitoring Devices on School Vehicles</b>                     | <b>3541.36</b> |
| <b>Courtesy Busing</b>   | <b>3541.50</b> |
| <b>Food Service</b>  | <b>3542</b>    |
| <b>Wellness &amp; Nutrition</b>                                  | <b>3542.1</b>  |
| <b>Free or Reduced-Price Lunches / Breakfasts / Milk</b>         | <b>3542.31</b> |
| <b>Cafeteria Funds</b>   | <b>3542.35</b> |
| <b>Bio-security Management Plan</b>                              | <b>3542.40</b> |
| <b>Food Service - Purchasing</b>                                 | <b>3542.44</b> |
| <b>Written Code of Conduct for Procurement</b>                   | <b>3542.45</b> |
| <b>Meals on Credit / Charged Meals</b>                           | <b>3542.46</b> |
| <b>Printing &amp; Duplicating Costs</b>                          | <b>3543</b>    |
| <b>Copyrighted Materials</b>                                     | <b>3543.11</b> |
| <b>District Records &amp; Reports</b>                            | <b>3570</b>    |
| <b>Audit</b>   | <b>3571.4</b>  |
| <b>Integrated Pest Management</b>                                | <b>3575</b>    |
| <b>Evaluation of Business &amp; Non-Instructional Operations</b> | <b>3600</b>    |

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Goals & Objectives**

**Policy 3000/3010**

Date Adopted: November 11, 2008

Date Revised: September 12, 2011

Page 1 of 2

First Reading: October 6, 2008

#### Fiscal Management

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

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

#### Internal Controls / Standard Operating Procedures

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

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

#### Personnel Tracking and Accounting

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

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Goals & Objectives**

**Series 3000  
Policy 3000/3010**

Page 2 of 2

### Support Services

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

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

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

### Long Range Plans

In compliance with law, the Chief School Administrator, with input from the School Business Administrator, will develop a five-year comprehensive maintenance plan. The Board will review this plan and the District's long-range facilities plan annually and will revise them as necessary with the advice of the Chief School Administrator.

### Legal References:

NJSA 2C:30-4, 18A:4-14, 18A:17-14 through 14.3, 18A:33 et seq,  
18A:33-1 et seq, 18A:18A-1 et seq, 40:8A-1 et seq  
NJAC 2:36-1.1 et seq, 6:11-9.1 et seq, 6A:23-1.1 et seq, 6A:26-1.1 et seq,  
6A:27-1.1 et seq

### Possible Cross References:

3100, 3200, 3300, 3400, 3500, 3510, 3530, 3541, 3542, 3543, 3570, 3600,  
9123/9124

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

## **Budget Planning, Preparation & Adoption**

**Policy 3100/3110**

Date Adopted: November 11, 2008

Date Revised: January 10, 2020

Page 1 of 3

The annual budget is the financial plan for the effectuation of the educational plan for the district; its preparation is, therefore, one of the most important functions performed by the Board of Education. The budget shall be designed to carry out that plan in a thorough and efficient manner, to maintain school district facilities, and to honor continuing obligations of the district.

A proposed budget requires the critical analysis of every member of the Board during its preparation. The administration shall work with the Board to ensure Board Members have a thorough understanding of the budget appropriations, budget revenue, the proposed educational program and the budget's impact to the local tax levy. The Board shall also provide for community input during the budget development process.

The annual school district budget and supporting documentation shall be prepared in accordance with the provisions of NJSA 18A:7F et seq. and NJC 6A:23A-8.1 et seq. The Board will obtain approval of the local funding for a non-referendum capital project (school facility project or other capital project) in accordance with the provisions of N.J.A.C. 6A:23A-8.4.

The Board will submit its proposed budget and supporting documentation as prescribed by the Commissioner to the Executive County Superintendent for approval.

The budget will be presented to the Board of Education to allow adequate time for review and adoption. The budget should evolve primarily from the needs of the individual schools as expressed by the Building Principals and the district educational program as expressed by the central administrative staff and be compatible with approved district plans.

The Board shall include in the budget application to the Executive County Superintendent a complete reporting of revenues and appropriations and other requirements pursuant to the provisions of NJSA 18A:22-8 and NJSA 18A:7F-5 through 63.

The Board, upon submission of its budget application to the Executive County Superintendent or by the statutory submission date, whichever is earlier, shall make available upon request for public inspection all budget and supporting documentation contained in the budget application and all other documents as



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|---|------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                  |
| Business & Non-Instructional Operations                             | Series 3000      |
| Budget Planning, Preparation & Adoption                             | Policy 3100/3110 |
| Page 2 of 3   |                  |

provided for in NJAC 6A:23A-8.1 once the budget application has been submitted to the Executive County Superintendent for approval.

The budget as adopted for the school year pursuant to the provisions of NJSA 18A:7F-5 shall be provided for public inspection on the district's Internet site, if one exists, and made available in print in a "user-friendly" plain language budget summary format in accordance with the provisions of NJAC. 6A:23A-8.1(c).

All budgetary and accounting systems used in the school district must be in accordance with double entry bookkeeping and Generally Accepted Accounting Principles as required in NJAC 6A:23A-16.1 et seq.

The annual budget adopted by the Board of Education and approved by the Executive County Superintendent represents the Board's position on the allocation of resources required to operate a thorough and efficient system of education. All reasonable means shall be employed by the Board to present and explain that position to residents and taxpayers of the community. A public budget hearing will be conducted in accordance with law. Each member of the Board and each district administrator shall be sufficiently acquainted with the budget and its underlying purposes to answer questions from members of the public.

The approved budget will be made available to the public in the form and at the places required by law. A simplified form of the budget may also be prepared annually and may be sent to each district resident, each parent(s) or legal guardian(s) of a pupil in public school, and representative of community organizations and distributed to each person attending the annual budget hearing.

The simplified budget may include the expenditure in each major category of current expense, capital items, and debt service; any anticipated change in tax rates; a summary of anticipated receipts; information that voters may use in comparing budget provisions in this school district with those in comparable districts; brief explanations of significant increases and decreases from the preceding budget and important transfers of expenditures from one classification to another; and a letter of transmittal from the Board.

# **Elsinboro Township Board of Education District Policy Manual**

**Business & Non-Instructional Operations  
Budget Planning, Preparation & Adoption**

**Series 3000  
Policy 3100/3110**

Page 3 of 3

## **Legal References**

- NJSA** 18A:7F-1 et seq. Comprehensive Education Improvement and Financing Act of 1996  
18A:13-17, -19, -23 Submission of budget; annual regional school election  
18A:22-7, -8 through -13 Preparation of budgets  
18A:22-8.6 Transportation (budget line item)/hazardous routes  
18A:22-14 Fixing appropriations to be made; notice of intent to appeal (Type I districts)  
18A:22-25 Borrowing against appropriations on notes (Type I districts  
18A:22-26 through -31 Type II district with board of school estimate; determination; certification and raising of appropriations; notice of intent to appeal amount of appropriation  
18A:22-32, -33 Type II districts without board of school estimate; determination of appropriation  
19:60-1 School elections, adjustments, ballots
- NJAC** 6A:8-1.1 et seq. Standards and Assessment  
6A:23-8.1 et seq. Annual Budget Development, Review and Approval, Review and Approval, Fiscal Accountability, Efficiency & Budgeting Procedures  
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts  
6A:26-10.1 et seq. Purchase and lease Agreements  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- Abbott v. Burke, 149 NJ 195 (1999)  
Manual for the Evaluation of Local School Districts (September 2002)  
New Jersey Quality Single Accountability Continuum (NJQSAC)

## **Possible Cross References**

3160, 3220/3230, 3326

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Annual Operating Budget**

## **Series 3000 Policy 3111**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 2 |
| First Reading: October 6, 2008  |               |             |

### Planning

The preliminary budget will be formulated by the Chief School Administrator and the Board Secretary/Business Administrator with consideration of input from the teaching staff, support staff, custodians and cafeteria supervisor.

### Preparation of Budget Document

The budget document will be prepared by the Chief School Administrator and the Board Secretary/Business Administrator in the format approved by the New Jersey State Department of Education and will contain all supporting data needed for approval by the Board of Education (in timely fashion to meet budgetary deadlines).

### Publication of the Budget

The preliminary budget will be published by the Board Secretary/Business Administrator as required by New Jersey statute.

The Chief School Administrator and the Board will be responsible for disseminating published budget data to the community, using sources of publication and public meetings.

### Public Hearing and Adoption

A public hearing will be advertised by the Board Secretary/Business Administrator as required by New Jersey statute, at which time the Board of Education will present the preliminary budget as published. The Board will conduct public discussion on the budget and will, upon conclusion of the hearings, publicly adopt a final budget for submission to the electorate, as required by statute.

### Transfer of Funds

All transfer of funds within the adopted budget line item account must be recommended by the Chief School Administrator.

All transfer of funds from one budget line item account to another must be approved by the Board, upon recommendation of the Chief School Administrator and the Board Secretary/Business Administrator.

### Periodic Statements

The Board Secretary/Business Administrator and the Treasurer of School Monies will report monthly on the financial status of the budget to the Board as required by New Jersey statute.

# **Elsinboro Township Board of Education District Policy Manual**

**Business & Non-Instructional Operations  
Annual Operating Budget**

**Series 3000  
Policy 3111**

Page 2 of 2

## Legal References:

NJSA 18A:13-17,-19, 18A:22-7,-8 through 13, 18A:7F-1 et seq., 18A:22-8.6, 18A:22-14, 18A:22-25, 18A:22-26 through -31, 18A:22-32, -33, 19:60-1, NJAC 6A:8-1.1 et seq., 6A:11-7.1 through -7.3, 6A:23, 6A:23-8.1 et seq. , 6A:24-1.1 et seq. 6A:24-4.4, 6A:30-1.1 et seq.

Abbott v. Burke, 149 NJ 195 (1999)

Manual for the Evaluation of Local School Districts (September 2002)

## Possible Cross References:

3160, 3220/3230, 3326

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

## **Budget Philosophy**

**Policy 3112**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

The annual budget of the school district shall be viewed as a financial translation of the educational aims of the school district. The budget shall express the services planned for the fiscal year.

Rather than a mere listing of probable expenditures, the budget should be seen as:

1. Indicating the purposes of the educational program in terms of dollar costs;
2. Protecting the continuance of the educational program for a specific period of time;
3. Indicating where and when changes in the current operation must be made in order to realize specific objectives;
4. One means of gauging the fiscal efficiency of the school system's education program;
5. Providing the Board of Education with the authority to make expenditures within a pattern established by a predetermined educational program;
6. Providing a base from which to build long-range projections; and,
7. Serving as a financial document that brings the proposed school program to the public in its entirety.

Because the responsibilities of the school district are continuous and because the attainment of its educational goals lies in the future, the annual budget preparation shall be controlled to the optimum degree by policies that are compatible with the long-range aims of the school district.

### Legal References:

NJSA 18A:7A, 18A:22-7 through -13

NJAC 6:8-3.1

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Determination of Budget Priorities**

**Policy 3113**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

The Board of Education can meet only a limited number of educational needs and desires with the finite resources available to it. The laws of the State of New Jersey require that the school system be operated so that expenditures do not exceed revenues. The Chief School Administrator and Board Secretary/Business Administrator are directed to formulate the annual budget, taking into consideration the following criteria:

- A. At all times, district resources, shall be used to produce the most positive effect on the students' opportunities to gain a sound basic education;
- B. The budget shall be in accord with statutory and regulatory mandates promulgated by the federal government, the state legislature, the State Board of Education, County Superintendent of Schools and the Board of Education;
- C. The budget shall be consistent with contracts between the Board and its employee groups.

In reviewing the proposed budget, the Board will consider priorities to be accomplished during the subsequent year, based upon the needs identified through the district's planning process. Funds and resources shall be provided for their accomplishment in amounts determined by the constraints of the budget.

#### Legal References:

NJSA 18A:11-1, 18A:22-40

NJAC 6A:23-8.1 et seq

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Transfers of Funds Between Line Items / Amendments / Purchases Not Budgeted**

**Policy 3160**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

Appropriate fiscal controls shall ensure that the Board does not spend more than authorized funds. The Business Administrator/Board Secretary shall keep the Board informed of the district's financial status according to law.

Except in the case of federal funds, the Board designates the Chief School Administrator to approve transfers among line items and programs as are necessary between meetings of the Board. Transfers approved by the Chief School Administrator shall be reported to the Board, ratified by a 2/3 vote of the Board, and recorded in the minutes at the next subsequent monthly meeting of the Board.

Funds may not be transferred among the major categories, i.e. current expense, capital outlay and debt service.

When the necessity arises for an unbudgeted expenditure, and there are no available funds in other line items in the same category, the procedures required by administrative code shall be initiated. In such cases, a 2/3 vote of the Board of Education shall be required for approval.

The Board may, by resolution, designate the Chief School Administrator to approve such transfers as are necessary between meetings of the Board. Transfers approved by the Chief School Administrator shall be reported to the Board, ratified by a 2/3 vote of the Board of Education and duly recorded in the minutes at the next subsequent monthly meeting of the Board.

#### Legal References:

NJSA 2c:30-4, 18A:17-9, 18A: 18A-7, 18A:22-8.1,-8.2,  
NJAC 6A:23-2.1 et seq., 6A:23-2.2, -2.11, 6A:30-1.1 et seq.

Hawkins-Stafford Elementary and Secondary School Improvement Act of 1988  
(Pub. L. 100-297)

Manual for the Evaluation of Local School Districts (September 2002)

Guidelines for Development of Application—Basic Skills Improvement Plan—NJ

State Department of Education, revised annually

Guidelines for Development of Program Plan—Bilingual/ESL Education

Programs—New Jersey State Department of Education, revised annually

#### Possible Cross References:

3000, 3100/3110, 3320, 9127

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

## **State Funds / Federal Funds**

**Policy 3220/3230**

Date Adopted: November 11, 2008

Date Revised: December 13, 2010, November 14, 2017

Page 1 of 3

Each year, when it is believed that the school district is eligible for federal and/or state assistance under the provisions of public laws, application for said assistance may be submitted so long as acceptance of the funds does not include conditions contrary to the policies of the Board of Education. The Chief School Administrator shall inform the Board about specific assurances that may be required in addition to those addressed in this policy, and will provide the required language for Board adoption.

When the law requires the development and implementation of administrative procedures for submitting state and federal financial reports, with specified time schedules, the Chief School Administrator and the Business Administrator/Board Secretary shall ensure that the staff has properly completed the reports and that in each instance the reports have been submitted within the specified time.

In particular, the Chief School Administrator is responsible for assuring that the District is in compliance with Education Department General Administrative Regulations (EDGAR) and all persons responsible for following those administrative regulations shall be held accountable.

### Drawdown of Federal Grant Funds

The New Jersey Department of Education (NJDOE) has implemented a reimbursement request system of payment. The procedures as outlined in the NJDOE Policies and Procedures for Reimbursement of Federal and Other Grant Expenditures shall be followed by this district in submitting reimbursement requests.

Reimbursement requests by the Board Secretary/Business Administrator/designee shall be made for individual titles and awards shall be made using the NJDOE's Electronic Web-Enabled Grant System (EWEG) system.

Reimbursement requests shall be made for individual titles and awards and only one reimbursement request per month may be submitted for an individual title or award. Reimbursement requests may only be for expenditures that have already occurred or will occur by the last calendar day of the month in which the request is made.

The submission of a reimbursement request shall constitute a certification by the Board Secretary/Business Administrator that the district has previously made the appropriate expenditures and/or will make the expenditures by the last calendar day of the month in which the request is made and that the expenditures are allowable and appropriate to the cost



# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations State Funds / Federal Funds**

**Series 3000  
Policy 3220/3230**

Page 2 of 3

objective(s) of the subgrant. Reimbursement requests must be in accordance with the approved grant applications.

The regular operating budget must include amounts anticipated to be received from state and/or federal sources, and a listing of projects describing how this money will be spent. These recommendations for expenditures will be approved by the Board before projects are submitted.

If additional amounts become available during the year, additional projects will be recommended to the Board and, with its approval, added to the budget.

### Maintenance of Effort

In order to comply with the requirements of state and federal laws, the Board of Education will maintain a combined fiscal effort per student, or aggregate expenditures, of state and local funds with respect to the provision of the free public education in the Local Education Agency (LEA) for the preceding fiscal year that is not less than the required amount of the combined fiscal effort per student, or the aggregate expenditures, for the second preceding year.

### Equivalence Comparability of Materials and Supplies

To be in compliance with state and federal laws, the Board of Education directs the Chief School Administrator to distribute curriculum materials and instructional supplies to the schools in such a way that the equivalence of such material is ensured appropriately within the school.

### Supplement Not Supplant

Federal funds shall be used for supplementary services only and shall not be used to replace services that the district would supply eligible pupils, if state and federal funds were not available.

### Parent Participation

The district shall implement parent consultation and participation, advisory councils, etc., as mandated for the specific program.

# **Elsinboro Township Board of Education District Policy Manual**

**Business & Non-Instructional Operations  
State Funds / Federal Funds**

**Series 3000  
Policy 3220/3230**

Page 3 of 3

## **Legal References**

**NJSA** 18A:7F-1 et seq. Comprehensive Improvement and Financing Act of 1996  
18A:7G-1 through -44 et al. Educational Facilities Construction and Financing Act  
18A:34-1 Textbooks; selection; furnished free with supplies; appropriations  
18A:38-7.7 through -7.14 Legislative findings and declarations (impact aid)  
18A:54-20 Powers of board (county vocational schools)  
18A:58-7.1 School lunch program  
18A:58-7.2 School lunch program; additional state aid  
18A:58-11 Emergency aid  
18A:58-11.1 Loss of tuition to district due to establishment of regional district; state aid for one year  
18A:58-33.6 through -33.21 Additional State School Building Aid Act of 1970  
18A:58-37.1 through -37.7 Textbook Aid to Public and Nonpublic Schools  
18A:59-1 through -3 Federal aid

**NJAC** 6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts  
6A:14-1.1 et seq. Special Education  
6A:23-5.1 et seq. State Aid  
6A:23A-5.3 Accountability Regulations  
6A:26-1.1 et seq. Educational Facilities  
6A:27-8.1 et seq. State Aid  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-14.1 Review of mandated programs and services

Abbott v. Burke, 149 N.J. 145 (1997)

Hawkins-Stafford Elementary & Secondary School Improvement Amendments of 1988 (Pub. L. 100-97)

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Tuition**

**Policy 3240**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 4 |
| First Reading: October 6, 2008  |               |             |

The Board of Education shall charge and assess tuition for attendance in the school of the district pupils not entitled to receive a free public education in this district and whose enrollment has been approved by the Board.

The Chief School Administrator is empowered by the Board to receive and accept applications by non-resident parents for the admission of their children on a tuition basis. This will apply to students who are eligible for admission to any regular program in the Elsinboro Township School grades K – 8.

The acceptance of tuition students will be subject to a case by case review of each student's records and the availability of space. Elsinboro Board of Education does not accept or reject students on the basis of race, creed, nationality, religion or sex.

The amount of tuition and the payment schedule will be established by the Board. Tuition rates will be determined and approved annually and will represent the cost per pupil in average daily enrollment in accordance with law. Rates will be published to the sender before the beginning of the school year or before the pupil's attendance commences.

The Board Secretary/Business Administrator shall be responsible for the assessment and collection of tuition. Tuition billing will be made annually in advance of the period for which the billing is made with payment on an approved schedule.

Transportation of the student will be the responsibility of the parent/guardian.

#### **Tuition Paying Student**

Applications will be accepted for consideration of enrollment into Elsinboro's regular education program for grades K – 8 on a tuition basis. Should a request come at a time prior to a regularly scheduled Board meeting, the Chief School Administrator may approve the request and advise the Board of his/her action.

Acceptance of tuition students will include but not be limited to the following:

- a. space availability
- b. appropriate program availability
- c. satisfactory evaluation of student's academic and medical records
- d. satisfactory classroom evaluation
- e. parent/guardian agrees to incur any and all expenses over and above the regular education program

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Tuition**

**Policy 3240**

Page 2 of 4

The Chief School Administrator will make recommendations to the Board on the acceptance of tuition students.

The final decision to accept or reject a student will remain with the Board.

#### Non-Resident Students Tuition Student Application Procedures

The following procedures clarify the steps to be taken for the admission and continuation of tuition paying students:

1. Parents/guardian of applicant submits a written request to Chief School Administrator requesting admission to the school district on a tuition basis.
2. The Chief School Administrator will request the latest report card and standardized test scores from previous school to determine if the student has a satisfactory academic, attendance, and conduct record. In addition, the Chief School Administrator will determine if there will be appropriate programs and available space for the student.
3. The Chief School Administrator will schedule the applicant for a classroom visitation and evaluation.
4. The Chief School Administrator then provides a written recommendation to the Board, either accepting or rejecting the student for tuition status.
  - a. If the request is rejected, the Chief School Administrator notifies the parents/guardian.
  - b. If the student is accepted, the Chief School Administrator notifies the parents/guardian, stipulating the amount of tuition (pro-rated for the school year), the effective date of enrollment, and instructs the parents to complete the registration procedures. Copies of the acceptance letter are forwarded to the Board Secretary.
5. The Business Administrator submits a bill to the parents/guardian for tuition, indicating amount and dates of required payments. The bill will include the stipulation that if payments are not made on the dates required a late fee will be charged.
6. If payment is not received within the 15 day limit, the Business Administrator will send a letter informing the parent/guardian that the student may be excluded from school, pending review by the Chief School Administrator. A copy of the letter will be forwarded to the Board of Education. If the student is excluded it becomes the responsibility of the parent/guardian to enroll the student in the home school.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Tuition**

**Policy 3240**

Page 3 of 4

Once a tuition student has been admitted, he/she has permission to continue in the district as long as tuition payments remain current and the Chief School Administrator determines that satisfactory academic, conduct, and attendance records are being maintained.

At least one annual review will be conducted by the Chief School Administrator to determine if these requirements are being met.

#### Non-Resident Students Tuition Student Guidelines

Under the general authority granted to New Jersey school districts, Elsinboro Township School will admit non-resident students, upon payment of tuition, and according to the following guidelines:

1. The parents/guardian of the student shall make a written application to the Chief School Administrator requesting admission to the school district.
2. The parents/guardian shall agree to pay the established tuition rate for elementary school as established by the Board. Such tuition shall be payable September 1, November 1, February 1 and April 1, and shall be forwarded to the Secretary/School Business Administrator. A late fee will be charged after 10 days.
3. The student shall maintain a satisfactory scholastic record, as well as a satisfactory discipline and attendance record. Students who cannot comply with this requirement may not be permitted to continue as tuition students in the district. They will be notified of their status by June 30 by the Chief School Administrator/designee.
4. Non-resident tuition students shall be subject to all policies and regulations governing the conduct and behavior of resident students.
5. Non-resident tuition students shall be entitled to the benefits of all district activities and regular instructional programs available to resident students.
6. Non-resident tuition students shall be accepted and enrolled on a space available basis, subject to size of classes and as recommended by the Chief School Administrator.
7. Parents of a non-resident tuition student will be responsible for the student's transportation to and from school.

#### Legal References:

NJSA 18A:11-1, 18A:38-3, 18A:38-19, 18A:46-21  
NJAC 6:20-3/1 et seq, 6A:14-7.8

#### Possible Cross References:

5117.7

Elsinboro Township School Board of Education  
631 Salem-Ft. Elfsborg Road  
Salem, New Jersey 08079

TUITION AGREEMENT

Tuition for the school year \_\_\_\_\_ shall be \_\_\_\_\_ per year.

Tuition may be paid in a lump sum or in four (4) separate payments. All tuition must be paid by check, cash, or money order. Tuition payment is non-refundable. Payment must be made before the 10<sup>th</sup> of the month due. A late fee of 10% will be assessed thereafter. Failure to make timely payment could constitute cancellation of this contract.

Students must comply with all school regulations. Failure to do so may result in cancellation of this agreement. It is understood that the district can only approve students on a year by year basis. In the event of an unexpected enrollment increase tuition students might have to return to their home districts for the following year.

The selection process will include, but not be limited to, the following criteria:

1. Staff evaluation of student records
2. Number of students in the class
3. Classroom visitation
4. Chief School Administrator recommendation
5. School Board approval

Parent Certification: I have read and understood the terms of this agreement and Board Policy 3240.

\_\_\_\_\_  
Parent/Guardian Signature Date

Student's Name \_\_\_\_\_ Birth Date \_\_\_\_\_

Parents/Guardian Name \_\_\_\_\_

Address \_\_\_\_\_ Phone # \_\_\_\_\_  
\_\_\_\_\_

Grade \_\_\_\_\_ (as of \_\_\_\_\_) Resident of \_\_\_\_\_

Approved as a tuition student by the Board of Education on \_\_\_\_\_.

We require a \$100.00 deposit. Upon acceptance this will be applied to the first month of tuition. No refund can be made after June 30. Deposit is not required until board approval.

\_\_\_\_\_  
Chief School Administrator Date

The Elsinboro School District does not offer tuition based special education programs.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

## **Materials / Services, Fees, Fines & Charges**

**Policy 3250**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

The Board authorizes the imposition of fines for the loss, damage, or defacement of textbooks and other instructional materials.

The Chief School Administrator shall oversee preparation of a schedule of fines for lost or damaged textbooks and/or equipment.

The Business Administrator shall ensure that funds collected as fees or fines are properly recorded and safeguarded. The Chief School Administrator shall be responsible for funds donated by the Elsinboro School Association to the school and also those generated by student activities that are deposited in the designated bank.

All charges to pupils shall be kept to a minimum. No pupil shall be caused to suffer embarrassment because of financial inability to participate in any activity or project under control of the district.

The Board, on recommendation of the Chief School Administrator, shall approve reasonable charges for admission to school-sponsored events.

### Legal References:

NJSA 18A:34-1, 18A:34-2, 18A:34-3, 18A:58-37.3

NJAC 6A:23-2.11, 6A:23-2.14, 6A23-2.15, 6A:23-6.6

Ballato v. Long Branch Board of Education 1990 SLD (August 20)

### Possible Cross References:

3453, 3517, 5131.5, 6145.1/6145.2, 6153, 6161.3, 6200

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Sale & Disposal of Books, Equipment & Supplies / Sale, Licensing & Rental of Property**

**Policy 3260/3270**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

The Board of Education may authorize the sale, exchange, trade or other disposition of real estate or personal property of the school district, when it is determined that it is no longer needed for school purposes.

Real estate property shall be leased or disposed of by sale or otherwise, in accordance with law and Board resolution. Property, the value of which does not exceed the legal limit in any one sale, and property which consists of livestock or is perishable, shall be disposed of by the Chief School Administrator in such manner as will be in the public interest and benefit the school district.

Property, the value of which exceeds the legal limit in any one sale and is neither livestock nor perishable nor is to be sold to the United States, the State of New Jersey or to any body politic in the state, shall be sold at public sale to the highest bidder in accordance with law.

All bids may be rejected if it is determined by the Board that doing so would be in the public's interest. Where the Board has rejected all bids, it may be re-advertised for subsequent public sale. If at the second sale all bids are again rejected, the personal property may be sold without additional public notice. In no event shall the negotiated price at a private sale be less than the highest price of any bid that was rejected at the preceding two public sales, and in no event may the terms or conditions of sale be changed or amended.

Any district property designated for donation or unsold after such offer may be offered without cost to charitable or nonprofit organizations having a use for such property.

The Chief School Administrator or designee shall develop procedures for the disposition of district property which include:

- A. The review of the continued usefulness of all property periodically;
- B. Recommendation for Board designation of property for sale, donation or discard;
- C. Rules for the disposition of property that ensure that all sales and donations are conducted in a fair and open manner in accordance with the public interest.

#### Federally Funded Equipment and Property

When equipment and/or property procured with federal grant funds is no longer needed for the original project, or is obsolete or unusable, it shall be disposed of in strict accordance with applicable federal law and regulation.



# **Elsinboro Township Board of Education District Policy Manual**

**Business & Non-Instructional Operations  
Sale & Disposal of Books, Equipment & Supplies /  
Sale, Licensing & Rental of Property**

**Series 3000  
Policy 3260/3270**

Page 2 of 2

## Textbooks

In accordance with NJSA 18A:34-3, the district will notify the NJ Department of Education regarding any textbooks it intends to discard. It is the responsibility of the Department of Education to create and maintain a statewide textbook database to facilitate the transfer of used textbooks from one district to another.

Although textbooks published 10 years prior to the year the district wishes to discard them will not be entered into this database, the district will take appropriate measure to share or recycle, if applicable or dispose, if necessary those textbooks.

Textbooks published within 10 years may be recycled by the district to students, parents, educational agencies, institutions, others, or by selling them or posting to the database.

The law regarding used textbooks does not apply to those textbooks that are “worn out or useless due to damage or mutilation.” Such textbooks can be disposed of without posting, regardless of publication date.

## Legal References:

NJSA 18A:7F-7(e), 18A:18A-45, 18A:20-2, 18A:20-5, 18A:20-6, 18A:20-7,  
18A:20-8, 18A:20-8.2, 18A:20-9, 18A:20-9.1, 18A:20-9.2, 18A:34-3, 54:4-3.6  
NJAC 6A:26-7.4, 6A26-7.5

## Possible Cross References:

3220/3230, 3280, 3440, 6171.3, 7110

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Gifts, Grants & Bequests**

**Policy 3280**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 2 |
| First Reading: October 6, 2008  |               |             |

Only the Board of Education may accept, for the school district, any bequest or gift or money, property or goods. All gifts shall be given to the school district as a whole, and not to a particular school program. At the discretion of the Board, the gift may be used on a particular school project.

The Board reserves the right to refuse to accept any gift which does not contribute toward the achievement of the goals of this district or the ownership of which would tend to deplete the resources of the district.

Any gift accepted by the Board or the Chief School Administrator shall become the property of the Board, may not be returned without the approval of the Board, and is subject to the same controls and regulations as are other properties of the Board. The Board shall be responsible for the maintenance of any gift it accepts, not including scholarships or memorial trust funds. Proposed gifts of equipment must be reviewed and approved for safety in the same manner in which a district-purchased is reviewed.

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

In general, teachers are not empowered to receive gifts on behalf of the schools. Prospective donors should be advised to consult the Chief School Administrator.

The Board shall not take title to real estate in the event of a gift of same without prior approval as required by law.

A letter of appreciation shall acknowledge all gifts accepted by the Board of Education. Such appreciation shall in no case be considered as a testimonial or endorsement by the school system of a product or enterprise.

#### Grants

Staff members are encouraged to seek out sources of grants and gifts, and bring them to the attention of the Chief School Administrator, who shall investigate the conditions of such grants and gifts and make recommendations to the Board regarding the advisability of seeking and or accepting them.

A complete budget breakdown must be submitted to the business office prior to drawing moneys from the grant.

# **Elsinboro Township Board of Education District Policy Manual**

**Business & Non-Instructional Operations**  
**Gifts, Grants & Bequests**

**Series 3000**  
**Policy 3280**

Page 2 of 2

## Legal References:

NJSA 18A:6-33.1 through –33.12, 18A:18A-15.1, 18A:20-4, 18A:20-11,  
through –16, 18A:29A-1 through 7,

## Possible Cross References:

1230, 3200, 3220/3230, 3453, 5126, 6163.1

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

## **Funds Management / Investing**

**Policy 3290**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

When the Board, due to unforeseen contingencies in the current account because of the receipt of state aid, funds in advance of construction, etc., is holding unencumbered cash balances, such funds shall be invested with interest.

Funds of the Board may be invested in bonds or other obligations of the United States, bonds of certain federal agencies as specified by law, bonds or obligations of county, municipality or school district, and public depositories located within the boundaries of the State of New Jersey, provided such depositories secure public funds in accordance with state law.

The Business Administrator/Board Secretary shall include in the monthly report to the Board revenue of account of the previous month as well as all investment assets of the Board.

The use of student activities funds shall be limited to activities directly related to educational functions sanctioned and authorized by the Board of Education. Organizations such as parent-teacher associations or parent-citizen booster clubs, and groups that conduct events not sponsored by the Board of Education shall be expected to account for funds separately.

No fund raising drives may be conducted except with the express approval of the Board of Education.

Investment of Board funds is the responsibility of the Business Administrator/Board Secretary, as governed by applicable statutes, provided that no commitment of this Board may be put in default.

Funds of the Board may be withdrawn from approved public depositories, or negotiable instruments owned by the Board may be sold prior to maturity at the discretion of the Business Administrator/Board Secretary acting within the law.

The interest earned on such investments shall be combined with the general revenues of the Board.

### Legal References:

NJSA 18A:17-34, 18A:20-37

### Possible Cross References:

1314

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Depository**

**Policy 3293**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

At its annual reorganization meeting or as necessary thereafter, the Board shall select one or more banks or bank and trust companies to serve as the depository or depositories of school funds.

Upon recommendation of the Business Administrator/Board Secretary, the Board may change its designated depositories.

#### Legal References:

NJSA 18A:10-5, 18A:11-1, 18A:17-8, 18A:17-4.1

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Signatures / Facsimiles**

**Policy 3293.1**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

The Board shall name the persons who are authorized to sign checks on its accounts at the annual organization meeting and as becomes necessary during the year.

In order to expedite the signing of warrants issued by the district and to be signed by the official designated by law, signature plates for use in a facsimile signature machine shall be purchased. Such facsimiles shall be used only to sign approved warrants, and the plates shall be kept in safe custody.

The Business Administrator/Board Secretary shall notify the depositories the facsimile signatures will be used.

#### Legal References:

NJSA 18A:19-1 et seq, 18A:10-5, 18A:11-1, 18A:17-31

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Expenditures / Expending Authority**

**Policy 3300**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

The authority to spend money for district operations rests with the Board of Education, although authority to purchase goods or engage services not covered by the Board-approved contracts may be delegated within limits established by law and the Board.

The budget as approved by the voters constitutes the district spending plan for the year. The New Jersey Administrative Code (NJAC) forbids the district to operate at a deficit. When expenditure will overspend a line item within either current expense, capital outlay or debt service, available funds may be transferred from another line item within the same category. This must be done by Board resolution before the expenditure is made and requires approval by a 2/3 affirmative vote of the authorized membership of the Board of Education.

The Board of Education shall not knowingly enter into a contract with any company that does not subscribe to and implement an affirmative action policy.

If the district anticipates an over-expenditure of one of three major accounts - current expense, capital outlay, or debt service - the procedures required by NJAC shall be initiated.

#### Legal References:

NJSA 18A:4-14, 18A:17-9, 18A:19-1 et seq, 18A:18A-7, 18A:22-8, 18A:22-8.1, 18A:22-8.2, 18A:22-32 – 44.2  
NJAC 6A:23

#### Possible Cross References:

3000, 3100, 3160, 3320, 3326, 3571, 3571.2

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Purchasing Procedures**

## **Series 3000 Policy 3320**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 3 |
| First Reading: October 6, 2008  |               |             |

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

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

The Board of Education encourages the administration to:

- A. Seek advantages in savings that may accrue to this district through cooperative pricing or joint agreements for the purchase of work, materials or supplies with the governing body of other contracting units within county or adjoining counties;
- B. Evaluate any savings which might result from the purchase of any materials, supplies or equipment under contracts entered into by the state treasury department, division of purchase and property; and
- C. Solicit contracts without competitive bidding if price quotations lower than the state contract price is obtained as provided by law.

Nothing may be ordered by any school personnel without the approval of the Chief School Administrator. All orders should be given to the Chief School Administrator in writing. The Chief School Administrator will then issue the necessary purchase order and follow procedure set forth in Board Policy covering the same.

Purchase orders, after authorization of the Chief School Administrator or Board Secretary shall be prepared and sent out by the Board Secretary/Business Administrator. When the purchase order is sent out a voucher will be sent at the same time.

Upon receipt of voucher and items ordered each will be checked. Voucher will then be given to the Board Secretary who will present same to Board for approval for payment.

Purchases made that do not follow the above procedures or are made by unauthorized persons will not be honored by the Board.

The Business Administrator/Board Secretary shall be responsible for so informing all prospective suppliers of work or materials.

### Soliciting Prices/Bids and Quotations

Whenever the amount of the contract requires, by law, submission for bids, the Board of Education shall authorize the Business Administrator/Board Secretary to initiate the bidding



# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Purchasing Procedures**

**Series 3000  
Policy 3320**

Page 2 of 3

procedure. Legal ads shall be placed and all bids shall be opened at the place and time designated in the advertisement.

The Business Administrator/Board Secretary shall:

- A. Analyze and tabulate all bids;
- B. Bring recommendations and all supporting materials before the Board at its next regular meeting.

Quotations shall be solicited when they are required by law. The Business Administrator/Board Secretary shall maintain a file of all quotations.

The Board will make all final decisions, including, when advisable, rejection of all bids. The Board Secretary/Business Administrator shall make every effort to obtain at least two and preferably three bids for each prospective purchase.

The Board of Education shall not knowingly enter into contract with any company that does not subscribe to and implement an affirmative action policy. The Board of Education shall not enter into any contract with a person, agency, or organization if it has knowledge that such person, agency or organization discriminates on the basis of race, color, creed, religion, sex, ancestry, national origin, age, social or economic status, or non-job-related handicap or disability, either in employment practices or in the provisions of benefits or services to pupils or employees. The district will seek bidders that who comply with the affirmative action requirements of the federal and state governments and the policies of this district.

When emergency situations arise between Board meetings and funds are properly budgeted, the Chief School Administrator, in consultation with the Board Secretary/Business Administrator and Board President shall be authorized to make such purchases as necessary. The Chief School Administrator shall be authorized to make such purchases in the Board Secretary/Business Administrator's absence.

Every transaction between a buyer and seller involving the transfer of property shall be by purchase order or formal contract signed by both the Board Secretary/Business Administrator and the Chief School Administrator.

Specifications governing materials are a joint responsibility of the Chief School Administrator and the Board Secretary/Business Administrator.

### Multiple Year Contract/Bid Cycle

The Business Administrator/Board Secretary will establish a multiple year contract/bid cycle, the purpose of which is to ensure that the district is receiving the most efficient and economical services available. These services consist of, but are not limited to:

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Purchasing Procedures**

**Series 3000  
Policy 3320**

Page 3 of 3

- Auditing
- Food Service
- Transportation
- Insurance
- Custodial
- HVAC
- Electrical
- Plumbing
- Landscaping and Grounds
- Trash Removal
- Snow Plowing

### Legal References:

NJSA 10:5-1 et seq., 18A:18A-1 et seq., 18A:18A-36 through 37, 8A:19-1 et seq., 51:32-44

NJAC 6:8-4.1, 6A:7-1.8, 6A:23-1.2, 6A:23-2.6, 6A:23-6.1 et seq., 6A:23-7.1 et seq., 6A:27-9.1et seq., 6A30-1.1 et seq.

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

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

2224, 3300, 3326, 3327, 3570, 3571

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Incurring Liabilities**

## **Series 3000 Policy 3321**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

The Board has established a careful system of purchasing and accounting to help provide an effective program of education.

Therefore, except as otherwise provided in these policies, no individual Board Member or member of the administration or other district employee shall commit the Board to expenditures for which the Board has not given prior approval.

In the event of emergencies requiring expenditures, the Chief School Administrator shall act in the best interests of the district and inform the Board at the earliest opportunity so it may act at the next regular meeting.

### Legal References:

NJSA 18A:18A-1 et. seq., 18A: 18A-3, 18A-4, 18A-5, 18A-6, 18A-7, 18A-8,  
18A-21, 18A-26, 18A-27, 18A-36 through 37, 18A:19-1 et seq  
NJAC 6:3

### Possible Cross References:

3000/3010, 3320, 3326

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Purchase Orders**

## **Series 3000 Policy 3322**

Date Adopted: October 12, 2010

Page 1 of 2

First Reading: September 13, 2010

The Board of Education establishes the following approval process for any remittance of payment for invoice amounts greater than the approved purchase order issued by the Board

Secretary/Business Administrator:

1. The Board Secretary/Business Administrator shall identify and investigate the reason(s) for any increase to a purchase order.
2. If it is determined that such an increase is warranted, the Board Secretary/Business Administrator shall either approve a revision to the original purchase order with the reason(s) noted, approve the issuance of a supplemental purchase order for the difference, or cancel the original purchase order and issue a new purchase order.
3. If it is found that such an increase is not warranted, the purchase order shall be canceled and the returned to the appropriate vendor.
4. In no instance shall an adjustment be made to a purchase order that changes the purpose or vendor of the original purchase order or a bid award price.

The Board Secretary/Business Administrator shall review on a monthly basis edit/change reports listing all payments made in excess of the originally approved purchase order amount to ensure that all payments made are properly authorized.

# **Elsinboro Township Board of Education**

## **District Policy Manual**

**Business & Non-Instructional Operations**  
**Purchase Orders**

**Series 3000**  
**Policy 3322**

**Page 2 of 2**

### Legal References

NJSA 10:5-1 et seq. Law Against Discrimination  
18A:18A-1 et seq. Public Schools Contracts Law  
18A:19-1 et seq. Expenditure of Funds; Audit and Payment of Claims  
52:32-44 Business registration for providers of goods and services (definitions)

NJAC 6A:7-1.8 Equity in employment and contract practices  
6A:23-1.2 Definitions  
6A:23-2.6 Supplies and equipment  
6A:23-6.1et seq. Purchase and Loan of Textbooks  
6A:23-7.1et seq. Management of Public School Contracts  
6A:23A-6.10 Financial system and payment approval process  
6A:27-9.1et seq. Contracting for Transportation Services  
6A:30-1.1et seq. Evaluation of the Performance of School Districts  
6A:32-14.1 Review of mandated programs and services

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  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

### Possible Cross References

2224, 3300, 3326, 3327, 3570, 3571

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Soliciting Prices, Bids & Quotations**

**Policy 3323**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

#### Telephone Price Quotations

When a single item or service or group of like items cost over \$500.00 and less than 20% of the bid threshold as established by the Governor, three (3) telephone quotations are required.

#### Written Price Quotations

When a single item or service or group of like items cost or exceed 20% of the bid threshold as established by the Governor, three (3) written quotations are required.

#### Bid Process

When a single item or service or group of like items costs or exceeds the bid threshold as established by the Governor, formal bid process through the Business Office is required. Administrators are responsible for providing the Business Office with detailed specifications and a list of vendors for each item or service being purchased.

The legal process takes four to six weeks from the date the Business Office receives the specifications.

#### Other Items

The purchase of any single item or service not falling into one of the above categories must be processed on a purchase order that has been authorized prior to purchase. This means that there shall be no confirming purchase orders, except in the case of an emergency, and those shall be authorized by the appropriate Board Secretary/Business Administrator prior to the commitment of any funds.

#### Approval

All copies of quotes and forms must be forwarded to the Board Office for approval before a purchase order number will be authorized.

#### Legal References:

NJSA 18A:4-5, 18A:18A-j, 18A:18A-7, 18A:18A-37, 18A:39-3, 18A:-40-42,  
18A:11-11

Chapter 281 Laws of 1983

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Contracts**

**Policy 3324.1**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

Contracts shall be awarded to the lowest responsible bidder upon resolution of the Board unless the Board chooses to reject all bids, to re-advertise, or to purchase under a state contract.

Whenever two or more proposals or bids of equal amounts are the lowest proposals or bids submitted by responsible bidders, the Board of Education may award the contract to whichever one of the lowest bidders it may determine.

The Board shall consider the advantages of entering into a contract for more than one year when and as the law permits.

#### Multiple Year Contract/Bid Cycle

The Business Administrator/Board Secretary will establish a multiple year contract/bid cycle, the purpose of which is to ensure that the district is receiving the most efficient and economical services available. These services consist of, but are not limited to:

- Auditing
- Food Service
- Transportation
- Insurance
- Custodial
- HVAC
- Electrical
- Plumbing
- Landscaping and Grounds
- Trash Removal
- Snow Plowing

#### Legal References:

NJSA 18A:18A-5, 18A: 18A-42, 18A: 18A-42.1  
NJAC 6:20-8.2

#### Possible Cross References:

3320, 3323

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Payment for Goods & Services**

**Policy 3326**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 2

First Reading: October 6, 2008

The Board of Education will authorize payment for goods and services. Warrants of the current, special revenue and cafeteria funds are to be paid by the School Business Administrator within seven days.

Custodian account checks require the signature of the Board President, Treasurer of School Moneys, and the School Business Administrator. Before warrants signed by the Board President, Board Secretary/Business Administrator and Treasurer of School moneys may be issued in payment of bills or claims, the bill or claim must be properly audited and approved according to law.

In general, bills or claims shall be audited by the Business Administrator/Board Secretary and approved by the Board. However, in order to provide for the prompt payment to which vendors are entitled, and which leads to more effective competitive bidding and provision of services to the district, claims duly reviewed and recommended by the Chief School Administrator for items previously approved by the Board or provided for in the budget may be approved by the Chief School Administrator. Such payments shall be reported to the Board at the next regular meeting.

Payroll checks are to be approved by the Chief School Administrator and certified by the Business Administrator and the President of the Board prior to issuance of salary checks. Payroll and agency checks require the signature of the Treasurer of School Moneys as the primary signature or the School Business Administrator in an emergency.

Pay checks are to be distributed by the School Business Administrator on dates as per contract by the closing of the school day.

Pay checks will not be distributed before the pay date unless an employee is absent due to approved school business and providing pay checks are available.

Pay checks may not be given to anyone other than the employee without prior authorization.

If the employee is not in attendance on said pay day, pay checks will be held until the employee returns or requests that the check be forwarded through the postal system on or after the pay date.

Items not previously approved by the Board or provided for in the budget must be reviewed and recommended by the Chief School Administrator and presented for Board approval.

Bank transfers may be made only by the Board President, School Business Administrator or the Treasurer of School Moneys.



# **Elsinboro Township Board of Education District Policy Manual**

**Business & Non-Instructional Operations**

**Series 3000**

**Payment for Goods & Services**

**Policy 3326**

Page 2 of 2

## Legal References:

NJSA 18A:19-1 et seq, 18A:22-8.1  
NJAC 6A:23-2.9

## Possible Cross References:

3320, 3451, 3453, 4142, 4242

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

## **Relations with Vendors**

**Policy 3327**

Date Adopted: November 11, 2008

Date Revised: March 25, 2013, June 19, 2017

Page 1 of 4

The Board of Education wishes to maintain good working relations with vendors who supply materials and services to the school system. Constructive efforts by the administration to seek the advice and counsel of vendors about how to improve such relationships are encouraged.

In the schools, vendors shall be seen by appointment only. Vendors who call upon a school shall be governed by policy #1250. Teachers or supervisors of instruction who have invited vendors to call should notify the school office in advance so that proper courtesies may be extended.

No agents, canvassers, or vendors shall have access to teachers during their classes. No business concern that solicits or gains business through the school system shall use school facilities for this purpose.

All vendors, suppliers, contractors and/or any other business organizations that do business with the Board of Education shall be registered with the State of New Jersey and provide proof of that registration to the Business Administrator/Board Secretary before the Board may enter into a contract with that business. Proof of registration shall be in the form of a copy of the "State of New Jersey Business Registration Certificate." The Business Administrator/Board Secretary shall keep a copy of the registration certificate on file.

### Affirmative Action

If awarded a contract, all companies/firms will be required to comply with the requirements of NJSA 10: 5-31 et seq. and NJAC 17:27. During the performance of any awarded contract, the contractor or subcontractor, where applicable, will:

- agree that it will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Relations with Vendors**

## **Series 3000 Policy 3327**

Page 2 of 4

- post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause;
- where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex;
- will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment;
- comply with any regulations promulgated by the Treasurer pursuant to NJSA 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act;
- make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with NJAC 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to NJAC 17:27-5.2;
- inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities and labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.;
- revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions;
- review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Relations with Vendors**

## **Series 3000 Policy 3327**

Page 3 of 4

### Contracting with Small/Minority Businesses/Women's Business Enterprises and Labor Surplus Area Firms

In accordance with state and federal law, the Board of Education shall take all necessary affirmative steps to ensure that minority businesses, women's business enterprises and labor surplus area firms are used whenever possible.

Affirmative steps shall include but not be limited to:

- Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- Ensuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources;
- Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses and women's business enterprises;
- Establishing delivery schedule, where the requirement permits, that encourage participation by small and minority businesses and women's business enterprises;
- Using the services and assistance, as appropriate of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce: and,
- Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed above.

### Disbarred Vendors

When acquiring goods and services under federally sponsored programs, the district will not contract with a vendor who is currently either debarred or suspended from doing business with the Federal government. Prior to contract award, and in accordance with Federal requirements, the district contracting specialist will check the Federal Debarred Vendor List – Excluded Parties List – System for Award Management on SAM.gov to ensure the prospective vendor is not debarred. Should a prospective vendor be found to be debarred or suspended by the Federal government, the Board Secretary/Business Administrator's office will notify the Superintendent of Schools of this finding and will place a hold on the supplier's registration within the district financial system.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Relations with Vendors**

## **Series 3000 Policy 3327**

Page 4 of 4

### Legal References

NJSA 10:5-1 et seq. Law Against Discrimination  
18A:6-8 Interest of school officers, etc., in sale of textbooks or supplies, royalties  
10:5-31 Affirmative Action  
18A:11-1 General mandatory powers and duties  
18A:12-2 Inconsistent interests or office prohibited  
18A:12-21 et seq. School Ethics Act  
18A:18A-1 et seq. Public Schools Contracts Law  
52:32-44 Business registration for providers of goods and services

NJAC 6A:7-1.8 Equality in employment and contract practices  
6A:23A-6.3 Accountability regulations  
6A:28-1.1 et seq. School Ethics Commission  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-14.1 Review of mandated programs and services  
17:27-5.2 Vendor/Contractor guidelines

Comprehensive Equity Plan, New Jersey State Department of Education

### Possible Cross References

1250, 1313, 1330, 2224, 3320, 4119.21, 4219.21, 9270

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Direct Deposit of Payroll**

**Policy 3333**

Date Adopted: April 14, 2014

Date Revised:

Page 1 of 1

In accordance with the provisions of P.L. 2013, C. 38, each employee of the district shall have his/her net pay deposited in a banking institution in a checking account, savings account or share savings account specified by the employee, as of the date specified in the Board of Education Resolution authorizing direct deposit of employee net pay and/or the date of the adoption of this policy.

Each employee shall notify the Board Secretary / Business Administrator in writing, the name of the employee's specified banking institution, account number and routing number for direct deposit of the employee's net pay funds.

The Board Secretary / Business Administrator shall develop forms as may be necessary and to be used by employees to specify the banking institution's name, the specific account number and routing number for direct deposit of the employee's net pay funds.

The Board of Education shall make available all information concerning net pay, any accompanying information approved for distribution with net pay, and W-2 forms in accordance with applicable federal law, only on the Internet with restricted access for the employee only.

The Board Secretary / Business Administrator shall develop and initiate necessary policies and procedures to protect the integrity and confidentiality of employee information relative to the provisions of this policy.

The Board of Education may, at its sole discretion grant an exemption from the requirements adopted in accordance with such terms and conditions as the Board of Education may deem necessary.

#### **Legal References**

NJSA 18A:16-9 Responsibility of board  
18A:19-9 et seq Compensation of teachers; payroll  
18A:66-19 Payroll deductions  
18A:66-127 Employees agreement to reduce salary for purchase of annuity  
18A:66-128 Reduction of salary for obtaining certain benefits  
43:3C-9 Payroll deductions  
52:18A:107 et seq, Payroll deductions

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Travel Expenses**

**Policy 3335**

Date Adopted: November 11, 2008

Date Revised: April 13, 2015, May 2, 2016

Page 1 of 8

The Board of Education recognizes that as a part of its responsibility for the financial operation of the school district, all reimbursable expenses incurred by district employees and Board Members may be subject to audit and scrutiny.

All travel by district employees and Board Members shall be educationally necessary and fiscally prudent and all travel and expense reimbursements shall be:

1. Directly related to and within the scope of the employee's and/or Board Member's current responsibilities;
2. For travel that promotes the delivery of instruction or furthers the efficient operation of the school district; and
3. In compliance with NJ State travel reimbursement guidelines as established by the Department of Treasury in NJOMB circular letter 06-02, except that those guidelines that conflict with the provisions of Title 18A of the New Jersey Statutes shall not be applicable.

#### Reports Following Travel

Following any authorized and reimbursable travel, all employees are required to submit a report to their immediate supervisors detailing the primary purpose for the travel and the key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district within 10 working days of returning from the event. Board Members shall submit similar reports to the Board President and the Board Secretary/Business Administrator by the next regular Board Meeting.

#### Approved Types of Travel

1. Staff Training and Seminars – include all regularly scheduled, formal residential or non-residential training functions, conducted at a hotel, motel, convention center, residential facility, or at any educational institution or facility.
2. Conventions and Conferences – are distinct from formal staff training and seminars, although some training may take place at such events. These are general programs, sponsored by professional associations on a regular basis, which address subjects of particular interest to an agency or are convened to conduct association business. The primary purpose of employee and/or Board Member attendance at conferences and conventions is the development of new skills and knowledge in a particular field related to the educational program of the school district.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Travel Expenses**

**Series 3000  
Policy 3335**

Page 2 of 8

3. Regular District Business – includes all regular official business travel, including attendance at meetings, conferences and any other gatherings that are not covered by the definitions included above.
4. Retreats – includes meetings with school district employees and Board Members, held away from the normal work environment at which organizational goals and objectives are discussed. School district facilities shall be utilized for this type of event, if available.

### Travel Methods

When used in these regulations, the term "transportation" is meant to include all necessary official travel on railroads, airlines, buses, taxicabs, rental cars and other usual means of transportation. The provisions of this section apply to all travel, whether for regular district business or attendance at conventions, conferences, staff training and/or seminars.

### Air Travel

Air travel is authorized when it is determined that air transportation is advantageous to the conduct of district business. The most economical air travel must be used, including the use of discounted and special rates. Charges for classes of service other than economy (i.e., Business or First Class) are to be considered privileged and ineligible except when travel in such classes is less expensive than economy, avoids circuitous routings or excessive flight duration and/or would result in overall transportation cost savings.

### Rail Travel

When it has been determined to be advantageous to the conduct of district business, the most economical scheduling of rail travel is to be utilized.

### Cruises

Participation in a conference, meeting or training even that is presented on a cruise ship is prohibited. Travel on a cruise ship as transportation to an event is also prohibited.

### Ground Travel

Necessary taxicab charges are permitted. However, travel to and from airports and downtown areas should be confined to regularly scheduled shuttle service, whenever such service is less costly than taxicab service. If shuttle service between the airport and downtown destinations is not available, taxicabs may be used.

The district shall not bear the costs for car rentals, limousine services, and/or chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendees' accommodations at the event.



# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Travel Expenses**

**Series 3000  
Policy 3335**

Page 3 of 8

### Special Conveyances

The rental or hire of a boat, aircraft or other special conveyance is allowed only when public or regular means of transportation is not available or when such regular means of transportation cannot be used advantageously in the interest of the district. In such cases, prior approval of the Chief School Administrator is required. A satisfactory explanation must accompany these requests for approval.

### Personal Vehicle (Mileage Basis)

Mileage allowance in lieu of all actual expenses of transportation is allowed an employee traveling by his/her own automobile on official business at the rate authorized by the Board of Education or in an agreement between the Board and the employee's bargaining unit, provided such mode of travel is previously approved by the Chief School Administrator.

For the purpose of this policy, "official business" shall be defined as any task or activity normally associated with the business of the school district. These tasks or activities may include but not be limited to:

- Attending out of district meetings;
- Procuring materials or supplies approved by the Chief School Administrator/designee; and/or;
- Attending school functions that occur outside of the normal work day upon the approval of the Chief School Administrator/designee.

Annually the Board will establish a maximum yearly budgetary reimbursement amount to be paid to individual employees who are required to use his/her own automobile for official business for which school board approval is not required.

In the absence of a defined mileage rate, the rate shall be the Internal Revenue Service maximum.

In order to receive reimbursement for travel involving the use of a personal automobile, all employees and Board Members shall be required to provide a printout from [www.Mapquest](http://www.Mapquest) or [www.Mappoint](http://www.Mappoint) showing directions, travel time and miles from the employee's or Board Member's home to the location of the event. No reimbursement will be paid unless this printout is included with the request for reimbursement.

Parking and toll charges are allowed in addition to the mileage allowance.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Travel Expenses**

## **Series 3000 Policy 3335**

Page 4 of 8

### Routing of Travel

All travel must be by the most direct, economical and usually traveled route. Travel by other routes is allowed when official necessity is satisfactorily established in advance of such travel.

In any case where a person travels by indirect route for personal convenience, the extra expense must be borne by the individual.

Reimbursement for expenses must be based only on charges that do not exceed what would have been incurred by using the most direct, economical and usually traveled route.

### Lodging, Accommodations, Meals and Miscellaneous Expenses

When travel is deemed necessary, district employees and Board Members may be reimbursed for allowable and reasonable expenses for lodging, accommodations, meals and miscellaneous expenses incurred. Annually, the Board of Education will establish reasonable and fiscally responsible rates for lodging, accommodations, and meals. Unless approved in advance by the Board or the Chief School Administrator, no expenses in excess of these rates will be eligible for reimbursement.

### Meal Expenses Allowable Limits

In accordance with the provisions of Circular 16-11-OMB, which supersedes Circular 12-14-OMB, the following limits for meal expenses per individual shall not be exceeded:

- Breakfasts       \$7.00
- Lunches         \$10.00
- Dinners          \$15.00

One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement as authorized in Department of the Treasury guidelines, except as otherwise superseded by the following:

1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the federal per diem rates as established in the federal register for the current year;
2. Lodging expenses may exceed the federal per diem rates if the hotel is the site of the convention, conference, seminar or meeting and the going rate of the hotel is in excess of the federal per diem rates. If the hotel at the site of the convention, conference, seminar, or meeting and the going rate of the hotel is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
3. Receipts are required for hotel and meal expenses.
4. In any case in which the total per diem reimbursement is greater than the federal per diem rate, except as stated in number 1 above, the costs will be considered to be excessive and shall not be paid by school district funds;

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Travel Expenses**

**Series 3000  
Policy 3335**

Page 5 of 8

5. The district shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater costs benefits; and,
6. Payment or reimbursement is approved for the full cost of an official convention meal that the employee and/or Board Member attends when the meal is scheduled as an integral part of the convention or conference proceedings, If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement.

Out-of-state travel events shall be limited to the fewest number of Board Members or affected employees needed to acquire and present the content offered to all Board Members or staff, as applicable, at the conclusion of the event. Where the event is sponsored by a New Jersey-based organization and targeted to employees and/or Board Members of the school district, reimbursement for lodging may be permitted only where the sponsoring organization obtains a waiver pursuant to the provisions of NJAC. 6A:23A-7.11. Where the event is national or regional in scope and targeted to school district employees and/or Board Members from multiple states, reimbursement for lodging may only be provided if the event occurs on two or more consecutive days and where home to event commute exceeds fifty (50) miles.

Where a travel event has a total cost that exceeds \$5,000, regardless of the number of attendees, or where more than five (5) individuals from the district are to attend a travel event out-of-state, the district shall obtain the prior written approval of the Executive County Superintendent. The Executive County Superintendent shall promptly review the request and render a decision within ten (10) working days.

For all employee and Board Member travel events out of the country, regardless of cost or number of attendees, the school district shall obtain the prior written approval of the Executive County Superintendent. Such requests must be supported by detailed justification. The Executive County Superintendent shall promptly review the request and render a decision within ten (10) working days. It is expected that approvals will be rare.

### Documentation for Reimbursement of Expenses

In all cases, district employees and Board Members shall complete a voucher for any and all expenses being submitted for reimbursement, along with original, dated receipts for these expenses.

The Board directs the Business Administrator/Board Secretary to review all expenses submitted for reimbursement by district employees and Board Members to ensure that they are reasonable and fully documented according to the provisions of this policy.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Travel Expenses**

**Series 3000  
Policy 3335**

Page 6 of 8

### Filing of Documentation

The Board of Education requires that detailed documentation demonstrating compliance with this policy, including travel approvals, reports and receipts for all school district funded expenditures, as appropriate, shall be maintained on file with the Board Secretary/Business Administrator.

### Reimbursement

Reimbursement will only be made upon demonstrated compliance with this policy provisions and approval requirements. The Board of Education will not ratify or approve payments or reimbursements for travel after completion of the travel event.

No employee of the Board of Education or Board Member shall receive an amount for travel and travel-related expenses in advance of the travel pursuant to NJSA 18A:19-1 et seq.

### Conflict of Interest

A Board Member shall recuse himself/herself from voting on travel if the Board Member, a member of his/her immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial involvement that may reasonably be expected to impair his/her objectivity or independence of judgment.

No Board Members shall act in his/her official capacity in any matter in which he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the school official or member of his/her immediate family or undertake any employment or service, whether compensated or not, that may reasonably be expected to prejudice his/her independent judgment in the execution of his/her official duties.

### Annual Review

As a part of the annual budget making process, the Board Secretary/Business Administrator shall determine and the Board will approve a maximum expenditure amount allotted for travel and expense reimbursement for district employees and Board Members. In establishing this maximum expenditure amount, the Board Secretary/Business Administrator will take in to consideration that costs vary depending on the location of the off-site event. Following the adoption of the maximum annual expenditure for the district, should it become appropriate, the Board may alter the established maximum expenditure due to unforeseen costs.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Travel Expenses**

**Policy 3335**

Page 7 of 8

Annually in the prebudget year, the Board of Education shall establish by resolution, a maximum travel expenditure amount for the budget year that the district shall not exceed in that budget year. The resolution shall also include the maximum amount established for the prebudget year and the amount spent to date.

The Board may, at its discretion, exclude travel expenditures to be supported by federal funds in the maximum travel expenditure amount. If federal funds are excluded from the established maximum travel expenditure amount, the Board of Education shall include in the Board resolution, the total amount of travel supported by federal funds from the prior year, prebudget year and projected for the budget year.

The Board further directs the Board Secretary/ Business Administrator to establish and maintain files detailing compliance with this policy, including but not limited to travel approvals, reports, and receipts for all reimbursed expenses, as appropriate. The Board further directs the Board Secretary/Business Administrator to maintain separate accounting for district travel expenditures as necessary, to ensure compliance with the district's maximum travel expenditure amount. This may include but need not be limited to a separate or offline accounting of such expenditures or expanding the district's accounting system. The tracking system shall be sufficient to demonstrate compliance with the Board's policy and shall provide auditable information.

#### Approval for Travel

Travel by district employees shall not be permitted without written approval of the Chief School Administrator and prior approval by a majority vote of the full membership of the Board of Education.

Travel by Board Members shall not be permitted without prior approval by a majority vote of the full membership of the Board of Education and that travel shall be in compliance with Section 4 of P.L. 1991, c.393 (C.18A:12-24) and Section 5 of P.L. 2001, c.178 (18A:12-24.1).

The Board of Education may, at its discretion, approve at any time prior to an event, travel for multiple months as long as the Board approval, as detailed in the minutes of an official meeting of the Board, itemizes the approval by event, total cost, and number of employees and/or Board Members attending the event. General or blanket pre-approval for travel is not authorized. Approval shall be itemized by event, event total cost, and number of employees and/or Board Members attending the event.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Travel Expenses**

**Series 3000  
Policy 3335**

Page 8 of 8

Any person who approves any travel in violation of this policy shall be required to reimburse the district in an amount equal to three (3) times the cost associated with attending the event.

An employee or Board Member who travels in violation of this policy shall be required to reimburse the district in an amount equal to three (3) times the cost associated with attending the event.

### Exclusions

Any travel caused by or subject to contractual provisions, other statutory requirements of federal regulatory requirements or travel that does not otherwise comply with the requirements set forth in this policy, but that is deemed by the Board to be necessary or unavoidable shall be excluded from the requirements of this policy. In such cases, the reason(s) for such exclusion shall be clearly set forth in detailed documentation and approved by the Board of Education.

### Legal References

- NJSA 18A:2-1 Power to effectuate action  
18A:4-23 Supervision of schools; enforcement of rules and 24 Determining efficiency of schools; report to state board  
18A:11-1 General mandatory powers and duties  
18A:12-4 Compensation of members  
18A:12-24 School Ethics Act and 24.1 Code of Ethics
- NJAC 6A:23B-1.1 et. seq. Travel and Related Expense Reimbursement (Non-Abbott Districts)  
6A:23A-5.9 Out of state and high cost travel
- P.L.. 2005, c.132 Appropriations Act  
P.L. 2007, c. 52 District accountability measures  
NJ Department of Treasury NJOMB Circular A-87  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

### Possible Cross References

3300, 3330, 3571, 4131/4131.1, 4233, 4231/4231.1, 4233, 9200, 9250, 9270

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Accounts**

**Policy 3400**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

The school district shall use a standard accounting system as legal in the State of New Jersey and recommended by the School Auditor.

All activity accounts in the school year are to be administered under the supervision of the Board Secretary/Business Administrator.

The accounting system shall be established according to state guidelines and reviewed by the auditor and include all generally accepted accounting practices considered necessary. These practices provide that all revenues of moneys shall be deposited intact in the bank within 48 hours of receipt.

No payments are to be made from these monies in cash.

Payments are to be made only by check.

#### Legal References:

NJSA 18A:4-14, 18A:17-8, 18A:17-35, 18A:34-2, 18A:22-8  
NJAC 6A:23-8.1 et seq.,

Manual for the Evaluation of Local School Districts (September 2002)  
Handbook 2R2 – Financial Accounting for Local and State School Systems

#### Possible Cross References:

3100, 3326, 3450, 3451, 3453, 3570, 3571, 3571.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Capital Reserve Account**

**Policy 3410**

Date Adopted: November 11, 2008

Date Revised: January 10, 2011

Page 1 of 2

First Reading: October 6, 2008

The Board of Education has established a Capital Reserve Account (CRA), a copy of which is on file with the County Superintendent of Schools. Funds in the CRA will only be used to implement capital projects in the district's Long Range Facilities Plan (LRFP) required pursuant to New Jersey law and may not be used for current expenses.

The Board may appropriate funds in the district's annual budget to meet the needs of its LRFP not met by State support in accordance with statute. When the district submits the LRFP to the New Jersey State Department of Education, the Board may deposit funds into the CRA at any time by Board resolution. This may be completed through the transfer of excess undesignated, unreserved general fund balance or through the transfer of excess undesignated, unreserved fund balance that is anticipated in the budget certified for taxes. No transfer of undesignated, unreserved fund balance shall be made subject to the provisions of New Jersey State statute. Audited excess undesignated, unreserved general fund balance shall not be deposited into a CRA and shall not be reserved and designated in the subsequent year's budget pursuant to statute.

The amount of money in the CRA shall not exceed the amount needed to implement the capital projects in the district's LRFP not met by State support. If the amount in the CRA exceeds the maximum amount approved, the district must withdraw the excess and reserved and designate it in the subsequent year's budget. As a part of the district's annual audit, the district's independent auditors will, pursuant to the procedures developed by the New Jersey Commissioner of Education, verify the amount in the CRA at any time during the year does not exceed the maximum permitted amount. All excess amounts in the CRA identified in the annual audit shall be reserved and designated in the subsequent year's budget.

Funds may be withdrawn from the CRA and the district may apply to the New Jersey Commissioner of Education for approval to withdraw funds from its CRA as provided by statute. In order to obtain approval to withdraw funds, the district shall comply with all requirements as provided for in statute.

The CRA will be established and held in accordance with the Generally Accepted Accounting Principles (GAAP) and is subject to annual audit.

If the cost to complete an approved school facilities project not funded in whole or in part by school bonds exceeds the local share less excess costs, those costs up to 10% above the local share less excess costs may be withdrawn from the CRA. Funds withdrawn for the local share of a school facilities project not using school bonds or loan bonds for all or part of the local share which received a grant pursuant to statute must be transferred to the capital projects fund and accounted for separately with the corresponding grant. Any unexpended transferred capital



# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Capital Reserve Account**

**Series 3000  
Policy 3410**

Page 2 of 2

reserve funds remaining after completion of such school facilities projects must be reserved and designated in the subsequent year's budget.

The CRA will be increased by the earnings attributable to the investment of the account's assets. Anticipated investment income must be included in the original annual general fund budget certified for taxes as miscellaneous income. Investment earnings shall be included in the maximum amount of capital reserve.

A separate account shall be established in the general fund for bookkeeping purposes only in order to account for increases to and withdrawal from the CRA and its balance.

### Legal References

NJSA 18A:7G-4 Long-range facilities plan  
18A:21-2 et seq Capital Reserve Funds  
18A:4-14 Uniform system of bookkeeping for school districts

NJAC 6A:23-2.1 et seq. Double Entry Bookkeeping and GAAP Accounting in Local School Districts

Handbook 2R2 – Financial Accounting for Local and State School Systems  
Manual for the Evaluation of Local School Districts  
New Jersey Quality single Accountability Continuum (NJQSAC)

### Possible Cross References:

3400

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

## **Investments**

**Policy 3420**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

The Board of Education directs the prompt investment at interest of any unencumbered funds available for the discretionary use of the Board. Such funds may be invested in:

- A. Bonds or other obligations of the United States;
- B. Bonds of those federal agencies in which such investment is permitted by law;
- C. Bonds or other obligations of a county, municipality, or school district; and,
- D. Public depositories located within the boundaries of the State of New Jersey that secure public funds in accordance with statute.

The Finance Committee is authorized to invest district funds in certificates of deposits whenever they become due before the next regularly scheduled Board of Education meeting.

The Treasurer shall report to the Board each month the cash on all accounts on deposit and all investment assets. The Board Secretary/Business Administrator shall report to the Board each month the amount of funds in investments, investment interest earned, and all investment transactions.

### Legal References:

NJSA 17:9-41, 17:12B-241, 18A:17-34, 18A:24-47, 40:3-7.1a, 40:5-7.1, 40A:5-14

### Possible Cross References:

3400, 3410

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Inventories**

## **Series 3000 Policy 3440**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

The Business Administrator/Board Secretary shall maintain an accurate and complete inventory of all buildings, fixed equipment and contents, and their value, in order to offer proof of loss in the event of an insurance claim and to provide a continuous chain of accountability.

The inventory shall be updated to reflect new equipment and shall be verified in a cycle to coincide with the reissuance of insurance policies. Loss of any portable capital equipment of \$100 unit value or more shall be reported to the Board. Consumable supplies shall be maintained on a continuous inventory basis.

Major discrepancies in inventories, which are not resolved by proper accounting procedures, shall be reported to the Board.

The Board shall determine when it is necessary to hire an outside service to assist in appraisal.

### Legal References:

NJSA 18A:11-2, 18A:17-9

### Possible Cross References:

3530, 3570

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Money in School Buildings**

**Policy 3450**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

All funds from activities of pupil organizations collected by school district employees and by pupil treasurers under the auspices of the Board shall be handled and accounted for pursuant to prudent business procedures and rules of the State Board of Education.

The Chief School Administrator or his/her designee shall be responsible for the receipt and deposit of all funds collected in the school and shall administer an accounting system for all such moneys.

In no case shall money be left overnight in the school.

The school cannot assume responsibility for money left in an individual teacher's classroom overnight. Money brought to the school office must be handled directly to the secretary.

Lost money shall be replaced by the person responsible.

#### Legal References:

NJSA 18A:17-34, 18A:19-13, 18A:19--14, 18A:23-2

NJAC 6A:23-2.9, 6A:23-2.14, 6A:23-2.15

#### Possible Cross References:

3250, 3293, 3400, 3451, 3453, 3571, 3571.4, 5136, 6145.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Petty Cash Funds**

**Policy 3451**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

The Board of Education authorizes the establishment of petty cash funds in accordance with this policy and directs the implementation of appropriate controls to protect the funds from abuse.

The Board will establish petty cash funds and name custodians and amounts annually.

Petty cash funds may be disbursed only for the immediate payment of comparatively small expenditure and may not be used to circumvent the regular purchasing procedures of this district. The Board of Education, in consultation with the Board Secretary/Business Administrator shall annually establish a maximum single expenditure amount permitted from any petty cash fund.

Each request for petty cash funds must be in writing and must be signed by the person making the request. Supporting document, if any, will be affixed to the request.

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

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

#### Legal References:

NJSA 2C:21-15, 18A:19-13, 18A:23-2

NJAC 6A:23-2.9

#### Possible Cross References:

3320, 3326, 3571, 3571.3

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **School Activity Funds**

**Policy 3453**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

The Board hereby authorizes the establishment and maintenance of a student activities account. The Chief School Administrator shall be responsible for the proper administration of the financial activities of each student activity account in his/her assigned school and in accord with the provisions of state law and appropriate school district accounting practices and procedures. All monies collected shall be deposited in the student activities account shall have the signature of the faculty sponsor and the Chief School Administrator or designee responsible for the student activities account. The Business Administrator shall oversee the account in accordance with the New Jersey Administrative Code.

The student activity fund will include moneys collected for and dedicated for, but not limited to, 8<sup>th</sup> grade fundraisers, clubs, publications, school trips, music program, and other activities.

All funds collected must be turned in to the school office within 24 hours of collection and must be deposited promptly.

The annual school district audit shall include an audit of student organization funds. Payment for the audit shall be made from district funds.

Reserves may be carried over from year to year as necessary for the beginning of the following year's operation.

Moneys raised by student organizations must be expended for the benefit of students. The Chief School Administrator or designee shall be responsible for developing guidelines for the accounting of student activities funds within each school.

All moneys accumulated in the account of a specific class or activity will, upon the graduation of that class or the discontinuance of the activity, revert to the student activity fund.

#### Legal References:

NJSA 18A:19-14, 18A:23-2  
NJAC 6A:23-2.1 et seq,

#### Possible Cross References:

3280, 3450, 3571, 3571.4, 5136

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

## **Operation & Maintenance of Plant**

**Policy 3510**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

The Board recognizes that the fixed assets of the district represent a significant investment of the community, and their maintenance is of prime concern to the Board. The Chief School Administrator and Business Administrator/Board Secretary shall develop a multi-year comprehensive maintenance plan for Board approval, to be updated annually.

The Board directs the conducting of a continuous program of inspecting and maintenance for the upkeep of all school buildings and equipment. Whenever possible and feasible, maintenance shall be preventive.

The Chief School Administrator shall develop and enforce detailed regulations for safe and sanitary maintenance of the buildings and grounds. The Chief School Administrator shall develop and promulgate to the staff such rules as may be necessary for the ongoing maintenance and good order of the physical plant and for the expeditious repair of those conditions which threaten the safety of the occupants or the integrity of the plant. The regulations shall also include procedures for encouraging students, parent organizations and the community to participate in the beautification of school grounds.

In addition, the Chief School Administrator shall develop and implement a maintenance program that shall include:

- A. A regular summer program of facilities repair and conditioning;
- B. Critical spare parts inventory where necessary;
- C. An equipment replacement program;
- D. A long-range program of building maintenance

### Legal References:

NJSA 34:5A-1 et seq., 34:6A-25 et seq., 18A:17-49 through -52, 18A:22-8,  
NJAC 5:23, 6:8-2.1, 6A:26-12.1 et seq., 6:26-12.1 et seq., 6A:30-1.1 et. seq.

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

3000/3010, 3516, 7110, 9130

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

## **Buildings & Grounds Maintenance**

**Policy 3510.1**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

The district staff shall maintain the physical plant and equipment in first-class condition by a continuous program of repair, reconditioning and remodeling.

Adequate grounds shall be maintained for the educational and recreational program. Continual review of overall district needs as well as individual school needs for safe, creative equipment shall be the responsibility of the Chief School Administrator.

The Board also recognizes the value of attractive landscaping consistent with economy in cost and operation and the value to community pride in district facilities. The Chief School Administrator shall encourage the community to participate in the beautification of the school grounds.

### Legal References:

NJAC 6:8-4.8(c)



# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Equipment**

## **Series 3000 Policy 3514**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

Equipment purchased by the Board of Education is intended for support of the educational program.

The Chief School Administrator shall oversee the maintenance of all district educational and non-educational equipment in safe working condition. No employee or pupil shall use equipment that is found in an unsafe condition. Equipment use during school hours shall be properly supervised by appropriate teaching staff.

The administration shall develop procedures for providing routine maintenance by outside contractors for specialized or complicated equipment as necessary and for utilizing local maintenance employees whenever feasible and economical for maintenance and repair of furniture and less specialized equipment.

Specific items of equipment may be loaned or rented for community use after a written request is made to and approval granted by the Chief School Administrator. The user of district-owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use. He/she shall be responsible for its safe return.

When equipment authorized for loan requires the services of an operator, the user shall employ the services of a person designated by the district and shall pay such costs as have been set for his/her hire.

The Board shall not be responsible for any loss, damage or injury or expense that may arise during or be caused in any way by such use of district equipment.

School equipment may be removed from school property by pupils or staff members only when such equipment is necessary to accomplish tasks arising from their school or job responsibilities. The consent of the Chief School Administrator is required for such removal.

### Legal References:

NJSA 18A:11-1, 18A:20-34,  
NJAC 6A:26-12.2

### Possible Cross References:

1330, 1410, 3250, 3510, 3516, 4143, 4147, 4243, 4247, 5142

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Smoking**

**Policy 3515**

Date Adopted: November 11, 2008

Date Revised: October 14, 2014

Page 1 of 3

The Board of Education recognizes the medical danger associated with the use of tobacco and is cognizant of its statutory duty pursuant to NJSA 26:3D-15 regarding smoking in school facilities. Additionally, the Board of Education believes that the right of persons to smoke must be balanced against the right of those who do not smoke to breathe air untainted by tobacco smoke. In order to protect pupils and employees who choose not to smoke from an environment noxious to them and potentially damaging to their health, the Board prohibits smoking in all buildings and school grounds belonging to the District and in all school vehicles.

#### Definition of Smoking, Tobacco Products & Tobacco Use

For the purposes of this policy, “tobacco product” is defined to include but not limited to cigarettes, cigars, blunts, bidis, pipes, chewing tobacco and all other forms of smokeless tobacco, rolling papers, or electronic smoking device or similar product or device or any other items containing or reasonably resembling tobacco or tobacco products (excluding quit products). “Tobacco use” includes smoking, chewing, dipping, or any other use of tobacco or similar products.

#### Prohibition of Smoking by Pupils

- A. Pupils are not permitted to smoke at any time in school buildings, or anywhere within school boundaries, or on school buses, or when on a school-sponsored trip or activity off school premises.
- B. Pupils are not permitted to possess tobacco products or smoking paraphernalia while on school property.
- C. Pupils who are found exhaling smoke or possessing tobacco products or smoking paraphernalia shall be subject to school discipline codes approved by the Board of Education.

#### Prohibition of Smoking for Persons Other Than Pupils

No person is permitted to smoke at any time in any building, on any school property or any school vehicle owned by the Board of Education.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Smoking**

**Series 3000  
Policy 3515**

Page 2 of 3

Faculty or staff members who violate the district's tobacco-use policy will be subject to fines in accordance with law. Visitors using tobacco products will be informed about the policy and asked to refrain while on school grounds, as defined above, and all visitors who continue to violate the policy will then be asked to leave the premises and will also be subject to fines in accordance with law.

District employees who violate the provisions of this policy shall be subject to appropriate disciplinary measures and will be subject to fines in accordance with law.

### Violations, Fines, Penalties; Enforcement (NJSA 26:6D-62)

The Chief School Administrator/designee shall order a staff member or visitor to comply with the provisions of this policy and the Smoke-Free Air Act (P.L. 2005, c.383). Any such person, after being so ordered, who smokes in violation of this policy is subject to a fine of not less than \$250 for the first offense, \$500 for the second offense and \$1,000 for each subsequent offense.

The Chief School Administrator and/or designee, is authorized to report violations, in accordance with the law to the County Board of Health and/or local municipal court/prosecutor.

### Signs and Reminders

- A. Notice of this policy shall be posted at the school entrance and at appropriate location on school grounds in accordance with law.
- B. Appropriate "No Smoking in This Building" signs will be posted at every entrance to the building and in appropriate other locations on the school grounds and in vehicles owned by the Board of Education.
- C. At the beginning of activities that involve large numbers of visitors (e.g. athletic events, concerts, awards, ceremonies) an announcement will be made which state that smoking is prohibited in this building or on these grounds.

### Notice to Staff Members

The Chief School Administrator shall give written notification of this policy to all employees annually and to prospective employees prior to employment.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Smoking**

**Series 3000  
Policy 3515**

Page 3 of 3

### Legal References

NJSA 2C:33-13 Smoking in public  
30:5B-5.3 Smoking – child care centers

NJAC 6A:16-3.1(a)7 Tobacco abuse

PL 103-227, Goals 2000: Educate America Act (Pro Children Act of 1994)  
Smoke-Free Air Act (P.L. 2005, c.383)  
PL 2001, Chapter 226  
No Child Left Behind Act of 2001, Pub. L. 107-110

### Possible Cross References

1250, 1330, 3515, 4119.23, 4219.23, 5131.6

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **District Telephones / Cellular Phones**

**Policy 3515.1**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

District telephones, including cellular phones are to be used for school business only. They are not to be used for personal calls, except in cases of emergency.

Personal cellular phones are not to be used during class time, for calls or texting.

In the interest of economy, it is desirable to plan school business in such a way that all calls can be kept to a minimum. Whenever possible, letters, rather than long distance telephone calls, should be used.

Except in emergency, neither teachers nor students will be called to the telephone during class time. Messages will be delivered at a later time.

Students are not to use the school telephone, except with the approval of his/her teacher or an administrator.

Other regulations and procedures may be administered through the Chief School Administrator.

#### Legal References:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Safety**

## **Series 3000 Policy 3516**

|                                 |                                |             |
|---------------------------------|--------------------------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: February 8, 2010 | Page 1 of 3 |
| First Reading: October 6, 2008  |                                |             |

The Chief School Administrator and Business Administrator/Board Secretary shall prepare rules and programs for safety and the prevention of accidents; instruct pupils in safety and accident prevention; provide protective devices where they are required for the safety of pupils and employees; and provide suitable and safe equipment where such equipment is necessary for the conduct of the educational program and the operation of the school.

The rules and programs shall include but not be limited to; pupil safety in school; employee job safety; vehicle safety programs; care of injured pupils; plant safety emergency procedures; pupil traffic safety in transit to and from school; and eye protection. They shall address as a minimum the requirements of law and the applicable rules and regulations of various departments of state government along with the guidelines mandated by the annual insurance report and this policy.

The Chief School Administrator and Business Administrator/Board Secretary shall be responsible for the promulgation of such rules to all personnel concerned.

### Use and Storage of Hazardous Substances

The Board shall not allow the use of any hazardous substances in or on any of the buildings or grounds of this district when children are present, except in emergencies. A list of substances that are legally exempted from this requirement can be obtained from the Chief School Administrator/designee.

The Chief School Administrator shall inform the Board of Education when hazardous substances may be used when children are present, and the Board shall determine if an emergency situation exists and such use is warranted.

If any hazardous substance is stored on any school site, the Chief School Administrator shall make available the hazardous substance fact sheet for that substance to anyone who requests it.

At least two days prior to the start of any construction activity involving hazardous substances, the Chief School Administrator shall post on a bulletin board at the school, a notice that such construction will take place. The notice will state the activity to be conducted and the hazardous substance(s) to be used.

The Chief School Administrator shall ensure that all parents/guardians receive a notice at least annually informing them of the following:

- A. Notice of any construction or other activities involving hazardous substances will be posted on the bulletin board of the school;
- B. Hazardous substances may be stored at the school at various times throughout the year;
- C. Hazardous substances fact sheets for any of the hazardous substances being used or stored are available at the school.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Safety**

**Series 3000  
Policy 3516**

Page 2 of 3

### Use & Storage of Hazardous Substances

The Board of Education shall not allow the use of any hazardous substances in or on any of the buildings or grounds of this district when children are present, except in emergencies. A list of substances that are legally exempted from this requirement can be obtained from the Chief School Administrator.

The Chief School Administrator shall inform the board when hazardous substances may be used when children are present, and the board shall determine if an emergency situation exists and such use is warranted.

If any hazardous substance is stored on any school site, the Superintendent of Schools shall make available the hazardous substance fact sheet for that substance to anyone who requests it.

At least two days prior to the start of any construction activity involving hazardous substances, the Chief School Administrator shall post on a bulletin board at the school a notice that such construction will take place. The notice will state the activity to be conducted and the hazardous substance(s) to be used.

The Chief School Administrator shall ensure that all parents/guardians receive a notice at least once a year informing them of the following:

1. Notice of any construction or other activities involving hazardous substances will be posted on the bulletin board of their children's school;
2. Hazardous substances may be stored at the school at various times throughout the year;
3. Hazardous substance fact sheets for any of the hazardous substances being used or stored are available at the school.

### Soil Contamination on School Property

The administration shall ensure that notice of soil contamination on school property is provided. Notice will be provided to each parent or guardian of a student enrolled at the school, and to each staff member of the school.

Notice will be provided within 10 business days of the discovery of the soil contamination, when the contamination is found by the Department of Environmental Protection or a licensed site remediation professional to exceed the department's direct contact soil remediation standards for residential use.

The notice shall include:

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

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Safety**

**Series 3000  
Policy 3516**

Page 3 of 3

The notice may be provided by:

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

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

### Implementation

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

NJSA 18A:6-2 Instruction in accident and fire prevention  
18A:11-1 General mandatory powers and duties  
18A:17-42 et seq. Public School Safety Law  
18A:40-12.1, -12.2 Protective eye devices required for teachers, pupils and visitors in certain cases  
18A:41-1 et seq. Fire Drills and Fire Protection  
18A:54-20 Powers of board (county vocational schools)  
34:5A-1 et seq. Worker and Community Right to Know Act

NJAC 5:23 Barrier free subcode of the uniform construction code  
6A:16-1.4 District policies and procedures  
6A:19-10.1 et seq. Safety and Health Standards  
6A:26-1.1 et seq. Educational Facilities  
6A:27-12.2 Accident reporting  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-12.1 Reporting requirements

Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

### Possible Cross References

5141.1, 5142, 5142.1



# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **First Aid**

**Policy 3516.3**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

In cases of injury to, or sudden illness of, a student, school employee or visitor, the responsibility of the Board and its personnel lies in giving emergency care and first aid until medical help can be obtained if necessary.

The Board directs the Chief School Administrator to develop procedures for the proper handling and reporting of such emergencies and to disseminate them to all personnel.

#### Legal References:

NJSA 18A:16-6, 18A:16-6.1, 18A:40-12.5, 18A:40-12.7,  
NJAC 2A:62A-1 et seq

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Vandalism**

**Policy 3516.5**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

#### Vandalism

Wanton destruction of school property or equipment or unauthorized removal of same shall be reported at once to the Chief School Administrator, who will report incidents of illegal entry, theft of school property, vandalism, or damage to school property from other causes, by phone to the Business Administrator/Board Secretary as soon as discovered.

Every resident of the district, all staff members, pupils, and the police department are asked by the Board to cooperate in reporting any incidents of vandalism of property belonging to this Board and the names of the person or persons believed to be responsible.

The Business Administrator/Board Secretary shall then forward the bill for the cost of such damage or damages to the responsible party or parties and to their parents if they are minors, requiring payment of the amount. If the vandalism is committed by a pupil or pupils enrolled in the district's school, the violators shall be subject to the Student Code of Conduct.

The Business Administrator/Board Secretary shall devise procedures to keep building and equipment secure and district pupils and personnel safe from intruders. Such procedures may include employment of school law enforcement officers as permitted by statute.

All necessary steps shall be taken and police cooperation and action shall be sought to protect school property from theft and vandalism.

Theft, willful damage to school property, and unlawful entry into the school building are criminal acts, punishable by law.

#### Legal References:

NJSA 18A:11-1, 18A:17-46, 18A:37-2(f), 18A:37-3, 2A:53A-15

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Management of Life Threatening Allergies**

**Policy 3516.6**

Date Adopted: October 11, 2011

Date Revised:

Page 1 of 4

The Board of Education strives to provide a safe environment to all pupils, employees, and visitors who have allergic/anaphylactic reactions to various food items that may be found in the school.

The purpose of this policy is to minimize the risk of exposure of pupils with severe allergies to potentially life-threatening allergens without depriving the pupil with severe allergies of normal peer interactions or placing unreasonable restrictions on the activities of other pupils while in school.

The Board of Education directs the Chief School Administrator or his/her designee to develop a system of identifying pupils with life threatening allergies that will prepare the school personnel to deal with occurring life-threatening reactions, despite precautions taken. The Board of Education also believes that staff members involved with pupils should be instructed as to the potentially severe, life-threatening nature and proper treatment of the specific allergic condition.

An allergy action plan and identification sheet shall be developed with the pupil's name, specific allergy, warning signs of reactions and emergency treatments.

The Board of Education acknowledges that it is difficult, if not impossible, to completely avoid all allergy causing foods or other life-threatening allergens because they can be hidden or accidentally introduced. Therefore, the Board of Education does not support a ban on any particular allergen. This policy has been promulgated in an effort minimize the risk of exposure of pupils with severe allergies to potentially life-threatening allergens.

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

- A. Allergen means a substance that provokes an allergic response and includes bee or wasp venom, certain food and latex and other chemicals.
- B. Injector means a syringe and needle that contain a pre-measured dose of epinephrine or adrenaline and includes epi-pens and other preloaded auto-injectors.
- C. Severe allergy means a severe allergic reaction or anaphylactic response to an allergen, which, if left untreated can lead to sudden death.
- D. Life-threatening means an illness or condition that requires an immediate response to specific symptoms or sequelae that if left untreated may lead to potential loss of life such as, but not limited to, the use of an inhaler to treat an asthma attack or the use of an adrenalin injection to treat potential anaphylactic reaction.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Management of Life-Threatening Allergies**

**Series 3000  
Policy 3516.6**

Page 2 of 4

### Responsibility of Parents/Guardians

Parents/guardians must:

- A. Advise the Principal and School Nurse about the pupil's severe allergy;
- B. Provide and keep emergency contact information current;
- C. Assist the Principal and School Nurse by asking the pupil's physician to provide a doctor's order;
- D. Provide the School Nurse with a case containing at least one unexpired injector or other medication as prescribed by a physician and, if the pupil is approved for self-administration of medication, that the pupil has a case or medication readily available, while at school, on field trips or at other school events and activities,
- E. Check expiration dates of medication and injectors and replace them as necessary; and,
- F. Provide medically-approved snacks and/or lunches for the pupil.

### Responsibility of Pupils with Severe Allergies

Pupils with severe allergies must:

- A. Not exchange and/or eat food items provided by others;
- B. Wash their hands before eating;
- C. Learn to recognize symptoms of a severe allergic reaction;
- D. Promptly inform a teacher or staff member as soon as accidental ingestion or exposure to an allergen occurs or symptoms of a severe allergic reaction appear; and,
- E. If the pupil is approved for the self-administration of medication, keep an injector or medication available at all times.

### Responsibility of the School Nurse

The School Nurse is responsible for planning the coordination and management of pupils who have life-threatening allergies.

The School Nurse must:

- A. Advise the parents/guardians of the pupil with severe allergies of this policy;
- B. Consult with and advise the parents/guardians of the pupils with severe allergies and the school community of school-specific procedures regarding severe allergies, and administration of medication at school,
- C. Request and ensure that the parents/guardians and primary physician sign the authorization to administer medication;
- D. Work with parents/guardians and student to develop an allergy action plan and identification sheet;

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Management of Life-Threatening Allergies**

## **Series 3000 Policy 3516.6**

Page 3 of 4

- E. Advise all staff members of pupils who have potentially life-threatening allergies as soon as possible and distribute copies of individual allergy action plans; and
- F. Provide training annually for all school staff members in recognizing a severe allergic reaction, referencing the emergency plan, and using injectors if applicable.

The School Nurse is encouraged to involve the pupil's parents/guardians in all phases of planning. The School Nurse must ensure that a Severe Allergy Alert Form is developed for each pupil with severe allergies in cooperation with the parents/guardians, the pupil's physician and where the School Nurse deems it necessary, other staff or consultant.

The Principal/designee will ensure that appropriate medication is taken on all field trips.

### Educating the School Community

The Chief School Administrator must ensure:

- A. That all specifically selected teaching and non-teaching staff and lunchroom supervisors receive annual training on a regular basis, in the recognition of a severe allergic reaction, if applicable;
- B. That lunchroom staff are aware of the procedure and receive annual training in the recognition of a severe allergic reaction and the use of injectors and the emergency plan, if applicable; and,

With the consent of the parent/guardian, the Principal and the teacher must ensure that the pupil's classmates are provided with information on severe allergies. Intimidation and bullying will not be tolerated.

### Responsibility of Teachers

Teachers of pupils with severe allergies must:

- A. Assist the School Nurse to facilitate communication with other parent/guardians instructing them to avoid allergenic foods and substances for classroom events; and,
- B. Leave information about pupils with severe allergies in an organized, prominent and accessible format for substitute teachers.

### Responsibility of Teachers and Lunchroom Supervisors

The teacher and the lunchroom supervisor of a pupil with severe allergies must:

- A. Know the School's emergency response protocol;
- B. Encourage pupils not to share or trade food items; and,
- C. Encourage the pupil with severe food allergies to eat only what he/she brings from home.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Management of Life-Threatening Allergies**

**Series 3000  
Policy 3516.6**

Page 34 of 4

### Emergency Response Protocol

The Principal must ensure that:

- A. An emergency response protocol is developed for the school, including collection and storage of injectors, education of all parties, procedures to be followed, location of the medications, field trip and lunchroom procedures.
- B. Any injectors provided by parents/guardians which are not in the pupil's possession are appropriately stored in a secure area of the School Nurse's office; and,
- C. He/she is aware of the location of and has access to the injectors.

### Annual Training of Staff

All staff members shall be trained annually in the use of an epi-pen and the emergency administration of epinephrine.

### Legal References

FCS Instruction 783-2, Revision 2  
42 USC 12183(b) Americans with Disabilities Act  
1973 Vocational Rehabilitation Act, Section 504  
20 USC 1413 Individuals with Disabilities Education Act  
20 USC 1232g Family Education Rights and Privacy Act  
FCS Instruction 783-2, Revision 2

### Possible Cross References

5142.21, 61153

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Property Records**

**Policy 3518**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

The Board of Education shall maintain an accurate and complete inventory of all buildings, fixed equipment and contents, and the valuation thereof in order to offer proof of loss in the event of an insurance claim. Every five years the Board shall contract an outside independent appraisal agency to conduct a reappraisal of all school property.

Property shall be inventoried by physical count annually to coincide with the re-issuance of policies. Valuations shall be placed thereon in conformity with insurance requirements. Property records shall also be updated by reference to purchase orders and withdrawals. Consumable supplies shall be maintained on a continuous inventory basis.

Portable capital equipment of \$2,000 unit value or more shall be inventoried annually and any loss reported to the Board.

#### Legal References:

NJSA 18A:11-2(b), 18A:17-9

NJAC 6:23

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

## **Insurance & Indemnification**

**Policy 3530**

Date Adopted: January 9, 2012

Date Revised:

Page 1 of 3

### Liability Insurance

The Board of Education recognizes the risk it faces in the ordinary course of conducting a school program and chooses to insure itself against certain liabilities as a result of said risks.

The Board of Education shall in accordance with law insure its employees against injury or death resulting in the course of their employment and chooses also to insure:

- A. Members of the Board of Education, officers, and employees of the district against liability for damages for death, injury to person, or damage or loss of property caused by the negligent act or omission of the member, officer, or employee when acting within the scope of his/her office or employment;
- B. Its students in beauty culture, health occupations, and culinary services for professional liability;
- C. Against any major liability arising from the use of a motor vehicle by an employee or student of the district in the performance of district business; and,
- D. Children in the preschool program from any injury or death occurring during their time at school or in transit to or from school.

The Board of Education shall provide appropriate insurance for the indemnification of officers and employees, including student teachers, from damages, losses, and expenses from civil suit brought against such persons on grounds arising out of and in the course of their employment or position with this Board of Education as authorized by this policy.

### Property Insurance

The Board of Education recognizes its responsibility under law to keep all insurable property of this school district, real and personal, insured against loss or damage by fire and has adopted as policy the extension of that coverage to windstorms, explosions, smoke, vandalism, boiler, burglary and water damage, as well.

In accordance with the above, the Board of Education shall secure the proper and necessary insurance through an agent of its choice or by direct negotiation with an insurance company or companies if it does not use the service of an agent.

### Indemnification of Legal Expenses Incurred by School Board Members

The Board of Education shall indemnify Board Members whenever a civil administrative, criminal or quasi-criminal action or other legal proceeding has been or shall be brought against him/her for any act or omission arising out of and in the course of the performance of his/her duties as a



# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Insurance & Indemnification**

**Series 3000  
Policy 3530**

Page 2 of 3

member of a Board of Education. In the case of a criminal or quasi-criminal action when such action results in final disposition in favor of the Board Member, the Board of Education shall defray all costs of defending such action, including reasonable counsel fees and expenses, together with the costs of appeal, if any, and shall save harmless and protect such persons from any financial loss resulting there from. Indemnification for exemplary or punitive damages shall not be mandated and shall be governed by this policy.

### Indemnification & School Employees / Board Members

#### Indemnification in a Civil Matter

Whenever any civil or administrative action or other legal proceeding has been or shall be brought against an employee of this district, including any student teacher or person assigned to other professional pre-teaching field experience for any act or omission arising out of and in the course of the performance of the duties of such office, position, employment or student teaching or other assignment to professional field experience, the Board of Education shall defray all costs of defending such action, including reasonable counsel fees and expenses, together with the costs of appeal, if any, and shall save harmless and protect such person from any financial loss resulting there from. However, no employee shall be entitled to be held harmless or have his/her defense cost defrayed in a disciplinary proceeding instituted against him/her by the Board of Education or when the employee is appealing an action taken by the Board of Education; and

In the case of a civil matter, there is no requirement that the individual seeking indemnification be successful in the litigation. The test which must be satisfied in determining whether the Board of Education must indemnify an employee, is whether the employee's act or omission, which is the subject of the litigation, arises out of and in the course of the performance of his/her duties. The employee shall not be indemnified for costs and expenses incurred in a disciplinary proceeding which generally takes the form of an administrative proceeding.

#### Indemnification & Criminal Matters

In order to be indemnified for costs and expenses incurred in a criminal or quasi-criminal matter, an employee must meet a higher standard than that which is established for civil and administrative matters. Accordingly, should any criminal or quasi-criminal action be instituted against the employee for any such act or omission and should such proceeding be dismissed or result in a final disposition in favor of the employee, the Board of Education shall reimburse him/her for the cost of defending such proceeding, including reasonable counsel fees and expenses of the original hearing or trial and all appeals. No employee shall be entitled to be held harmless or have his/her defense cost defrayed as a result of a criminal or quasi-criminal complaint filed against the employee by or on behalf of the Board of Education. The employee must be able to prove that the criminal matter ended in a favorable disposition, and that the employee was acting in the course of performing his/her own duties.

# **Elsinboro Township Board of Education District Policy Manual**

**Business & Non-Instructional Operations  
Insurance & Indemnification**

**Series 3000  
Policy 3530**

Page 3 of 3

## Indemnification for Exemplary or Punitive Damages

The Board of Education shall indemnify Board Members and employees for exemplary or punitive damages resulting from the Board Members' and employees' civil violation of State or federal law if, in the opinion of the Board of Education, the act or acts committed by the Board Member or employee upon which the damages are based did not constitute actual fraud, actual malice, willful misconduct or an intentional wrong.

The Board of Education may arrange for and maintain appropriate insurance to cover all damages, losses and expenses as authorized by this policy.

## Legal References

NJSA 18A:12-20 Indemnification of members of boards of education against cost of defense  
18A:16-6.1 Indemnity of officers and employees in certain criminal, quasi-criminal actions  
18A:18A-42(c) Multiyear contracts  
18A:20-25 Insurance of property  
59:10-4 Local public entities; authority to indemnify

## Possible Cross References

1330, 3510, 5141.1, 5142, 6114

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Liability Insurance**

**Policy 3532**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

The Board recognizes the risks it faces in the ordinary course of conducting a school program and chooses to insure itself against certain liabilities as a result of said risks.

The Board shall, in accordance with law, insure its employees against injury or death resulting in the course of their employment and chooses also to:

- A. Insure members of the Board, officers, and employees of the district against personal liability for damages for death, injury to person, or damage or loss of property, caused by the negligent act or omission of the member, officer, or employee when acting within the scope of his office or employment;
- B. Insure against any major liability arising from the use of a motor vehicle by an employee or student of the district in the performance of district business.

#### Legal References:

NJSA 18A:12-20, 18A:16-6, 18A:16-6.1, 18A:20-25 through 33

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Property Insurance**

**Policy 3532.2**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

The Board recognizes its responsibility under law to keep all insurable property of this school district, real and personal, insured for its replacement value against loss or damage by fire and has adopted as policy the extension of that coverage to theft, water damage, glass breakage, explosion, boiler damage, smoke, windstorm and vandalism.

In placing the insurance coverage the Board shall be guided by the price of such coverage, the ability of the insurer to meet prescribed obligations promptly and fully, the reputation and past performance of the agent of the insurer and the desirability of distributing the insurance coverage of the district through an agent of record.

The Board may appoint annually an insurance advisor who may be the agent of record and who shall:

- A. Review the insurance program of the district, consider alternatives, and report recommendations to the Board;
- B. Recommend specific insurance placement and prepare specifications for same;
- C. Assist the Board in the establishment and maintenance of property, valuation, and insurance records;
- D. Provide annually safety and fire inspections;
- E. Process all claims; and,
- F. Recommend such measures as may reduce the cost of insurance premiums including assumption of risk, loss prevention, and transfer of risk

#### Legal References:

NJSA 18A:20-25

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Employee Indemnification & Bonding**

**Policy 3532.3**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 2

First Reading: October 6, 2008

The Board of Education recognizes that officers and employees of this district are exposed to certain risks in the course of the performance of their duties and will provide insurance coverage against losses that may be incurred by such risks.

The Board shall insure employees of the school district against injury and death arising out of or in the course of their employment, in accordance with law.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for damages, losses and costs incurred as a result of a civil or administrative action or other legal proceeding brought against any such persons for any acts or omissions arising out of and in the course of their employment, student teaching, or other assignment to profession field experience with this Board. This indemnification will include all costs of defending such action, including reasonable legal fees and expenses, together with costs of appeal, if any, and will hold harmless and protect such person from any financial loss resulting from such action.

No employee will be held harmless or have his/her defense costs defrayed in a disciplinary proceeding instituted against him/her by the Board. Indemnification for exemplary or punitive damages is not required and will be governed by the standards and procedures set forth in statute.

The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for the costs of defense against any criminal or quasi-criminal action for any such act or omission when such prosecution is dismissed or results in a final disposition favorable to the officer or employee. This indemnification will include all costs of defending such proceeding, including reasonable legal fees and expenses of the original hearing or trial and all appeals.

No employee will be held harmless or have his/her defense costs defrayed as a result of a criminal or quasi-criminal complaint filed against the employee by or on behalf of the Board.

The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Employee Indemnification & Bonding**

**Series 3000  
Policy 3532.3**

Page 2 of 2

The Board may insure against any major liability arising from the use of a motor vehicle by an employee or pupils of the district in the performance of district business.

The Board may, in accordance with law, enter into a joint contract for the purchase of liability insurance.

### **Bonding**

Employees of the district who are responsible for the safekeeping of district moneys shall be bonded. The Board will determine annually the employees who are to be bonded. The Board shall bear the cost of bonding each employee required to be bonded by this policy or by statute.

### **Legal References:**

NJSA 18A:16-6, 18A:16-6.1, 18A:17-6, 18A:17-32, 18A:18A-3.2, 18A:18A-42(e),  
18A:18B-2, 18A:39-6, 18A:39-6.1, 18A:39-20.1  
NJAC 6:3-1.5, 40A:10-52

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Unsafe Conditions**

**Policy 3540.3**

Date Adopted: November 11, 2008

Date Revised: February 9, 2009

Page 1 of 3

First Reading: October 6, 2008

It shall be the policy of the Board of Education that no transportation service shall be provided to any public or private schools to which resident students attend on such days as it is deemed unsafe to operate the district school due to inclement weather, unsafe road conditions, or other circumstances. It shall be the duty of the Chief School Administrator to determine when these conditions exist.

If the need arises to close or delay school for one of the emergency situations listed in this policy, the decision will be made by the Chief School Administrator, who will contact the transportation contractor, the radio stations WDEL and WSTW and television stations 6, 10 and Fox with information related to the reason(s) for the closing or delay and the number of days school is expected to be closed. Blackboard Connect will also be implemented to notify the president of the board of education and parents/guardians of the situation.

A. Weather Emergency – In the event of the need to close school due to weather related emergency, the CSA will follow the above procedures, also conferring with the L.A.C. police and the transportation contractor prior to closing school.

B. Nuclear Generating Station Emergency – In the event of an emergency at the Nuclear Generating Station at Artificial Island, the school will follow the response plan developed by the Bureau of Emergency Management (attached). A letter notifying parents/ guardians of this response plan will be provided annually.

C. Control of Contagious/Infectious Disease – In order to protect the health of pupils in our school, 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 or infectious diseases or conditions. If the absentee rate for the school reaches 15% for a single incident, the CSA, after consultations with the school nurse, school physician, and county board of health, will decide on an appropriate number of days school should remain closed, (cross reference to policy 5132.45 on Communicable Diseases) and notify the persons listed in the opening paragraph. (Procedures Attached)

D. Delayed Opening – The decision to delay the opening of school due to fog, or other weather emergency, or nuclear emergency will be made by the CSA. The transportation contractor will notify the CSA of existing weather emergency conditions that would necessitate the delayed opening of school.

The CSA will notify the board president, school personnel, and the radio and television stations and Blackboard Connect of the delay as soon as possible.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Unsafe Conditions**

**Policy 3540.3**

Page 2 of 3

E. Early dismissals due to A, B, or C – When it becomes necessary to have an early dismissal due to an emergency, the CSA will notify the transportation contractor, and the radio and television stations concerning the need for the closing and the approximate time school will be closing. The Blackboard connect system will be implemented to notify the president of the board of education and parents/guardians.

Before dismissal the CSA will make every effort to contact parents, guardians, babysitters, etc., to see that each child is cared for. In the event that contact cannot be made, the students involved will remain in school until proper dismissal time under the supervision of the CSA.

#### **General Provisions**

At the beginning of each school year, parents will be requested to inform the school of arrangements made with their child and the person(s) who would care for them in an emergency. This information will be updated annually.

School and Community Activities – In the event that school is closed for reasons listed above, all activities scheduled, whether school or community sponsored, will also be canceled. These events will be given priority for the use of the school's facilities at the earliest possible date that can be rescheduled. The CSA will notify the person whose name is on the application that school will be closed.

This section is not intended to apply to advertised meetings of the Board of Education.

#### **Procedures for Closing of School for Control of Contagious/Infectious Disease**

1. The attendance officer/school nurse will ask the reporting parent the nature of the students' illness and/or the diagnosis if seen by a physician.
2. The school nurse will preview the causes of absenteeism on a daily basis.
3. When the absenteeism rate for the same symptoms and/or diagnosis is 15% of the student population (or greater) the school nurse or Chief School Administrator will consult with the school physician for his/her evaluation and recommendations. If symptoms are those of upper respiratory nature or influenza, the school nurse or Chief School Administrator will notify the County Health Officer at the Salem County Health Department.
4. The recommendations of the school physician and the Salem County Health Department (if applicable) will be conveyed to the Chief School Administrator.



# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Unsafe Conditions**

**Policy 3540.3**

Page 3 of 3

5. The final decision regarding the closure of the school due to high absentee rate will be made by the Chief School Administrator.
6. The length of school closure will be determined by the Chief School Administrator in consultation with the school physician and the Salem County Health Department (if applicable).

#### Legal References:

NJSA 18A:25-2, 18A:39-1 et seq, 26:4-6, 26:4-15, 39:3B-10 through –12  
NJAC 6:21-1 et seq, 6:29-3.1, 6:29-4.3, 8:57

Policies and Procedure Manual for Pupil Transportation NJ State Department of  
Education  
Manual for the Evaluation of Local School Districts

#### Possible Cross References:

3516, 3541, 3541.1, 5142

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Transportation Routes & Services**

**Policy 3541.1**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 2 |
| First Reading: October 6, 2008  |               |             |

The Board of Education directs the Chief School Administrator to supervise the development and provide safe and reasonably expeditious transportation for:

- A. Pupils who live remote from the school as defined by New Jersey law;
- B. Educationally handicapped pupils in accordance with their IEP;
- C. Pupils participating in Board approved extracurricular activities or field trips;
- D. Pupils whose route to the school is deemed hazardous by the Board;
- E. Other pupils as required by law.

The criteria to be used in designing routes and assigning pupils to them shall include:

- A. The distance to be traveled to and from school;
- B. The age and state of health of the child;
- C. The requirements of the instructional program;
- D. The hazards involved on the route to be traveled such as, but not limited to:
  - 1. No sidewalks and
    - Speed limit in excess of 35 miles per hour
    - Traffic volume of a main thoroughfare
  - 2. With sidewalks, but
    - Speed limit in excess of 45 miles per hour and/or
    - Traffic volume of a main thoroughfare
  - 3. In addition to the above situations, unsafe road hazards include:
    - a. Blind curves
    - b. Steep inclines
    - c. Bridges
    - d. Railroad tracks
    - e. Roadways with no shoulders
    - f. Adverse roadway conditions (heavy crowning, poor lighting and maintenance)
    - g. Higher crime rate
  - 4. Unsafe roadways to cross:
    - a. Any roadway with four or more lanes
    - b. Divided highways
    - c. Main thoroughfares with speed limits of 35 miles per hour
    - d. State highways
    - e. County highways
    - f. Railroad tracks

Transportation to and from school shall be provided by law to eligible nonpublic school pupils. All pupils riding on district buses shall be required to observe the district's bus conduct regulations or risk loss of the privilege of such transportation.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Transportation Routes & Services**

## **Series 3000 Policy 3541.1**

Page 2 of 2

Buses, whether contracted or district-owned, shall be kept in optimum condition and shall conform to all state safety regulations.

Bus routes must be acted upon by the Board and submitted to the office of the County Superintendent of Schools.

### Legal References:

NJSA 18A:46-19.6, 18A:46-23, 18A:58-6 through 7, 18A:7F-25, 18A:22-8.6, 18A:36A-13, 39:3-10.9 et al., 39:3-27

NJAC 6A:14, 6A:27-1.1 et seq., 6A:27-1.1(b), -2.1, -3.1, -5.1, -6.2, -6.3, -6.4, -9.1(e), -11.1, -13.3, 6A:29-9 et seq.

Parents for Student Safety, Inc., v. Morris Bd. of Ed., 1986 S.L.D. (February 5), St. Bd. rev'g 1984 S.L.D. (August 24), aff'd App. Div., unreported decision (docket no.A-3257-85-T7, decided February 17, 1987) certif. den. 108 N.J. 180 (1987)

Wayne Board of Education v. Kraft et al., 139 NJ 597 (1995)

Policies and Procedures Manual for Pupil Transportation, N.J. State Department of Education

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross Reference:

3541

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Transportation Aides**

**Policy 3541.2**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

Placement of aides on the transportation vehicles will be considered if circumstances warrant.

#### Legal References:

NJAC 6A:37-12.1, 6A:27-12.2

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Student Transportation in Private Vehicles**

**Policy 3541.31**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 3

First Reading: October 6, 2008

In recommending arrangements for pupil transportation to and from school-related activities, the Chief School Administrator shall consider the type of activity, the total number of pupils involved, and the availability of appropriate vehicles. Groups of students too small in number to make economical use of Type I or Type II vehicles may be transported in privately owned passenger vehicles driven by qualified school personnel, state employees and parents/guardians.

#### Transportation by Volunteer Drivers

The Business Administrator and Chief School Administrator may supplement the transportation resources of the district by identifying qualified school personnel and parents/guardians who are willing to provide transportation for district pupils to and from school-related activities.

Qualifications shall include:

- A. A valid New Jersey (or other state) driver's license with no convictions for moving violations;
- B. A private passenger vehicle of eight or fewer capacity, with a current New Jersey or other state inspection sticker; and a private passenger vehicle with a seat belt for each passenger; and
- C. Evidence of at least statutorily required insurance coverage.

Permission slips will be required giving authorization from the parent/guardian of any child to ride in a private vehicle.

The Business Administrator and Chief School Administrator shall develop and the Board shall adopt detailed regulations to ensure that:

- A. District approval of activities involved;
- B. District determination of drivers and assignment of pupils to them;
- C. Pupil safety in pickup, transit and drop off;
- D. Adequate supervision of pupils at the activity.

#### Transportation of Pupils by District Employees as Part of Assigned Duties

District employees who transport pupils in a private vehicle during working hours as a part of their assigned duties shall:

- A. Have a current New Jersey (or other state) driver's license with no convictions for moving violations;
- B. A private passenger vehicle of eight or fewer capacity, with a current New Jersey or other state inspection sticker; and a private passenger vehicle with a seat belt for each passenger; and
- C. Conform to all safety practices set forth in the regulations of this policy.

Implementation of this policy shall be in conformity with applicable negotiated contract.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Student Transportation in Private Vehicles**

## **Series 3000 Policy 3541.31**

Page 2 of 3

Board of Education Members, the school administrators, teachers, and other employees who routinely or by special assignment use their personal vehicles for any school purpose shall be held harmless from any liability that may be incurred because of such transportation, while working within the scope of employment, except that the school district shall not be liable to reimburse the employee for any additional premiums due to his/her vehicle's insurance, that results from an accident that occurs during such transportation.

Cost of damage to a Board Member's, administrator's, teacher's or employee's vehicle resulting from an accident or vandalism while he/she is performing designated school missions, shall be defrayed within the limits of the Board's insurance policy coverage.

Employees are not authorized or expected to transport students in their personal automobiles unless explicitly authorized by the Chief School Administrator.

### Student Supervision

- A. When the pupils become part of a larger group on arrival at their destination, the driver will deliver them to the faculty member or other chaperone in charge that will be responsible for the pupils at the activity. If the driver is one of the chaperones, he/she will assume those duties on joining the group.
- B. When the driver is the sole adult, he/she will remain with the group for the entire activity.
- C. Pupils will be reminded that the driver has the same authority over them as a member of the teaching staff and that the district's code of conduct and discipline guidelines are in effect.

### Assigning Vehicles

In assigning pupils to volunteer drivers, the Chief School Administrator will take into account:

- A. The grade level and number of pupils if the driver has expressed limitations;
- B. The location of pupil residence in relation to the driver if the pupils are to be delivered home.

### Safety in Pickup, Transit and Drop-off

When the Chief School Administrator has assigned pupils to their drivers, the Chief School Administrator will prepare a sheet for each driver listing the pupils, the activity time and place, directions to the activity, instructions as to time and place of final drop-off, and a copy of the district's policy on bus conduct. The sheet will include emergency telephone numbers at which the driver can reach the Chief School Administrator and the pupils' parents or guardians if necessary.

- A. In transit the driver will keep all doors locked and the windows at a safe level. All pupils shall use seat belts. General rules of pupil conduct will be in effect for all pupils.
- B. On arrival at the activity or upon the final drop-off at school or the pupil's residence, no pupil shall exit from a vehicle on the traffic side.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Student Transportation in Private Vehicles**

## **Series 3000 Policy 3541.31**

Page 3 of 3

- C. Final drop-off place shall usually be the school. Parents/guardians will have been informed of the time of drop-off, and will be responsible for providing transportation home for their own child. In the event pupils are to be delivered to their door the driver should wait until the pupil has entered the house before driving off.

### Reimbursement

All tolls for highways, bridges, tunnels, etc. will be reimbursable upon presentation of a receipt. Parking charges are reimbursable upon presentation of a receipt.

All supervision and safety procedures above will be in effect for emergency situations.

### Legal References:

NJSA 18A:16-6, 18A:39-20.1, 6:21-10.2  
NJAC 6A:27-7.6, 6A:27-7.7, 6A:27-7.8, 6A:27-12.1, 6A:27-12.2

### Possible Cross References:

5020, 5131.1, 6145, 6145.1, 6145.2, 6153

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Educationally Disabled Transportation**

**Policy 3541.32**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

The transportation of educationally disabled students shall be the responsibility of the school district. Bus routes shall be developed in cooperation with the receiving district.

The Chief School Administrator shall annually formulate and promulgate to all staff members and students and their parents rules and regulations to govern the safety of the children on the buses and at points of embarkations and debarkation. Rules for the acceptable conduct of pupil passengers will be created and disseminated and the bus drivers will be instructed to report infractions of those rules to the appropriate administrator.

Vehicles used to transport educationally disabled children shall comply with the requirements of statute and the rules of the State Board of Education. Bus drivers shall observe the procedures established therein.

#### Legal References:

NJSA 18A:25-2, 18A:39-1 et seq, 18A:39-17 et seq., 18A:20-34, 18A:39-22,  
18A:39-22.1  
NJAC 6A:27-5.1, 6A:27-7.2, 6A:27-7.8

#### Possible Cross References:

3516, 3541, 5142



# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Transportation Safety**

**Policy 3541.33**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

The safety and welfare of pupils shall be the first consideration in all matters pertaining to transportation. The Board directs the Chief School Administrator to provide regulations and forms for the immediate reporting of all incidents involving any vehicle used to transport students that include any of the following:

- A. Physical injury to anyone concerned, no matter how minor
- B. Property damage of any kind, even if the financial loss is negligible
- C. Failure of any mechanical functions of a district-owned vehicle during operations, even if no injury or damage results

Bus contractor will report accidents on proper forms and will at the same time report same to the Chief School Administrator, who in turn will report to the President of the School Board.\*

It shall be the responsibility of the Chief School Administrator to direct an investigation on the report and to comply with the law. The information gained shall be considered in evaluating subcontractor performances, and in scheduling inspection of vehicles.

Emergency evacuation drills shall be conducted regularly throughout the school year to acquaint the pupil riders thoroughly with emergency situations. An emergency evacuation drill shall be held as soon as possible after the opening day of school and then at least twice a year.

All vehicles used to transport children, shall be maintained in such condition as to provide safe and efficient transportation service with a minimum of delays and disruption due to mechanical or equipment failure.

All vehicles used to transport children, shall conform to state standards for such vehicles. The Elsinboro Township School requires its bus contractor to be properly insured and to follow all aspects of the code.

All passengers on buses equipped with seat belts shall wear properly adjusted and fastened seat belts or other child restraint systems at all times while the bus is in operation.

Drivers of all Type I and Type II school vehicles used to transport district pupils must be licensed by the State of New Jersey as bus drivers and meet all other requirements of law. Bus drivers are responsible for the safety of pupils entering, riding, and departing their vehicle.

\*Transportation contractor has been forwarded a copy of transportation accident procedures.

# **Elsinboro Township Board of Education District Policy Manual**

**Business & Non-Instructional Operations**  
**Transportation Safety**

**Series 3000**  
**Policy 3541.33**

Page 2 of 2

## Legal References:

NJSA 18A:25-2, 18A:39-17 et seq., 18A:20-34, 18A:39-22, 18A:39-22.1,  
18A:6-7.1, 18A:39-1 et seq.,  
39:3-10.9 et seq., 39:3B-1.1 et seq., 39:3B-10 through –12,  
NJAC 6A:27-7.2, 6A:27-7.8, 6A:27-1.1 et seq., 6A:27-11.1 et seq.,  
34 CFR Part 85.100 et seq., 49 U.S.C. § 31306 et seq., 49 C.F.R. Part 40.1 et seq.,  
49 C.F.R. Part 382.101, 49 C.F.R. Part 391.1 et seq.

Policies and Procedures Manual for Pupil Transportation, NJ Dept of Education

## Possible Cross References:

3516, 3541, 3541.1, 4211, 4231/4231.1, 5142

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **School Bus Scheduling & Routing**

**Policy 3541.34**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

The Elsinboro Board of Education is solely responsible for establishing and maintaining bus routes and stops within the district. Bus transportation is provided to all students living in excess of two (2) miles from the school and to as many students inside that 2 mile radius as can be accommodated logistically and economically.

When practical, safe, time-saving and economical, transfers may be made from one bus to another as authorized by the Chief School Administrator.

The Board shall be guided by the answers to the following questions when considering a “Request for Change” application:

1. How much extra time will be required?
2. How much extra distance is involved?
3. How old is/are the child/children effected?
4. What is the type and condition of the road?
5. What type of traffic flow might the change encounter?
6. How many other children may also be affected?
7. Are there any peculiar safety factors inherent in such a change?
8. What will the new cost be?

All “Requests for Change” will be considered by the Board with determination forthcoming on or before the next regularly scheduled Board of Education meeting.

When the bus routes are first implemented at the start of each school year, it is to be understood that student changes on buses may occur, in order to avoid overloading. Overlapping of bus routes may occur to avoid overloading of bus routes.

Transfers of students may be made from one bus to another, with the time changes not to exceed fifteen minutes, by the administration.

Parents of students being changed from one bus to another will be notified in writing from the Chief School Administrator/designee.

#### Legal References:

NJSA 18A:39, 18A:46-19.6 through -23, 18A:58.6, 18A:58-7

NJAC 6:8-4.3(a)10vi, 6:8-8.3(b)11vi, 6:21, 6:28-3.7(a)5

Manual for the Evaluation of Local School Districts

#### Possible Cross References:

3220/3230, 53541.31, 3541.33, 5131, 5200, 6145.1/6145.2, 6153

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Monitoring Devices on School Vehicles**

**Policy 3541.36**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

The Board of Education recognizes that safe and secure conditions for all pupils transported in school-owned or contracted school vehicles is paramount. Pupils transported in a school-owned or contracted school vehicle must maintain proper discipline in the vehicle at all times.

To maintain the safe and secure conditions for all pupils transported on school-owned or contracted school vehicles, the Board may use devices to monitor and/or observe student behavior, teacher and support staff behavior, school bus driver discipline procedures and/or school bus driver driving techniques. The device may be a sound video camera, a voice monitoring device or other appropriate devices. Each school vehicle will have a sign clearly posted in the school vehicle stating that:

“Video And/Or Audio Monitoring Devices Are Used On School-Owned And Contracted Vehicles And This Vehicle May Be Monitored At Any Time”

The recording may be used in pupil and staff discipline matters, driver evaluations or for driver discipline or training. Notice of this policy will be provided to parents/guardians and all transportation personnel each year in staff, pupil and/or parent handbooks.

#### Legal References:

NJSA 18A:11-1

20 USCA 1231g

30 CFR 300.571 Part 99, 300.572, 300.5773

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Courtesy to Elsinboro Busing**

**Policy 3541.50**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

The Board of Education will consider the busing of an Elsinboro student to a location other than his or her home for the entire school year, subject to the following considerations:

- A. The stop must be along a current bus route;
- B. The student must have written permission from a parent/guardian specifying location and duration of the request;
- C. There must be room on the bus that passes the proposed stop;
- D. The Board will not be responsible for the safety of the child once the student leaves the bus;
- E. Courtesy busing dependent at all times on bus capacity.

The Board will decide whether to approve a request taking into consideration safety, the bus schedule and expense.

The school office must be notified in advance, preferably 24 hours, if a parent/guardian or designee is to pick up a student after school. This notice will be submitted in writing if possible.

If the request is less than 24 hours, the school office is to be notified as early in the day as possible to notify the teacher and prevent disruption with bus schedules.

Students will not be permitted to ride on buses other than their own assigned bus. Any exceptions to this must have the approval of the Chief School Administrator/designee.

#### Legal References:

NJSA 18A:29

NJAC 6:21

#### Possible Cross References:

3541.1, 3541.32, 3541.33, 3541.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Food Service**

**Policy 3542**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

The Board of Education within its financial means endeavors to provide a nutritious food service program in a manner that allows the food service facilities and programs to be used to provide a nourishing lunch to all school children.

The Chief School Administrator shall ensure that pupils and parents are informed concerning good nutrition practices in an effort to promote better nutrition in food service operations.

In planning menus for the food service operations, the different nutritional needs and problems of various groups should be considered, and information about nutritional and calorie content of foods offered should be both posted and distributed with school menus.

The School Lunch Program shall:

- A. Operate on a nonprofit basis, with prices to be approved by the Board as necessary;
- B. Be operated in strict compliance with all laws and regulations pertaining to health, sanitation and safety; internal accounting; employment practices; nutritional standards; costs of lunches; and periodic reporting;
- C. Charge school personnel a price in accordance with state school nutrition guidelines;
- D. Restrict the sale of federally defined “junk foods” in schools that operate the National School Lunch Program from the beginning of the school day until the end of the last lunch period.

The sale of all foodstuffs in the school must be approved by the Board of Education. Nutritious snacks, such as fresh fruit, fruit juice, nuts, seeds, yogurt, cheese, raisins and skim milk, shall be made available where possible. The sale of foods of low nutritional value (candy and other “junk foods”) for fund raising projects must be approved by the Chief School Administrator.

The Business Administrator/Board Secretary has overall responsibility for the administration and operation of the school lunch program in keeping with federal and state laws and the policies and directives of the Board.

#### Legal References:

NJSA 18A:11-1, 18A:33-3 through 5, 18A:18A-4.1(f)(h), 18A:18A-5,  
18A:18A-5a(6), 18A:18A-6, 18A:33-9 through -14, 18A:58-7.1 through -2.  
NJAC 6:79, 2:36-1.1 et seq., 6:8-2.1, 6:8-4.1, 6A:23-2.6,

Manual for the Evaluation of Local School Districts (September 2002)

#### Possible Cross References:

3542.31, 5131

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

## **Wellness & Nutrition**

**Policy 3542.1**

Date Adopted: November 11, 2008

Date Revised: December 12, 2011, September 8, 2014,  
April 13, 2015, June 20, 2016

Page 1 of 6

The Board of Education believes that children need access to healthful foods and opportunities to be physically active in order to grow, learn, and thrive, and that good health fosters student attendance and education.

Therefore, the Board of Education is committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity, and will ensure that:

- A. All students will have opportunities, support, and encouragement to be physically active on a regular basis.
- B. Foods and beverages sold or served at school will meet the nutrition recommendations of the *U.S. Dietary Guidelines for Americans, the Healthy, Hunger-Free Kids Act of 2010* and the USDA nutrition standards for National School Lunch, School Breakfast and/or After School Snack Programs.
- C. Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.
- D. Meal periods shall be scheduled at appropriate times (Lunches will be served between 10:00 AM and 2 PM).
- E. All food preparation areas shall have had regular health inspections and received satisfactory approvals.
- F. To the maximum extent practicable, all schools in the district will participate in available federal school meal programs (including the School Breakfast Program, National School Lunch Program including- after-school snacks, Summer Food Service Program, Fruit and Vegetable Snack Program, and Child and Adult Care Food Program).
- G. Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services.
- H. The Board will engage students, parents, teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing district-wide nutrition and physical activity policies.

### Goals for the Promotion for Nutrition Within the District

The following activities will be coordinated within district:

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Wellness & Nutrition**

**Policy 3542.1**

Page 2 of 6

- Age-appropriate materials will be posted where food and beverages are served to students encouraging the value of good nutrition;
- During the school year, the lunch program will have promotional days where at least one (1) new nutritional alternative menu item will be featured as part of the menu pattern meal component;
- Staff members will promote this nutritional alternative during meals with appropriate hand-outs regarding any nutritional menu item alternative(s);
- The Superintendent of Schools/designee will encourage serving food products that meet the nutritional standards of the Healthy, Hunger-Free Kids Act of 2010 when used as an incentive or reward for student accomplishments, club or activity within the school;
- Designated staff members will coordinate obtaining student input on menu planning that will include taste testing of new nutritional food, satisfaction surveys, to promote nutrition awareness;
- Food service staff will place the healthier food items in the service line where students are more likely to choose them;
- Parents/guardians will be provided the nutritional standards of the the Healthy, Hunger-Free Kids Act of 2010;
- Parents/guardians will be encouraged to pack lunches and snacks that meet the nutritional standards as specified in the Healthy, Hunger-Free Kids Act of 2010;

The Superintendent of Schools/designee shall develop procedures and regulations process for measuring the effectiveness for the implementation of this policy. He/she shall also designate personnel with the responsibility for ensuring the school is complying with the policy. In addition, the Superintendent of Schools shall designate a district administrator to oversee and ensure that the district complies with the provisions of this policy and that the policy is implemented correctly for each are beverages are offered, including vending machines and the school store(s), if applicable.

#### Nutritional Education

The Superintendent of Schools/designee will ensure that there will be at least one presentation per school year promoting good nutrition and nutrition education. These presentations may be provided through classroom visits from school staff members trained in nutrition, school-wide or group assembly programs, during health/physical education classes during the school year, or any other presentation manner. This requirement may be provided as part of nutrition education provided to students as part of the district's curriculum.

The Superintendent of Schools/designee will post the nutritional guidelines of the Healthy, Hunger-Free Kids Act of 2010 where food and beverages are served.



# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Wellness & Nutrition**

## **Series 3000 Policy 3542.1**

Page 3 of 6

The school lunch menu will include nutritional information, activities, recipes, and/or any other information that encourages the selection of healthy food items.

### Physical Activity

In the elementary grades of the district:

- All students shall receive health/physical education under the supervision of a properly certified teaching staff member;
- The Superintendent of Schools/designee will ensure there is age-appropriate equipment and supplies available during recess time for students to participate in physical activities;
- Students will be encouraged by school staff members supervising student recess time to participate in some type of physical activity, which may include, but not be limited to: walking; playing games that require physical activity, such as kick ball, volleyball, baseball, basketball, etc.; rope jumping; and/or using playground equipment;
- The Superintendent of Schools will encourage classroom teachers to incorporate brief, physical activity breaks into the school day to establish an environment that promotes regular physical activity throughout the school day. He/she shall also coordinate special events highlighting physical activity, that may include field days, walk-a-thons, and activity tournaments or competitions;
- The Superintendent of Schools/designee may involve parents, community members, and students in the planning of these events

In the middle school grades of the district:

- All students shall receive health/physical education under the supervision of a properly certified teaching staff member;
- Middle school students may be offered opportunities to participate in after-school intramural and/or interscholastic team activities coordinated and under the supervision of school staff members;
- After-school activities and clubs where physical activity for students is included as a key component to the activity's or club's purpose may be provided by the Board. This may include, but not be limited to, gardening clubs, walking clubs, and exercise classes.

### Other School-Based Activities

The district will establish a Wellness Committee comprised of the Superintendent of Schools/designee, a health/physical education teacher, the school nurse, at least two (2) parents/guardians, at least two (2) students, and at least one (1) food service staff member.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Wellness & Nutrition**

## **Series 3000 Policy 3542.1**

Page 4 of 6

The Superintendent of Schools/designee will coordinate information being disseminated to students and parents promoting the school lunch program, nutrition, and nutrition education.

The school district will celebrate a School Wellness Week, as determined by the Superintendent of Schools/designee and will have special activities throughout the week to promote nutrition and physical activity. These special activities will be planned and coordinated by the Wellness Committee.

The Superintendent of Schools/designee will encourage fund-raising activities that promote physical activity such as walk-a-thons, teacher-student activity competitions, family activity nights, and school dances.

### Annual Progress Report

The goals for nutrition promotion, nutrition education, physical activity, and other school-based activities that promote student wellness shall be evaluated annually by the Superintendent of Schools/designee and Wellness Committee in an Annual School Progress Report provided to the Superintendent of Schools/designee by June 30<sup>th</sup> of each school year.

The Annual Progress Report shall present the extent to which the district is in compliance with this policy, any recommended changes to this policy, and an action plan for the following school year to achieve the school's annual goals and objectives.

### Guidelines for All Foods and Beverages

The Board of Education requires that the district to complies with the federal school meal nutrition standards and the smart snacks in accordance with the requirements specified in the Healthy, Hunger-Free Kids Act of 2010. The nutritional standards shall apply to all foods and beverages sold in each school in the district as part of the menu pattern meal, a la carte, in school stores, snack bars, or vending machines. The food requirements for any food sold in schools must meet a range of calorie and nutrient requirements as outlined in the Healthy, Hunger-Free Kids Act of 2010

The school district will comply with the Healthy, Hunger-Free Kids Act of 2010 beverage requirements and beverage portion requirements for elementary and middle school students. Potable water shall be made available to children at no charge in the place where breakfast, lunch, and afterschool snacks are served during meal service.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Wellness & Nutrition**

## **Series 3000 Policy 3542.1**

Page 5 of 6

On-campus fundraisers involving food or beverage items must meet the Smart Snack standards of the Healthy, Hunger-Free Kids Act of 2010. These nutrition standards do not apply to non-school hours, weekends, and off-campus fundraising events.

The Superintendent of Schools shall be responsible to providing support for staff members so they have the skills and knowledge to implement the provisions of this policy.

The Board of Education will support the implementation of nutrition education throughout the school day and during after school programs, in order to promote a consistent message to parents/guardians and students.

### Healthy Snack Guidelines

The following additional nutrient requirements shall also apply:

1. Calorie Limits – Snack Items  $\leq$  200 calories; Entrée Items  $\leq$  350 calories
2. Sodium Limits - Snack Items  $\leq$  230 mg.\*; Entrée Items  $\leq$  480 mg.
3. Fat Limits - Snack Items  $\leq$  35% of calories; Entrée Items  $\leq$  10% of calories;  
Trans fat: zero grams
4. Sugar Limit -  $\leq$  35% of weight from total sugars in foods

\* On July 1, 2016, snack items must contain  $\leq$  200 mg. sodium per item.

Accompaniments such as cream cheese, salad dressing and butter must be included in the nutrient profile as part of the food item sold. This helps control the amount of calories, fat, sugar and sodium added to foods

This policy does not apply to medically authorized special needs diets pursuant to 7 CFR Part 210, school nurses using Foods of Minimal Nutritional Value (FMNV) during the course of providing health care to individual students or special needs students whose Individualized Education Plan (IEP) indicates their use for behavior modification.

Adequate time shall be allowed for student meal service and consumption. Schools shall provide a pleasant dining environment. The Board of Education recommends that physical education or recess be scheduled before lunch whenever possible.

### Notification

At a minimum, a copy of this policy shall be posted in the cafeteria(s), school store(s) and provided to the parent group(s) of the school district.

Parents/guardians shall be provided information supporting the provisions of this policy and promoting healthy choice awareness.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Wellness & Nutrition**

## **Series 3000 Policy 3542.1**

Page 6 of 6

All staff members shall be provided with a copy of this policy annually or following any revision to it.

### Legal References

NJSA 18A:11-1 General mandatory powers and duties  
18A:18A-4.1 f.,h. Use of competitive contracting in lieu of public bidding; boards of education  
18A:18A-6 Standards for purchase of fresh milk; penalties; rules and regulations  
18A:33-3 through -5 Cafeterias for pupils  
18A:33-9 through -14 Findings, declarations relative to school breakfast programs  
18A:54-20 Powers of board (county vocational schools)  
18A:58-7.1 through -7.2 School lunch program

NJAC 2:36-1.1 et seq. Child Nutrition Programs  
6A:16-5.1(b) School safety plans  
6A:23-2.6 Supplies and equipment  
6A:32-12.1 Reporting requirements  
6A:32--14.1 Review of mandated programs and services  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Healthy, Hunger-Free Kids Act of 2010  
Sec. 204 at the Federal Child Nutrition and WIC Reauthorization Act of 2004 (P.L. 108-265)  
42 U.S.C. 1751 et seq. Richard B. Russell National School Lunch Act  
42 U.S.C. 1771 et seq. Child Nutrition Act of 1966  
7 C.F.R. Part 210 Medically authorized special needs diets  
7 C.F.R. Part 210.10 Foods of minimum nutritional value  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

### Possible Cross References

1200, 1220, 3000/3010, 3450, 3510, 3542, 3542.31, 3542.44, 4222, 5131, 9123, 9124

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Free or Reduced-Price Lunches / Breakfasts / Milk**

**Policy 3542.31**

Date Adopted: November 11, 2008

Date Revised: March 14, 2016

Page 1 of 3

It is the policy of the Board of Education that this school district participates in any federal or state subsidized food program for the benefit of eligible pupils.

Eligibility shall be as determined by the guidelines of the subsidizing agency. The Board requires that all regulations of the subsidizing agency be observed, especially those that preserve the privacy of eligible pupils.

The Board hereby adopts, as its own, the free and reduced-price policy developed by the Bureau of Child Nutrition programs pursuant to federal regulations.

#### Offer Versus Serve

In order to reduce plate waste and food costs relating to reimbursable meals, the Elsinboro Township School District will participate in the Offer Versus Serve program, as described in this policy.

Food service staff members shall be trained annually in the provisions of this policy.

#### Lunch Offer Versus Serve

Students receiving reimbursable lunches may decline a certain number of food components in the meal.

A school lunch eligible for federal reimbursement shall offer five (5) food components in the appropriate amounts per grade grouping:

- Fruit;
- Vegetable;
- Milk;
- Grain; and,
- Meat/Meat Alternate.

Students may decline two (2) of the five (5) required food components, but must select at least ½ cup of either fruit (or fruit combination) or a ½ cup of vegetable (or vegetable combination) or ½ cup of a fruit/vegetable combination.

## **Elsinboro Township Board of Education District Policy Manual**

### **Business & Non-Instructional Operations**

**Series 3000**

### **Food or Reduced-Price Lunches / Breakfasts / Milk**

**Policy 3542.31**

Page 2 of 3

After selecting the ½ cup of fruit or vegetable requirement, students must select at least two (2) additional full components in the full amounts (per age/grade grouping) required amount to count toward the reimbursable Offer Versus Serve meal.

The student's decision to accept all five (5) food components or to decline two (2) food components shall not affect the price charged for the meal. The lunch is priced as a unit. If students do not choose enough food items to comprise a reimbursable meal, a-la-carte prices will be charged.

School staff shall not make exceptions to this policy, such as requiring every student to take a particular food component. It is the student's choice to select any three (3), four (4) or all five (5) components of the reimbursable meal.

#### Breakfast Offer Versus Serve

Students receiving reimbursable breakfasts may decline a certain number of food components in the meal.

A school breakfast eligible for federal reimbursement shall offer four (4) food items from the three (3) food components in the appropriate amounts per grade grouping:

- Fruit or vegetable or juice;
- Milk;
- Grains, including optional Meat/Meat Alternate

Students may decline one (1) of the four (4) items offered.

The student's decision to accept all four (4) food items or to decline one (1) food item shall not affect the price charged for the meal. The breakfast is priced as a unit. If students do not choose enough food items to comprise a reimbursable meal, a-la-carte prices will be charged.

School staff, including food service staff, shall not make exceptions to this policy, such as requiring every student to take a particular food component. It is the student's choice to select any three (3) or all four (4) components of the reimbursable meal.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Food or Reduced-Price Lunches / Breakfasts / Milk**

**Policy 3542.31**

Page 3 of 3

#### Legal References

- NJSA 18A:33-3 Cafeterias for pupils  
18A:33-4 School lunch; availability to all children  
18A:33-5 Exemptions  
18A:33-10 Establishment of school breakfast program in certain schools  
18A:33-11 Implementation of school breakfast program by district  
18A:58-7.1 through -7.2 School lunch program
- NJAC 2:36-1.2 Policy and agreement for school nutrition programs  
2:36-1.8 Review and evaluation

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Cafeteria Funds**

**Policy 3542.35**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

The Board of Education directs that all moneys derived from the operation, maintenance or sponsorship of the food service facilities of this district be deposited in the General Fund (Fund 60-Food Service Operations) and shall be administered by the Board Secretary/ Business Administrator in the same manner as are other moneys belonging to the district.

Cafeteria funds shall be expended in such manner as may be approved by the Board, but no amount shall be transferred from the General Fund (Fund 60-Food Service Operations) to any other account or fund of this district, except as authorized by the Board and in accordance with law.

The Board Secretary/Business Administrator is authorized to disburse funds from the General Fund (Fund 60-Food Services Operations) in accordance with law.

#### Legal References:

NJSA 18A:11-1, 18A:33-3 through 5, 18A:18A-4.1(f) (h), 18A:18A-5,  
18A:18A-5a (6), 18A:18A-6, 18A:33-9 through -14, 18A:58-7.1 through -2.  
NJAC 6:79, 2:36-1.1 et seq., 6:8-2.1, 6:8-4.1, 6A:23-2.6,

Manual for the Evaluation of Local School Districts (September 2002)

#### Possible Cross References:

3542.31, 5131



# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Biosecurity Management Plan**

**Policy 3542.40**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

The Board of Education recognizes its responsibility to protect the health of the pupils, staff, and visitors to this school district as well as providing a safe school environment and secure foodservice program. Therefore, the Board hereby directs the establishment of a Biosecurity Management Plan designed to keep school meals free from intentional contamination and enable the administration and foodservice personnel to respond to threats or incidents of bioterrorism.

The Biosecurity Management Plan:

- Establishes lunch program policies and procedures that minimize the risk of intentional contamination of food and reduce the risk of illness or death in the school community;
- Assigns key personnel to specific roles and duties pertaining to the Biosecurity Management Plan;
- Sets procedures aimed at preventing threats and incidents of product tampering and food contamination;
- Includes appropriate response actions to be taken should an incident occur,
- Provides documentation of actions planned and/or taken;

Implementation of the Biosecurity Management Plan shall be the responsibility of the food service director with the oversight of the Chief School Administrator/designee.

#### Legal References:

NJAC 2:36-1.13

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Food Service – Purchasing**

**Policy 3542.44**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

The Board of Education authorizes and directs the Board Secretary/Business Administrator or his/her designee to execute contracts with proper vendors in accordance with state law to purchase subsistence amounts of perishable foods without competitive bids. This policy shall be published annually as required by law, along with the procedures by which authorized vendors may become eligible to submit quotations.

#### Legal References:

NJSA 18A:11-1, 18A:33-3 through 5, 18A:18A-4.1(f) (h), 18A:18A-5,  
18A:18A-5a (6), 18A:18A-6, 18A:33-9 through -14, 18A:54-20,  
18A:58-7.1 through -2.  
NJAC 6:79, 2:36-1.1 et seq., 6:8-2.1, 6:8-4.1, 6A:23-2.6,

Manual for the Evaluation of Local School Districts (September 2002)

#### Possible Cross References:

3542, 3542.31, 5131

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Written Code of Conduct for Procurement**

**Policy 3542.45**

Date Adopted: October 10,2017

Date Revised:

Page 1 of 1

In accordance with the provisions of 18A:18A-1 et seq NJ Public School Contract Law, 21 CFR Part 200, 318 , CFR Part 3019.42 and the policies dealing with purchasing of this district, all procurements must ensure that there is open and free competition and adhere to the most restrictive federal/state/local requirements.

This district seeks to conduct all procurement procedures in compliance with stated regulations and to prohibit conflicts of interest and actions of employees engaged in the selection, award and administration of contracts

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal, state, or local award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

The officers, employees, and agents of the non-federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.

The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-federal entity. Based on the severity of the infraction, the penalties could include a written reprimand to their personnel file, a suspension with or without pay, or termination.

#### Legal References

- NJSA 18A:18A-1 et seq NJ Public School Contract Law  
18A:18A-5(a)6 Exceptions to requirements for advertising  
18A:18A-6 Standards for purchase of fresh milk; penalties; rules and regulations
- 21 CFR Part 200, 318  
CFR Part 3019.42
- NJAC 6A:23-2.6 Supplies and equipment

#### Possible Cross References

3542, 3542.31, 5131

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Meals on Credit / Charged Meals**

**Policy 3542.46**

Date Adopted: November 11, 2008

Date Revised: October 9, 2012, June 19, 2017

Page 1 of 2

While the Board of Education understands that there may be occasions when students fail to bring the required lunch money to school, the cafeteria personnel are not empowered to extend unlimited credit to students. In the event that a student does not bring money to purchase lunch, the following procedures will be followed:

- First Occurrence: Lunch will be provided and the student will be reminded that he/she must bring lunch or lunch money to school. The student will be advised that he/she is expected to bring payment for the charged lunch the following day.
- Second Occurrence: Lunch will be provided and a note will be sent home by the cafeteria manager indicating that lunch or lunch money must be brought to school every day and that students will be allowed to receive a regular lunch on credit only twice. The note will also state that payment must be made the next day for the charged lunches.
- Third or More Occurrences: Students will receive a substitute lunch consisting of a nutritionally adequate meal and milk.
- If charges have not been paid after the third charged meal, a letter will be mailed to the student's parents/guardians from the cafeteria manager indicating that lunch or lunch money must be brought to school every day and that the student has received two regular lunches on credit. The letter will list the amount due and state that payment must be made the next day for the charged lunches and that failure to pay for school lunches may result in court action taken by the district against the parents/guardians.
- The district may initiate legal action against parents/guardians three weeks after the written notification of charges in excess of \$50.00. The parents/guardians will be responsible for the lunch charges and applicable court expenses after legal papers are filed.
- Students may not charge snacks at any time.
- All charged lunches must be paid prior to receiving the regular school lunch.

#### Procedure

In accordance with the provisions of state law, if any money is owed for a student's school meals, the designated administrator shall contact the student's parent/guardian and provide notice of the debt before discontinuing meal service.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Meals on Credit / Charged Meals**

**Series 3000  
Policy 3542.46**

Page 2 of 2

The designated administrator shall allow a period of ten (10) school days for the parent/guardian to pay the amount due.

If the parent/guardian does not make full payment by the end of the ten (10) school days, a second letter will be sent by the designated administrator, stating that the student will not be served a school meal beginning five (5) school days from the date of the second notice, unless payment is made in full.

Students may receive an alternate meal during the period that regular meals have been suspended. This alternative meal shall provide adequate nutritional benefits to the student and will be prepared in consideration of any food allergies the student may have.

Provided the designated administrator has sent the required letters to parents/guardians, as noted above, after three (3) meal charges, students may not be permitted to participate in the school lunch or breakfast program until meal charges are paid in full.

Any and all payments submitted by parents/guardians to cover charged meals shall be accounted for by the designated employee.

### Notification

A copy of this policy shall be provided in writing to all households at the start of each school year and to households whose children transfer into the district during the school year. It is recommended that a copy of the policy be included in student handbooks and/or online. Multiple methods of communication with parents/guardians should be used whenever possible.

Additionally, all staff members shall be provided with a copy of this policy to ensure proper enforcement.

### Legal References

NJSA 18A:11-1 General mandatory powers and duties

### Possible Cross References

3542, 3542.31, 5131

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Printing & Duplicating Costs**

**Policy 3543**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

Any group, organization or individual desiring a copy of any Board of Education Minutes or other non-exempted record, shall be charged the following fees as provided in New Jersey Statutes Annotates 47:1A-2:

- First page through tenth page.....75¢ per page
- Eleventh page through twentieth page.....50¢ per page
- All pages over twenty.....25¢ per page

#### Addition

In no case will the Elsinboro Township Board of Education copying/duplicating equipment be used by any person to duplicate material to be used for political and/or elective office purposes.

The E.S.A. (“Elsinboro School Association”) may have announcements to the parents of Elsinboro School students for school-related activities, copied free of charge.

All such notices must be approved by the Chief School Administrator and printed by the office staff as their time permits.

#### Legal References:

NJSA 18A:11-1, 47:1A-2

#### Possible Cross References:

1100, 1100.1, 1112.2, 9123

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Copyrighted Materials**

**Policy 3543.11**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: November 11, 2008 | Date Revised: | Page 1 of 1 |
| First Reading: October 6, 2008  |               |             |

It is the intent of the Board of Education to adhere to the provisions of the current copyright laws and Congressional guidelines.

The Board recognizes that unlawful copying and use of copyrighted materials contributes to higher costs for materials, lessens the incentives for development of quality educational materials and fosters an attitude of disrespect for law which is in conflict with the educational goals of this school system.

The Board of Education directs that district employees adhere to all provisions of Title 17 of the United States Code, entitled "Copyrights", and other relative federal legislative and guidelines related to the duplication, retention, and use of copyrighted materials.

The Board further directs that:

- A. Unlawful copies of copyrighted materials may not be produced on district owned equipment.
- B. Unlawful copies of copyrighted materials may not be used with district owned equipment, within district owned facilities, or at district-sponsored functions.
- C. The legal and/or insurance protection of the district will not be extended to employees who unlawfully copy and use copyrighted materials.

Employees who make copies of copyrighted materials in their jobs are expected to be familiar with published provisions regarding fair use and public display, and are further expected to be able to provide to their supervisor, upon request, the justification under The Copyright Act of 1976, as amended, is codified at 17 U.S.C. Sec.101 et seq. Section 107 or 110 of United States Code 17 for copies that have been made or used.

Employees who use copyrighted materials that do not fall within fair use or public display guidelines will be able to substantiate that the materials meet one of the following tests:

- A. The materials have been purchased from an authorized vendor by the individual employee or the Board of Education and a record of the purchase exists.
- B. The materials are copies covered by licensing agreement between the copyright owner and the Board of Education or the individual employee.
- C. Materials are being reviewed or demonstrated by the user to reach a decision about possible future purchase of licensing and a valid agreement exists that allows for such use.

Although there continues to be controversy regarding interpretation of the copyright laws, this policy represents a sincere effort to operate legally.

#### Legal References:

NJSA 18A:11-1, 18A:54-20

The Copyright Act of 1976, as amended and codified as 17 U.S.C. Sec.101 et seq.  
Section 107 or 110 of United States Code 17

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

## **District Records & Reports**

**Policy 3570**

Date Adopted: November 11, 2008

Date Revised: September 13, 2010

Page 1 of 4

First Reading: October 6, 2008

In accordance with the provisions of P.L. 2001, c.404, the Board of Education will provide reasonable access, inspection, copying and examination of all public records except those specifically exempted by law.

For the purpose of this policy, Board records shall be defined as, “any paper, written or printed, book, document, drawing, map, plan, photograph, microfilm, data processed or image processed, stored or maintained electronically or by sound-recording or in a similar device or any copy thereof, that has been made, maintained or kept on file in the course of the Board’s official business and/or that has been received in the course of the Board’s official business.”

### Exemptions

Documents, records and/or information that are exempted from public access include:

1. In general, the portion of any document that discloses the social security number, credit card number, unlisted telephone number or driver license number of any person;
2. Personnel or pension records, except that an individual’s name, title, position, salary, payroll record, length of service, date of separation and the reason therefore, and the amount and type of any pension received are considered government records;
3. Inter-agency or intra-agency advisory consultative or deliberative material;
4. Any record within the attorney-client privilege;
5. Administrative or technical information regarding computer hardware, software or networks that, if disclosed, would jeopardize computer security;
6. Emergency or security information or procedures for any building or facility that, if disclosed, would jeopardize security;
7. Information that, if disclosed would give an advantage to competitors or bidders;
8. Information relating to any sexual harassment complaint;
9. Information relating to any grievance filed by or against an individual in connection with collective negotiations;
10. Information that is a communication between the Board and its insurance carrier, administrative service organization or risk management office; and
11. Information that is to be kept confidential pursuant to a court order.

### Custodian of Board Records

The Custodian of Board Records shall be the Board Secretary/Business Administrator.



# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations District Records & Reports**

**Series 3000  
Policy 3570**

Page 2 of 4

### Responsibility of the Custodian of School Records

The Custodian of Board Records must permit Board records to be inspected, examined, and copied during regular business hours. The district position of Board Secretary/Business Administrator is officially designated by this action Custodian of Board records. The Board Secretary/Business Administrator is required to keep and maintain all records and documents belonging to the Board except those required by the Treasurer of School Moneys.

### Timely Access

In general, the Custodian of Board Records has a duty to provide access to a Board record immediately. However, there may be instances where the requested record(s) may be archived. In that case, the Custodian of Board Records will attempt to provide the requested record(s) within seven (7) business days after receiving the request. In general, failure to respond within seven (7) business days may be deemed a denial of the request.

### Redaction of Records

In general, before providing public access, the Custodian of School Records has a duty to redact any information that discloses the social security number, credit card number, unlisted telephone number, driver license number and/or other exempted information.

### Form for Requesting Records

The custodian shall adopt a form for the public to use to make requests for Board records. The form must provide the following:

1. Space for the name, address and telephone of the requestor;
2. Space for a brief description of the record sought;
3. Space for the custodian to indicate which record will be made available, and fees (if any), to be charged;
4. Specific directions and procedures for requesting the record;
5. A statement as to whether prepayment of fees (if any) are required;
6. An indication that, in general, the custodian has seven (7) business days after receiving the request to respond;
7. A statement of the requestor's right to challenge a decision denying access and the procedure for filing an appeal;
8. Space for the requestor to sign and date the form;
9. Space for the custodian to sign and date the form if the request is fulfilled or denied.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations District Records & Reports**

**Series 3000  
Policy 3570**

Page 3 of 4

### Fees Charged for Copying Records

The Board of Education may recover the fees as prescribed in the current OPRA Fee Schedule for preparing copies of any and all requested district records and reports from the individual requesting such copies. Such costs shall be consistent with NJSA 47:1A-5b, and the current OPRA Fee Schedule.

### Additional Special Services Charges

The Board may also assess additional services charges for preparing requested copies of district records in accordance with NJSA 47:1A-5c. Such special service charges may be assessed whenever the nature, format, manner of collation, or volume of a record embodied in the form of printed matter to be copied is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the district may charge, in addition to the fees as prescribed in the current OPRA Fee Schedule of duplicating the record, a special service charge that shall be reasonable and shall be based upon the actual direct cost of providing the copy or copies. The requestor shall have the opportunity to review and object to the charge prior to it being incurred.

### Appeal of Denial or Access to Records

A person who is denied access to a Board Record may file suit in Superior Court or may file a complaint with the newly created Government Records Council within the New Jersey Department of Community Affairs.

# Elsinboro Township Board of Education District Policy Manual

**Business & Non-Instructional Operations  
District Records & Reports**

**Series 3000  
Policy 3570**

Page 4 of 4

## Legal References:

NJSA 18A:11-1, 47:1A-1 et. seq, 10:4-6 et seq., 18A:4-14, 18A:7A-11  
18A:11-2, 18A:11-2b, 18A:17-7 through -12, 18A:17-28(e), 18A:17-35,  
18A:17-36, 18A:17-46, 18A:36-19  
NJAC 2:36-1.1 et seq., 6:3-1.6, 6:3-6.1 et seq., 6:3-6.2(g), -6.8, 6:8-2.1, 6:8-2.2,  
6A:16-5.3, 6A:16-5.4, 6A:23-2.1 et seq., 6A:27-7.9, 6A:30-1.1 et seq., 15:3-2

Annual Data Collection Plan, New Jersey State Department of Education  
Records Retention Schedule, New Jersey State Department of Education  
Matawan Regional Teachers Association v. Matawan-Aberdeen Bd. of Ed., 212  
N.J. Super. 328 (Law Div. 1986)

Laufgas v. Barnegat Twp. Bd. of Ed., 1987 S.L.D. 2442, aff'd St. Bd. 1988 S.L.D.  
2496

Horner v. Kingsway Regional, 1990 S.L.D. 752

Beatty v. Chester Bd of Ed., 1999 S.L.D. (Sept.)

Manual for the Evaluation of Local School Districts (September 2002)  
P.L. 2001, c 404

## Possible Cross References:

9330, 4112.6/4212.6, 5125

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Audit**

**Policy 3571.4**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 1

First Reading: October 6, 2008

An audit of the accounts of the school district shall be made annually by a public school accountant selected by the Board of Education. The audit examination shall be conducted in accordance with statute and generally accepted auditing standards and shall include all funds over which the Board has direct or supervisory control.

An auditor's fee shall be established in each fiscal year. The Board of Education shall select an auditing firm experienced in school accounting and willing to perform the required services for the established fee.

Within 30 days following the receipt of the annual audit, the Board of Education will, at a regular meeting, disclose the recommendations of the auditor to be read and to be discussed, and the discussion noted in the minutes of the meeting. The Board will direct the implementation of the auditor's recommendations.

The Auditor must provide a copy of the most recent review to the Board of Education.

#### Legal References:

NJSA 18A:6-68, 18A:6:21-1 et seq, 18A:18A-1 et seq., 18A:23-1 et seq.,  
NJAC 6:8-2.2, 6A:23-1.2, 6A:23-2.2(i)

Manual for the Evaluation of Local School Districts (September 2002)

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

## **Integrated Pest Management**

**Policy 3575**

Date Adopted: November 11, 2008

Date Revised:

Page 1 of 2

First Reading: October 6, 2008

The New Jersey School Integrated Pest Management Act of 2002 requires schools to implement a school integrated pest management policy. As per this policy, the Board of Education directs the chief School Administrator to implement Integrated Pest Management (IPM) procedures to control pests and minimize exposure of children, faculty, and staff to pesticides. In addition, the Board of Education shall adopt and maintain an IPM plan developed by the Chief School Administrator/designee as part of this policy.

### Definition

For the purposes of this policy, Integrated Pest Management shall be defined as a sustainable approach to managing pests by using all appropriate technology and management practices in a way that minimizes health, environmental, and economic risks. IPM includes, but is not limited to, monitoring pest populations, consumer education, and when needed, cultivation practices, sanitation, solid waste management, and structural maintenance, physical, mechanical, biological and chemical controls.

### Integrated Pest Management Procedures

Implementation of IPM procedures will determine when to control pests and whether to use mechanical, physical, cultural, biological or chemical methods. Applying IPM principles prevents unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment.

In preparing the IPM, the Chief School Administrator will consider the full range of management options, including no action at all. Non-pesticide pest management methods are to be used whenever possible. The choice of using a pesticide shall be based on a review of all other available options and a determination that these options are not effective or not reasonable. When it is determined that a pesticide must be used, low impact pesticides and methods are preferred and shall be considered for use first.

### Development of IPM Plans

The school IPM plan is a blueprint of how the school system will manage pests through IPM methods. The IPM plan states the district's goals regarding the management of pests and the use of pesticides. It reflects the school's site-specific needs. The IPM plan shall provide a description of how each component of the school IPM policy will be implemented at the school. The Chief School Administrator shall be responsible for the development of the IPM plan for the school.

### IPM Coordinator

The Chief School Administrator shall designate an integrated pest management coordinator, who is responsible for the implementation of the school integrated pest management policy. The Board of Education shall approve the selection of the named IPM Coordinator upon recommendation of the Chief School Administrator.

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations Integrated Pest Management**

**Series 3000  
Policy 3575**

Page 2 of 2

### Education /Training

All school personnel will be educated about potential pest problems and IPM methods used to achieve the pest management objectives.

The IPM Coordinator, other school staff and pesticide applicators involved with implementation of the school IPM policy will be trained in appropriate components of IPM as it pertains to the school environment.

Students, parents/guardians will be provided information on this policy and instructed on how they can contribute to the success of the IPM program.

### Record keeping

Records of pesticide use shall be maintained on site to meet the requirements of the state regulatory agency and the Board of Education.

Records shall also include, but are not limited to, pest surveillance data sheets and other non-pesticide pest management methods and practices utilized.

### Notification/Posting

The Chief School Administrator, under the direction of the Board of Education, is responsible for timely notification to students' parents or guardians and the school staff of pesticide treatments pursuant to the School IPM Act.

### Re-entry

Re-entry to a pesticide treated area shall conform to the requirements of the School IPM Act.

### Pesticide applicators

The IPM coordinator shall ensure that applicators follow state regulations, including licensing requirements and label precautions, and must comply with all components of the School IPM Policy.

### Evaluation

Annually, the Chief School Administrator will report to the Board of Education on the effectiveness of the IPM plan and make recommendations for improvement as needed.

The Board of Education directs the Chief School Administrator to develop regulations/procedures for the implementation of this policy.

### Legal References:

The School Integrated Pest Management Act of 2002  
N.J.A.C. Title 7 Chapter 30 Subchapters 1-12  
Pesticide Control Act of 1971

# **Elsinboro Township Board of Education District Policy Manual**

## **Business & Non-Instructional Operations**

**Series 3000**

### **Evaluation of Business & Non-Instructional Operations**

**Policy 3600**

Date Adopted: October 11, 2011

Date Revised:

Page 1 of 1

The school district shall evaluate business processes annually and allocate available resources appropriately in an effort to establish a strong control environment.

The Business Administrator/Board Secretary shall identify processes that when performed by the same individuals are a violation of sound segregation of duties. The Business Administrator/Board Secretary shall segregate the duties of all such processes among business office staff based on available district resources, assessed vulnerability and the associated cost-benefit

The following functions shall be segregated and completed by different employees in all districts:

- A. Human resources and payroll
- B. Purchasing and accounts payable

The district shall include in the Comprehensive Annual Financial Report (CAFR) detailed organizational charts for the central office that tie to the districts' position control logs, including, but not limited to, the business, human resources and information management functions.

#### Legal References

NJSA 18A:11-1 General mandatory powers and duties

NJAC 6A:23A-6.5 Segregation of duties

#### Possible Cross References

3000/3010, 3200, 3300, 3400, 3500, 3510, 3530, 3541, 3542, 3542.1, 3570, 7110, 9330

# **Elsinboro Township Board of Education**

## **District Policy Manual**



### **Instructional & Support Personnel Series 4000**





**Elsinboro Township  
Board of Education  
District Policy Manual**

**TABLE OF CONTENTS**

**Instructional & Support Personnel – Series 4000**

| <b>Instructional &amp; Support Personnel</b>                        |                                |
|---|--------------------------------|
| <b>Code of Ethics</b>   | <b>4110.22/4210.22</b>         |
| <b>Absences for Jury Duty</b>                                       | <b>4110.5/4210.5</b>           |
| <b>Creating &amp; Abolishing Positions</b>                          | <b>4110.7/4210.7</b>           |
| <b>Recruitment, Selection &amp; Hiring</b>                          | <b>4111/4211</b>               |
| <b>Nondiscrimination / Affirmative Action / Sexual Harassment</b>   | <b>4111.1/4211.1</b>           |
| <b>Induction Program for Provisional Teachers</b>                   | <b>4111.2</b>                  |
| <b>Domestic Violence</b>  | <b>4111.3 / 4211.3</b>         |
| <b>Residency Requirements</b>                                       | <b>4111.4 / 4211.4</b>         |
| <b>Contract – Nontenured Personnel</b>                              | <b>4112/4212</b>               |
| <b>Certification</b>  | <b>4112.2</b>                  |
| <b>Tax Shelter Annuities</b>  | <b>4112.3/4212.3</b>           |
| <b>Credit Union</b>   | <b>4112.35/4212.35</b>         |
| <b>Employee Health</b>  | <b>4112.4/4212.4</b>           |
| <b>Criminal History Verification</b>                                | <b>4112.5/4212.5</b>           |
| <b>Personnel Records</b>  | <b>4112.6/4212.6</b>           |
| <b>Nepotism</b>   | <b>4112.8/4212.8</b>           |
| <b>Assignment / Transfer</b>  | <b>4113/4114<br/>4213/4214</b> |
| <b>Supervision &amp; Evaluation</b>                                 | <b>4115/4116</b>               |
| <b>Separation</b>   | <b>4117/4217</b>               |
| <b>Retirement</b>   | <b>4117.1/4217.1</b>           |
| <b>Arrest Reporting Requirements for Certificated Staff Members</b> | <b>4117.27 / 4217.27</b>       |
| <b>Resignation</b>  | <b>4117.3/4217.3</b>           |
| <b>Personnel Reduction / Abolishing a Position</b>                  | <b>4117.4/4217.4</b>           |
| <b>Nonrenewal of Nontenured Teachers</b>                            | <b>4117.41</b>                 |

|  |                          |
|--|--------------------------|
| <b>Disciplinary Action</b>   | <b>4117.5/4217.5</b>     |
| <b>Unauthorized Absence</b>  | <b>4117.53/4217.53</b>   |
| <b>Grievance Procedure – Title IX</b>  | <b>4118.1/4218.1</b>     |
| <b>Grievances Not Covered by Contract</b>  | <b>4118.3/4218.3</b>     |
| <b>Conflict of Interest</b>  | <b>4119.21/4219.21</b>   |
| <b>Conduct &amp; Dress</b>   | <b>4119.22/4219.22</b>   |
| <b>Substance Abuse: Drugs, Steroids &amp; Alcohol</b>  | <b>4119.23/4219.23</b>   |
| <b>Drug-Free Workplace</b>   | <b>4119.232/4219.232</b> |
| <b>Political Activities</b>  | <b>4119.24/4219.24</b>   |
| <b>Unbecoming Conduct</b>  | <b>4119.25/4219.25</b>   |
| <b>Acceptable Use of Computer Network(s) /<br/>Computers &amp; Resources by Teaching Staff Members</b> | <b>4119.26/4219.26</b>   |
| <b>Paging Devices, Cell Phones &amp; Other Electronic Devices</b>                                      | <b>4119.27/4219.27</b>   |
| <b>Social Networking Websites / Social Media</b>   | <b>4119.29/4219.29</b>   |
| <b>Duties / Responsibilities</b>   | <b>4119.3</b>            |
| <b>Substitute Teachers</b>   | <b>4121</b>              |
| <b>Student Teachers / Interns</b>  | <b>4122</b>              |
| <b>Instructional/Non-Instructional Aides</b>   | <b>4123/4223</b>         |
| <b>Staff Development; In-service Education /<br/>Visitations, Conferences</b>                          | <b>4131/ 4131.1</b>      |
| <b>Research Projects by Staff Members</b>  | <b>4132</b>              |
| <b>Work Stoppages / Strikes</b>  | <b>4135.16/4235.16</b>   |
| <b>Meetings / Committees</b>   | <b>4136</b>              |
| <b>Soliciting &amp; Selling</b>  | <b>4137/4237</b>         |
| <b>Nonschool Employment</b>  | <b>4138/4238</b>         |
| <b>Private Tutoring</b>  | <b>4138.2</b>            |
| <b>Exclusions of Pupils / Employees From School<br/>for Reasons of Illness</b>                         | <b>4141.2/4241.2</b>     |
| <b>Insurance</b>   | <b>4144/4244</b>         |
| <b>Health Insurance – Non-Bargaining Unit Employees</b>  | <b>4144.1/4244.1</b>     |
| <b>Employee Safety</b>   | <b>4147/4247</b>         |
| <b>Exposure Control; HIV / HBV / Blood borne Pathogens</b>   | <b>4147.1/4247.1</b>     |
| <b>Employee Protection</b>   | <b>4148/4248</b>         |
| <b>Taping / Recording Employees</b>  | <b>4149/4249</b>         |
| <b>Leaves of Absence</b>   | <b>4150/4250</b>         |
| <b>Personal Days</b>   | <b>4150.1/4250.1</b>     |
| <b>Sick Days</b>   | <b>4150.2/4250.2</b>     |
| <b>Employee Vacations &amp; Holidays</b>   | <b>4150.3/4250.3</b>     |
| <b>Unpaid Leaves of Absence</b>  | <b>4150.4/4250.4</b>     |
| <b>Military Leave</b>  | <b>4150.5/4250.5</b>     |
| <b>Attendance Patterns</b>   | <b>4151</b>              |
| <b>Personal Illness &amp; Injury / Health &amp; Hardship</b>   | <b>4151.1/4251.1</b>     |
| <b>Absence Beyond Sick Leave</b>   | <b>4151.2/4251.2</b>     |

|   |                      |
|---|----------------------|
| <b>Bereavement Leave</b>  | <b>4151.3/4251.3</b> |
| <b>Light Duty Assignments Due to Injury or Illness</b>                        | <b>4151.4/4251.4</b> |
| <b>Earned Sick Leave Law</b>  | <b>4151.5/4251.5</b> |
| <b>Punctuality</b>  | <b>4152/4252</b>     |
| <b>Accidents / Injuries</b>   | <b>4152.2/4252.2</b> |
| <b>Family Leave</b>   | <b>4152.3/4252.3</b> |
|   |                      |
| <b>Support Personnel</b>  |                      |
|   |                      |
| <b>Appointment &amp; Conditions of Employment</b>                             | <b>4212.1</b>        |
| <b>Supervision &amp; Evaluation – Support Staff</b>                           | <b>4215/4216</b>     |
| <b>Reduction in Force – Aides</b>   | <b>4217.45</b>       |
| <b>Probationary Period for New Employees</b>                                  | <b>4221</b>          |
| <b>Staff Development; In-service Education /<br/>Visitations, Conferences</b> | <b>4231/ 4231.1</b>  |
| <b>Overtime</b>   | <b>4243</b>          |
| <b>Attendance Patterns</b>  | <b>4251</b>          |

**Elsinboro Township Board of  
Education  
District Policy Manual**

**Instructional & Support  
Personnel**

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Code of Ethics**

**Policy 4110.22/4210.22**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 4

First Reading: December 8, 2008

#### Preamble

The educators, being teachers, administrators and support staff, employed by the Board of Education believe in the worth and dignity of man. Each educator recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic citizenship. All educators regard as essential to these goals the protection of the freedom to both learn, and to teach; and the guarantee of equal educational opportunity for all. The educator accepts personal responsibility to practice the profession according to the highest ethical standards.

All educators recognize the magnitude of the responsibility they have accepted in choosing a career in education, and engage themselves, individually and collectively with other educators to judge their colleagues, and to be judged by them in accordance with the provisions of this code.

#### Principle 1—Commitment to the Student and Parents/Guardians

All educators measure their success by the progress of all students toward realization of their potential as worthy and effective citizens. The educator, therefore, works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals. Educators recognize the concerns of parents/guardians and attempt to demonstrate these concerns in the best interest of children.

In fulfilling their obligation to the students and parents/guardians, educators:

1. Shall not deliberately suppress or distort subject matter for which they bear personal responsibility;
2. Shall respect the confidence of each pupil; information given in confidence should be passed only to authorized persons or agencies that are attempting to aid the pupil unless disclosure is required by law;
3. Shall respect the basic responsibility of parents/guardians for their children, seek to establish friendly and cooperative relationships with the home, and shall be discreet with information received from parents/guardians;
4. Shall not use classroom privileges and prestige to promote personal gain, selfish interests, partisan politics, or sectarian religious views;
5. Shall strive to help pupils develop sound moral, ethical, emotional, social and intellectual foundations;
6. Shall strengthen the democratic activities of the school and show all pupils that American citizenship involves responsibilities as well as privileges;
7. Shall demonstrate their primary responsibility is to the pupil;
8. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety;
9. Shall conduct professional business in such a way that they do not expose the student to unnecessary embarrassment or disparagement;

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Code of Ethics**

## **Series 4000 Policy 4110.22**

Page 2 of 4

10. Shall not on the grounds of race, color, creed, or national origin exclude students from participation in, or deny them benefits under any program, nor grant any discriminatory consideration of advantage;
11. Shall not tutor for remuneration students assigned to their classes.

### Principle II –Commitment to the Public

Educators hold a position wherein the public trust is embodied. As a trustee of democratic ideals and of the American heritage, the educator strives to strengthen appreciation for education and its potential service in the making of a strong country.

In fulfilling their obligation to the public, educators:

1. Shall not misrepresent an institution or organization with which they are affiliated, and shall take adequate precautions to distinguish between personal views and institutional/organization policy;
2. Shall not knowingly distort or misrepresent the facts concerning educational matters in direct and indirect public expressions;
3. Shall strive to maintain a positive public image in the educational program of the school;
4. Shall perform the duties of citizenship and participate in community activities;
5. Shall not interfere with a colleague's exercise of political and citizenship rights and responsibilities;
6. Shall not use institutional privileges for private gain or to promote political candidates or partisan political activities;
7. Shall accept no gratuities, gifts or favors, nor offer any favor, service, or thing of value to obtain special advantage.

### Principle III –Commitment to the Profession

In fulfilling their obligations to the profession, educators:

- Shall accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities;
- Shall not use coercive means or promise special treatment in order to influence professional decisions of colleagues;
- Shall withhold, protect and safeguard information acquired about colleagues in the course of employment, unless disclosure serves legitimate professional purposes;
- Shall not misrepresent any professional qualification;
- Shall not knowingly distort evaluations of colleagues;
- Shall endorse the principle that the profession must accept responsibility for the conduct of its members and understands that as educators own individual conduct will be regarded as representative of the profession;
- Shall maintain an attitude and personal appearance that strengthens public respect for the teaching profession and for the school;
- Shall properly and efficiently use and protect all school properties, equipment and materials;

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Code of Ethics**

## **Series 4000 Policy 4110.22**

Page 3 of 4

- Shall be loyal to the nation, the state and the school system;
- Shall adhere to the conditions of a contract until the contract has been terminated by mutual consent, or has otherwise been legally modified;
- Shall exercise their right to participate in the democratic processes which help determine school policy. Once policy is determined, all educators are then obligated to support it;
- Shall conduct school affairs through defined channels of the school system;
- Shall be considerate and loyal in their relationships with fellow educators and take pride in their achievements;
- Shall regard public criticism of fellow educators as unprofessional;
- Shall report to the appropriate school authority any matters which involve the best interests of the school;
- Shall seek continued professional growth.

### Principal IV—Commitment to Professional Employment Practices

The educator regards the employment agreement as a pledge to be executed both in spirit and in fact in a manner consistent with the highest ideals of professional service. All educators believe that sound professional relationships with governing Boards are built upon personal integrity, dignity and mutual respect.

In fulfilling their professional obligations to education, all educators:

1. Shall apply for, accept offer or assign a position or responsibility on the basis of professional preparation and legal qualifications;
2. Shall apply for a specific position only when it is known to be vacant, and shall refrain from underbidding or commenting adversely about other candidates;
3. Shall not knowingly withhold information regarding a position from an applicant or misinterpret an assignment or conditions of employment;
4. Shall not prompt notice to the employing agency of any change in availability of service, and the employment agent shall give prompt notice of change in availability;
5. Shall adhere to the terms of a contract or appointment, unless these terms have been legally terminated, falsely represented, or substantially altered by unilateral action of the employing agency;
6. Shall conduct professional business through legitimate channels;
7. Shall not delegate tasks of a certified professional unqualified personnel;
8. Shall use all work time for the purpose for which it is intended.

### Principle V—Commitment to Confidentiality

It is the desire of all educators and the Board to rectify any misunderstanding between the teachers, the Board of Education, and the school district by direct discussions informally among the affected parties. It is only when such informal discussions fail to resolve the differences, shall either party employ more formal procedures. Before more formal procedures are employed, at least 15 days written notice should be given to the other party.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Code of Ethics**

## **Series 4000 Policy 4110.22**

Page 4 of 4

### Principal VI—Commitment to High Standards

It is the intent of this policy to prescribe our commitment to high ethical standards, but it is not feasible to describe every possible infraction, which violates those standards. Our commitment to high ethical standards means, therefore, that since each educator must be a mature, responsible decision-maker, the propriety or impropriety of any action depends not only on the goodness of the ends sought, but also upon the efficacy of the means used to achieve those ends. In short, each educator must apply the criterion, “what would a reasonable person do?” in each decision-making situation.

All support staff employees will:

- A. Represent themselves honestly in the application and selection procedure;
- B. Report to work as scheduled;
- C. Discuss complaints with their immediate supervisor or through approved channels;
- D. Not advise or counsel pupils except in special cases with the knowledge and consent of the Chief School Administrator;
- E. Complete thoroughly their assigned tasks;
- F. Endeavor to establish good working relationships with other employees, professional as well as non- professional;
- G. Commit themselves to providing the best possible services for pupils;
- H. Uphold all rules and regulations as set by the Board of Education and the Chief School Administrator;
- I. Keep the trust under which confidential information may be given;
- J. Adhere to all conditions of a contract;
- K. Give prompt notice of any change in availability for continued employment; and,
- L. Protect and care for district property.

### Legal References:

NJSA 18A:6-8, 18A:6-8.4, 18A:11-1, 18A:12-24 et. seq., 18A:27-4,  
18A:27-4.1, 18A:27-5, 18A:27-6, 18A:27-8, 18A:27-10, 18A:27-11, 19:34-15  
NJAC 6A:7-1.4

### Possible Cross References:

4112.8, 4217.5, 4118.2, 4119.22, 4138, 4138.2



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Absences for Jury Duty**

**Policy 4110.5/4210.5**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

Any full time school employee, who is summoned for jury duty or subpoenaed as a witness, must apply through the office of the Chief School Administrator to be granted leave for such purpose. The Chief School Administrator may, at his/her discretion and as circumstances warrant, rearrange the employee's work schedule and/or grant leave with pay, minus any remuneration received for such court duty that coincides with the hours for which the employee is being paid by the Board.

#### Legal References:

NJSA 2B:20-1 et seq, 2B:20-10, 2B:-20-16,.18A-11.1, 18A:27-4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Creating & Abolishing Positions**

**Policy 4110.7/4210.7**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 1

First Reading: December 8, 2008

#### Creating Positions

The Board of Education recognizes its authority to create and fill teaching staff member positions to implement a thorough and efficient system of free public education.

The Board shall create new positions as they are required, approve job titles, and specify the number of positions required to staff adequately each employment category. On a careful review of the position, the Board shall establish the background experiences and personal qualities, if any to be required of candidates or preferred among applicants for a particular position. Any such local qualifications shall be flexibly applied.

The Chief School Administrator shall recommend to the Board, such new positions or additions to existing employment categories as may be required by the specific instructional needs of pupils of the district and each school within the district.

Positions shall, to the maximum extent possible, conform to certification regulations of the New Jersey State Board of Education. When district organization requires the creation of a nonconforming, unrecognized position, the approval of the County Superintendent of Schools shall be sought before the position is filled.

#### Abolishing Positions

The Board of Education will provide the professional staff necessary for the economical and efficient implementation of the educational program of the district. The Board reserves the right to abolish positions and reduce district staff commensurately whenever reasons of economy, reorganization of the school district, reduction in the number of pupils, or other good cause so warrant. The Chief School Administrator shall continually review the efficiency and effectiveness of the district organization and recommend to the Board the abolishment of positions and reallocation of duties and positions.

#### Legal References

NJSA 18A:16-1, 18A:28-1, et seq, 18A:28-9 et seq

NJAC 6:11-3.1, 6:11-3.3

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Recruitment, Selection & Hiring**

## **Series 4000 Policy 4111/4211**

Date Adopted: January 12, 2009

Date Revised: April 14, 2014, May 7, 2018

Page 1 of 3

The Board of Education believes that the quality of the professional and support staff in large part determines the quality of the education offered district pupils. Therefore, the Chief School Administrator shall have the responsibility of locating and recruiting the best-qualified candidates to provide for the identified needs of district pupils.

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

Beginning in the 2002-2003 academic year, all teachers newly employed by the Board of Education for programs in a district supported with Title 1, Part A funds shall be highly qualified, as defined by federal law. All teachers employed by the Board before 2003 shall be highly qualified according to federal regulations for the subjects they teach by 2005-2006.

It shall be the duty of the Chief School Administrator to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the initiation 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 Chief School Administrator shall recommend for employment those individuals who, in his/her opinion, are best qualified to fill the vacancy without regard to any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes. The Chief School Administrator, in determining the candidates to be nominated shall seek information from the candidate's prior employers.

The Chief School Administrator 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 affirm employment and initial placement on the salary guide by a majority vote of the full membership of the Board.

The Board will appoint teaching and support staff members only from nominations made by the Chief School Administrator. Should a nominee be rejected, it shall be the duty of the Chief School Administrator to make other nominations.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Recruitment, Selection & Hiring**

## **Series 4000 Policy 4111/4211**

Page 2 of 3

In accordance with the provisions of PL 2018 c5, as of June 1, 2018, all applicants for a position involving regular contact with students must provide:

- a contact list of their current and former employers within the last 20 years that were schools or involved direct contact with children;
- a written authorization allowing the former employers to release requested information;
- a written statement as to whether the applicant has ever been the subject of, or disciplined for, any child abuse or sexual misconduct concerning any student; and,
- a written statement as to whether the applicant ever had a license or certificate suspended or revoked in connection with child abuse or sexual misconduct with a student.

Former employers are indemnified for providing this information.

In addition, the law stipulates that the district is required to contact the references to verify the applicant's employment history, and previous employers have 20 days to disclose requested information. The applicant may receive a provisional contract of up to 90 days while the investigation is proceeding. Any information provided is not considered a public record and not subject to an OPRA request. The district will not be subject to liability for claims brought by an applicant who is not offered employment or whose employment is terminated because required information could not be verified.

The law further stipulates that beginning on June 1, 2018, all applications for positions involving regular contact with students must include a notification of the penalties for willfully providing false information regarding this information.

Violation of this law by the applicant may result in discipline, including termination and/or a civil penalty of not more than \$500.00.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Recruitment, Selection & Hiring**

## **Series 4000 Policy 4111/4211**

Page 3 of 3

### Legal References

NJSA 10:5-1 et seq. Law Against Discrimination  
18A:3-15.2 Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation  
18A:6-5 Inquiry as to religion and religious tests prohibited  
18A:6-6 No sex discrimination  
18A:6-7.1, -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception  
18A:6-76.1 Deadline for notification to students of requirements of provisional certificate and induction program  
18A:11-1 General mandatory powers and duties  
18A:13-40 General powers and duties of board of newly created regional districts 18A:16-1 Officers and employees in general  
18A:26-1, -1.1, -2 Citizenship of teachers, etc.  
18A:27-1 et seq. Employment and Contracts  
26:8A-1 et seq. Domestic Partnership Act

NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education  
6A:9-6.1 et seq. Types of Certificates  
6A:9-8.1 et seq. Requirements for Instructional Certification  
6A:9-11.1 et seq. Exceptions for the Requirements for the Instructional Certificate  
6A:9-12.1 et seq. Requirements for Administrative Certification  
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-4.1 Employment of teaching staff  
6A:32-4.8 Support residencies for regularly certified, inexperienced first-year principals  
6A:32-5.1 Standards for determining seniority

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

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

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

Old Bridge Education Association v. Old Bridge Township Bd. of Ed.

Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1547 (3d Cir. 1996)

The Comprehensive Equity Plan, New Jersey Department of Education

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional & Support Personnel**

**Series 4000**

**Nondiscrimination / Affirmative  
Action / Sexual Harassment**

**Policy 4111.1/4211.1**

Date Adopted: January 12, 2009

Date Revised: April 14, 2014

Page 1 of 4

The Board of Education guarantees to all persons equal access to all categories of employment, retention and advancement in this district, regardless of any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes.

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; 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. Neither harassment nor favoritism shall be permitted in any of the above.

The Chief School Administrator will serve as the district's affirmative action officer and shall identify and recommend correction of any existing inequities, and any that occur in the future. Any questions, concerns or grievances related to Affirmative Action should be addressed to the Chief School Administrator.

## 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 in-service training for all employees, and shall be clear and specific (see policy 2224). When harassment has been determined to have taken place, 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 for both employees and students.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Nondiscrimination / Affirmative Action / Sexual Harassment**

### **Policy 4111.1/4211.1**

Page 2 of 4

- A. Sexual harassment shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when made by any member of the school staff to a student, when made by any member of the school staff to another staff member, when made by any student to another student or when made by a student to a staff member, when:
1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, or when
  2. Submission to or rejection of such conduct by an individual is used as the basis of academic or employment decisions affecting that individual, or when
  3. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment or education environment.
- B. Sexual harassment, as set forth in Section A, may include, but is not limited to the following:
1. verbal harassment or abuse
  2. pressure for sexual activity
  3. repeated remarks to a person with sexually demeaning implications
  4. unwelcome touching suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, job, etc.

The Board of Education 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. Such accommodations that cause an undue hardship in the operation of the school district are not required.

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

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Nondiscrimination / Affirmative Action / Sexual Harassment**

**Policy 4111.1/4211.1**

Page 3 of 4

Staff may file a formal grievance related to sexual harassment. The Board 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.

Students may also file formal grievances related to sexual harassment (refer to Parent/Student Handbook – grievance policy).

A substantiated charge against a staff member in the school district shall subject such staff member to disciplinary action, such as a letter of reprimand, withholding of an increment or possible discharge.

A substantiated charge against a student in the school district shall subject that student to student disciplinary action, including suspension or expulsion, consistent with the student disciplinary code.

Notice of this policy will be circulated to the school and departments of the school district on an annual basis. It may also be distributed to all originations in the community having cooperative agreements with the public schools. Failure to comply with this policy may result in termination of the cooperative agreement. Training sessions on this policy and the preventions of sexual harassment shall be held for teachers and students in the school on an annual basis.

#### “Whistleblower” Protection

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

- A. Disclose 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, 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.

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



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Nondiscrimination / Affirmative Action / Sexual Harassment**

**Policy 4111.1/4211.1**

Page 4 of 4

#### Report on Implementation

The Chief School Administrator 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. The Chief School Administrator shall submit an annual report to the board of its effectiveness.

- NJSA 10:5-1 et seq. Law Against Discrimination  
18A:6-5 Inquiry as to religion and religious tests prohibited  
18A:6-6 No sex discrimination  
18A:18A-17 Facilities for handicapped persons  
18A:26-1 Citizenship of teachers, etc.  
18A:26-1.1 Residence requirements prohibited  
18A:29-2 Equality of compensation for male and female teachers  
26:8A-1 et seq. Domestic Partnership Act  
34:19-1 et seq. Conscientious Employee Protection Act
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-14.1 Review of mandated programs and services
- 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  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

#### Possible Cross References

2130, 2131, 2224, 3320, 4111, 4112.2, 4112.4, 4112.5, 4112.6, 4112.8, 4121, 4147, 5120, 5145.4, 6121

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel**

**Series 4000**

### **Induction Program for Provisional Teachers**

**Policy 4111.2**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 2

First Reading: December 8, 2008

The Board of Education recognizes that all newly prepared teachers are required to serve their first year of employment under provisional certification and in a district induction program designed to train and guide new teachers and to identify those teachers who qualify for standard certification.

The Board will approve a plan for the induction of new teaching staff members and submit the plan to the New Jersey Department of Education as required by law.

#### Professional Support Team

The Board shall, in accordance with New Jersey State Board of Education rules, provide provisional teachers with the training and supervision of a professional support team composed of the Chief School Administrator/designee, and experienced mentor teacher, a college faculty member or comparable staff member, a curriculum supervisor or comparable staff member, and such additional members as the Chief School Administrator may recommend and the Board approve.

Members of the professional support team shall be approved by the Board and recommended by a committee composed of representatives of the constituent staff organizations. Support team members shall be appropriately certified, experienced, and cooperative staff members recognized for their discretion and helpfulness. Support team members shall be appropriately trained for participation in the induction program.

Mentor teachers shall, whenever possible, be in the same instructional area as the provisional teacher.

#### Evaluation of Provisional Teachers

Provisional teachers shall be formally evaluated at least three times, at ten week intervals during the first year of employment, by two or three members of the support team other than the mentor teacher. The support team may conduct additional evaluations.

#### Role of Mentor Teachers

Mentor teachers shall not participate in any way in decisions that may have a bearing on the employment or certification of provisional teachers. They shall not assess or evaluate the performance of provisional teachers unless they are appropriately certified administrators. Interactions between provisional teachers and experienced mentor teachers are formative in nature and considered a matter of professional privilege. Mentor teachers shall not be compelled to offer testimony on the performance of provisional teachers.

#### Compensation for Support Team Members

Members of the professional support team shall be compensated in accordance with the fee schedule approved by the New Jersey State Board of Education.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel**

**Series 4000**

### **Induction Program for Provisional Teachers**

**Policy 4111.2**

Page 2 of 2

The provisional teacher shall be assessed the entire amount of the fee(s).

The amount of the assessment shall, on the written request of the teacher, be deducted from the provisional teacher's salary in amounts prorated throughout the first year of service.

#### Legal Reference:

NJSA 18A:6-75, et seq

NJAC 6:11-5.1 et seq

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Domestic Violence**

**Policy 4111.3 /4211.3**

Date Adopted: Feb. 25, 2019

Date Revised:

Page 1 of 4

The Board of Education is committed to ensuring that all staff are supported in the event that they experience domestic violence as defined by law (N.J.S.A. 2C:25-19). Victims of domestic violence can suffer devastating physical, emotional and psychological effects and economic disruption. The Board encourages employees who are victims of domestic violence to contact the appropriate administrator or employee responsible for orienting, training, counseling and appraising staff. Employees disclosing their experiences with domestic violence shall be supported in the work environment to an extent that is feasible and practical for the employee to maintain and perform their job and for the effective operation of the educational program.

#### Reporting Domestic Violence

Any disclosure of domestic violence by an employee shall be taken seriously and according to the following guidelines:

- Employees are encouraged to meet with the appropriate administrator in person. Requests to meet maybe made by cell phone or telephone. Email may not be confidential and should not be used when private information is being discussed or disclosed unless this is the only safe method of communication available;
- The appropriate administrator shall ensure that an employee's disclosure of domestic violence be kept confidential unless there exists an emergent danger to the employee or other staff;
- The appropriate administrator shall ensure that such conversations are held in a room or office that can be closed off from the hearing range of other staff members to the extent possible;
- The appropriate administrator officer shall ensure that any sharing of confidential information is only done with the written authorization of the employee. This excludes reported incidents of violence or abuse against children;
- The appropriate administrator shall ensure that any records pertaining to domestic violence be kept separate from the personnel record and in strict confidentiality. Only the employee, the appropriate administrator and the Chief School Administrator shall have access to an employee's confidential file; and
- The appropriate administrator will assemble a list of resources available to victims of domestic violence.

These resources shall include but may not be limited to information on domestic violence (books, web resources, etc.), legal resources available such as advocacy and law enforcement options, medical and psychological treatment and counseling referral sources, food and housing options and local support groups.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Domestic Violence**

**Series 4000  
Policy 4111.3/4211.3**

Page 2 of 4

### Work Support

In order to help prevent occupational disruption, loss of employment and financial hardship that may occur when an employee experiences domestic violence the appropriate administrator may investigate the following options to support the employee's continued performance of their job responsibilities, including but not limited to:

- Adjusting work assignments;
- Temporary or permanent job restructuring;
- Temporary adjustment to the employee's work schedule;
- Work from home options;
- Flexible approval of paid sick leave, personal time and vacation time;
- Other reasonable options.

The employee shall work with the appropriate administrator and the supervisor when requesting employment changes that affect the normal schedule. The Chief School Administrator or, as necessary and required by law, the Board shall approve such support measures. Notice to the appropriate collective bargaining unit covering the employee may be necessary where required by the contract or State law. Approval may be granted when reasonable and practical.

Approval shall not be granted when such request places a hardship on the Board and/or the educational program. Approval of requested employment modifications shall include the following considerations:

- The overall size of the school district's program with respect to the number of employees, number and type of facilities and the size of the budget;
- The type of employment responsibilities and the effect on the educational program; and
- The nature and expected duration of the request and cost to the district.

Teaching staff members shall not be granted schedule changes that frequently interfere with their assigned class schedule. All changes in employment responsibilities and schedule shall be consistent with the appropriate collective bargaining agreement.

### Leave

In accordance with the New Jersey Security and Financial Empowerment Act (SAFE Act) an employee of this district shall be entitled to up to 20 days of unpaid leave in a 12-month period when the employee or his or her child, parent, spouse, domestic or civil union partner has been the victim of a domestic violence incident or a sexually violent offense. This entitlement applies to any employee that has been employed by the district for at least 12 months and has worked 1,000 hours during the 12-month period immediately preceding the leave.

## **Elsinboro Township Board of Education District Policy Manual**

### **Instructional & Support Personnel Domestic Violence**

### **Series 4000 Policy 4111.3 /4211.3**

Page 3 of 4

Leave may be taken under the SAFE Act to:

- Seek medical attention or recover from physical or psychological injuries resulting from a domestic violence or a sexually violent offense for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Obtain services from a victim services organization for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Obtain psychological or other counseling for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Participate in safety planning, relocating or other actions to increase the safety of the employee or to ensure economic security of the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Seek legal assistance or remedies to ensure the health and safety of the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence or sexual violence; or
- Attend, participate in or prepare for a civil or criminal court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, was a victim.

Employees eligible to take leave under the NJ SAFE Act must, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave. The employee must provide the district written notice as far in advance as reasonable and practicable under the circumstances.

The district may require the employee to provide documentation of the domestic violence or sexually violent offense that is the basis for the leave. Documentation may include a restraining order, a letter from the prosecutor's office, documentation regarding the conviction of the abuser, medical documentation, a certification from a domestic violence specialist or rape crisis center, or documentation from a religious or social services professional who has assisted the employee or the employee's family member.

Any documentation required by the district and provided by the employee shall be maintained in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is authorized by a federal or State law, rule or regulation.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Domestic Violence**

## **Series 4000 Policy 4111.3 /4211.3**

Page 4 of 4

The SAFE Act prohibits the district from discharging, harassing or otherwise discriminating or retaliating or threatening to discharge, harass or otherwise discriminate against an employee with respect to the compensation, terms, conditions or privileges of employment on the basis that the employee took or requested any leave that the employee was entitled to under the NJ SAFE Act, or on the basis that the employee refused to authorize the release of information deemed confidential under the NJ SAFE Act.

Employees may take leave under the SAFE Act for each incident of domestic violence or sexually violent offense, so long as the employee has not exhausted the maximum permissible leave time of 40 days within the 12-month period. Leave may be taken in blocks of time or intermittently in minimum intervals of one day.

If the employee requests leave for a reason covered by both the NJ SAFE Act and the Family Leave Act, N.J.S.A. 34:11B-1 et seq., or the federal Family and Medical Leave Act, 20 U.S.C. 2601 et seq., the leave shall count simultaneously against the employee's entitlement under each respective law.

### Violations of the SAFE Act

Any employee alleging a violation of the NJ SAFE Act must file a private cause of action in the Superior Court within one year of the date of the alleged violation (N.J.S.A. 34:11C-1 et seq.).

|      |  |
|------|--|
| NJSA | 2C:25-19 Definition of Domestic Violence and Victim of Domestic<br>18A:16-2 through -5 Health examinations<br>18A:11-1 General mandatory powers and duties<br>11A:2-6a Civil Service, domestic violence policies<br>18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder<br>18A:30-1, -2 Sick leave<br>18A:30-16 Prolonged absence beyond sick leave<br>34:11B-1 et seq. Federal Family Medical Leave Act<br>34:11C-1 et seq. New Jersey Security and Financial Empowerment Act<br>34:19-1 et seq. Conscientious Employee Protection Act |
| NJAC | 6A:7-1.1 et seq. Managing for Equality and Equity in Education<br>6A:16-11.1 District policies and procedures; reporting potentially missing or abused children<br><br>29 USCA 2601 et. seq. (Family Medical Leave Act)<br>29 C.F.R. 825.200 et seq.<br>P.L. 2008, c. 17, Family Temporary Disability Leave<br>Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721   |

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Residency Requirements**

**Policy 4111.4 / 4211.4**

Date Adopted: May 14, 2012

Date Revised:

Page 1 of 2

In accordance with the provisions of NJSA 52:14-7 (PL 2011, c. 70), otherwise known as the “New Jersey First Act,” which became effective on September 1, 2011, employees are expected to have their primary residences within the confines of the State of New Jersey, with the exceptions noted within this policy.

A candidate for employment within this district is granted up to 365 days of the effective date of hire to establish his/her principal residence in the State of New Jersey and maintain this principal residence throughout their employment.

For the purposes of this policy, a principal residence shall be defined as:

1. The primary domicile or home location of the employee or employment candidate;
2. The location that is designated as his/her legal address and legal residence for voting;
3. The place where he/she spends the majority of his/her non-working time;
4. The place that is most clearly the center of his/her domestic life;

A New Jersey mailing address shall not, by itself, constitute a principal address in New Jersey.

#### Current Employees

Any current employee who relocates his/her principal residence outside of the State of New Jersey, shall forfeit his/her employment with this district.

#### New Employees and/or Employment Candidates

Any and all newly hired or contracted employee of this district must, as a condition of employment, be a resident of the State of New Jersey.

#### Exemptions

Current employees living outside of the State of New Jersey as of September 1, 2011 are exempted from the residency requirements of this law and as long as the current employee remains an employee of this district, he/she will continue to be exempted from these residency requirements.

A newly hired employee shall be granted up to 365 days to establish his/her principal residence in New Jersey.



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Residency Requirements**

## **Series 4000 Policy 4111.4 / 4211.4**

Page 2 of 2

Current employees, new employees and/or employment candidates may apply for an exemption on the basis of “critical need or hardship” to the residency requirements of this policy and state law by filing an “Application for Exemption from the Provisions of NJSA 52:14-7a. of the New Jersey First Act” with the Employee Residency Review Committee, NJ Department of Labor and Workforce Development, Office of Legal and Regulatory Services, PO Box 110, Trenton, NJ 08625-0110. Copies of this application shall be available from the appropriate District Office.

### Legal References

- NJSA** 10:5-1 et seq. Law Against Discrimination  
18A:3-15.2 Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation  
18A:6-6 No sex discrimination  
18A:6-7.1, -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception  
18A:13-40 General powers and duties of board of newly created regional districts 18A:16-1 Officers and employees in general  
18A:26-1, -1.1, -2 Citizenship of teachers, etc.  
18A:27-1 et seq. Employment and Contracts  
52:14-7 New Jersey First Act  
52:14-7a Exemptions
- NJAC** 6A:7-1.1 et seq. Managing for Equality and Equity in Education  
6A:9-8.1 et seq. Requirements for Instructional Certification  
6A:9-11.1 et seq. Exceptions for the Requirements for the Instructional Certificate  
6A:9-12.1 et seq. Requirements for Administrative Certification  
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-4.1 Employment of teaching staff  
6A:32-4.8 Support residencies for regularly certified, inexperienced first-year principals  
6A:32-5.1 Standards for determining seniority

### Possible Cross References

2111.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

## **Contract – Nontenured Personnel**

**Policy 4112/4212**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

In accordance with law and for the mutual protection of the district and the employee, every teaching staff member who has not achieved tenure shall be required annually to sign an employment contract. The contract shall be executed by the President of the Board of Education 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 salary at which the person is employed;
- C. The intervals at which the person is employed;
- D. A provision for termination of contract on notice duly given;
- E. 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 Chief School Administrator shall issue salary notification to all tenured and non-tenured 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 Board Secretary/Business Administrator and the Board of Education.

All terms and conditions of the contract shall conform to requirements of state law and the State Board of Education.

### **Legal References:**

NJSA 18A:11-1, 18A:27-4; 18A:27-5, 18A:27-6, 18A:27-7; 18A:27-8; 18A:28-8  
18A:28-9

Camden Board of Education v. Nelson Alexander, et als. (A-34/35-02)  
Cresskill Bd. Of Ed. v. Cresskill Ed. Assn., 362 NJ Super. 7 (App. Div. 2003)

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Certification**

## **Series 4000 Policy 4112.2**

Date Adopted: January 12, 2009

Date Revised: September 9, 2013

Page 1 of 3

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 New Jersey State Board of Education. The Chief School Administrator will take appropriate steps to avoid employment of teachers with revoked or suspended certificates.

Validity of certification must be verified with the office of the Executive County Superintendent.

The Chief School Administrator must receive valid evidence of proper certification or qualifications to pursue the alternative route to certification before presenting a candidate to the Board of Education.

### District Reporting Requirements

Pursuant to the provisions of NJAC 6A:9-17.4(a), the Chief School Administrator shall notify the New Jersey Board of Examiners when:

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

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

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Certification**

## **Series 4000 Policy 4112.2**

Page 2 of 3

### 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 of Education 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 of Education, 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 district annual report.

The Board of Education 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.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Certification**

## **Series 4000 Policy 4112.2**

Page 3 of 3

### Legal References

- NJSA 18A:6-38 Powers and duties of the board; issuance and revocation of certificate; rules and regulations  
18A:6-39 Issuance of certificates to non-citizens  
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  
18A:26-1, -2, -8.1, -9 Citizenship of teachers, etc.  
18A:26-2.1 et al. Supervisory certificate required for appointment as director of athletics  
18A:27-2 Employment without certificate prohibited  
18A:29-1 Uncertified teacher denied salary  
18A:40A-4 Preservice training of future teachers; teaching certificate requirements

- NJAC 6:30-2.1(a)8 Purpose and program descriptions (Adult education programs)  
6A:9-1.1 et seq. Professional Licensure and Standards  
6A:9-17.4 District reporting responsibilities  
6A:10A-2.2 Preschool programs  
6A:14-1.1 et seq. Special Education  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-4.1(d) Employment of teaching staff  
6A:32-12.1 et seq. Reporting requirements

Old Bridge Education Association v. Old Bridge Township Bd. of Ed., 1986 S.L.D. 1917  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

### Possible Cross References

2131, 4010, 4111, 6130, 6141, 6142.1, 6156, 6163.1, 6164.2, 6171.4, 6200

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Tax Shelter Annuities**

**Policy 4112.3/4212.3**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

The Board of Education recognizes the importance of providing the opportunity for employees to participate in a tax shelter annuity through the districts payroll process.

The guidelines for tax shelter annuities in the district shall be as follows:

1. The approved agency or agencies shall be designated by the Board.
2. The Board shall direct the Board Secretary to make payroll deductions and transmit such to the agency.
3. Any questions or clarifications of these programs shall be addressed by employees to the Board Secretary/Business Administrator. Any enrollment or information sessions relative to the programs shall be conducted after regular school hours.
4. The Board accepts no liabilities for the performance of either the funds or the agencies.

#### Legal Reference:

NJSA 17B:17-5, 18A:66-127

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Credit Union**

**Policy 4112.35/4212.35**

|                                 |                                  |             |
|---------------------------------|----------------------------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: September 12, 2011 | Page 1 of 1 |
| First Reading: December 8, 2008 |                                  |             |

The Board of Education recognizes the importance of providing the opportunity for employees to participate in a personal savings plan through the districts payroll deduction process.

The guidelines for Credit Union payroll deductions in this district shall be as follows:

1. The approved agency shall be designated by the Board of Education in accordance with pertinent negotiated contracts.
2. The Board shall direct the Board Secretary to make payroll deductions and transmit such to the designated credit union each payroll period.
3. All enrollments for the program shall be accomplished in September or February of each school year.
4. Any questions or clarifications of these programs shall be directed to the credit union by employees. Any enrollment or information sessions relative to the programs shall be conducted after regular school hours.
5. The Board accepts no liabilities or responsibility for the performance of the designated credit union.

#### Legal References:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Employee Health**

## **Series 4000 Policy 4112.4/4212.4**

Date Adopted: January 12, 2009

Date Revised: October 21, 2019

Page 1 of 4

### Health Examinations

When a candidate has been given a conditional offer of employment, he/she shall be required to submit to a physical examination.

Employees may be required to undergo an annual physical examination.

The results of all required employee medical examinations shall be made known to the Chief School Administrator 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 members 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, and 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.

In the event that the prospective employee in question had, as a condition of employment in another NJ school district during the same school year, undergone an identical physical examination and can provide the Chief School Administrator a copy of a certificate to verify this, then, in that case, the Chief School Administrator, at his/her discretion, may excuse the prospective employee from obtaining a new physical examination.



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Employee Health**

**Policy 4112.4/4212.4**

Page 2 of 4

Each school employee shall submit an updated health history with an assurance statement presented within a time frame established by the Board of Education.

An employee who refuses to submit an updated health history with an assurance statement shall undergo a physical examination pursuant to applicable state laws and regulations.

Confidentiality of employee medical records including computerized records shall be assured. The school district shall regulate access, compilation and maintenance of employee health records in compliance with federal and state statutes governing the collection, maintenance, disclosure and security of employee medical records. It shall be the responsibility of the Chief School Administrator to establish procedures to ensure the security of employee health records maintained in this school district.

The section of the medical record which contains the health history, e.g. medications or current health status to assure ready access in a medical emergency, may be shared with the chief School Administrator/designee and school nurse with the consent of the employee.

When an employee is requested to submit to any physical examination, he/she shall be provided with:

- A. A written statement of reasons for the request;
- B. An opportunity for a Board hearing, if so requested (said hearing shall be in private and confidential unless the employee requests otherwise);
- C. Adequate prior notice of the date of the hearing;
- D. Copies of statements or affidavits relied on by the Board prior to the hearing;
- E. An opportunity to be represented at the hearing by counsel or other persons of the employee's choice;
- F. An opportunity to present witnesses on his/her behalf.

Reports of these examinations shall include a statement by the examining physician as to any physical or mental condition noted likely to prevent the person examined from performing all duties and responsibilities of the position sought or occupied, or creating a risk to the health or welfare of pupils or other employees, or a statement that no such condition exists.

All records and report of such 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.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Employee Health**

## **Series 4000 Policy 4112.4/4214.4**

Page 3 of 4

### Occupational Containment of Blood Borne 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 blood borne pathogens in accordance with federal regulations.

The ECP is a key document to assist the district in implementing and ensuring compliance with the OSHA blood borne 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:
  - 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 Chief School Administrator 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.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Employee Health**

**Series 4000  
Policy 4112.4/4214.4**

Page 4 of 4

### Legal References

- NJSA 2C:35-1 et seq. Comprehensive Drug Reform Act of 1987  
18A:16-2 Physical examinations; requirement  
18A:16-3 Character of examinations  
18A:16-4 Sick leave; dismissal  
18A:16-5 Records of examinations  
18A:40-10 Exclusion of teachers and pupils exposed to disease  
18A:66-39 Disability retirement  
26:4-1 "Communicable disease" defined  
26:4-6 Prohibiting attendance of teachers or pupils  
26:4-15 Reporting of communicable diseases by physicians  
26:5c-1 et seq. AIDS Assistance Act
- NJAC 6A:16-1.4 et seq. District policies and procedures  
6A:16-2.1 Health services policy and procedure requirements  
6A:32-6.1 et seq. School Employee Physical Examinations  
8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV Infection  
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)  
Warren v. Warren 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  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

### Possible Cross References

4111, 4112.6, 4117.50, 4117.52, 4119.23, 4150

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Criminal History Verifications**

### **Policy 4112.5/4212.5**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

Pursuant to N.J.S.A. 18A:6-7.1 et. seq. and N.J.S.A. 18A:39-19.1, all employees of a public school district under the supervision of the State Department of Education who hire or contract for the services of any employees having regular pupil contact must submit a criminal background check. This mandate shall apply to all employees hired or contracted by the school district after October 8, 1986.

In order to provide for the proper security of the children of this district by prohibiting employment of unfit persons in the schools, the Board of Education directs the Chief School Administrator to establish procedures necessary for the implementation of the school employee criminal history review consistent with statute and code.

Further, the Board directs that all employees subject to the criminal history check successfully clear this process prior to appointment unless the Chief School Administrator determines that the circumstances and/or needs of the district warrant an exception.

#### Legal References:

NJSA 10:5-1 et seq; 18A:6-5,-6; 18A:6-7.1; 18A:6-76.1; 18A:11-1, 18A:13-40; 18A:16-1; 18A:26-1, -1.1,-2; 18A:27-1 et seq; 18A:27-4.1, 18A:39-19.1  
NJAC 6 :3-1.4, 6:3-1.5, 6:3-1.6, 6:3-5.1, 6:4-1.3(b),-1.6; 6:8-3.3(a); 6:8-4.3(a)6i, 6vii; 6:8-4.3(a)9ii, 9iii; 6:11-4.1, et seq., 6:11-5.1 et seq., 6:11-8.1 et seq., 6:11-9.1 et seq., 6A:7-1.1 et seq., 6A:7-1.4 – 1.8, 6A:24-1.4, 2.2, 3.2, 3.3, 6A:30-1.1 et seq,

42 USCA 2000e et seq Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972

29 USCA 794 et seq Section 504 of the Rehabilitation Act of 1973

42 USCA 12101 et seq Americans With Disabilities Act (ADA)

No Child Left Behind Act of 2001 Pub. L. 107-110 20USCA 6301 et seq.

Old Bridge Education Assoc v. Old Bridge Township Bd. Of Ed. 1986 SLD 1917

Taxman v. Piscataway Bd of Ed 91 F 3d 1547 (3d Cir 1996)

Manual for the Evaluation of Local School Districts (September 2002)

Multi-year Equity Plan for the Academic Years 2000-2001 through 2002-2003,

NJ State Department of Education Division of Student Services

Office of Bilingual Education and Equity Issues

#### Possible Cross References:

2130, 2131, 4111.1, 4112.2, 4112.4, 4112.5, 4112.6, 4112.8, 4121, 4222, 5120, 6010

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Personnel Records**

### **Policy 4112.6/4212.6**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: December 8, 2008 |               |             |

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 which are clearly a matter of public concern and those which must be considered privileged until such time as they are opened to the public by the NJ Commission of Education or the courts.

The Chief School Administrator may 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 Chief School Administrator 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 Chief School Administrator 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 1 funds and who provides instruction to their children.

The Chief School Administrator shall establish the necessary regulations for maintaining both public and confidential employee records.

- A. 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 Chief School Administrator shall devise procedures for making this file available to the public in accordance with the Open Public Records Act.
- B. The confidential file shall consist of an individual personnel folder for each current employee. The information in this file shall include all records mandated by state and federal law; evaluation of performance; record of attendance; original application filed by the employee; transcript of certification; original salary and increments; date of tenure; notations of commendation and disciplinary actions consistent with law. This file is available for examination:
  1. At any time, by the Chief School Administrator or the supervisory personnel he/she designates;
  2. During regular business hours, by the employee or his personally authorized representative, in accordance with regulations;
  3. During regular business hours, or at any meeting of the Board or any committee thereof, by any member of the Board in connection with any assigned Board responsibility or duty.

# Elsinboro Township Board of Education District Policy Manual

## Instructional & Support Personnel Personnel Records

## Series 4000 Policy 4112.6/4212.6

Page 2 of 2

- C. Employee health records shall be maintained separately from other personnel files and in strict confidentiality. Only the employee, the chief medical inspector and the Chief School Administrator 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 school nurse with the consent of the employee.
- D. Staff emergency contact cards for all employees shall be maintained by the Chief School Administrator/designee and updated annually.

### Legal References:

NJSA 18A:6-7; 18A:6-7a, 18A:6-11; 18A:11-1; 47:1A-1 et seq, 47:3-15 et seq,

29 CFR 1910.1030

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, 1

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

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

Nero v. Hyland, 76 N.J. 213 (1978), rev'd 146 N.J. Super. 46 (App. Div. 1977), 136 N.J. Super. 537 (Law Div. 1975)

Brick Township Education Association v. Brick Township Bd. of Ed., 1974 S.L.D. 111

Sayreville Education Association v. Sayreville Bd. of Ed., S.L.D. 197

White v. GHopewell 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, 4111, 4112.4/, 4115/4116, 5141.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Nepotism**

**Policy 4112.8 / 4212.8**

Date Adopted: January 12, 2009

Date Revised: December 13, 2010, September 14, 2015,  
February 8, 2016, January 8, 2018, January 7, 2019

Page 1 of 6

In order to avoid the reality and the appearance of conflict of interest in its employment, and in accordance with NJAC 6A:23A-6.2, the Board of Education will not appoint a relative of a Board Member or of an Administrator, as defined by statute, to any employment position in this district, and directs that no person who is a relative of a Board Member or administrator shall be placed in nomination for any vacant position. 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.

#### Definitions

For the purpose of this policy “nepotism” shall be defined as the showing of favoritism to an employee or candidate for employment based on the existence of a relationship as a relative or immediate family member of a Board Member or Superintendent of Schools.

#### 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.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

### **Nepotism**

**Series 4000**

**Policy 4112.8 / 4212.8**

Page 2 of 6

“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.

In accordance with the provisions of NJSA 18A:12-24(b), Board Members may not provide any unwarranted privilege, advantage or employment in the district. However, there shall be no presumption of a conflict simply because a Board Member a Board Member’s family member works in the district. Should a Board Member and his/her family member, as described herein, enter into a business arrangement or if the family member were to be granted unwarranted privilege, advantage or employment in the district, a conflict would then be apparent and the Board Member would be required to comply with all pertinent sections of this policy.

#### 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.

No Board Member or administrator of this district, shall use or attempt to use his/her official position to secure unwarranted privileges, advantages or employment for himself, members of his/her immediate family or others.

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

Persons who are employees of the Board of the date that this policy 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.



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

### **Nepotism**

**Series 4000**

**Policy 4112.8 / 4212.8**

Page 3 of 6

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 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. 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

##### In-District Bargaining Units

When a Board Member or school administrator is in a conflicted relationship that 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.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

### **Nepotism**

**Series 4000**

**Policy 4112.8 / 4212.8**

Page 4 of 6

#### Out-of-District Similar Statewide Bargaining Units

When a Board Member or school administrator is in a conflicted relationship with an individual who is a member of an out-of-district similar statewide union with which the Board is negotiating, that Board Member or school administrator shall not participate in any way in negotiations. This includes, but is not limited to:

- Developing negotiation parameters;
- Being a member of the negotiating team;
- Receiving confidential negotiations information updates prior;
- Voting on the contract; and
- 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.

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:

- Officer;
- Grievance chairperson;
- Building representative;
- 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.

## **Elsinboro Township Board of Education District Policy Manual**

### **Instructional & Support Personnel**

**Series 4000**

### **Nepotism**

**Policy 4112.8 / 4212.8**

Page 5 of 6

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.

A school official who has such relationship with any employee of the district as of the effective date of this policy shall declare such relationship immediately.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Nepotism**

**Policy 4112.8 / 4212.8**

Page 6 of 6

#### Legal References

- NJSA 18A:12-2 Inconsistent interests or office prohibited  
18A:12-21 et seq. School Ethics Act  
18A:16-1 Officers and employees in general  
18A:27-4.1 Appointment, transfer, removal or renewal of officers and employees;
- NJAC 6A:4-1.1 et seq. Appealable decisions  
6A:23A-1.2 et seq. Fiscal accountability; definitions  
6A:23A-6.2 et seq. Fiscal accountability; nepotism  
6A:28-1.1 et seq. 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 Cnty  
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,  
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  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)  
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, A107-94  
School Ethics Commission, Advisory Opinion, A33-95  
School Ethics Commission, Advisory Opinion, A03-95  
School Ethics Commission, Advisory Opinion, A01-98  
School Ethics Commission, Advisory Opinion, A14-00  
School Ethics Commission, Advisory Opinion, A01-93  
School Ethics Commission, Advisory Opinion, A03-13  
School Ethics Commission, Advisory Opinion, A01-13  
School Ethics Commission, Advisory Opinion, A15-93  
School Ethics Commission, Advisory Opinion, A22-13  
School Ethics Commission, Advisory Opinion, A10-14  
School Ethics Commission, Advisory Opinion, A11-14  
School Ethics Commission, Advisory Opinion, A43-14  
School Ethics Commission, Advisory Opinion, A03-15  
School Ethics Commission, Advisory Opinion, A05-15  
School Ethics Commission, Advisory Opinion, A24-17  
School Ethics Commission, Advisory Opinion, A35-17

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Assignment / Transfer**

**Policy 4113 / 4114  
4213/4214**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: December 8, 2008 |               |             |

The Chief School Administrator shall make certified staff assignments in the manner best calculated, in his/her judgment, to enhance the educational program.

Teaching, supervisory and administrative personnel are subject to assignment and transfer after recommendation of the Chief School Administrator and approved by the Board of Education. Procedures for such transfers shall comply with provisions of current negotiated agreements and state and federal law.

In accordance with the law of New Jersey, the Board of Education directs the Chief School Administrator to assign teachers, administrators and auxiliary personnel to the school in such a way that equivalence of personnel is ensured within the school.

The Chief School Administrator may use his/her discretion to make temporary assignments of existing employees to cover long-term absences of other staff members. It is the policy of the Board that these temporary assignments will be in the best interest of the school district and its pupils.

It is the policy of the Board that twelve-month employees are expected to work a full school day on such days as school is in session less than full time due to a scheduled non-emergency activity (workshop, in-service, staff meeting, etc.). The Chief School Administrator may dismiss twelve-month employees after less than a full school day's work in any situation where he/she deems their continued attendance to be of little or no value to the educational program being considered at that time.

Part-time teachers shall be scheduled by the Chief School Administrator and in the case of emergency school closings, part-time teachers may be scheduled to work on alternate days than those on which they would have been scheduled in order to affect no loss of instructional time due to school closing.

Any staff member appointed to an extra duty position is expected to serve unless excused for extenuating circumstances. A refusal to serve or resignation from extra duty service without permission may constitute an act of insubordination and subject the employee to disciplinary procedures.

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional & Support Personnel  
Assignment / Transfer**

**Series 4000  
Policy 4113/4114  
4213/4214**

Page 2 of 2

## Legal References:

NJSA 18A:25-1; 18A:27-4; 18A:59-1 through –3  
NJAC 6:3-1.12(c); 6:8-4.3(a)7i; 6:8-4.3(a) 9ii, 9iii

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

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

Manual for the Evaluation of Local School Districts (September 2002)

Multi-year Equity Plan for the Academic Years 2000-2001 through 2002-2003,  
New Jersey State Department of Education Division of Student Services  
Office of Bilingual Education and Equity Issues

## Possible Cross References:

2224, 4111, 4111.1, 4213/4214, 5145.4, 6121, 6141, 6160

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel**

**Series 4000**

## **Supervision & Evaluation**

**Policy 4115 / 4116**

Date Adopted: January 12, 2009

Date Revised: October 8, 2013, October 15, 2018,  
November 19, 2018

Page 1 of 20

### Supervision

The Board of Education believes that the purpose of supervision is to improve teacher performance in the classroom so that all students have an opportunity to achieve the New Jersey Student Learning Standards.

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 clock hours 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 New Jersey Student Learning 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 NJAC 6A:9-3.3 and the Standards for Professional Learning in NJAC 6A:9C-3.3. Supervisory assistance and support in achieving the 20 clock hours of state-approved continuing education 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 Chief School Administrator 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.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

## **Series 4000 Policy 4115/4116**

Page 2 of 20

### Evaluation

The 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 of Education 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:

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

### Definitions

For the purpose of this policy on teacher evaluation the following definitions shall apply:

“Corrective action plan” means a written plan developed by a teaching staff member serving in a supervisory capacity in collaboration with the teaching staff member to address deficiencies as outlined in an evaluation. The corrective action plan shall include timelines for corrective action, responsibilities of the individual teaching staff member “and the school district for implementing the plan, and specific support that the district shall provide.

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



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

## **Series 4000 Policy 4115/4116**

Page 3 of 20

"Teaching staff member" means a member of the professional staff of any district or regional 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:

- An instructional certificate (holders of this certificate are referred to in this chapter as "teachers");
- Administrative certificate; and
- Educational services certificate.

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 conferences of certified staff members who have no instructional responsibilities. This also includes differences in the educational rubrics adopted by the Board of Education 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.

"Teacher" is defined as a "teaching staff member" who holds the appropriate standard, provisional, or emergency certificate issued by the State Board of Examiners and who is assigned a class roster of students for a particular course.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

## **Series 4000 Policy 4115/4116**

Page 4 of 20

### Board of Education Responsibilities

The Board of Education shall:

- Ensure that evaluation rubrics are submitted to the commissioner by June 1<sup>st</sup> for approval by August 1<sup>st</sup>. The Board of Education shall annually adopt evaluation rubrics for all teaching staff members that have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The evaluation rubric that has been approved by the Commissioner of Education shall not be subject to collective negotiations. No collective bargaining agreement or other contract entered adopted after July 1, 2013 shall conflict with the district's educator evaluation system;
- Annually adopt policies and procedures developed by the Superintendent of Schools on the evaluation of all teaching staff members.
- Annually adopt, by June 1<sup>st</sup>, Commissioner-approved educator practice instruments and notify the New Jersey Department of Education which instruments will be used as part of the school district's evaluation rubrics;
- Ensure the principal of each school within the school district has established a School Improvement Panel. The panel shall be established annually by August 31 and shall carry out the duties and functions described below;
- Ensure data elements are collected and stored in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation and student growth objective data; and,
- Ensure that the Chief School Administrator or his or her designee certifies to the New Jersey Department of Education that any observer who conducts an observation of a teaching staff member for the purpose of evaluation meets the statutory observation requirements as described below and in accordance with the provisions of NJSIA 18A:6-119, 18A:6-123 b(8), and 18A:27-3.1. In addition, the Chief School Administrator or his or her designee shall certify that a teacher member of the School Improvement Panel conducting observations for the purposes of evaluation has the agreement of the majority representative, has the appropriate supervisory certification and has the approval of the principal who supervises the teacher being observed. A teacher member of the School Improvement Panel who participates in the evaluation process shall not serve concurrently as a mentor;

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

## **Series 4000 Policy 4115/4116**

Page 5 of 20

- Ensure that the Chief School Administrator annually notifies all teaching staff members of the adopted policies and procedures by October 1<sup>st</sup>. The Board of Education shall also notify each teaching staff members at the beginning upon commencement of employment.
- The Board of Education shall establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education's evaluation policies and procedures. Beginning with the 2018-19 school year, the District Evaluation Advisory Committee shall no longer be required.

The Board of Education shall ensure through the Chief School Administrator or his or her designee(s) that the following requirements are met:

- A. The Chief School Administrator directs the development of and oversees the district evaluation policies and procedures requiring the annual evaluation of all teaching staff members. The Chief School Administrator may consult with the District Advisory Evaluation Committee or representatives from School Improvement Panels. The Chief School Administrator shall ensure:
  - The assignment of roles and responsibilities for implementation of evaluation policies and procedures;
  - The development of job descriptions and evaluation rubrics for all teaching staff members, the process for calculating the summative ratings and each component;
  - The application of methods of data collection and reporting appropriate to each job description, including, but not limited to, the process for student attribution to teachers, principals, assistant principals, and vice principals for calculating the median and schoolwide student growth percentile;
  - Processes for observations for the purpose of evaluation and post-observation conference(s) by a supervisor;
  - Process for developing and scoring student growth objectives;
  - The process for preparation of individual professional development plans; and,
  - The process for the preparation of an annual written performance report by the teaching staff member's designated supervisor and an annual summary conference between the teaching staff member and his or her designated supervisor.
- B. The Chief School Administrator notifies all teaching staff members annually of the adopted evaluation policies and procedures no later than October 1<sup>st</sup>. If a staff member is hired after October 1<sup>st</sup>, 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;

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

## **Series 4000 Policy 4115/4116**

Page 6 of 20

- 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<sup>st</sup>;
- 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. The Chief School Administrator or his or her designee in the district shall certify to the New Jersey Department of Education that any observer who conducts an observation of a teaching staff member meets the statutory observation and certifies that the teacher member of the School Improvement Panel meets the requirements detailed below and according to law; and,
- F. The Chief School Administrator shall develop policies and procedures that ensure student performance data on the Statewide assessment, is, upon receipt, promptly disseminated to teaching staff members who were primarily responsible for instructing applicable students in the year the assessment was administered, as well as to teachers who will be primarily responsible to instructing applicable students in the upcoming school year.

### Training for Teaching Staff Members and Supervisors

The Board of Education shall ensure, through the Chief School Administrator 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:

#### 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

#### 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 NJAC 6A:9-1.1.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

## **Series 4000 Policy 4115/4116**

Page 7 of 20

Annually provide updates and refresher training for supervisors who are conducting evaluations in the district and more thorough training for any supervisor who will evaluate teaching staff members for the first time. Training shall be provided on each component of the evaluated teaching staff member's evaluation rubric before the evaluation of a teaching staff member;

Each supervisor who will conduct observations for the purpose of evaluation of a teacher shall complete two co-observations annually, during the academic year: co-observers shall use co-observation to promote accuracy and consistency in scoring; and, a co-observation may count as one required observation for the purpose of evaluation as long as the observer meets the requirements of law and this policy (see Teacher Observation and Observation Conferences below). The co-observation shall not count as two or more required observations. If a co-observation counts as one required observation, the score shall be determined by the teacher's designated supervisor.

The Chief School Administrator shall annually certify to the Department of Education that all supervisors of teaching staff members in the school district who are utilizing evaluation rubrics have completed training on and demonstrated competency in applying the evaluation rubrics.

### 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:

- Teachers from each school level represented in the school district;
- Central office administrators overseeing the teacher evaluation process;
- Supervisors involved in teacher evaluation, when available or appropriate; and,
- Administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School Improvement Panel.

Members also shall include the Chief School Administrator, a special education administrator, a parent, and a member of the Board of Education. The Chief School Administrator may extend membership on the District Evaluation Advisory Committee to representatives of other groups. The District Evaluation Advisory Committee is not required but may be continued at the discretion of the district.)

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

## **Series 4000 Policy 4115/4116**

Page 8 of 20

### School Improvement Panel

The principal of each school shall establish a School Improvement Panel. The panel shall include the principal, a vice-principal, and a teacher who is chosen by the principal in consultation with the majority representative. If an assistant principal or vice principal is not available to serve on the panel, the principal shall appoint an additional member who is employed in the district in a supervisory role and capacity. The principal may appoint additional members to the panel as long as all members meet the following criteria and teachers on the panel represent 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:

- The teacher member shall be a person with a demonstrated record of success in the classroom and who has demonstrated a record of success with an evaluation rating of effective or highly effective in the most recent available annual summative rating;
- The majority representative may submit to the principal teacher member nominees for consideration;
- 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<sup>st</sup> of each year.

### Duties of the School Improvement Panel

The School Improvement Panel shall:

- Oversee the mentoring of teachers and support the implementation of the district mentoring plan;
- Conduct evaluations of teachers according to Board of Education policy and law;
- Ensure corrective action plans for teachers are created and conduct the mid-year evaluations for teachers who are on a corrective action plan; and.
- Identify professional development opportunities for all teaching staff members 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;

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

## **Series 4000 Policy 4115/4116**

Page 9 of 20

- To conduct observations for the purpose of evaluation, the teacher member shall have: agreement of the majority representative; an appropriate supervisory certificate; and, approval of the principal who supervises the teacher being observed.
- The teacher member who participates in the evaluation process shall not serve concurrently as a mentor.

### Components of Teacher Evaluation

The components of teacher evaluation shall include the following:

- A. Evaluation rubrics for all teaching staff members shall be adopted by the Board of Education annually. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The evaluation rubrics for teachers, principals, vice principals, and assistant principals shall include all other relevant minimum standards as stated in Board of Education policy and law. Evaluation rubrics shall be submitted to the Commissioner by June 1<sup>st</sup> for approval by August 1<sup>st</sup> of each year;
- B. Board of Education adopted practice instruments for teaching staff members;
- C. Observations for the purposes of evaluation and post observation conferences by the supervisor;
- E. A professional development plan (PDP);
- F. An annual summary conference between designated supervisors and teaching staff members shall be held before the written performance report is filed. The conference shall be held on or before June 30 of each year and include, but not be limited to, a review of the following:
  - The performance of the teaching staff member based upon the job description and the scores or evidence compiled using the teaching staff member's evaluation rubric, including, when applicable, the educator's practice instrument and available indicators or student achievement measures such as student growth objective scores and student growth percentile scores;
  - The progress of the teaching staff member toward meeting the goals of the individual professional development plan or, when applicable, the corrective action plan;
  - The preliminary annual performance report.

## **Elsinboro Township Board of Education District Policy Manual**

### **Instructional Personnel Supervision & Evaluation**

### **Series 4000 Policy 4115/4116**

Page 10 of 20

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.

G. An annual performance report shall be prepared by the designated supervisor. The annual performance report shall include, but not be limited to:

- A summative rating based on the evaluation rubric, including, when applicable, a total score for each component;
- Performance area(s) of strength and area(s) needing improvement based upon the job description and components of the teaching staff member's evaluation rubric;
- The teaching staff member's individual professional development plan or corrective action plan from the evaluation year being reviewed in the report.

The teaching staff member and the designated supervisor shall sign the report within five working days of the review.

The Board of Education shall include all performance reports and supporting data, including, but not limited to, written observation reports and additional components of the summative evaluation rating as part the teaching staff member's personnel file, or in an alternative, confidential location. If reports and data are stored in an alternative location, the personnel file shall clearly indicate the report's location and how it can be easily accessed. The records shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act.



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

## **Series 4000 Policy 4115/4116**

Page 11 of 20

### Teacher Evaluation Rubric

The evaluation rubrics for all classroom teachers shall include, but not be limited to:

- A. Components of student achievement:
  - 1. Median student growth percentile for teachers who:
    - a. Teach at least one course or group within a course that falls within a standardized-tested grade or subject;
    - b. Teach the course or group within the course for at least 60 percent of the time from the beginning of the course to the day of the standardized assessment; and
    - c. Have at least 20 individual student growth percentile scores attributed to his or her name during the school year of the evaluation. If a teacher does not have at least 20 individual student growth percentile scores in a given school year, the student growth percentile scores attributed to a teacher during the two school years prior to the evaluation year may be used in addition to the student growth percentile scores attributed to the teacher during the school year of the evaluation;
  - 2. Student growth objectives which are academic goals that teachers and designated supervisors set for groups of students. Student growth objectives and the criteria for assessing teacher performance based on the objectives shall be determined, recorded, and retained by the teacher and his or her supervisor by October 31<sup>st</sup> of each school year, or within 25 working days of the teacher's start date if the teacher begins work after October 1<sup>st</sup>;
- B. Measures of teacher practice component rating which shall be based on the measurement of the teacher's performance according to the district's Commissioner-approved teacher practice instrument. Observations shall be used as one form of evidence for the measurement;
- C. Teacher observation.

### Teacher Practice Instrument

The teacher practice instrument shall be approved by the Department of Education and shall:

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

## **Series 4000 Policy 4115/4116**

Page 12 of 20

- A. Include domains of professional practice that align to the New Jersey Professional Standards for Teachers;
- B. Include scoring guides for assessing teacher practice that differentiate among a minimum of four levels of performance, and the differentiation has been shown in practice and/or research studies. Each scoring guide shall:
  - 1. Clearly define the expectations for each rating category;
  - 2. Provide a conversion to the four rating categories: highly effective, effective, partially effective, and ineffective;
  - 3. Be applicable to all grades and subjects; or to specific grades and/or subjects if designed explicitly for the grades and/or subjects; and
  - 4. Use clear and precise language that facilitates common understanding among teachers and administrators;
- C. Rely, 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
- D. Include descriptions of specific training and implementation details required for the instrument to be effective.

### Observation: Tenured & Nontenured Classroom Teachers

For all teachers, at least one of the required observations shall be announced and preceded by a pre-conference, and at least one of the required observations shall be unannounced. The Superintendent of Schools shall decide whether additional required observations are announced or unannounced, if applicable. The following additional requirements shall apply:

- A. Each observation required for the purpose of evaluation shall be conducted for at least 20 minutes;
- B. Nontenured teachers shall be observed at least three times each school year but not less than once each semester. Evaluations shall take place before April 30<sup>th</sup> each year. The evaluations may cover that period between April 30 of one year and April 30<sup>th</sup> of the succeeding year. In the case of the first year of employment all three evaluations must be completed prior to April 30<sup>th</sup>. The number of required observations and evaluations may be reduced proportionately when an individual teaching staff member's term of service is less than one academic year. Each evaluation shall be followed by a conference between that teaching staff member and his or her superior or superiors. The purpose of this procedure is to recommend as to reemployment, identify any deficiencies, extend assistance for their correction and improve professional competence:

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

## **Series 4000 Policy 4115/4116**

Page 13 of 20

1. To earn a teacher practice score, a nontenured teacher shall receive at least three observations;
  2. If a nontenured teacher is present for less than 40 percent of the total student school days in a school year, he or she shall receive at least two observations to earn a teacher practice score;
- C. Tenured teachers shall be observed at least two times during each school year. Observations for all tenured teachers shall occur prior to the annual summary conference, which shall occur prior to the end of the academic school year;
- D. If a tenured teacher was rated highly effective on his or her most recent summative evaluation and if both the teacher and the teacher's designated supervisor agree to use this option, one of the two required observations may be an observation of a Commissioner-approved activity other than a classroom lesson. The Department shall post annually to its website a list of Commissioner-approved activities that may be observed in accordance with this section;
- E. Teachers on a corrective action plan shall receive one additional observation, including a post-observation conference.
- F. Upon receiving a final summative evaluation that necessitates a corrective action plan any remaining required observation(s) shall not be conducted until the corrective action plan has been finalized;
- G. A written or electronic observation report shall be signed by the supervisor who conducted the observation and post-observation and the teacher who was observed;
- H. 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. The district may consider and address the objections in the teacher's corrective action plan.

### Observation Conferences for Teachers

The following procedures shall apply to teacher observation conferences:

- A. A supervisor who is present at the observation shall conduct a post-observation conference with the teacher being observed. A post-observation conference shall occur no more than 15 teaching staff member working days following each observation;
- B. The post-observation conference shall be for the purpose of reviewing the data collected at the observation, connecting the data to the teacher practice instrument and the teacher's individual professional development plan, collecting additional information needed for the evaluation of the teacher, and offering areas to improve effectiveness;

## **Elsinboro Township Board of Education District Policy Manual**

### **Instructional Personnel Supervision & Evaluation**

### **Series 4000 Policy 4115/4116**

Page 14 of 20

- C. If agreed to by the teacher, one required post-observation conference and any pre-conference(s) for observations of tenured teachers who are not on a corrective action plan may be conducted via written communication, including electronic;
- D. One post-observation conference may be combined with a teacher's annual summary conference, as long as it occurs within the required 15 teaching staff member working days following the observation for the purpose of evaluation; and,
- E. A pre-conference, when required, shall occur at least one but not more than seven teaching staff member working days prior to the observation.

#### Annual Performance Report for Teachers

The annual written performance report shall be prepared by the designated supervisor. In the case of a teacher, the annual written performance report shall be 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, including the median 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 and components of the teaching staff member's evaluation rubric; and
- C. The teaching staff member's individual professional development plan or corrective action plan from the evaluation year being reviewed in the report.

The teaching staff member and the designated supervisor shall sign the report within five working days of the review.

#### Annual Summary Conference for Teachers

The annual summary conference between designated supervisors and teaching staff members shall be held before the annual performance report is filed. The conference shall occur on or before June 30<sup>th</sup> of each year and include, but not be limited to, a review of the following:

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

## **Series 4000 Policy 4115/4116**

Page 15 of 20

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

### Teaching Staff Members other than Teachers, Principals, Vice Principals & Assistant Principals

Some examples of teaching staff member positions without instructional responsibilities may include supervisor, director, school nurse, athletic trainer, student assistance counselor, school psychologist, and guidance counselor.

The components of the teacher evaluation rubric shall apply to teaching staff members other than a teacher, principals, vice principals and assistant principals and the district shall determine the components of the Board of Education adopted rubric that apply to staff without instructional responsibilities.

Observations include, but are not limited to: observations of meetings, student instruction, parent conferences, and case-study analysis of a significant student issue. The observation shall:

- A. Be at least 20 minutes in length;
- B. Be followed within 15 teaching staff member working days by a conference between the supervisor who made the observation and the nontenured teaching staff member;
- C. Be followed by both parties to the conference signing the written or electronic evaluation report and each retaining a copy for his or her records; and
- D. 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. The district may consider and address the objections in the teacher's corrective action plan.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

## **Series 4000 Policy 4115/4116**

Page 16 of 20

All tenured teaching staff members shall receive at least one observation per school year.  
All nontenured teaching staff members shall receive at least three observations.

### Personnel Records of Teaching Staff Members

The Board of Education shall include all written performance reports and supporting data, including, but not limited to, written observation reports and additional components of the summative evaluation rating as part of the teaching staff member's personnel file or in an alternative, confidential location. If reports and data are stored in an alternative location, the personnel file shall clearly indicate the report's location and how it can be easily accessed. The records shall be confidential and shall not be subject to public inspection or copying according to the Open Public Records Act

### Teacher Professional Development Plans

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 based on the length of full-time employment and reduced by a pro rata share reflecting part-time employment, or an absence, including the use of family or medical leave.

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 and the Standards for Professional Learning. The individual 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. One area for development of professional practice derived from individual, collaborative team, school, or school district improvement goals.

Progress on the individual PDP shall be discussed at the annual summary conference as detailed in law. Evidence of progress toward meeting the requirements of the teacher's individual PDP may be provided by the teacher and/or his or her supervisor, and shall be reviewed as part of each annual summary conference.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

## **Series 4000 Policy 4115/4116**

Page 17 of 20

Each teacher's individual PDP shall be updated annually no later than October 31<sup>st</sup>. If the teacher is hired after October 1<sup>st</sup> the PDP shall be developed within 25 working days of his or her hire. A teacher's individual PDP goals may necessitate more than the recommended minimum requirements of 20 hours of professional development annually. Additional hours of qualifying experiences 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 Chief School Administrator or the teaching staff member's supervisor.

A corrective action plan shall be developed by the teaching staff member and the teaching staff member's designated supervisor when the teaching staff member is rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics. If the teaching staff member does not agree with the corrective action plan's content, the designated supervisor shall make the final determination.

The corrective action plan shall be developed and the teaching staff member and his or her designated supervisor shall meet to discuss the corrective action plan by October 31<sup>st</sup> of the school year following the year of evaluation. However, if the ineffective or partially effective summative evaluation rating is received after October 1<sup>st</sup> of the school year following the year of evaluation, a corrective action plan shall be developed, and the teaching staff member and his or her designated supervisor shall meet to discuss the corrective action plan within 25 teaching staff member working days following the school district's receipt of the teaching staff member's summative rating.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

## **Series 4000 Policy 4115/4116**

Page 18 of 20

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 designated supervisor and the teaching staff member on a corrective action plan shall discuss the teaching staff member's progress toward the goals outlined in the corrective action plan during each post-observation conference. The teaching staff member and his or her designated supervisor may update the goals outlined in the corrective action plan to reflect any change(s) in the teaching staff member's progress, position, or role.

Progress toward the teaching staff member's goals outlined in the corrective action plan shall be documented in the teaching staff member's personnel file and reviewed at the annual summary conference or the mid-year evaluation. Both the teaching staff member on a corrective action plan and his or her designated supervisor may collect data and evidence to demonstrate the teaching staff member's progress toward his or her corrective action plan goals.

Progress toward the teaching staff member's goals outlined in the corrective action plan may be used as evidence in the teaching staff member's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.

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 ensure teachers with a corrective action plan receive a mid-year evaluation. The mid-year evaluation shall occur approximately midway between the development of the corrective action plan and the expected receipt of the next annual summative rating. The mid-year evaluation shall include, at a minimum a conference to discuss progress toward the teacher's goals outlined in the corrective action plan. The mid-year evaluation conference may be combined with a post-observation conference.



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

## **Series 4000 Policy 4115/4116**

Page 19 of 20

The School Improvement Panel shall ensure teachers with a corrective action plan receive one observation, including a post-observation conference, in addition to the observations required as part of the teaching staff member evaluation process.

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 being readopted by the Board of Education.

The b Board of Education shall ensure that the Chief School Administrator notifies each teaching staff member of the Board of Education adopted evaluation policies and procedures no later than Oct. 1<sup>st</sup>

If a staff member is hired after October 1<sup>st</sup>, 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.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Supervision & Evaluation**

**Series 4000  
Policy 4115/4116**

Page 20 of 20

### Legal References

**NJSA** 18A:4-15 General rule-making power  
18A:4-16 Incidental powers conferred  
18A:6-10 et seq. Dismissal and reduction in compensation of persons under tenure in public school system  
18A:11-1 General mandatory powers and duties  
18A:27-3.1 through -3.3 Non-tenured teaching staff; observation and evaluation; conference; purpose  
18A:27-10 et seq. Nontenured teaching staff member; offer of employment for next succeeding year or notice of termination before May 31  
18A:28-5 Tenure of teaching staff members  
18A:29-14 Withholding increments; causes; notice of appeals

**NJAC** 6:30-2.1(a)8 Purpose and program descriptions  
6A:32-4.1(e) (f) Employment of teaching staff  
6A:32-4.4 Evaluation of tenured teaching staff members  
6A:32-4.6 Procedure for appearance of nontenured teaching staff members before a district board of education upon receipt of a notice of nonreemployment  
6A:32-5.1 et seq. Standards for determining seniority  
6A:9-15.1 et seq. Required Professional Development for Teachers  
6A:32-4.4 Evaluation of tenured teaching staff member  
6A:32-4.5 Supervision of instruction: observation and evaluation of nontenured teaching staff members

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)  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Separation**

## **Series 4000 Policy 4117/4217**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

Notice as per employee contracts shall be given in cases of dismissal by the Board of Education or resignation by the employee.

At the discretion of the Chief School Administrator, employees retiring from the district may be required to participate in an “exit interview,” the purpose of which is to ascertain pertinent information from the employee that will be useful in recruitment and retention of employees.

All notices to and from employees shall be in accordance with law.

### Legal References:

NJSA 18A:27-9, 18A:28-8

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Retirement**

### **Policy 4117.1/4217.1**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

Retirement shall be at the option of the employee in accordance with the rules and regulations of the Teachers Pension and Annuity Fund or P.E.R.S. The Board will abide by state law in the matter of retirement agreements. In the event that the Board has any jurisdiction, it will decide on a case-by-case basis.

At the discretion of the Chief School Administrator, employees retiring from the district may be required to participate in an “exit interview,” the purpose of which is to ascertain pertinent information from the employee that will be useful in recruitment and retention of employees.

Each year, paid employees who are retiring may be recognized by the Board at the conclusion of the school year.

#### Legal References:

NJSA 10:3.1 et al, 18A:28-8, 18A:66-43, 18A:66-44, 18A:66-45

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Arrest Reporting Requirements for Certificated Staff Members**

**Policy 4117.27 /4217.27**

Date Adopted: October 11, 2011

Date Revised: January 2, 2017

Page 1 of 2

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. This reporting requirement pertains to both in-state and out-of-state offenses and crimes. Pursuant to NJAC 6A:9B-4.3, 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 NJAC 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.

For the purposes of this policy, Driving Under the Influence (DUI) and reckless driving charges are not considered to be “criminal offenses” for the purpose of notifying the Board of Examiners.

#### District Reporting Requirements

Pursuant to N.J.A.C. 6A:9-17.4(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:9-4.1(b) that is mandated in order for the holder to serve in a position;
- D. He/she becomes aware that a certificate holder has been convicted of a crime while in the district's employ;
- E. He/she has received a report from the Department of Children and Families substantiating allegations of abuse or neglect, or establishing “concerns” regarding a certificated teaching staff member.

The district shall cooperate with the Board of Examiners in any proceeding arising from an order to show cause issued by the Board of Examiners and based on information about the certificate holder that the district provided.

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional & Support Personnel**

**Series 4000**

**Arrest Reporting Requirements for  
Certificated Staff Members**

**Policy 4117.27 /  
4217.27**

Page 2 of 2

## Legal References

- NJSA 18A:6-7.1 Criminal history record checks for final candidates for school employee positions  
18A:39-19.1 Criminal records of school bus drivers
- NJAC 6A:9B-4.3 Arrest reporting requirements  
6A:9B-4.5 Grounds for revocation and suspension of certification

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Resignation**

### **Policy 4117.3/4217.3**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

A certified or non-certified employee shall submit his resignation in writing to the Chief School Administrator 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 to Board action.

Any employee of the school district who terminates his employment of his own volition with exception of retirees or if released by the Board will forfeit Board granted benefits accrued during his employment.

If an employee returns to the employ of the Board of Education after having had 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 contracted agreement between the employee and the Board of Education.

At the discretion of the Chief School Administrator, employees retiring from the district may be required to participate in an “exit interview,” the purpose of which is to ascertain pertinent information from the employee that will be useful in recruitment and retention of employees.

#### **Legal References:**

NJSA 10:3.1 et al, 18A:28-8, 18A:66-43, 18A:66-44, 18A:66-45

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Personnel Reduction / Abolishing a Position**

**Policy 4117.4/4217.4**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 1

First Reading: December 8, 2008

The Board of Education has the right under the 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 non-tenured 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 Chief School Administrator 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.

#### **Legal References:**

NJSA 18A:28-5, 18A:28-9; 18A-28-10; 18A:28-11; 18A:28-12  
NJAC 6:3-5.1

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

2131, 4115/4116, 4117.41



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel**

**Series 4000**

### **Nonrenewal of Non-tenured Teachers**

**Policy 4117.41**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 1

First Reading: December 8, 2008

The Board shall determine annually whether or not a new contract will be offered to a non-tenured teaching staff member after hearing the recommendation of the Chief School Administrator. Should the Board choose not to offer a new contract, written notice or non-renewal of employment will be sent by the Chief School Administrator. This notice will be given by the date specified by law.

A written request from a non-tenured teaching staff member for a written statement of reasons for non-reemployment will be honored by the Board of Education according to New Jersey law and code. An informal appearance before the Board may be requested in writing within 10 calendar days and shall be scheduled within 30 days from receipt of the Board's statement of reasons in accordance with the law.

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 working days prior to the informal appearance.

The non-tenured 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 working 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.

#### Legal References:

NJSA 18A:27-3.1; 18A:27-3.2, 18A:27-4.1, 18A:27-10 et seq,  
NJAC 6:3-1.6, 6:3-4.2

#### Possible Cross References:

4115/4116, 4117.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Disciplinary Action**

### **Policy 4117.5/4217.5**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

It shall be the policy of the Board of Education to apply the statutes of the state, the policies of this Board and the regulations of the administration with equal consideration to each staff member.

The Chief School Administrator shall prepare disciplinary rules for situations most often encountered which provide for progressive penalties including-where appropriate-verbal warnings, written warnings, non-renewal of non-tenured employees, withholding of an increment from tenured employees, dismissal of non-tenured employees and referral of charges against tenured employees. Such rules shall ensure nondiscriminatory application, differentiate between a second offense of the initial type and a second offense unlike that for which the employee was initially reprimanded, and be in accordance with established due process procedures.

Disciplinary rules shall be reviewed and approved by the Board and shall include the provision that the Board reserves the right to deduct pay for required service not performed, including time lost through tardiness in accordance with its policies.

#### Withholding an Increment

Advancements on the salary guide are not automatically granted and must be earned by satisfactory performance. Advancement requires favorable evaluations of the employee's performance of assigned duties, a satisfactory attendance record and adherence to the rules of the district and high standards of professional conduct.

The Board may determine, by recorded roll call majority vote of the full membership and at any time prior to the commencement of the school year or contract year in which the employee's salary will vest, to withhold any or all of the increments indicated by the salary guide or by Board policy.

Within ten (10) days of its formal action to withhold an increment, the Board shall give written notice to the affected employee of both the action and the reason or reasons for which it was taken.

An increment withheld may be restored only by action of the Board.

#### Legal References:

NJSA 18A:6-10 et. seq., 18A:6-10 through 6-18.1, 18A:11-1, 18A:27-4

#### Possible Cross References:

4151

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Unauthorized Absence**

**Policy 4117.53/4217.53**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

The Board of Education expects all employees to adhere to the policy of the Board regarding unauthorized absence from school property during work hours. Employees violating this policy by leaving school early or during periods other than lunchtime, without authorization by an Administrator, shall be subject to disciplinary action.

#### Legal References:

NJSA 18A:11-1, 18A:27-4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Grievance Procedure – Title IX**

**Policy 4118.1/4218.1**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

Complaints regarding alleged discrimination on the basis of race, color, creed, religion, sex, ancestry, age, national origin, or social or economic status must be made in writing. Forms are available from the Affirmative Action Officer.

#### Legal References:

NJSA 18A:11-1

#### Possible Cross References:

2224, 3320, 5145.4, 6121

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Grievances Not Covered by Contract**

**Policy 4118.3/4218.3**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 1

First Reading: December 8, 2008

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 shall provide the prompt and equitable adjustment of differences. The informal grievance procedure shall adhere to guidelines established by contract. 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 representative during the course of the processing of a grievance shall continue to follow administrative directives and Board policy.

#### Legal References:

NJSA 18A:11-1; 18A:27-4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Conflict of Interest**

**Policy 4119.21/4219.21**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

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 that 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 gift, favor, service or other item of value under circumstances from which it might be reasonably inferred that such gift, service or other item of value was given or offered for the purpose of influencing him/her in the discharge of his/her duties.

#### Legal References:

NJSA 2C:27-1 et seq, 18A:6-8, 18A:6-8.4, 18A:11-1, 18A:12-21 et seq,  
18A:12-24, 19:34-15  
NJAC 6A:4-1.1 et seq, 6A:28-1.1 et seq

Green Township Education Association v Rowe, et al, 328 NJ Super 525 (App Div  
2000)

#### Possible Cross References:

1140, 1313, 4112.8, 4117.5, 4118.2, 4119.22, 4119.23, 4212.8, 9270

# Elsinboro Township Board of Education District Policy Manual

## Instructional & Support Personnel

Series 4000

## Grooming, Appearance & Dress

Policy 4119.22/4219.22

Date Adopted: January 12, 2009

Date Revised: July 2, 2012

Page 1 of 3

The Board of Education believes that the appearance and dress of teaching staff members is an important component of the educational program of this school district. The attitude of teaching staff members about their professional responsibilities and the importance of education in the lives of their pupils is reflected in their dress and appearance.

The Board retains the authority to specify the following dress and grooming guidelines for staff, within law, that will prevent such matters from having an adverse impact on the educational process. Attire shall meet the following criteria:

1. Men and women should dress in a manner befitting the profession. Faculty dress should up-hold the dignity of the profession and be appropriate to the type of service the teacher is performing.
  - Female staff members shall wear skirts or slacks with blouses or sweaters, school uniform, dresses, capris, skort or slack ensembles, or slack suits.  
Note: All skirt, skort or dress-like clothing should not exceed **two (2)** inches" above the knee.
  - Male staff members shall wear suits, dress pants, dress shirts, with or without ties, collared shirts, turtlenecks or sweaters.
  - Dress shorts (not to exceed two (2) inches above the knee), are permitted to be worn by all staff members in classrooms without air conditioning when deemed appropriate by the Chief School Administrator in accordance with the Elsinboro Township School Uniform Policy.
2. Specialized Areas
  - Physical education teachers, while teaching physical education classes, will wear attire that is conducive to their subject area.
  - The wearing of smocks or other special attire by teachers in the performance of their duties in specialized areas, such as Science, **Nursing**, and Art, shall not be deemed as violation of this code.
3. Staff going on field trips should dress appropriately as representatives of the school district.
4. Teachers attending out of district workshops/in-services should adhere to the district dress code.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Grooming, Appearance & Dress**

## **Series 4000 Policy 4119.22/4219.22**

Page 2 of 3

5. Substitute teachers shall be subject to the same expectations for dress.
6. The Board lists the following as unacceptable attire:
  - Torn, dirty, or wrinkled clothing.
  - Flip flops, bedroom slippers, combat boots, work boots.
  - See-through clothing.
  - Beach attire, beach shoes i.e. Crocs
  - Tight-fitting clothing such as Spandex and leggings.
  - Inappropriately low, plunging or deep “V” necklines.
  - Midriff, halters, tank, spaghetti straps, or tube tops.
  - T –shirts or undershirts as outerwear.
  - Sweatshirts, sweat pants and sweat suits (except as appropriate for PE staff and extra assignments as deemed appropriate by the Chief School Administrator).
  - Observable jewelry in body piercings must be limited to the ears only.
  - Obscene, suggestive slogans, phrases or pictures on clothing.
  - Denim blue or black jeans (except on designated days).

### Prior Approval

Occasionally, specifically organized learning activities (i.e., field trips) may reasonably dictate variations for the dress code of the normal classroom setting. Staff shall discuss this with the CSA at least one week prior to the activity. The CSA shall have the authority to approve variations from normal dress.

### Special Situations

The CSA shall have full discretion in temporarily suspending the dress code during after school activities and/or special days (i.e., American Education Week, In-service days, etc).

The Chief School Administrator shall determine whether a violation of this dress code has occurred and shall discuss the violation with the teaching staff member concerned. Where a single violation so warrants or violations recur, the Chief School Administrator may enter a reprimand in the teaching staff member’s file and may recommend more stringent disciplinary measures.



# **Elsinboro Township Board of Education District Policy Manual**

**Instructional & Support Personnel  
Grooming, Appearance & Dress**

**Series 4000  
Policy 4119.22/4219.22**

Page 3 of 3

## **Legal References**

NJSA 18A:6-10 Dismissal and reduction in compensation of persons under tenure in public school system  
18A:11-1 General mandatory powers and duties  
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc., employment thereunder

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 Cross References**

4117.5, 4119.2, 4119.21, 4119.22, 4119.23, 4138, 6144

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Substance Abuse: Drugs, Steroids & Alcohol**

**Policy 4119.23/4219.23**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 3

First Reading: December 8, 2008

The Board of Education recognizes that the misuse of drugs, steroids, and alcohol is a serious problem with enormous impact upon the welfare of the entire school community. The Board is committed to the prevention of drug, steroid, and alcohol abuse and rehabilitation of drug, steroid, and alcohol abusers and implementation of an effective drug, steroid, and alcohol awareness program for staff members, as well as providing special assistance for addicted staff. The Board desires to utilize positive approaches in dealing with these problems but will resort to necessary and appropriate steps to protect the school community from harm caused by exposure to drug, steroid, and alcohol abuse.

#### Adoption of Policies and Procedures

- A. The Board hereby adopts these policies and procedures for the discipline, evaluation and treatment of staff members who possess, consume or who, on reasonable grounds, are suspected of being under the influence of the following substances in the work site.
  1. All controlled dangerous substances as identified and prohibited in N.J.S.A. 24:21-1
  2. All chemicals and/or chemical compounds which release toxic vapors as defined in N.J.S.A. 27A:170-25.9 and N.J.S.A. 2C:98-3
  3. All alcoholic beverages.
  4. Anabolic steroids
- B. Guidelines – All Employees
  1. For the purpose of this policy “worksites” 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.
  2. The unlawful manufacture, distribution, dispensing, possession of, use of or sale of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, steroid, 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 non-renewal, suspension, or termination at the discretion of the Board of Education.
  3. The use of alcoholic beverages in school worksites is prohibited. Violations of this prohibition may subject an employee to disciplinary action that may include but is not limited to non-renewal, suspension, or termination at the discretion of the Board.
  4. 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

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Substance Abuse: Drugs, Steroids & Alcohol**

**Policy 4119.23/4219.23**

Page 2 of 3

- said employee. Disciplinary action may include, but not be limited to non-renewal, suspension, or termination at the discretion of the Board.
5. Illegal gambling is not permitted in the school worksite.
  6. The Chief School Administrator shall establish a drug-free awareness program that includes notice of the dangers of drug abuse in the workplace and available drug counseling programs and shall distribute this information to all employees annually. New employees shall be provided with a copy of this information prior to beginning work assignments.
  7. The Chief School Administrator with the Board shall establish standards of staff conduct to include disciplinary sanctions required when staff members violate Board policies related to drug, steroid, and alcohol abuse. All disciplinary sanctions shall be implemented within the framework of the employees' contractual rights and due process. All employees shall be provided with a copy of this information annually.
  8. Nothing in this policy shall be construed in any way to authorize or require the transmittal of any information or records that are in the possession of substance-abuse counseling or treatment program include, but not limited to, the school districts own substance-abuse programs.
  9. All information concerning a staff member's involvement in a school intervention or treatment program shall be kept strictly confidential. See 42 C.F.R. 2 and N.J.A.C. 6:3-6.6.
  10. The Chief School Administrator will ensure that all district employees receive annual in-service training to make them aware of their responsibilities in accordance with Board policies and N.J.A.C. 6:3-6.3 et seq.
  11. The Board will review annually the effectiveness of these policies and the Memorandum of Agreement entered into with the appropriate law enforcement agency. As part of this review, the Board will consult with the County Superintendent of Schools, local community members, and the County Prosecutor's office.
  12. The policies and procedures contained herein shall be made available to all staff on an annual basis.

#### **C. 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 be in strict compliance with this policy.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Substance Abuse: Drugs, Steroids & Alcohol**

**Policy 4119.23/4219.23**

Page 3 of 3

The Chief School Administrator shall notify all employees 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.

#### Legal References:

NJSA 2C:33-16; 2C:35; 18A:11-1; 18A:27-4; 18A:40A-5, 24:21-19; 24:21-20; 26:3D-15 through -21, 2C:35-1 et seq. 18A:11-1  
NJAC 6:3-6; 6:29-1.3(a)8

New Jersey Constitution, Art. IV, § VII, par. 2

Anti-Drug Abuse Act of 1988

Drug-Free Workplace Act of 1988

A Uniform State Memorandum of Agreement Between Education and Law

Enforcement Officials (1999 Revisions)

No Child Left Behind Act of 2001, Pub. L. 107-110

Bayonne Teachers' Assoc v BOE, City of Bayonne Office Admin Law

Fairlawn Education Assoc v Fairlawn BOE 79 NJ 574 (1979)

#### Possible Cross References:

1330, 1410, 3515, 4717.5

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Drug-Free Workplace**

**Policy 4119.232/4219.232**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 1

First Reading: December 8, 2008

The Board of Education prohibits the unlawful manufacture, distribution, dispensing, possession or use of any controlled dangerous substance by any person in any school building, on school grounds, or during any activity or event sponsored by the Board.

Every employee of this district must, as a condition of employment, agree to be bound by this policy. An employee who violates the prohibitions or reporting requirements of this policy will be subject to discipline, which may include dismissal, or certification of tenure charges, as appropriate. An employee whose involvement with drugs results in a conviction for a crime of the third degree or above or for an offense touching his/her position will be deemed to have forfeited his/her public employment, pursuant to N.J.S.A. 2C:51-2.

An employee who is convicted of a drug-related offense must report the conviction to the Chief School Administrator within five days of its occurrence. The Chief School Administrator will report the conviction, within ten days of the date, on which notice of the conviction is received, to any federal agency from which the district has received funds through a grant.

The Board directs the Chief School Administrator to establish and maintain a program to:

1. Alert employees as to the dangers of drug abuse in the workplace;
2. Inform employees of the prohibitions against drugs set forth in this policy;
3. Inform employees of available drug counseling, rehabilitation, and assistance programs;  
and,
4. Warn employees of the penalties that may be imposed for violations of prohibitions set forth in this policy.

The Board will report to law enforcement officials and prosecute as appropriate any employee or visitor who violates the prohibitions of this policy. A pupil who violates this policy will be treated in accordance with law.

This policy will be distributed to each district employee, including all those engaged in the performance of services under a federal grant, and will be prominently posted in the district.

#### Legal References:

NJSA 2C:51-2, 2C:33-15 et seq., 2C:33-16, 24:21-2 et seq.

Drug-Free Workplace Act of 1988, P.L. 100-690  
34 CRF 85.600 et seq.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

## **Political Activities**

**Policy 4119.24/4219.24**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

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

1. A staff member shall not engage in political activity on school premises.
2. A staff member shall not post political circulars or petitions on school premises, or distribute such circulars or petitions to pupils, or solicit campaign funds or campaign workers on school premises.
3. A staff member shall not display any material that would tend to promote any candidate for office on an election day in a school facility that is used as a polling place.

A staff member who is a member of the State Legislature or the County Board of Chosen Freeholders is entitled by law to time off from school district duties, without loss of pay, during the time the member attends meetings of the Legislature or Board of Chosen Freeholders or any committee of those bodies. No other staff member who holds elective or appointive office is so entitled, except as such time off may be provided for by the Board policy or negotiated agreement.

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

### Legal References:

NJSA 18A:6-8.1, 18A:6-8.2, 18A:6-8.4, 19:34-15, 19:34-42

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Unbecoming Conduct**

**Policy 4119.25/4219.25**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

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 workday or affect his/her professional relationship with the pupils.

#### Unbecoming Conduct

When an employee, either within the school or outside normal duties, creates conditions under which the proper operation of the school is affected, the Board, upon recommendation of the Chief School Administrator, 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.

#### Legal References:

NJSA 2C:51-2, 18A:6-10 et seq, 18A:11-1; 18A:27-4

#### Possible Cross Reference:

4119.21, 4119.232, 4138

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Acceptable Use of Computer Network(s) / Computers & Resources by Teaching Staff Members**

**Policy 4119.26/4219.26**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: December 8, 2008 |               |             |

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

The Board also recognizes that telecommunications will allow teaching staff member access to information sources that have not been pre-screened using Board-approved standards. The Board therefore adopts the following standards of conduct for the use of computer network(s) and declares unethical, unacceptable, inappropriate or illegal behavior as just cause for taking disciplinary action, limiting or revoking network access privileges, instituting legal action or taking other appropriate action as deemed necessary.

The Board provides access to network(s)/computers for educational purposes only. The Board retains the right to restrict or terminate teaching staff members' access to the computer network(s)/computers at any time, for any reason. The Board retains the right to have the Chief School Administrator/designee monitor network activity in any form necessary to maintain the integrity of the network(s) and ensure its proper use.

#### Standards for Computer Network(s)

Any individual engaging in the following actions declared unethical, unacceptable or illegal when using computer network(s)/computers shall be subject to discipline or legal action:

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



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Acceptable Use of Computer Network(s) /**

### **Computers & Resources by Teaching Staff Members**

**Policy 4119.26/4219.26**

Page 2 of 2

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

#### Violations

Individuals violating this policy shall be subject to appropriate disciplinary actions as defined by Board Policy and the district disciplinary code(s) that includes but is not limited to:

- A. Use of network(s)/computers only under direct supervision;
- B. Suspension of network privileges;
- C. Revocation of network privileges;
- D. Suspension of computer privileges;
- E. Revocation of computer privileges;
- F. Suspension;
- G. Dismissal;
- H. Legal action and prosecution by the authorities; and/or,
- I. Any appropriate action that may be deemed necessary by the Chief School Administrator and approved by the Board of Education.

#### Legal References:

NJSA 2A:38-A

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Paging Devices, Cell Phones & Other Electronic Devices**

**Policy 4119.27/4219.27**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

Staff members are not permitted to use personal cell phones, pagers, walkie-talkies or other portable electronic communications devices while performing their assigned duties (class time, duty periods) and during school related activities.

During school meetings, personal cell phones are to be turned off and not used.

At no time are personal cell phones permitted to be used while operating district owned, leased or contracted vehicles.

Personal cell phones may be used during planning periods, lunch periods and /or before and after the regular workday.

#### Legal References:

NJSA 2C:33-19, 2C:39-1, 2C:39-6, 18A:6-1, 18A:11-1, 18A:36-19.2, 18A:37-1, 18A:38-2

NJAC 6:29-10.1, 6A:14-2.8, 6A:16-5.8

P.L. 102-382, Improving America's Schools Act 1994

#### Possible Cross References:

4219.27

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Social Networking Websites / Social Media**

**Policy 4119.29/4219.29**

Date Adopted: September 9, 2013

Date Revised:

Page 1 of 2

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

- A. Improper fraternization with students using social networking websites on the internet
- B. Inappropriateness of posting items with sexual content;
- C. Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol;
- D. Inappropriateness of posting pictures of district students that are taken at school on networking sites;
- E. Examples of inappropriate behavior from other districts, as behavior to avoid;
- F. Monitoring and penalties for improper use of district computers and technology;
- G. The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct;
- H. Defaming the school district, its employees, administrators or Board of Education, in any manner.

#### Regulation

The Superintendent of Schools/designee shall annually inform all staff members of the following:

- A. Staff members may not list any currently enrolled students as “friends” on networking sites;
- B. Staff members may not list any former district students who are under the age of 18 as “friends” on networking sites;
- C. All e-contacts with students should be through the district’s computer and telephone system;
- D. All contact by coaches with team members shall be sent to all team members;
- E. Staff members will not give out their private cell phone or home phone numbers without prior approval of the district;
- F. Inappropriate contact via e-mail, Internet or phone is prohibited.

The Superintendent of Schools/designee will periodically require Internet searches to see if staff members have posted inappropriate materials on-line. When inappropriate use of computers and websites is discovered, the Superintendent of Schools/designee will download the offensive material and promptly bring that misconduct to the attention of the Board and/or the solicitor for review and/or disciplinary action.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Social Networking Websites / Social Media**

**Policy 4119.29/4219.29**

Page 2 of 2

NJSA 2A:38A-1 et seq Computer system  
2C:20-25 Computer-related theft  
18A:7A-11 Reports by school districts  
18A:6-10 Dismissal and reduction in compensation of persons under tenure  
18A:11-1 General mandatory powers and duties  
18A 27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder  
18A:36-35 School Internet web sites; disclosure of certain student information prohibited

Hicks v. Pemberton Bd of Ed 1975 SLD 332  
Quiroli v. Linwood Bd of Ed 1974 SLD 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 SLD 1448  
N.J. v. T.L.O. 469 U.S. 325 (1985)  
O'Connor v. Ortega 480 U.S. 709 (1987)  
No Child Left Behind Act of 2001, Pub. L. 107-110  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel**

**Series 4000**

## **Duties / Responsibilities**

**Policy 4119.3**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

Teaching staff members, because of their proximity to students, are frequently confronted with situations that, if handled incorrectly, could result in liability to the district and personal liability to the staff member. It is the purpose of this policy to direct the preparation of guidelines that would minimize that possibility.

Major duties of each professional employee are delineated below:

- A. To carry out duties and responsibilities set forth by New Jersey statutes, Title 18A, and New Jersey Administrative Code.
- B. To abide by rules and regulations as established by the Board of Education.
- C. To carry out specific job responsibilities as established by the Board of Education.
- D. To uphold rules and regulations as established by the Chief School Administrator and other school administrators.
- E. To properly channel all negative criticism about the district or its employees.
- F. To adhere to prescribed curricula and courses of study.
- G. To adhere to the specific job description for the contracted position.

It is the responsibility of the Chief School Administrator to prepare regulations to ensure the maintenance of the following standards:

- A. Each teacher must maintain a standard of care for supervision, control and protection of students commensurate with assigned duties and responsibilities;
- B. A teacher should not voluntarily assume responsibility for duties he/she cannot reasonably perform. Such assumption carries the same responsibilities as assigned duties.
- C. A teacher must provide proper instruction in the safety matters presented in assigned curriculum guides;
- D. Each teacher must immediately report to the administration an accident or safety hazard he/she detects;
- E. A teacher must not send students on any personal errands;
- F. A teacher must not transport students in a personal vehicle without the approval of the Chief School Administrator;
- G. A student shall not be required to perform work or services that may be detrimental to his/her health;
- H. Pursuant to the laws of the state, each teacher must report to the Chief School Administrator immediately, any sign of suspected child abuse or drug abuse.

### Legal References:

NJSA 9:6-8, 18A:11-1, 18A:27-4, 59:1-1 et seq  
NJAC 6:43-1.2(e) (j)

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel**

**Series 4000**

## **Substitute Teachers**

**Policy 4121**

Date Adopted: January 12, 2009

Date Revised: January 10, 2011, November 19, 2018

Page 1 of 3

The Chief School Administrator 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 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 requested from the Board at the next regular meeting.

Teacher substitutes must have at least a valid substitute teaching certificate issued by the Executive County Superintendent of Schools, and preferably hold a post-secondary degree.

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

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

A substitute teacher who holds valid teaching certification credentials or a certificate of eligibility or a certificate of eligibility with advanced standing issued by the State Board of Examiners may be employed to teach subjects authorized by their credentials for up to 60 school days. Any such certified substitute teacher may be employed to teach subjects not authorized by his/her credentials for up to 40 school days.

In the event that one person is employed by this district as a substitute teacher under the same teaching assignment for more than 60 days, he/she shall be compensated at the same rate as a teacher with similar credentials on a pro-rated basis.

A substitute teacher who holds valid teaching certification credentials or a certificate of eligibility or a certificate of eligibility with advanced standing issued by the State Board of Examiners may be employed to teach subjects not authorized by his/her credentials for up to 40 school days.

A substitute teacher who holds a standard substitute teaching certificate may be hired for up to 20 consecutive school days under the same teaching assignment.

The Executive County Superintendent of Schools may grant an extension of these limits upon written application from Chief School Administrator, demonstrating the districts inability to hire an appropriately certified teacher for the vacant position within the original school day time limits.

## **Elsinboro Township Board of Education District Policy Manual**

### **Instructional Personnel Substitute Teachers**

### **Series 4000 Policy 4121**

Page 2 of 3

The Chief School Administrator may apply in writing to the Executive County Superintendent of Schools for an extension of the original school day time limits, demonstrating the districts inability to hire an appropriately certified teacher for the vacant position within the original school day time limits.

The Chief School Administrator 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 make recommendations to the Board for the retention of substitutes who have performed their duties satisfactorily. Upon approval by the Board, these substitutes will be added to the list of substitutes who will be employed in the school.
- C. The Board of Education will annually approve the list of substitute teachers upon the recommendation of the Chief School Administrator. Reappointment will be based on satisfactory performance of duties. Any substitute with a documented history of unsatisfactory performance, including lack of classroom management, failure to follow written plans and routines and/or physical or verbal abuse of students will not be recommended for re-employment.
- D. The Board of Education will annually approve the rate of pay for substitute teachers, a per day basis (not to exceed 20 days) for a substitute teacher holding a substitute certificate only or a regular New Jersey Education certificate.

#### **OTHER SUBSTITUTE STAFF SALARIES**

Substitute custodians will be employed on an hourly basis at a rate determined by the Board.

Substitute clerk or secretary will be employed at an hourly rate to be determined by the Board. When employed for the period of a month or longer, salary will be reviewed.

Substitute food service employee will be compensated at a rate determined by the Board.

Home Bound Instruction – A certified teacher will be employed on an hourly basis at a rate determined by the Board.

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Personnel  
Substitute Teachers**

**Series 4000  
Policy 4121**

Page 3 of 3

## Legal References

NJSA 18A:6-7.1 through -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception  
18A:16-1.1 May appoint temporary officers and employees  
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder  
18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions  
18A:29-16 Emergency certificates; day-by-day basis substitute

NJAC 6A:9-6.5 County substitute credential  
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  
Sayreville Education Ass'n v. Sayreville Bd. of Ed., App. Div., unreported decision (docket no. A-4899-82T2, decided April 12, 1984)  
Lammers v. Bd. of Ed. of Borough of Point Pleasant, Ocean County, S/B (June 5, 1991)  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

## Possible Cross References

4111, 4112.2, 4112.4



# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Personnel**

**Series 4000**

**Student Teachers / Interns**

**Policy 4122**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 1

First Reading: December 8, 2008

The Board of Education encourages the Chief School Administrator to cooperate with colleges and universities in the placement of teachers/administrative interns in the district school. Student teachers/administrative interns shall be placed with experienced staff members who agree to perform this service.

Student teachers/administrative interns shall comply with the requirements of law regarding health examinations.

The supervising teacher and administration shall be responsible for the conduct of student teachers while serving in the district school. The Chief School Administrator shall be responsible for administrative interns.

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

The Chief School Administrator shall ensure the equitable distribution of student teachers/administrative interns throughout the school.

No remuneration will be provided to student teachers or administrative interns by the Board of Education.

## Legal References:

NJSA 18A:6-7.1 through 7.5, 18A:11-1, 18A:16-2 through 5, 18A:16-6,  
18A:16-6.1  
NJAC 6:29-2.3(a )3, 6:8-3.2

## Possible Cross References:

4111, 4112.4, 4121 4123, 6162.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Instructional / Non-Instructional Aides**

**Policy 4123/4223**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

Within its financial means, the Board may hire aides as recommended by the Chief School Administrator.

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. Non-instructional aides shall be under the supervision of appropriate personnel as assigned by the Chief School Administrator.

All aides shall be required to comply with the provisions of the law regarding health and criminal background checks.

In accordance with federal law, the Chief School Administrator 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 any school receiving Title 1 funds and who provides instructional assistance to their children.

#### Qualification of Classroom Aides in Title 1 Schools

All classroom aides hired in schools that receive Title 1 funds shall be qualified in accordance with federal law. All such classroom aides must have a high school diploma or its equivalent. All such classroom aides hired after January 8, 2002, except those working as translators or solely in conducting parent involvement activities, also must meet at least one of the following criteria:

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

Classroom aides hired before January 8, 2002 must meet these qualifications by January 2006.

#### Legal References:

NJSA 18A:6-7.1 through 7.5, 18A:11-1  
NJAC 6:3-4A.1 et seq,

No Child Left Behind Act of 2001 Pub. L. 107-110,  
20 USCA 6301 et seq.

#### Possible Cross References:

3541.1, 3542, 4212.4, 4215, 4216, 4221, 5131, 6162.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel**

**Series 4000**

### **Staff Development; In-service Education / Visitations, Conferences**

### **Policy 4131/4131.1**

Date Adopted: January 12, 2009

Date Revised: September 9, 2013

Page 1 of 6

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 of Education'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 Chief School Administrator 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

For the purposes of this policy, "school leader" shall be defined as 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 as required by NJSA 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.

#### School Leaders

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

- A. Aligns with the Professional Standards for School Leaders and the Standards for Professional Learning;
- B. Derives from the results of observations, evidence, and recommendations included in the annual performance evaluation of the Chief School Administrator, principals, or supervisors;
- C. Identifies professional goals that address specific individual, school, or district goals; and,
- D. 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.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel**

**Series 4000**

### **Staff Development; In-service Education / Visitations, Conferences**

**Policy 4131/4131.1**

Page 2 of 6

#### Professional Development for the Chief School Administrator

The Board of Education shall oversee and review the Chief School Administrator' 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 Chief School Administrator 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 Chief School Administrator' contract with the Board of Education.

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

#### Professional Development for Principals, Supervisors and Other Administrators

The Chief School Administrator 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 Chief School Administrator, or designee holding a Chief School Administrator endorsement. Leaders whose positions require a Chief School Administrator' endorsement but who do not serve as a Chief School Administrator of the district shall have an annual plan developed in collaboration with the Chief School Administrator, or designee holding a Chief School Administrator endorsement.

The Chief School Administrator, or designee holding a Chief School Administrator 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 Chief School Administrator, or designee holding a Chief School Administrator 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.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel**

**Series 4000**

### **Staff Development; In-service Education / Visitations, Conferences**

**Policy 4131/4131.1**

Page 3 of 6

#### 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 as described in NJAC 6A:9-3.3 and the Standards for Professional Learning in NJAC 6A:9-15.3. 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;
  - Evaluating student learning needs through ongoing reviews of data on student performance; and
  - 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

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel**

**Series 4000**

### **Staff Development; In-service Education / Visitations, Conferences**

**Policy 4131/4131.1**

Page 4 of 6

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 Chief School Administrator 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.)

In accordance with the provisions of NJAC 6A:9-15.6, the Chief School Administrator:

- A. Review school-level professional development plans;
- B. Assess the learning needs of students, teachers, and school leaders based on educator evaluation data, school-level plans, and data from school- and district-level performances;
- C. Plan, support, and implement professional development activities that address the CCSS and the CCCS, and that align with the Standards for Professional Learning as noted in NJAC 6A:9-15.3 and the Professional Standards for Teachers and School Leaders in NJAC 6A:9-3.3 and 3.4; and
- D. Develop and update, as necessary, the district mentoring plan for new teachers as required by Policy 4112.2 Certification and NJAC 6A:9-8.4.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel**

**Series 4000**

### **Staff Development; In-service Education / Visitations, Conferences**

**Policy 4131/4131.1**

Page 5 of 6

The Chief School Administrator 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 Chief School Administrator shall be responsible for the content and implementation of the district professional development plan. The Chief School Administrator 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 of Education 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 of Education will be determined by the Board of Education after recommendation by the Chief School Administrator.

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

#### **Mandated Inservice Programs**

The Chief School Administrator 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.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel**

**Series 4000**

### **Staff Development; In-service Education / Visitations, Conferences**

**Policy 4131/4131.1**

Page 6 of 6

#### Legal References

- NJSA 18A:7A-11 Annual report of local school district; contents  
18A:7A-11e improvement of basic skills  
18A:17-46 Act of violence; report by school employee; notice of action taken; annual report  
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder  
18A:30-7 Power of boards of education to pay salaries  
18A:31-2 Attendance at conventions of New Jersey Education Association  
18A:40A-3 Initial inservice training programs; curriculum  
34:5A-10 Retention of workplace surveys  
34:5A-13 Employee education and training program; certification of instructors

- NJAC 6A:7-1.6 Professional development  
6A:14-1.2(b)13 District eligibility for assistance under IDEA Part B  
6A:15-1.8 Inservice training  
6A:9-15.1 et seq. Required Professional Development for Teachers  
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts  
6A:16-1.1et seq. Programs to Support Student Development  
6A:16-11.1et seq. Reporting Allegations of Child Abuse and Neglect  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-4.1 Employment of teaching staff  
6A:32-4.4 Evaluation of tenured teaching staff members  
6A:32-4.5 Evaluation of nontenured teaching staff members

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  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

#### Possible Cross References

4115, 4116, 4133, 4231/4231.1, 5131.6, 5141, 6142.2, 6171.3, 6171.4



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel**

**Series 4000**

## **Research Projects by Staff Members**

**Policy 4132**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 1

First Reading: December 8, 2008

The Board of Education encourages the participation of teaching staff members in research projects that are soundly designed and professionally conducted.

Teaching staff members may seek funding from local, state and federal sources, public and private for locally conducted research projects. Any research project involving pupils must be approved by the Board; all other research projects involving district personnel, facilities and/or resources may be approved by the Chief School Administrator.

An application for approval of a proposed research project must set forth the purpose of the project, a detailed description of the project, the degree to which, if any, the project will interrupt or displace the regular instructional program; a projection of the number of pupils, if any, and staff members who will be involved, the period of time that will be devoted to the project, the means by which the project will be evaluated, and an assessment of the contribution the project will make to the educational program of the district.

A written report must be made to the Chief School Administrator when a research project is terminated, either complete or incomplete. The Chief School Administrator may also require progress reports during the course of any research project and may notify appropriate administrators of the conduct of any research project.

### Legal References:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Work Stoppages**

**Policy 4135.16/4235.16**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

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

#### Legal References:

NJSA 18A:5.3

#### Possible Cross References:

6144

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Personnel**

**Series 4000**

**Meetings / Committees**

**Policy 4136**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 1

First Reading: December 8, 2008

The Board considers it part of a teacher's professional responsibilities to attend such staff meetings as may be required for the proper functioning of a school, to serve on committees involved in curriculum development and textbook selection, and to participate in parent-teacher organizations and functions.

School administrators shall seek to give sufficient notice of staff meetings, hold them with reasonable frequency and length, and make committee assignments equitably, taking into account provisions of current negotiated agreements.

Legal References:

NJSA 18A:11-1; 18A:27-4

Possible Cross References:

2220

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional & Support Personnel**

**Series 4000**

**Soliciting & Selling**

**Policy 4137/4237**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

No employee of the Board of Education may solicit or sell products for personal gain within the school while under active contract.

## Legal References:

NJSA 18A:11-1, 18A:27-4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

## **Non-School Employment**

**Policy 4138/4238**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 1

First Reading: December 8, 2008

School employees shall not engage in outside activities or perform any services other than those assigned or allowed by the district during the contractual 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.

### Legal References:

NJSA 18A:6-8.1, 18A:6-8.2, 18A:6-8.4, 18A:11-1, 18A:12-24, 18A:17-18;  
18A:27-4; 52:13D-12 et seq.  
NJAC 6A:28-1.1 et seq

### Possible Cross References:

3514, 4119.21, 4138.2

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel**

**Series 4000**

### **Private Tutoring**

**Policy 4138.2**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 1

First Reading: December 8, 2008

The Board of Education 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.

#### Legal References:

NJSA 18A:11-1, 18A:27-4

#### Possible Cross References:

4119.21, 4138, 4219.21, 4238, 6164.6, 6173

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Exclusion of Employees for Reasons of Illness**

**Policy 4141.2/4241.2**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 2

First Reading: December 8, 2008

#### Communicable Diseases-Exclusion from School (Pupils and Employees)

It is sometimes necessary to exclude from school individuals who are ill or who have been exposed to a communicable disease or whose presence is detrimental to the health or cleanliness of others. The Board of Education therefore, implements this policy.

The school nurse shall instruct the teachers at the beginning of the school year, or when designated by the Elsinboro Township Board of Education about the methods employed to detect the first signs of communicable diseases and the recognized measures for the promotion of health and prevention of disease. In addition, the school nurse will instruct those teachers from whose classrooms a pupil has been excluded about the symptoms of the disease for which the pupil was excluded.

No teacher shall attempt to diagnose any illness of a pupil but shall refer suspected cases to the nurse.

Any staff member who appears to be ill or who is suspected of having a communicable disease shall be excluded from school or isolated at school to await instructions from the school physician, and/or the school nurse.

Where there is evidence of departure from the normal health of any staff member, or if the staff member has been exposed to a communicable disease, or if the presence of the staff member in the school is detrimental to the health or cleanliness of the pupils or staff members in the school:

- A. The Chief School Administrator or administrative designee, upon the recommendation of the school nurse or school physician, may exclude the staff member from the school.
- B. In the absence of the school nurse or school physician, the Chief School Administrator's designee may exclude the staff member from the school. In that event, the person making the exclusion must immediately notify the Chief School Administrator.

A staff member retained at home or excluded from school shall not be readmitted to school until written evidence is presented of being free of the reason for the exclusion. Such evidence may be by a qualified physician, or school physician who has examined the staff member.

The rules of the local Board of Health or the State Department of Health, New Jersey State Board of Education, or in the absence of these, the rules of the school physician pertaining to communicable disease, shall apply in determining periods of incubation, communicability, quarantine, and reporting.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Exclusion of Employees for Reasons of Illness**

**Policy 4141.2/4241.2**

Page 2 of 2

No staff member who is a member of a household in which a person is suffering from or been exposed to smallpox, diphtheria, scarlet fever, whooping cough, yellow fever, typhus fever, cholera, or measles, shall attend any public school during such illness, or until the attending physician, Board of Health, or school physician has certified that all danger of communicating the disease by the staff member has passed.

The school physician, and/or the school nurse, shall report all cases of communicable diseases to the local, county, or state Board of Health. The Chief School Administrator will also inform the County Superintendent of Schools.

#### Legal References:

NJSA 18A:16-6.1, 18A:40-3, 18A:16-2, 18A:16-3, 18A:16-4, 18A:16-5,  
18A:40-7, 18A:40-8, 18A:40-10, 18A:40-11, 18A:40-12, 26:4-6, 26:4-15  
NJAC 6A:16-2.2, 6A:16-2.3, 8:57, 8:61-1.1

#### Possible Cross References:

1410, 4112.4, 4131/4131.1, 4212.4, 5113, 5131.6, 5141, 5141.1, 5141.4



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Insurance**

**Policy 4144/4244**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

#### Workers Compensation Physicians

The 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 employees injured while in the 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 or assigned insurance carrier doctor.

- A. In the case of an emergency situation, medical attention should be sought from the nearest or most practical facility available.
- B. In non-emergency 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 the assigned insurance carrier doctor prior to returning to school work is required.

#### Legal References:

NJSA 18A:16-12 through -22

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional & Support Personnel**

**Series 4000**

**Health Insurance for Non-Bargaining  
Unit Employees**

**Policy  
4144.1/4244.1**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

It shall be the policy of the 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 comparable with those established by the Board of Education/bargaining unit 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.

## **Legal References:**

NJSA 18A:11-1, 18A:16-12 through 16-22, 18A:27-4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Employee Safety**

**Policy 4147/4247**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

Through its overall safety program and various policies pertaining to school personnel, the Board shall seek to ensure the safety of employees during working hours.

The Board shall be vigorous in maintaining safe working conditions for employees. It 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 and shifting of heavy weights.

Accidents must be reported immediately to the nurse or the supervisor if the nurse is not available. An accident investigation report must be submitted in-detail to the Chief School Administrator's office by the following working day.

#### Legal Reference:

NJSA 2C:7-1 et seq, 18A:16-2, 18A:40-12.1, 18A:40-12.2, 34:5A-1 et seq.,  
34:6A-25 et seq, 34:19-1 et seq  
NJAC 6:8-2.1, 6A:26-12.5, 6A:16-5.1 et seq., 6A:16-6.1 et seq., 12:100-4.2

#### Possible Cross References:

3510, 3516, 4111.1, 4112.4, 5142

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Exposure Control HIV / HBV / Blood borne Pathogens**

**Policy 4147.1/4247.1**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: December 8, 2008 |               |             |

The Board of Education recognizes that exposure to Human Immunodeficiency Virus (HIV), Hepatitis B Virus (HBV) and other blood borne diseases warrant serious concern for employees, at risk, for exposure to human blood and other body fluids that contain blood borne pathogens.

The Board is committed to providing a safe and healthful school environment for our entire staff and student body. In pursuit of this goal, the Board directs the Chief School Administrator to develop an Exposure Control Plan (ECP) to eliminate or minimize occupational exposure to blood borne pathogens in accordance with OSHA Blood borne Pathogens Standard, Title 29 Code of Federal Regulations 1910.1030 and N.J.A.C. 12:100-4.2.

The Exposure Control Plan ensuring compliance with the standard shall include:

- A. Employee exposure determination
- B. The procedure for evaluation circumstances surrounding an exposure incident
- C. The schedule and method for implementing the specifications of the standard, including:
  - 1) Methods of Compliance
  - 2) Hepatitis B Vaccination and post-exposure follow-up
  - 3) Training and communication of hazards to employees
  - 4) Record keeping

The Chief School Administrator is responsible for the implementation of the ECP. The Chief School Administrator will maintain and update the written ECP at least annually and whenever necessary to include new or modified tasks and procedures.

Those employees who are reasonably anticipated to have contact with or exposure to blood or other potentially infected materials are required to comply with the procedures and work practices outlined in this ECP.

The Chief School Administrator will have the responsibility for written housekeeping protocols and will ensure that effective disinfectants are purchased.

The Chief School Administrator will be responsible for ensuring that all medical actions required are performed and that appropriate medical records are maintained.

The Chief School Administrator will be responsible for training, documentation of training and making the written ECP available to employees, OSHA and NIOSH representatives.

The Chief School Administrator will maintain and provide all necessary personal protective equipment (PPE), engineering controls (i.e., sharp containers, etc.) labels, and red bags as required by the standard.

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional & Support Personnel**

**Series 4000**

**Exposure Control HIV / HBV /  
Blood borne Pathogens**

**Policy 4147.1/4247.1**

Page 2 of 2

The Chief School Administrator will ensure that adequate supplies of the aforementioned equipment are available.

During implementation of the Exposure Control Plan the Board will handle all information regarding HIV infected individuals in compliance with the States HIV/AIDS Confidentiality Law, N.J.A.C. 26:5c-5

## Legal References:

NJSA 18A:40-7, 18A:40-8, 18A:40-10, 18A:40-11

NJAC 8:61-1.1

29 CFR Part 1910.1030 "Blood borne Pathogens Standards"

## Possible Cross References:

3510, 3516

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Employee Protection**

**Policy 4148/4248**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

The Board of Education directs the Chief School Administrator to develop rules and procedures to protect its employees in the performance of their duties. Such procedures shall include, but not be limited to:

- A. Official channels for parent/guardian or student grievances or complaints;
- B. Disciplinary regulations that reduce the possibility of student violence;
- C. Reporting techniques that bring potentially problem situations to the immediate attention of the Chief School Administrator.

#### Legal Reference:

NJSA 18A:11-1

#### Possible Cross Reference:

4248

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Taping / Recording Employees**

**Policy 4149 / 4249**

Date Adopted: March 10, 2014

Date Revised: November 19, 2018

Page 1 of 1

In order to protect the privacy of the students and staff of this school district, the Board of Education prohibits students, visitors, employees and administrators from recording an employee of the district during the school day or while attending school-sponsored activities, while the employee is performing his/her duties, without the knowledge and permission of the employee and the Chief School Administrator.

For the purposes of this policy, “recording” shall be defined to mean “photographing, video-taping, audio-taping and/or audio/video-taping, by using a camera, movie camera, tape recorder or any other similar device, including, but not limited to a cell phone or other such device.”

Should an employee become aware that he/she is being recorded, he/she shall first request that the person immediately contact the Chief School Administrator /designee who is authorized to intervene by requiring the individual to stop recording the employee immediately, require the individual to leave the school and school property, and, if necessary, summon law enforcement authorities.

The Chief School Administrator may file a complaint with the appropriate law enforcement agency or agencies against any person(s) who is found to be violation of this policy.

#### Legal References

NJSA 18A:11-1 General mandatory powers and duties

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Leaves of Absence**

**Policy 4150/4250**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

The Board of Education recognizes that certain absences are justifiable and will provide for employee absences authorized by law and consistent with current negotiated agreement.

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

For all leaves under one week in duration, the Board of Education delegates responsibility to the Chief School Administrator. The Chief School Administrator's decision may be appealed to the Board of Education.

All requests for leaves of one week or more in duration must be presented to the Board of Education for review.

Understanding that the prime duty of all employees is to foster the educational program, leaves will be considered for the following only:

1. Professional development
2. Family emergencies
3. Extraordinary circumstances beyond the employee's control

An employee who is granted a leave of absence pursuant to this policy shall not be entitled to a salary increment, unless said employee works at least six (6) months during the school year.

**Legal Reference:**

NJSA 18A:6-6, 18A:30-1 et seq

**Possible Cross Reference:**

4250



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Personal Days**

**Policy 4150.1/4250.1**

Date Adopted: January 12, 2009

Date Revised: September 16, 2019

Page 1 of 1

Full-time employees not covered by the negotiated agreement shall be entitled to the same release time as the Elsinboro Education Association Agreement.

Part-time employees shall be entitled to the same release time as the Elsinboro Education Association Agreement; prorated per year.

Except in case of emergency, the employee will apply in writing to the Chief School Administrator at least one day in advance. In case of emergency, the employee may call the secretary in charge of emergency days. All such telephone conversations will subsequently be confirmed in writing by the employee and given to the Chief School Administrator as soon as possible.

Unused personal days may be “rolled over into sick days for the next school year.

#### Legal References

NJSA 18A:11-1 General mandatory powers and duties  
18A:30-1 through -6 Sick leave  
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Sick Days**

**Policy 4150.2/4250.2**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

All full-time ten-month employees shall be entitled to 10 sick days per year.

All full-time twelve-month employees shall be entitled to 12 sick days per year.

All part-time employees shall be entitled to pro-rated sick days based on the number of hours worked per week.

The employee must call the person in charge of sick days. All such telephone conversations will subsequently be confirmed in writing by the employee and given to the Chief School Administrator upon returning to work. Unused sick leave for full-time employees will be accumulated from year to year.

#### Legal References:

NJSA 18A:6-6; 18A:16-2 through -5, 18A:27-4, 18A:30-1, 18A:30-2,  
18A:30-6, 34:11B-1 et seq.

29 USCA 2601 et. seq. (Family Medical Leave Act)

Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

#### Possible Cross References:

4150, 4151, 4250, 4251

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Employee Vacations & Holidays**

**Policy 4150.3/4250.3**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: December 8, 2008 |               |             |

The Elsinboro Township Board of Education believes it beneficial for employees to experience change from their daily routine and to be temporarily free of regular responsibilities. The Board of Education believes this is important for the mental and physical health of its employees.

For this reason, a vacation period is provided for all full-time twelve-month employees. Full-time twelve-month employees shall be defined as one who works more than 34 hours per week, 52 weeks per year.

#### Full-time Twelve-Month Employees

- A. All full-time twelve-month support staff employees are eligible for ten days of vacation each year of employment. (July 1<sup>st</sup> through June 30<sup>th</sup>) After six years of service, they are eligible for fifteen days of vacation each year. Vacation days will accrue on a monthly basis.
- B. All full-time twelve-month support staff employees hired prior to July 1, 1996 will be eligible for twenty days of vacation each year after sixteen years of service.
- C. All full-time twelve-month support staff employees hired after July 1, 1996 will be limited to a maximum of fifteen days of vacation each year.
- D. Days and hours of vacation will be flexible based upon school needs and determined by the Chief School Administrator.
- E. All vacations must be approved by the Chief School Administrator.

#### Part-Time Twelve-Month Employees

All part-time twelve-month employees shall be eligible for the same vacation days as stated above, with vacation pay equivalent to their scheduled work day.

#### Vacation Time – Not Cumulative

Vacation time is not cumulative but must be used during the fiscal year. (July 1<sup>st</sup> through June 30<sup>th</sup>) However, if under extraordinary circumstances, any of the above personnel cannot utilize vacation time in the manner as set forth, the Board of Education may consider granting a carry-over credit of unused vacation time into the second fiscal year, or the Board of Education may consider granting payment to the employee in lieu of giving a carry-over credit. No more than two operating years of vacation may be accumulated by any employee. Within the exceptions noted, vacation time that is not taken during the time period specified is lost and no longer deemed due.

#### Existing Twelve-Month Employees

Persons leaving the employ of the Board of Education will be financially compensated for the vacation time earned to the time of their separation. Only full months of employment will count toward accumulated vacation time.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Employee Vacations & Holidays**

## **Series 4000 Policy 4150.3/4250.3**

Page 2 of 2

Financial reimbursement shall be at the rate of  $1/260^{\text{th}}$  of his/her current salary for all unused vacation leave allowed during the prior year but only a prorated portion of the leave the employee would have been eligible had employment continued during the next succeeding year.

Vacation days earned for exiting personnel shall be determined as follows:

$\frac{\text{\# of entitled vacation days per year}}{12 \text{ months}} \times \text{full months worked} = \text{earned prorated vacation days}$

With the approval of the Chief School Administrator and the Board of Education, earned vacation time may be used to provide for an early departure.

### Forfeit

Vacation benefits will be forfeited if proper notification and resignation procedures have not been followed. i.e., contract requirements = properly performing responsibilities after resignation has been accepted.

### Holidays

All employees are guaranteed the following paid holidays:

- New Year's Day
- Martin Luther King Day
- President's Day
- Good Friday
- Easter Monday
- Memorial Day
- 4<sup>th</sup> of July
- Labor Day
- Thanksgiving (2 days)
- Christmas (2 days)

If a holiday falls on a scheduled day off, the preceding or following scheduled day shall be granted as a holiday. The preceding or following day for the observance of the holiday shall be determined by the Chief School Administrator.

### Legal References:

NJAC 6:4-1.6

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Unpaid Leaves of Absence**

**Policy 4150.4/4250.4**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

The Elsinboro Township Board of Education recognizes that its employees may have the need for an amount of time away from the workplace at times of the year that school would normally be in session. Therefore, employees may make a request of the Chief School Administrator for approval of an unpaid leave of absence. For extended leaves of absences of three days or more, employees make a request to the Board of Education. Each request will be considered on a case-by-case basis.

#### Legal Reference:

NJSA 18A:6-6, 18A:30-1 et seq

#### Possible Cross Reference:

4250.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Military Leave**

**Policy 4150.5/4250.5**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 2

First Reading: December 8, 2008

The Board of Education recognizes that military service rendered by any district employee in the defense of the country or in maintaining preparedness for conflict, foreign or domestic is a service benefiting all citizens. Any permanent or full-time officer and/or employee of the district will be provided military leave and related benefits pursuant to the Uniformed Service Employment and Reemployment Rights Act (USERRA), 38 USC Section 4301 et seq., PL 2001 Chapter 351 amending NJSA 38:23-1, NJSA 38A:1-1 and NJSA 38A:4-4, and any other applicable Federal and State laws.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized militia of New Jersey (New Jersey National Guard, New Jersey Naval Militia Joint Command) shall be entitled, in addition to pay received, if any, to leave of absence without loss of pay or time on all days in which he/she is engaged in any period of State or Federal active duty. The leave of absence for Federal active duty or active duty for training shall not exceed ninety work days in the aggregate in any calendar year. A permanent or full-time temporary officer or employee who has served less than one year in the district shall receive this leave without pay, but without loss of time. This paid leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. Any leave of absence for such duty in excess of ninety workdays shall be without pay, but without loss of time.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized reserve of the Army of the United States, United States Air Force Reserve, or United States Marine Corps Reserve, or other organization affiliated therewith, including the National Guard of other states, shall be entitled, in addition to pay received, if any, to a leave of absence without loss of pay or time on all work days he/she shall be engaged in any period of active duty, provided such leave of absence shall not exceed thirty workdays in any calendar year. A permanent or full-time temporary officer or employee who has served less than one year in the district shall receive this leave without pay, but without loss of time. This paid leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. Any leave of absence for such duty in excess of thirty workdays shall be without pay, but without loss of time.

Military leave with pay is not authorized for Inactive Duty Training as defined in NJAC 5A:2-2.1.

The district will provide benefits and rights for staff members on military leave as required by Federal and State laws.

The military leave requirements in this policy are the minimum requirements of applicable Federal and State laws. The district, at its option, may provide additional military leave with pay and related benefits.

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional & Support Personnel  
Military Leave**

**Series 4000  
Policy 4150.5/4250.5**

Page 2 of 2

Pursuant to NJSA 52:13H-2.1, in accordance with the provisions of Article VIII, Section II, paragraph 5 of the New Jersey Constitution, upon application by the district to the State Treasury and approval of the application by the Director of the Division of Budget and Accounting, reimbursement shall be made by the State of New Jersey for any costs incurred as a result of the provisions of PL 2001, Chapter 351.

## Legal References:

NJSA 18A:6-33, 18A:28-11.1, 18A:29-11, 18A:66-8.1, 38:23-1 et seq, 38A:1-1, 38A:4-4,  
52:13H-2.1  
NJAC 5A:2-2.1

Uniformed Services Employment and Reemployment Rights Act (USERRA),  
38 USC Section 4301 et seq

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Attendance Patterns**

## **Series 4000 Policy 4151**

Date Adopted: January 12, 2009

Date Revised: September 16, 2019

Page 1 of 4

The 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 Elsinboro Board of Education recognizes that it is reasonable to expect employees, for reasons of illness or personal necessity, to be occasionally absent from their jobs. However, abusive or excessive use of sick leave or personal leave creates legitimate ethical, economic and, at times, safety-related concerns for employees and students alike.

The Chief School Administrator 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 illness and request all leave at the earliest possible time. Procedures shall be in accordance with New Jersey statutes and district negotiated agreement.

Should evidence suggest that an employee's reason for being absent are suspect, or if the employee is excessively absent, the Board will take reasonable and appropriate action to correct the problem.

A doctor's certificate is required for all illnesses and injuries for those employees who are absent more than three days. A doctor's certificate may be requested in cases of questionable use of sick leave benefits, even if an employee has been absent for one day.

If it has been determined that an employee has utilized sick leave benefits without just cause, he/she shall be subject to disciplinary action.

Provisions shall be made for public acknowledgment of exceptional staff attendance records.

In applying this policy, the Elsinboro Board of Education will comply with the requirements of all applicable local, state and federal laws as well as all the provisions of collective bargaining agreements between the Board and various employee bargaining units.

All staff members shall notify the CSA through the building secretary or other designee; i.e. teacher in charge, as soon as they have determined that they will be absent from their assignment. Emergency Lesson Plans are to be filed in the classroom.



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Personnel Attendance Patterns**

## **Series 4000 Policy 4151**

Page 2 of 4

### I. Guidelines

Employees should be informed that an unsatisfactory availability record will be reflected in their staff evaluations, salary step and promotional opportunities.

The effective control of absenteeism is a necessary management function and is essential to the on going continuous instructional grade level procedures.

To ensure that absences are not excessive to the point of being harmful to students' education, the following administrative guidelines shall apply:

- A. Each month the CSA shall review all employee calendars for the preceding 12 months and shall conduct a conference with any employee whose record indicates one or more of the following:
  - 1. A pattern of absences taking place on the same day or days of the week.
  - 2. A pattern of absences before or after non-working days, holidays, etc.
  - 3. The number of absences has reached the yearly allocation of sick days.
  - 4. The allowed sick leave has been habitually exhausted or nearly exhausted and for any other related just reason.
  - 5. The number of occurrences of absence due to illness exceeds three illnesses or other absences in the past 12 months.

If the pattern is due to reasonable or justifiable cause, i.e. illness is verified, no further action shall be taken.

- B. A written summary of all conferences, excluding the initial informal discussion, will be recorded and-
  - 1. May be used in evaluation.
  - 2. May become part of employee's permanent personnel file.
  - 3. May result in procedures which lead to disciplinary recommendations.
  - 4. The employees may attach a response in accordance with the negotiated agreement.
- C. After any of the conditions listed in Section I are identified, a physician's written statement certifying disability may be required for:
  - 1. Any day or days of sick leave claimed in accordance with Title 18A.
  - 2. Any employee who is absent, because of illness for three or more consecutive workdays, will be required to furnish a doctor's note substantiating the illness in order to receive disability benefits.

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Personnel  
Attendance Patterns**

**Series 4000  
Policy 4151**

Page 3 of 4

Non-represented employees will be required to certify their illness absences if deemed appropriate by the CSA.

Note: Special Cases – In addition to the requirements described above, the CSA may require a certificate at any time.

## **II. Procedures**

Once a determination has been made to address the matter of an employee's absence, the following shall apply:

- A. The CSA shall conduct an informal discussion with a staff member whose absence is excessive. The purpose of its initial step is to bring the matter to the employee's attention with the hope that improvement will be made. Continuous debilitating illness will obviate the need for this meeting.
- B. At any time during the evaluation year, the administrator may conduct a formal conference with an employee whose absence is deemed excessive. Prior written notification of this conference shall be given and shall include all pertinent facts and documents.
- C. The administrator shall write a summary report of the formal meeting. The summary shall include documents, records and items discussed. The summary report will be signed by the employee and the administrator and placed in the Employee's Personnel File. The employee shall have the right to attach written comments and documents to the report. The administrator shall place in the Employee's Personnel File either a letter noting improvement or a letter noting continuing excessive absences.
- D. If the excessive absences continue, the administrator shall, in conjunction with the employee, design and implement a Professional Improvement Plan (PIP) for the purpose of improving the employee's attendance.
- E. Regular excessive absence may be cause for disciplinary action and employees whose absences are excessive may be recommended for salary increase withholding or non-renewal of a contract.
- F. These guidelines and procedures will be administered both individually and collectively in a uniform consistent manner by the administrative staff.
- G. If the administrator requests a physician note and none is presented by the employee, payment for absences will not be granted until a physician note is presented and justifies employee illness.

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Personnel**

**Series 4000**

**Attendance Patterns**

**Policy 4151**

Page 4 of 4

## Legal References

- NJSA 18A:11-1 General mandatory powers and duties  
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder  
18A:29-14 Withholding increments; causes; notice of appeals  
18A:30-1 et seq. Sick Leave
- NJAC 6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-2.1 Definitions
- 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, 4151, 4151.1, 4151.6, 4151.7

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Personnel Illness & Injury / Health & Hardship**

**Policy 4151.1/4251.1**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 1

First Reading: December 8, 2008

It is the policy of the Board of Education to 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 or illness or other reasons may constitute good cause for withholding a salary increment or for dismissal proceedings under New Jersey statutes.

The Chief School Administrator 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 accounting 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.

#### Legal References:

NJSA 18A:6-6; 18A:16-2 through -5, 18A:27-4, 18A:30-1, 18A:30-2,  
18A:30-6, 34:11B-1 et seq.

29 USCA 2601 et. seq. (Family Medical Leave Act)

Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

#### Possible Cross References:

4150, 4151

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Absence Beyond Sick Leave**

### **Policy 4151.2/4251.2**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: December 8, 2008 |               |             |

#### Prolonged Absence Beyond Sick Leave

When the absence of any employee from his or her post or duty because of personal disability due to illness or injury, or because he or she has been excluded from school by the school district's medical authorities because of a contagious disease or of being quarantined of such disease in his/her immediate household, exceeds the annual sick leave together with all accumulated sick leave of that individual employee, request may be made of the Board of Education to pay any such person's salary for such length of time as may be determined by the Board of Education.

The following procedures shall apply:

- A. All requests for such prolonged, extended sick leave shall be made in writing and signed by the employee seeking such leave and such request shall have appended thereto a report from the employee's physician detailing the medical condition of the employee.
- B. The written request shall be submitted to the Board Secretary with a copy to the Superintendent of Schools, at least ten days before the next regularly scheduled Board meeting for inclusion on the agenda of the Board.
- C. The Board shall consider each request on an individual basis and may consider the following factors:
  - 1) The length of employment of the employee within the district.
  - 2) Proposed length of extended sick leave.
  - 3) The nature of the illness/injury.
  - 4) Whether the employee had previously requested such leave.
  - 5) Whether or not the employee is on the verge of retirement because of age or disability.
  - 6) Number of grants of prolonged sick leave to other employees during the school term.
  - 7) Position/Function of the employee and potential impact to the district/students of a substitute employee.
- D. If, after individual consideration, the Board grants prolonged sick leave benefits, the Board shall state by resolution the length of time/number of days of approved paid sick leave. The pay for each approved day of sick leave shall be calculated at  $1/200^{\text{th}}$  of the actual salary for a ten month employee and  $1/260^{\text{th}}$  of a twelve month employee's salary less the pay of a substitute, if a substitute is employed or the estimated cost of a substitute, if none is employed.
- E. If paid leave is not granted, but leave is taken by the employee nevertheless, the employee's salary shall be reduced by  $1/200^{\text{th}}$  if a ten month employee and  $1/260^{\text{th}}$  if a twelve month employee.

#### Prolonged Absence Not Constituting Sick Leave

When the absence of any employee from his or her post exceeds the annual personal leave, request may be made of the Board of Education to pay any such person's salary for such length of time as may be determined by the Board of Education.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Absence Beyond Sick Leave**

## **Series 4000 Policy 4151.2/4251.2**

Page 2 of 2

The following procedures shall apply:

- A. All requests for such prolonged leave shall be made in writing and signed by the employee seeking such leave.
- B. The written request shall be submitted to the Board Secretary with a copy to the Chief School Administrator, at least ten days before the next regularly scheduled Board meeting for inclusion on the agenda of the Board.
- C. The Board shall consider each request on an individual basis and may consider the following factors:
  - 1) The length of employment of the employee within the district.
  - 2) Proposed length of extended leave.
  - 3) The reason for the request for extended leave.
  - 4) Whether the employee had previously requested such leave.
  - 5) Number of grants of prolonged leave to other employees during the school term.
  - 6) Position/Function of the employee and potential impact to the district/students of a substitute employee.
- D. If, after individual consideration, the Board grants prolonged leave benefits, the Board shall state by resolution the length of time/number of days approved paid leave. The pay for each such approved day of leave shall be calculated at 1/200<sup>th</sup> of the actual salary for a ten month employee and 1/240<sup>th</sup> of a twelve month employee's salary less the pay of a substitute if a substitute is employed or the estimated cost of a substitute if none is employed.
- E. If the leave is not granted, but leave is taken by the employee nevertheless, the employee's salary shall be reduced by 1/200<sup>th</sup> of the employee's salary if a ten month employee and 1/240<sup>th</sup> if a twelve month employee. In addition, other disciplinary action may be taken.

### Legal References:

NJSA 18A:11-1, 18A:27-4, 18A:30-1 et seq

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Bereavement Leave**

**Policy 4151.3/4251.3**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

Those employees not covered by the negotiated agreement between the Board of Education and the Elsinboro Education Association shall be entitled to equal compensation stipulated in that agreement in the event of the death of an employee's spouse, child, parent, parent-in-law, brother, sister, or other relative. Other circumstances will be considered by the Chief School Administrator on an individual basis with Board notification.

#### Legal References:

NJSA 18A:11-1

NJAC 6:4-1.6

#### Possible Cross References:

4251.3

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Light Duty Assignments Due to Injury or Illness**

**Policy 4151.4 / 4251.4**

Date Adopted: January 4, 2016

Date Revised:

Page 1 of 3

At its sole discretion, the Board of Education may offer temporary light duty job assignments to employees with temporary work-related restrictions due to an illness or injury.

It is to be noted that light duty assignments are not required by any state or federal law.

Employees who wish to return to work with temporary restrictions due to injuries or illnesses must notify the Chief School Administrator and request, in writing a temporary light duty assignment. The written request shall include a statement from the employee's healthcare provider outlining the type of injury or illness and any restrictions of the work assignment that may be necessary. The Board of Education retains the right to have the employee examined by the physician of its choice to ascertain the validity of the conditions stipulated by the employee and/or the employee's healthcare provider.

Upon a decision of the Board of Education, a written reply to the employee shall be submitted to the employee along with a description of the light duty assignment being offered. Specific duties for such assignments shall be determined by the Chief School Administrator/designee and approved by the Board of Education.

Affirmative responses by the Board of Education shall not be construed as "past practice" for future requests. Each case shall be handled and decided individually.

In order to qualify for light duty assignments, the employee must no longer qualify or be eligible for FMLA or NJFLA or New Jersey Disability Compensation.

Light duty assignments under this policy are specially created temporary job assignments for employees injured or otherwise incapacitated. Such light duty assignments are temporary assignments only, are not vacant or permanent positions within the district workforce, and are not available to employees on a permanent basis under any circumstances. The availability of such light duty assignments shall depend on the district's restrictions and needs. The existence of this light duty policy does not in any way guarantee that light duty will be available at any given time, or for any particular employee who requests it.



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Light Duty Assignments Due to Injury or illness**

**Policy 4151.4 / 4251.4**

Page 2 of 3

If at any point, the employee is medically determined to have sustained permanent restrictions, the creation or continuation of a temporary light duty assignment will not be considered. In that event, the Chief School Administrator will review the employee's situation separately, to determine the appropriate steps to be taken, if any, under the Americans With Disabilities Act, other applicable laws, negotiated employment contracts and other relevant Board policies.

If a light duty assignment is available or created, an employee will be permitted to work in a light duty assignment only after the Chief School Administrator receives a written statement from employee's treating health care provider approving the assignment for the affected employee.

If a light duty assignment is offered by the district and approved by the employee's physician, an employee's refusal to accept the offer of light duty may affect the employee's right to workers' compensation benefits under applicable law. However, if the employee's injury or illness qualifies as a serious health condition for purposes of the Family and Medical Leave Act, such refusal to accept light duty will not impact the employee's rights under the Act.

Employees on light duty are expected to perform that duty, and will be held accountable for performance and conduct standards just like employees on regular duty are.

The employee has no right to continued light duty employment and light duty may be modified or ended at any time, even if the employee's physician has not yet released him/her to regular duty.

The employee shall abide by the restrictions imposed by his or her physician and should not exceed those restrictions.

Upon return to regular duty, following completion of light duty, in order to continue working, the employee must be able to perform the essential functions of his/her regular job, with reasonable accommodation if the employee is disabled, and if reasonable accommodation is necessary.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Light Duty Assignments Due to Injury or illness**

**Policy 4151.4 / 4251.4**

Page 3 of 3

#### Legal References

- NJSA 18A:16-2 through -5 Health examinations  
18A:11-1 General mandatory powers and duties  
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder  
18A:30-1, -2 Sick leave  
18A:30-16 Prolonged absence beyond sick leave  
34:11B-1 et seq. Federal Family Medical Leave Act
- NJAC 6A:16-1.4 et seq. District policies and procedures  
6A:16-2.1 Health services policy and procedure requirements  
6A:32-6.1 et seq. School Employee Physical Examinations  
8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV Infection  
12:100-4.2 Safety and Health Standards for Public Employees (Adoption by reference)
- 29 USCA 2601 et. seq. (Family Medical Leave Act)  
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)  
Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Earned Sick Leave Law**

**Policy 4151.5 / 4251.5**

Date Adopted: October 21, 2019

Date Revised:

Page 1 of 5

The Board of Education shall grant sick leave, in accordance with law, to staff members absent from work because of personal disability or quarantine. Each steadily employed employee eligible for sick leave will be entitled annually to the number of paid sick leave days negotiated with the employee's majority representative or provided in this policy or in an individual contract with the Board.

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

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

#### Definitions

For the purposes of this policy, the following definitions shall apply:

- Employer shall be defined as an individual or organization other than a public employer that is required to provide its employees with sick leave with full pay pursuant to any other law, rule, or regulation of the state.
- Employee shall be defined as an individual other than a public employee who is provided sick leave with full pay.
- Family members shall be defined to mean a child, (biological, adopted, or foster child; stepchild; legal ward; child of a domestic partner or civil union partner), grandchild, sibling, spouse, domestic partner or civil union partner, parent, grandparent, spouse, domestic partner, or civil union partner of an employee's parent or grandparent sibling of an employee's spouse, domestic partner, or civil union partner, any other individual related by blood to the employee any individual whose close association with the employee is the equivalent of family.
- Retaliation includes any threat, discipline, discharge, demotion, suspension, or reduction in hours, or any other adverse employment action against an employee for exercising or attempting to exercise any right guaranteed under the law.

#### Basis

In accordance with the provisions of NJSA 18A:30-2 all persons who are "steadily employed" by the district shall receive sick leave with full pay pursuant to any other law, rule, or regulation of the state. The district must provide up to a total of 40 hours of earned sick leave every benefit year at the accrued rate of one (1) hour for every thirty (30) hours worked, up to a maximum of (forty) 40 hours of leave per benefit year. Alternatively, the district may, but is not required to provide employees with (forty) 40 hours of earned sick leave up front.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Earned Sick Leave Law**

**Series 4000  
Policy 4151.5 / 4251.5**

Page 2 of 5

### Regulations

Employees may begin using earned sick leave accrued under this law on February 26, 2019, or the 120th calendar day after the commencement of employment, whichever is later. However, the district may, but is not required to, provide benefits that are more generous than those required under the law, and may, but is not required to, permit covered employees to use sick leave at an earlier date.

### Acceptable Reasons to Use Earned Sick Leave

Covered employees may use earned sick leave to take time off from work when:

- They need diagnosis, care, treatment, or recovery for a mental or physical illness, injury, or health condition; or they need preventive medical care.
- They need to care for a family member during diagnosis, care, treatment, or recovery for a mental or physical illness, injury, or health condition; or their family member needs preventive medical care.
- The covered employee or a family member have been the victim of domestic violence or sexual violence and need time for treatment, counseling, or to prepare for legal proceedings.
- The covered employee needs to attend school-related conferences, meetings, or events regarding his/her child's education; or to attend a school-related meeting regarding his/her child's health.
- The covered employee's employer's business closes due to a public health emergency or the covered employee needs to care for a child whose school or child care provider closed due to a public health emergency.

### Advance Notice

If the covered employee's need for earned sick leave is foreseeable (can be planned in advance), the district may require up to 7 days' advance notice of the covered employee's intention to use earned sick leave.

If the covered employee's need for earned sick leave is unforeseeable (cannot be planned in advance), the covered employee's employer may require the employee to give notice as soon as it is practical.

### Documentation

The district may require reasonable documentation if the employee uses earned sick leave on 3 or more consecutive work days, or on certain dates specified by the employer. The law prohibits the district from requiring the employee's health care provider to specify the medical reason for said leave.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Earned Sick Leave Law**

**Series 4000  
Policy 4151.5 / 4251.5**

Page 3 of 5

### Unused Sick Leave

Up to 40 hours of unused earned sick leave can be carried over into the next benefit year. However, the district is only required to permit the employee use up to 40 hours of leave per benefit year.

Alternatively, the district may, but not is not required to offer to purchase your unused earned sick leave at the end of the benefit year.

### Freedom from Retaliation for Using Earned Sick Leave

The district may not retaliate against the covered employee for requesting and using earned sick leave, filing a complaint for alleged violations of the law, communicating with any person, including co-workers, about any violation of the law, participating in an investigation regarding an alleged violation of the law, and/or informing another person of that person's potential rights under the law.

As a public employer that has not received a blanket exemption from the law (Earned Sick Leave Law), the district is required to comply with the provisions of the Earned Sick Leave Law for those employees who are not provided with sick leave at full pay.

The following individuals may be covered under the Earned Sick Leave Law and be entitled to earned sick law:

- Substitutes;
- Short-term seasonal employees;
- Coaches and extra-curricular advisors;
- Teachers working additional hours in an after-school program or activity, on call hourly employees;
- Home instructors; and,
- Other individuals who have not received paid sick time under NJSA 18A:30-2.

Compliance with the Earned Sick Leave Law may require extensive tracking of work time for these individuals, including a more lenient use of sick days under the new law including payment of unused earned sick time.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Earned Sick Leave Law**

**Series 4000  
Policy 4151.5 / 4251.5**

Page 4 of 5

The Chief School Administrator 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:

1. Plans to communicate to school district personnel the intent of sick leave and personal leave and the importance of regular attendance;
2. A system of record keeping to account for sick leave and personal days to include monthly and annual reports;
3. A system for monitoring absence for sick leave and personal leave to prevent abuses;
4. When appropriate to the circumstances, requesting school district staff to submit information concerning the cause of absence after three consecutive days of absence;
5. 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.

The Board reserves the right to require of any employee who claims sick leave, sufficient proof, including a physician's certification, of the employee's illness or disability. As a minimum, no day will be considered to be a sick leave day on which the employee has engaged in or prepared for other gainful employment, has participated in a work stoppage, or has engaged in any activity that would raise doubts regarding the validity of the sick leave request.

The Chief School Administrator will prepare rules for the administration of the Board's policy on sick leave, which shall be binding on all employees.

The Chief School Administrator will submit to the Board the names of those employees absent for non-compensable cause or whose claim for sick leave pay cannot be justified. The willful misuse of sick leave will be considered a serious infraction and is subject to discipline.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel Earned Sick Leave Law**

**Series 4000  
Policy 4151.5 / 4251.5**

Page 5 of 5

### Legal References

NJSA 18A:16-2 through -5 Health examinations  
18A:11-1 General mandatory powers and duties  
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder  
18A:30-1, -2 Sick leave  
18A:30-16 Prolonged absence beyond sick leave  
34:11B-1 et seq. Federal Family Medical Leave Act

NJAC 6A:16-1.4 et seq. District policies and procedures  
6A:16-2.1 Health services policy and procedure requirements  
6A:32-6.1 et seq. School Employee Physical Examinations  
8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV Infection  
12:100-4.2 Safety and Health Standards for Public Employees (Adoption by reference)

29 USCA 2601 et. seq. (Family Medical Leave Act)  
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)  
Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Punctuality**

**Policy 4152/4252**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

The Board affirms that punctuality is a trait that students should aspire to and the Board recognizes that employees set examples for students. It shall be the policy of the Board of Education that all employees of the district are expected to be at their assigned area of responsibility and be ready to perform their required duties on time. Failure to do so may subject the employees to progressive disciplinary action by the Board of Education.

The Board directs the Chief School Administrator to establish a reasonable procedure for determining those employees who fail to be at their established work location on time.

#### Legal References:

NJSA 18A:11-1, 18A:27-4



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Accidents / Injuries**

**Policy 4152.2/4252.2**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

The Board directs that any incident of accident or injury to any employee that occurs during working hours shall be reported immediately to the School Nurse.

All injuries requiring first aid or other medical care shall be documented on the School Accident/Injury Form and it shall be the responsibility of the School Nurse to advise the Chief School Administrator of the nature and extent of the injury as well as any first aid applied by the Nurse. Additionally, the School Nurse shall provide the Chief School Administrator with a completed copy of the School Accident/Injury Form.

The School Nurse and/or Chief School Administrator shall be responsible for arranging for emergency transportation or treatment of the injured employee if that action is necessary. It shall be the responsibility of the School Nurse to make the determination as to whether transportation to a hospital or the School Doctor is necessary.

The School Nurse shall also be responsible for preparing and dispatching any claim forms or other forms to the appropriate insurance company or health service group.

#### Legal References:

NJSA 18A:11-1, 18A:27-4  
NJAC 6A:16-2.1 et seq

ELSINBORO TOWNSHIP SCHOOL  
INJURY REPORT/ACCIDENT INFORMATION

Date of Accident\_\_\_\_\_

Employee/Student's Name\_\_\_\_\_

Phone #\_\_\_\_\_

Teacher on Duty\_\_\_\_\_

Time of Accident\_\_\_\_\_

Place of Accident\_\_\_\_\_

How did it  
happen?\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

First Aid Administered:\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Time Office Notified:\_\_\_\_\_ a.m./p.m.

Person Called:\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Additional  
Comments:\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Family Leave**

**Policy 4152.3/4252.3**

Date Adopted: January 12, 2009

Date Revised: December 13, 2010,  
February 8, 2016

Page 1 of 6

In accordance with the New Jersey Family Leave Act (FLA) and the Federal Family and Medical Leave Act (FMLA), the Board of Education will grant staff members up to twelve weeks leave of absence in any twenty-four month period upon advance notice to the district so that the staff member may provide care made necessary by the birth of a child of the staff member, the placement of a child with the staff member in connection with adoption of such child by the staff member, and the serious health condition of a spouse, parent, or child.

A staff member shall not be discriminated against for having exercised his/her rights under the FLA or the FMLA, nor shall the staff member be discouraged from the use of family leave.

#### Definitions

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

- A. "Child" means a biological, adopted or foster child, stepchild, legal ward, child of a parent who is under eighteen years of age or a child eighteen years of age or older but is incapable of self-care because of a mental or physical condition.
- B. "Parent" means a biological, adoptive or foster parent, stepparent, parent-in-law, legal guardian having a "parent-child relationship" with a child as defined by law, or any person who has sole or joint legal or physical custody, care, guardianship or visitation with a child.
- C. "Serious health condition" is an illness, injury, impairment, or physical or mental condition that requires inpatient care in a hospital, hospice, or residential medical facility or continuing medical treatment or continuing supervision by a health care provider.
- D. "Week" is the number of days an employee normally works each calendar week.
- E. "Family leave" is taken pursuant to the New Jersey Family Leave Act (FLA) and the Federal Family and Medical Leave Act (FMLA).
- F. "Staff member" is an employee eligible for family leave in accordance with the New Jersey Family Leave Act (FLA) and the Federal Family and Medical Leave Act (FMLA).
- G. "Reduced leave" means leave scheduled for fewer than the staff member's usual number of hours worked per workweek, but not fewer than the staff member's usual number of hours worked per workday.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Family Leave**

**Policy 4152.3/4252.3**

Page 2 of 6

#### Employer Coverage

The FMLA applies to all public agencies, including state, local and federal employers, and local education agencies (schools), that employed 50 or more employees in 20 or more workweeks in the current or preceding calendar year, including joint employers and successors of covered employers.

#### Eligibility

A staff member shall become eligible for family leave under FLA after he/she has been employed at least twelve months in this district for not less than 1,000 base hours, excluding overtime, during the immediate preceding twelve month period. A staff member shall become eligible for family leave under FMLA after he /she has been employed in this district for not less than 1,250 hours, excluding overtime, during the immediate preceding twelve-month period. The calculation of the twelve-month period to determine eligibility shall commence with the commencement of the family leave. Leave taken for the birth or adoption of a healthy child may commence at any time within a year after the date of the birth or placement for adoption.

Family leave shall run concurrently under the FLA and the FLMA. When family leave is requested under the FMLA for the individual staff member's personal illness or injury, all accumulated sick and personal days must be utilized first. Thereafter, said days will be deducted from the maximum twelve-week entitlement under the FMLA.

During any period of the leave, the staff member is prohibited from performing any services on a full-time basis for any person for whom the staff member did not provide services immediately prior to the commencement of the leave. A staff member on family leave may commence part-time employment that shall not exceed half the regularly scheduled hours normally worked for the district. The staff member may continue the part-time employment that commenced prior to the family leave at the same number of hours that the staff member was regularly scheduled prior to such leave.

#### Types of Leave

A staff member may take family leave in consecutive weeks, as intermittent leave, or as reduced leave. A staff member who requests intermittent or reduced leave shall make a reasonable effort to schedule such leave so as not to unduly disrupt the instructional/educational program.

In the case of a family member who has a serious health condition, leave may be taken intermittently when medically necessary if the total time within which the leave is taken does not exceed a twelve-month period for each serious health condition episode, the staff member will provide the district with prior notice of the leave in a manner that is

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Family Leave**

**Policy 4152.3/4252.3**

Page 3 of 6

reasonable and practicable, and the staff member makes a reasonable effort to schedule the leave so as not to unduly disrupt the operations of the instructional/educational program. In the case of the birth or adoption of a healthy child, the leave may be taken intermittently only if agreed to by the staff member and the Chief School Administrator/designee.

A staff member is entitled, at the option of the staff member, to take leave on a reduced leave schedule except the staff member is not entitled to a reduced leave schedule for a period exceeding twenty-four consecutive weeks. The staff member is not entitled to take the leave or a reduced leave without an agreement between the staff member and the Chief School Administrator/designee if leave is taken upon the birth or adoption of a healthy child. The staff member shall make a reasonable effort to schedule reduced leave so as not to unduly disrupt the operations of the instructional/educational program. The staff member shall provide the district prior notice of the care, medical treatment or continuing supervision by a health care provider necessary due to a serious health condition of a family member in a manner that is reasonable and practicable. Leave taken on a reduced leave schedule shall not result in a reduction of the total amount of leave to which a staff member is entitled.

The fact that a holiday or vacation period may occur within the week taken by a staff member as family leave has no effect and the week is counted as a week of family leave.

Any time remaining after a staff member has exhausted his/her entitlement to intermittent leave in any twelve-month period may be taken as consecutive leave or reduced leave, and any leave time remaining after a staff member has exhausted his/her entitlement to reduced leave in any twelve-month period may be taken as consecutive leave or intermittent leave.

#### Notice

A staff member eligible for family leave must give at least a thirty day advance written notice to the Chief School Administrator/designee of the need to take family leave, except where the need to take family leave is not foreseeable. When the need is not foreseeable, the staff member must provide notice as soon as practicable which shall be at least verbal notice to the Chief School Administrator/designee within one or two working days of the staff member learning of the need to take family leave. Whenever emergent circumstances make written notice impracticable, the staff member may give verbal notice to the Chief School Administrator/designee, but any verbal notice must be followed by written notice delivered within three working days.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Family Leave**

**Policy 4152.3/4252.3**

Page 4 of 6

Notice for leave to be taken for the birth or placement of the child for adoption shall be given at least thirty days prior to the commencement of the leave except that if the date of the birth or adoption requires leave to begin in less than thirty days, the staff member shall provide such notice that is reasonable and practicable.

Notice for leave to be taken for the serious health condition of a family member shall be given at least fifteen days prior to the commencement of the leave except that if the date of the treatment or supervision requires leave to begin in less than fifteen days, the staff member shall provide such notice that is reasonable and practicable.

When the Chief School Administrator/designee is not made aware that a staff member was absent for family leave reasons and the staff member wants to request the leave be counted as family leave, the staff member must provide written notice within two working days of returning to work to have the time considered family leave in accordance with the FLA and FMLA.

#### Benefits

Family leave shall be unpaid leave as per the FLA and the FMLA.

In accordance with law, the Board of Education will maintain coverage under any group health insurance policy, group subscriber contract, or health care plan at the level and under the conditions coverage would have been provided if the staff member had continued in employment continuously from the date the staff member commenced leave until the date the staff member returned to work or the date on which the staff member's coverage would have expired had the staff member not been on leave, whichever is sooner. A staff member who receives benefits while on family leave must return to the district for a minimum of one year or, at the discretion of the Board of Education, until the end of the fiscal year, whichever is deemed to be in the best interest of the district. Staff members who do not comply with this provision shall be required to reimburse the district for the full cost of all medical, prescription and dental benefits provided during the family leave.

A staff member returning from family leave shall be entitled to the position he/she held when leave commenced or to an equivalent position of like seniority, status, employment benefits, pay and other conditions of employment. If the district experiences a reduction in force or layoff and the staff member would have lost his/her position had the staff member not been on family leave as a result of the reduction in force or pursuant to the good faith bargaining agreement, the staff member shall not be entitled to reinstatement to the former or an equivalent position in accordance with applicable statutes, codes and laws.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Family Leave**

**Policy 4152.3/4252.3**

Page 5 of 6

The staff member's tenure and seniority rights, if any and other benefits shall be preserved, but the staff member shall accrue no additional time toward tenure or seniority for the period of the leave except as may be provided by law.

The return of a staff member prior to the expiration of the requested family leave may be permitted by the Board provided that the requested early date of return is not the day before any date school is to be closed or a day in which school is closed for vacation, holidays or other reasons. In addition the early return of the employee shall not unduly disrupt the instructional program or require the Board to incur the cost of continuing the employment of a substitute under contract or unduly disrupt the educational program for pupils.

Family leave granted to a nontenured staff member cannot extend the employee's employment beyond the expiration of his/her employment contract.

The district may deny family leave to the staff member if the staff member is a salaried employee who is among the highest paid five percent of the school district staff or one of the seven highest paid employees of the district, whichever is greater. This denial is necessary to prevent substantial and grievous economic injury to the school district's operations. The Board of Education shall notify the staff member of the intent to deny the leave at the time determination is made that the denial is necessary. If the leave has already commenced at the time of the district's notification of denial, the staff member shall return to work within ten working days of the date of notification.

#### Verification of Leave

The Board of Education shall require the certification of a duly licensed health care provider verifying the purpose of requested family leave. Certification of a serious health condition of a family member of the staff member shall be sufficient if it states the date on which the condition commenced, the probable duration of the condition, and the medical facts within the provider's knowledge regarding the condition. Certification for the birth or placement of a child need only state the date of birth or date of placement, whichever is appropriate.

In the event the Chief School Administrator doubts the validity of the certification for the serious health condition of a family member of the staff member, the district may require, at the district's expense, the staff member to obtain an opinion, regarding the serious health condition by a second health care provider designated or approved, but not employed on a regular basis, by the Board of Education. If the second opinion differs for the certification, the Board of Education may require at the district's expense, that the staff member obtain an opinion of a third health care provider designated or approved

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional & Support Personnel**

**Series 4000**

### **Family Leave**

**Policy 4152.3/4252.3**

Page 6 of 6

jointly by both the staff member and the Board of Education. The opinion of the third health care provider shall be final and binding on the Board of Education and the staff member.

In order that a staff member's entitlement to family leave can be properly determined, the Chief School Administrator shall ensure that keeping of accurate attendance records that distinguish family leave from other kinds of leave.

#### Legal References

NJSA 18A:16-2 through -5 Health examinations  
18A:11-1 General mandatory powers and duties  
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder  
18A:30-1, -2 Sick leave  
18A:30-16 Prolonged absence beyond sick leave  
34:11B-1 et seq. Federal Family Medical Leave Act  
  
29 USCA 2601 et. seq. (Family Medical Leave Act)  
Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721



**Elsinboro Township Board of  
Education  
District Policy Manual**

**Support Personnel**

# **Elsinboro Township Board of Education District Policy Manual**

## **Support Personnel**

**Series 4000**

## **Appointment & Conditions of Employment**

**Policy 4212.1**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

### Application

Application for staff services shall be made through the office of the Chief School Administrator. Those applying should be interviewed by the person directly over them in the organization and the Chief School Administrator. Their recommendations shall be submitted to the Board of Education.

### Eligibility

Those employed in the secretarial services, special services, maintenance, custodial or cafeteria staffs of the school system must be trustworthy, of good moral character and willing to assume responsibility for her/her assigned duties.

### Legal References:

NJSA 18A:11-1, 18A:27-4; 18A:27-5, 18A:27-6, 18A:27-7; 18A:27-8; 18A:28-8  
18A:28-9

Camden Board of Education v. Nelson Alexander, et als. (A-34/35-02)

Cresskill Bd. Of Ed. v. Cresskill Ed. Assn., 362 NJ Super. 7 (App. Div. 2003)

# **Elsinboro Township Board of Education District Policy Manual**

## **Support Personnel**

**Series 4000**

## **Supervision & Evaluation – Support Staff**

**Policy 4215/4216**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 1

First Reading: December 8, 2008

### Supervision

The Chief School Administrator shall ensure development of procedures for observation and supervision of all employees so the 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.

### Evaluation

The Chief School Administrator 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 Chief School Administrator 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 is to be evaluated in advance of the evaluation. It shall be the policy of the 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. Bus drivers
- G. Such other classifications as the Board may establish

### Legal References:

NJSA 18A:4-15, 18A:4-16, 18A:6-10 et seq., 18A:11-1, 18A:27-3.1  
through -3.3, 18A:28-5, 18A:29-14  
NJAC 6:3-4.1, 6:3-4.3, 6:3-5.1 et seq, 6:30-2.1(a) 8

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross Reference:

2130, 2131, 4000, 4112.6, 4115/4116, 4117.41, 4131/4131.1, 4215/4216, 6143.1,  
6200

# **Elsinboro Township Board of Education District Policy Manual**

## **Support Personnel**

**Series 4000**

### **Reduction in Force - Aides**

**Policy 4217.45**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 1

First Reading: December 8, 2008

The Board of Education has adopted policies and entered into contracts providing for Instructional Aides under approved Title 1 Programs as well as, Non-Instructional Aides for playground and cafeteria duty.

Any necessary reduction in force of Instructional Aides shall be made as a result of insufficient funds available under an approved Title 1 Program. Such reduction in Instructional Aides shall be on the basis of seniority in the position of Instructional Aide with the individual Instructional Aide with the least seniority in the school being reduced first; the individual having the second least seniority being reduced second; etc.

Any necessary reduction in force of Instructional Aides who are not funded by an approved Title 1 Program shall be made as a result of insufficient funds. Such reduction in Instructional Aides shall be on the basis of seniority in the position of Instructional Aide with the individual Instructional Aide with the least seniority in the school being reduced first; the individual having the second least seniority being reduced second; etc.

Any necessary reduction in force of Non-Instructional aides shall be made as a result of a decision made by the Board with the provision of the Board/Association Contract. Said contract provides for a non-specific number of positions; therefore reductions in the number of Non-Instructional Aides shall be made on the basis of seniority in that position. The individual Non-Instructional Aide having the least seniority in the school shall be reduced first; the individual having the second least seniority being reduced second; etc.

Any Instructional or Non-Instructional Aide being reduced and having greater total seniority in the school than any other Instructional or Non-Instructional Aide not affected by the reduction may assume the position of the individual with the least seniority and that individual with the least seniority shall become the individual to be affected by the reduction.

#### Legal References:

NJSA 18A:28-9; 18A:28-10; 18A:28-11; 18A:28-12  
NJAC 6:3-1.10; 6:11-3.6

#### Possible Cross References:

2131, 4215/4216

# **Elsinboro Township Board of Education District Policy Manual**

## **Support Personnel**

**Series 4000**

## **Probationary Period for New Employees**

**Policy 4221**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

All newly employed staff in the following classifications shall be employed for a probationary period of 60 calendar days, or less, at the discretion of the Board:

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

During the probationary period such employees shall be considered “temporary”.

The “date of hire” of any employee shall be the first day the employee reports to work for the probationary period.

### Legal References:

NJSA 18A:16-1.1; 18A:29-16

NJAC 6:8-4.3(e)

# **Elsinboro Township Board of Education District Policy Manual**

## **Support Personnel**

**Series 4000**

### **Staff Development; In-service Education / Visitations, Conferences**

**Policy 4231/4231.1**

|                                 |               |             |
|---------------------------------|---------------|-------------|
| Date Adopted: January 12, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: December 8, 2008 |               |             |

The Board of Education recognizes its legal obligation to provide in-service activities to further the ability of the staff to progress toward achievement of district goals and objectives.

The Chief School Administrator shall develop a comprehensive management system for staff improvement and shall assist staff members in the area of professional improvement by providing relevant information regarding workshops, professional meetings and course offerings.

Staff participation that may require release time and/or financial reimbursement will be decided by the Chief School Administrator.

Upon return from the meeting, conference, clinic, etc., the staff member may be asked to present a written report to the Chief School Administrator of the activity and any other information that might be used in the District, or shared with other staff members.

#### Mandated In-service Programs

The Chief School Administrator shall arrange development of appropriate in-service 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.

#### Legal References:

NJSA 18A:11-1, 18A:7A-11, 18A:7A-11e, 18A:17-46, 18A:27-4, 18A:30-7, 18A:31-2, 18A:40A-3, 18A:40A-3a, 18A:40A-18c, 34:5A-10, 34:5A-13, N.J.A.C. 6:3-1.6, 6:3-4.1, 6:3-4.3, 6A:7-1.6, 6A:9-15.1 et seq, 6A:14-1.2(b) 13, 6A:15-1.8, 6A:16-1.1 et seq., 6A:16-3.1(a) 4, -5.2(c), 6.2(b) 11, 6A:16-10.1 et seq., 6A:16-10.2, 6A:24-1.1 et seq., 6A:24-2.2, -4.1, -4.2, -6.1, 6A:30-1.1 et seq.

Manual for the Evaluation of Local School Districts (September 2002)

No Child Left Behind Act of 2001, Pub. L. 107-110,

Multi-year Equity Plan for the Academic Years 2000-2001 through 2002-2003

New Jersey State Department of Education Division of Student Services Office  
of Bilingual Education and Equity Issues

#### Possible Cross References:

4115, 4116, 4133, 4231/4231.1, 5131.6, 5141, 6142.2, 6171.3, 6171.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Support Personnel**

**Series 4000**

## **Overtime**

**Policy 4243**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 1

First Reading: December 8, 2008

It is the intention of the Board of Education to comply with NJ State Labor Laws in the compensation of overtime for nonexempt personnel when such is previously approved and properly worked.

No overtime shall be worked without the prior approval of the Chief School Administrator/designee. Overtime will be paid at the rate of 1½ times regular hourly pay when approved by the Chief School Administrator/designee for time worked in excess of 40 hours per week, or as noted in specific contract. For the purpose of computing overtime, credit toward the attainment of 40 hours shall be given only for hours worked or compensated time off.

### Legal References:

NJSA 34:10-1 et seq

# **Elsinboro Township Board of Education District Policy Manual**

## **Support Personnel**

**Series 4000**

## **Attendance Patterns**

**Policy 4251**

Date Adopted: January 12, 2009

Date Revised:

Page 1 of 1

First Reading: December 8, 2008

The 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 Chief School Administrator 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 illness and request all leave at the earliest possible time. Procedures shall be in accordance with New Jersey statutes and district negotiated contracts.

A doctor's certificate may be required for all illnesses and injuries for those employees who are absent more than three days. In addition, a doctor's certificate may be requested in cases of questionable use of sick leave benefits, even if an employee has been absent for one day.

If it has been determined that an employee has utilized sick leave benefits without just cause, he/she shall be subject to disciplinary action.

If an employee has exhausted all accumulated sick leave, all unused personal days may be utilized as sick leave.

Provisions shall be made for public acknowledgment of exceptional staff attendance records.

### Legal References:

NJSA 18A:11-1; 18A:27-4, 18A:29-14; 18A:30-1 et seq,  
NJAC 6:8-1.1; 6A:30-1.1 et seq

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

Burlington Education Ass'n v Burlington Bd of Ed 1985 SLD 889 aff'd St Bd  
1985 SLD 912

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

### Possible Cross References:

4250, 4251.1, 4251.6, 4251.7



**Elsinboro Township  
Board of Education**

**District Policy Manual**



**Students**

**Series 5000**



**Elsinboro Township  
Board of Education  
District Policy Manual**

**TABLE OF CONTENTS**

**Students – Series 5000**

|   |                |
|---|----------------|
| <b>Role of Parents/Guardians</b>  | <b>5020</b>    |
| <b>Permission for Pupils to Leave School Premises</b>                     | <b>5100</b>    |
| <b>Student Attendance</b>   | <b>5110</b>    |
| <b>Admission</b>  | <b>5111</b>    |
| <b>Evaluation &amp; Placement Upon Entrance</b>                           | <b>5111.5</b>  |
| <b>Absences &amp; Excuses</b>   | <b>5113</b>    |
| <b>Suspension &amp; Expulsion/Pupil Due Process</b>                       | <b>5114</b>    |
| <b>Student Storage Areas</b>  | <b>5114.6</b>  |
| <b>Plagiarism</b>   | <b>5114.7</b>  |
| <b>Role of the Teacher &amp; Other Professional Staff</b>                 | <b>5114.9</b>  |
| <b>Role of the Superintendent of Schools &amp; the Board of Education</b> | <b>5114.12</b> |
| <b>No Smoking</b>   | <b>5114.13</b> |
| <b>Nonresident Students</b>   | <b>5118</b>    |
| <b>Illegal Admissions</b>   | <b>5118.1</b>  |
| <b>Transfers / Withdrawals</b>  | <b>5119</b>    |
| <b>Transfers (Unsafe School Choice Option)</b>                            | <b>5119.3</b>  |
| <b>Needs Assessment of Individual Pupils</b>                              | <b>5120</b>    |
| <b>Honor Roll</b>   | <b>5121.1</b>  |
| <b>Examinations/Grading/Rating/Testing</b>                                | <b>5122</b>    |
| <b>Maintaining Records of Student Grades</b>                              | <b>5122.1</b>  |
| <b>Promotion &amp; Retention</b>  | <b>5123</b>    |
| <b>Reporting to Parents / Guardians</b>                                   | <b>5124</b>    |
| <b>Pupil Records</b>  | <b>5125</b>    |
| <b>Pupil Anonymity</b>  | <b>5125.2</b>  |
| <b>Awards for Achievement</b>   | <b>5126</b>    |
| <b>Commencement Activities</b>  | <b>5127</b>    |
| <b>School Activities</b>  | <b>5127.1</b>  |
| <b>Students Driving to School</b>   | <b>5128</b>    |
| <b>Campus Disturbances</b>  | <b>5129</b>    |
| <b>Student Disturbances</b>   | <b>5129.05</b> |
| <b>Enforcement of Drug-Free School Zones</b>                              | <b>5129.2</b>  |
| <b>Paging Devices, Cell Phones &amp; Other Electronic Devices</b>         | <b>5129.7</b>  |
| <b>Conduct / Discipline</b>   | <b>5131</b>    |

|   |                |
|---|----------------|
| <b>Dating Violence</b>  | <b>5131.2</b>  |
| <b>Student Use of Bicycles</b>  | <b>5131.3</b>  |
| <b>Vandalism &amp; Violence</b>   | <b>5131.5</b>  |
| <b>Substance Abuse</b>  | <b>5131.6</b>  |
| <b>Weapons &amp; Dangerous Instruments</b>  | <b>5131.7</b>  |
| <b>Physical Restraint of Students by Staff Members</b>                                  | <b>5131.8</b>  |
| <b>Harassment, Intimidation &amp; Bullying</b>  | <b>5131.9</b>  |
| <b>School Uniforms</b>  | <b>5132</b>    |
| <b>Exclusion of Pupils from School for Reasons of Illness</b>                           | <b>5132.2</b>  |
| <b>Communicable Diseases</b>  | <b>5132.45</b> |
| <b>Procedures for Handling Students Who Must be Returned Home During the School Day</b> | <b>5132.5</b>  |
| <b>Readmittance After Absence Due to Illness</b>  | <b>5132.6</b>  |
| <b>Pediculosis</b>  | <b>5132.7</b>  |
| <b>Married/Pregnant Pupils</b>  | <b>5134</b>    |
| <b>Adolescent Suicide Awareness &amp; Prevention Programs</b>                           | <b>5135</b>    |
| <b>Fund Raising Activities</b>  | <b>5136</b>    |
| <b>Safety Drills</b>  | <b>5137</b>    |
| <b>Insurance</b>  | <b>5139</b>    |
| <b>Student Inter-Visitation to Schools</b>  | <b>5140</b>    |
| <b>Animals in the Classroom/School</b>  | <b>5140.1</b>  |
| <b>Health</b>   | <b>5141</b>    |
| <b>Accidents</b>  | <b>5141.1</b>  |
| <b>Illness</b>  | <b>5141.2</b>  |
| <b>Administering Medication</b>   | <b>5141.21</b> |
| <b>Administration of Medical Marijuana</b>  | <b>5141.25</b> |
| <b>Opioids</b>  | <b>5141.26</b> |
| <b>Medical Examinations &amp; Immunizations</b>   | <b>5141.3</b>  |
| <b>Child Abuse &amp; Neglect</b>  | <b>5141.4</b>  |
| <b>Early Detection of Missing Children</b>  | <b>5141.5</b>  |
| <b>Control of AIDS</b>  | <b>5141.6</b>  |
| <b>HIV Status of Students</b>   | <b>5141.7</b>  |
| <b>Automated External Defibrillator</b>   | <b>5141.9</b>  |
| <b>Safety: Personal &amp; Possessions</b>   | <b>5142</b>    |
| <b>Safety Patrol</b>  | <b>5142.1</b>  |
| <b>School Symbols, Colors</b>   | <b>5144</b>    |
| <b>Questioning &amp; Apprehension</b>   | <b>5145.11</b> |
| <b>Search &amp; Seizure</b>   | <b>5145.12</b> |
| <b>Equal Educational Opportunity</b>  | <b>5145.4</b>  |
| <b>Photographing &amp; Taping Students</b>  | <b>5145.5</b>  |
| <b>Pupil Grievance Procedure</b>  | <b>5145.6</b>  |
| <b>Non-Public School Pupils</b>   | <b>5200</b>    |
| <b>Distribution of Non-School Material</b>  | <b>5210</b>    |

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Role of Parents / Guardians**

**Policy 5020**

Date Adopted: March 30, 2009

Date Revised: November 19, 2018

Page 1 of 1

The Board believes that the education of children is a joint responsibility, one it shares with the parents/guardians and the school community. To ensure that the best interests of the child are served in this process, a strong program of communication between home and school must be maintained and parental involvement in district concerns encouraged.

The Board recognizes the vital role of the parents/guardians in the welfare and education of their children and the pivotal part they play in shaping character and values. Because parents/guardians are familiar with the needs, problems, gifts and abilities of their children, staff should seek to involve parents/guardians as much as possible in the planning of the individual program. Parents/guardians must, by law, be included in the development of certain educational programs for their children.

Parents/guardians are requested to keep the school apprised of changes in factors in the home situation that may affect pupil conduct or performance. Parents/guardians are specifically requested to inform the school of any changes in legal custody of the child.

Parents/guardians are responsible for their child's punctuality, attendance, cleanliness and propriety of dress.

The Chief School Administrator shall develop procedures and regulations to implement this policy. These regulations shall include use of the parent/guardian's native language when necessary.

## Legal References

- NJSA 18A:35-4.9 Pupil promotion and remediation; policies and procedures
- 18A:35-22 Notice to parents that child identified as eligible for enrollment; option of declining enrollment; involvement of parents in program
- NJAC 6A:8-4.3 Accountability
- 6A:14-1.1 et seq. Special Education
- 6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
- 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 6A:32-12.1 Reporting requirements
- 6A:32-12.2 School-level planning

## Possible Cross References

1230, 1250, 5113, 5114, 5120, 4124, 5125, 5131.5, 5131.6, 6142.2, 6146, 6146.2, 6147.1, 6162.4, 6171.1, 6171.3, 6171.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

### **Permission for Pupils to Leave School Premises**

**Policy 5100**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 16, 2009 |               |             |

No pupil shall leave the premises during school hours without permission of the Chief School Administrator or his/her designee granted upon written request from the parent/guardian or for good cause known to the Chief School Administrator. Telephoned requests for excuse of pupils from school shall be referred to the Chief School Administrator and honored with caution.

#### Legal References:

NJSA 18A:11-1, 18A:36-24 through -26  
NJAC 6:20-1.3

#### Possible Cross References:

5113, 5113.1, 6154

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Student Attendance**

**Policy 5110**

Date Adopted: March 30, 2009

Date Revised: September 16, 2019

Page 1 of 3

Compulsory attendance at school is a long-standing state policy and has been upheld by the court of New Jersey and the U.S. Supreme Court as a matter of public concern and legislative regulation.

The Board of Education has an obligation to require that the pupils of this district be present in school in order that they may be taught. This policy is for the benefit of the pupils, their parents, and the community at large. The Board concurs with the Commissioner of Education who wrote:

“...pupil participation in all regularly scheduled classroom learning activities in each area of study is essential in order for each pupil to receive the maximum benefits of a thorough educational program. Frequent absences of pupils from regular classroom learning experiences disrupt the continuity of the instructional process. The benefit of regular classroom instruction is lost and cannot be entirely regained, even by extra after-school instruction. Consequently, many pupils who miss school frequently experience great difficulty in achieving the maximum benefits of schooling. Indeed, many pupils in these circumstances are able to achieve only mediocre success in their academic programs. The school cannot teach pupils who are not present. The entire process of education requires a regular continuity of instruction, classroom participation, learning experiences, and study in order to reach the goal of maximum educational benefits for each individual child. The regular contact of the pupils with one another in the classroom and their participation in well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose. This is a well-established principle of education which underlies and gives purpose to the requirement of compulsory schooling in this and every other state in the nation.” (Wheatley et al V. Board of Education of the City of Burlington, Burlington County, September 23, 1974.)

The Board of Education requires that the pupils enrolled in the district attend school regularly and promptly in accordance with the laws of this state. The educational program offered by this district is predicated upon the presence of the pupil and requires continuity of instruction and classroom participation.

Attendance shall be required of all students enrolled in the school during the days and hours that school is in session unless it is shown to the satisfaction of the Board that the mental condition of the student is such that he/she cannot benefit from the instruction or that the bodily condition of the student is such as to prevent attendance at school. All absences occasioned by the observance of the student’s religion on a day approved by the Commissioner as a religious holiday shall be excused and no student so excused shall be

## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

**Series 5000**

### **Student Attendance**

**Policy 5110**

Page 2 of 3

deprived of an award or eligibility to compete for an award or the opportunity to make up a test given on the religious holiday.

All absences are unexcused or illegal, except for the following reasons: Illness of the pupil, death in the immediate family, quarantine, and “Exceptionally urgent reasons” such as affect the child. (Kindergarten children fall under the same compulsory attendance laws as pupils of other grades.)

In accordance with statute, the Board shall require from the parent/guardian of each child who has been absent from school or from class for any reason a written excuse of the cause for such absence. Teacher’s are responsible for collecting and keeping on file all excuse blanks. These excuses are to be placed on file in the principal’s office at the close of the school year. They will be kept there for a period of one year. When a child has two suspected illegal absences, please report the fact to the principal of your building, if truancy is suspected. The Board reserves the right to verify such statements and to investigate the cause of each absence of more than three days duration. The Board may report to the appropriate authorities infractions of the law regarding the attendance of students below the age of 16.

The Chief School Administrator is designated as the person who will be responsible for signing complaints against children who are habitually truant or who have excessive absentee records.

No complaint shall be filed until after a “5 Day Notice” has been served and adequate opportunity has been given for the child to attend regularly. When the “5 Day Notice” has been served, the Chief School Administrator will then file a complaint against the parent. At the time of filing this complaint, he/she will submit the date that the “5 Day Notice” was served, and the number of days that the child has been absent thereafter. This complaint will be filed with the juvenile court.

The Board further maintains that the learner has a major responsibility to learn, and as such, the pupil is accountable for faithful school attendance. The Board cannot condone, accuse, or encourage any absence by pupils. Therefore, the Chief School Administrator may prepare regulations to assist with the implementation of this policy.

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Student Attendance**

**Policy 5110**

Page 3 of 3

## Legal References

NJSA 18A:11-1 General mandatory powers and duties  
18A:35-4.9 Pupil promotion and remediation; policies and procedures  
18A:36-14, -15, -16 Religious holidays; absence of pupils on; effect ...  
18A:36-19a Newly enrolled students; records and identification  
18A:36-24 through -26 Missing children; legislative findings and declarations ...  
18A:38-25 Attendance required of children between six and 16; exceptions  
18A:38-26 Days when attendance required; exceptions  
18A:38-27 Truancy and juvenile delinquency defined  
18A:38-31 Violations of article by parents or guardians; penalties  
18A:38-32 District and county vocational school attendance officers  
18A:40-7 Exclusion of pupils who are ill  
18A:40-8 Exclusion of pupils whose presence is detrimental to health and cleanliness  
18A:40-9 Failure of parent to remove cause for exclusion; penalty  
18A:40-10 Exclusion of teachers and pupils exposed to disease  
18A:40-11 Exclusion of pupils having communicable tuberculosis  
18A:40-12 Closing schools during epidemic  
52:17B-9.8a through -9.8c Marking of missing child's school record

NJAC 6A:8-5.1 Graduation requirements  
6A:16-1 et seq. Programs to support student development.  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-8.1 et seq. Student Attendance and Accounting  
6A:32-8.3 Student attendance

Wetherell v. Board of Education of Township of Burlington, 1978 S.L.D. 794  
Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851  
C.R., on behalf of J.R., v. Board of Education of the Scotch Plains-Fanwood  
Regional School District, 1988 S.L.D. (June 22)

## Possible Cross References

5020, 5111, 5114, 5115, 5124, 5141.2, 5141.4, 5142, 6146, 6147, 6147.1, 6154,  
6171.4, 6173



# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Admission**

**Policy 5111**

Date Adopted: March 30, 2009

Date Revised: January 5, 2015, September 16, 2019

Page 1 of 7

### Eligibility

The Board of Education shall admit to its school free of charge the following persons over five and under 20 years of age:

- A. Any student domiciled within the district;
- B. Any student kept in the home of a person other than the student's parent/guardian, where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his/her own child;
- C. Any student kept in the home of a person domiciled in the district, other than the parent/guardian, where the parent/guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency;
- D. Any student whose parent/guardian temporarily resides within the district, notwithstanding the existence of a domicile elsewhere;
- E. Any student whose parent/guardian moves to another district as the result of being homeless, subject to the provisions of administrative code;
- F. Any student placed in the home of a district resident by court order pursuant to statute;
- G. Any student previously residing in the district if the parent/guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency pursuant to statute; and,
- H. Any student residing on federal property within the state pursuant to statute.

### Proof of Eligibility

The Board shall accept any combination of the forms of documentation that are listed in the New Jersey Administrative Code (NJAC 6A:22-3.4) when they are presented by persons attempting to demonstrate a student's eligibility for enrollment in the district, and as deemed appropriate, valid, and acceptable by the Superintendent of Schools, including:

- Property tax bills; deeds; contracts of sale; leases; mortgages; signed letters from landlords; and other evidence of property ownership, tenancy, or residency;
- Voter registrations; licenses; permits; financial account information; utility bills, delivery receipts; and other evidence of personal attachment to a particular location;

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Admission**

## **Series 5000 Policy 5111**

Page 2 of 7

- Court orders; State agency agreements; and other evidence of court or agency placements or directives;
- Receipts; bills; cancelled checks; insurance claims or payments; and other evidence of expenditures demonstrating personal attachment to a particular location or to support the student;
- Medical reports; counselor or social worker assessments; employment documents; unemployment claims; benefit statements; and other evidence of circumstances demonstrating family or economic hardship, or temporary residency;
- Affidavits, certifications, and sworn attestations pertaining to statutory criteria for school attendance from the parent, guardian, person keeping an "affidavit student," adult student, person(s) with whom a family is living, or others, as appropriate;
- Documents pertaining to military status and assignment; and
- Any other business record or document issued by a governmental entity.

The Board of Education may accept forms of documentation not listed above and shall not exclude from consideration any documentation or information presented by an applicant.

The Board shall consider the totality of information and documentation offered by an applicant and may accept other forms of documentation or information presented by a person seeking to enroll a student.

The Board shall not require or request any information or document protected from disclosure by law or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school, including, but not limited to:

- Income tax returns;
- Documentation or information relating to citizenship or immigration/visa status, except as set forth in NJAC 6A:22-3.3(b);
- Documentation or information relating to compliance with local housing ordinances or conditions of tenancy; and
- Social Security numbers.

Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Admission**

## **Series 5000 Policy 5111**

Page 3 of 7

Enrollment shall take place immediately when an applicant has provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to NJAC 6A:22-4.2.

When a student appears to be ineligible based on information provided in the initial application, the district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the school district's determination and an intent to appeal to the Commissioner of Education. An applicant whose student is enrolled pursuant to this paragraph shall be notified that the student will be removed without a hearing before the Board of Education if no appeal is filed within the 21-day period established by NJSA 18A:38-1.

### Minimum Immunization Requirements

All children enrolling in the district shall provide proof of the required vaccinations and immunizations as established by the laws of the State of New Jersey for students entering public schools.

### Pre-Kindergarten & Kindergarten

Any child residing in the district shall be admitted to the kindergarten provided:

- A. The child will have attained the age of four years for pre-kindergarten and five years for kindergarten on or before October 1<sup>st</sup> of that school year;
- B. Proof shall be furnished of immunization against the communicable diseases at the time of enrollment or such immunization shall be completed within 30 days from date of entry into the school;
- C. The child shall have been examined by either the school or a private physician, and the results shall be furnished to the school on the form provided.

### Grade One

Any child residing in the district shall be admitted to grade one provided:

- A. The child will have attained the age of six years on or before October 1 of that school year;
- B. Proof has been furnished of immunization against communicable diseases.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Admission**

**Series 5000  
Policy 5111**

Page 4 of 7

### Transfers into Grades Two through Eight

Pupils transferring into the district are expected to present copies of records from the previously attended school (or district) to aid in placement. Also required are proof of immunizations and proof of identity.

Within the time prescribed by law, the Superintendent of Schools shall request in writing from the school or district of previous attendance, the pupil's records.

### Joint Custody

When divorced parents/guardians have joint custody of (a) minor child(ren), admission shall be based on the present address of the parent/guardian with whom the child(ren) resided as of the date required by administrative code.

### Affidavit Pupils

When there is any doubt as to whether a child is entitled to free public education in the district schools, all procedures of law and code shall be followed.

### Nonresidents

The district is obliged to educate children of appropriate age residing in the district. The mere owning of any property whatsoever does not qualify a parent/guardian to send children to school in this school district. See policy 5118 Nonresidents.

### Foreign Exchange Students (J-1 Visas)

To receive a J-1 student visa from the United States Department of State, a foreign exchange student must demonstrate acceptance to a designated exchange visitor program as evidenced by presentation of Form IAP-66, sufficient funds, or adequate arrangements, to cover expenses; sufficient knowledge of English to undertake the proposed program; compliance with the requirements of Section 212(j)INA.

Foreign exchange students who hold appropriate visas and who are domiciled within a district residence may be admitted to this district after complying with this policy.

Students who are domiciled within a residence of one of the sending districts must obtain documentation to show acceptance by the sending district. Foreign exchange students will not be enrolled in High School without acceptance by both this district and the sending district.

### Foreign Students (F-2 visas - dependents of F-1 students)

To receive an F-2 visa from the United States Department of State, a student must be a dependent of F-1 status visa holders.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Admission**

## **Series 5000 Policy 5111**

Page 5 of 7

### Foreign Students (F-1 visas)

To receive an F-1 student visa from the United States Department of State, a foreign exchange student must demonstrate that he/she has a residence abroad and intends to return; has been accepted to pursue a full course of study at an INS-approved institution as evidenced by presentation of Form 1-20A-B; has sufficient academic preparation to pursue the intended course of study; has sufficient knowledge of English to pursue the intended study and has sufficient funds to cover the first year of study and access to sufficient funds to cover subsequent years.

Foreign exchange students who hold F-1 visas may not be admitted to an elementary school (K-8) and/or an adult education program in this district.

F-1 visa foreign students, who were in a public school before November 30, 1996 and obtained F-1 status before November 30, 1996 may continue in the public school. However if these students travel outside the United States, they will need to conform to the requirements above (12 month maximum and reimbursement for cost) to be readmitted.

The cost of education to be reimbursed to the Board may be calculated by dividing the sum of all public expenditures of the school or district by the number of students or by using the rate certified by the Board.

Foreign exchange students or their representative(s) must notify the Board of Education no later than May 31<sup>st</sup> of the school year prior to the requested enrollment year of their desired to be enrolled in the district school. The Board of Education reserves the right to determine if a particular foreign exchange student or group of exchange students may be enrolled in the district school, based on space available and/or the educational needs of the particular student or group of students seeking enrollment. The Board of Education shall render its decision and inform the prospective student or his/her representative(s) of such decision no later than June 30<sup>th</sup> of that same year. At its sole discretion, the Board of Education may alter these dates.

### Students Returning from County Detention

The district shall accept all days of attendance and courses studied by a student at a county juvenile detention center and apply them toward district requirements for promotion or middle school graduation.

## **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Admission**

**Policy 5111**

Page 6 of 7

### Homeless Pupils

The district will determine the educational placement of homeless students in each child's best interest and respond to appeals concerning them made by parents/guardians or other parties in accordance with New Jersey statutes and administrative code, as well as, pertinent federal law.

The Board of Education shall make this policy available to parents/guardians and the public.

# Elsinboro Township Board of Education District Policy Manual

## Students Admission

Series 5000  
Policy 5111

Page 7 of 7

### Legal References

- NJSA 18A:7B-12 District of residence; determination  
18A:7B-12.1 Homeless child; responsibility for education; determination of placement; payment of costs  
18A:7C High School Graduation Standards  
18A:36-19a Newly enrolled students; records and identification  
18A:36-25.1 Proof of child's identity required for enrollment; transfer of record  
18A:38-1 Attendance at school free of charge  
18A:38-2 Free attendance at school by nonresidents placed under court order  
18A:38-3 Attendance at school by nonresidents  
18A:38-4 Free attendance to persons over age  
18A:38-5 Admission of pupils under age  
18A:38-5.1 No child to be excluded from school because of race, etc.  
18A:38-6 Time of admission of pupils; first school year  
18A:38-7.7 Legislative findings and declarations  
18A:38-8 Duty to receive pupils from other districts  
18A:38-25 Attendance required of children between six and 16; exceptions  
18A:40-20 Immunization at public expense  
18A:44-1 Establishment of nursery schools or departments; eligibility for admission  
18A:44-2 Establishment of kindergarten; eligibility for admission  
26:1A-9.1 Exemption of pupils from mandatory immunization
- NJAC 6A:10A-2.1 et seq Preschool program general provision  
6A:12-3.1 Choice district application procedures  
6A:14-1.1 et seq. Special Education  
6A:16-2.2 Required health services  
6A:16-2.4 Required student health records  
6A:17-1.1 et seq. Students at Risk of Not Receiving a Public Education  
6A:22-1.1 et seq. Entitlement to Attend School Based on Domicile or  
6A:22-3.4 Proof of Eligibility  
6A:23-5.2, -5.3 Method of determining the district of residence  
6A:32-8.2 School enrollment  
8:57 Communicable diseases  
8:61-1.1 Attendance at school by pupils or adults infected by (HIV)  
P.L. 2005, c. 265 students returning to public schools from county detention  
Tepper v. Board of Education of the Township Hackensack, Bergen County,  
Plyler v. Doe, 457 U.S. 202 (1982)  
Warren Board of Education v. Cooperman, 105 NJ 587 (1987)  
J.A. v. Board of Education of South Orange/Maplewood, 318 N.J. Super. 512  
"Pupil Residency": Who is Eligible for a Free Public Education," by Donna Kaye,  
Esq. In N.J. School Leader (July-August 2002).

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Evaluation & Placement Upon Entrance**

**Policy 5111.5**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 16, 2009 |               |             |

Students transferring into the school will be placed in the appropriate classroom by the administration on the basis of records available at the time of enrollment.

If, in the opinion of the classroom teacher, and based on available records, the student exhibits a need for remediation in reading or mathematics, the classroom teacher shall notify the Basic Skills teacher and the administration of the perception with substantiating evidence or reasons.

If the administration concurs in this assessment, the student may be assigned for additional assistance. Within such an assignment, the student may be administered the currently accepted evaluative placement test.

Continued and subsequent placement in a regular classroom, or additional assistance, or other referral for special services will be determined by the administration on the basis of these evaluative instructions and professional judgment which shall include teacher perceptions.

If a student transferring into the School has previously been classified and found eligible for Special Education Services, such student's case shall be referred to the Child Study Team. The Child Study Team will review all pertinent reports and data concerning the individual student and, in compliance with the regulation set forth in NJAC 6:28-1, recommend to the administration the most appropriate educational classification and placement for the student.

In the case of Kindergarten entrance determination or at the direction of the Child Study Team, an appropriate screening instrument(s) may be used as an evaluative instrument.

### Legal References:

NJSA 18A:36-19a, 18A:44-1, 18A:44-2  
NJAC 6:3-9.2, 6A24-3.1 through -3.4,

### Possible Cross References:

5120



# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Absences & Excuses**

**Policy 5113**

Date Adopted: March 30, 2009

Date Revised: December 14, 2009, November 11, 2014,  
January 2, 2017, May 7, 2018

Page 1 of 8

In order for the Board of Education to fulfill its responsibility for providing a thorough and efficient education for each pupil, the complete cooperation of parents/guardians and pupils is required to maintain a high level of school attendance.

The frequent absence of pupils from classroom learning experiences disrupts the continuity of the instructional process and limits the ability of pupils to complete the prescribed curriculum requirements successfully.

School will be open for a minimum of 180 days each year and the maximum of unexcused absences permitted within an academic year is 9. Pupils are expected to attend school during the established school time.

Parents/guardians are responsible for notifying the school early in the day when a child will be absent and for informing the school of the reason for the absence. Pupils shall be required to complete all work and exercises assigned during any absences. Arrangements to make up the work must be initiated by the pupil or parent/guardian.

Any pupil who has more than 9 unexcused absences within any academic year, shall be subject to an administrative review by the Chief School Administrator/designee before the student can be considered for course credit or promotion.

### Unexcused Absences

For the purposes of this policy and pursuant to NJAC 6A:32-8.3, the definition of a school day is that a school day shall consist of not less than four hours of actual instruction.

For the purposes of this policy an unexcused absence shall be defined as absence of a student from school, a class or classroom or his/her assigned program for a school day without proper notification by the student's parent/guardian for reasons other than those listed in this policy below under excused absences.

Attendance need not always be within the school facilities. A pupil will be considered to be in attendance if he/she is present at any place where school is in session by authority of the Board. The Board shall consider each pupil assigned to a program of independent study, with parent/guardian permission, to be in regular attendance for that program, provided that he/she is under the guidance of a staff member so assigned, reports daily or weekly, as prescribed, to such staff member the place in which he/she is conducting his/her study, and regularly demonstrates progress toward the objectives of his/her course of study.

# **Elsinboro Township Board of Education District Policy Manual**

**Students  
Absences & Excuses**

**Series 5000  
Policy 5113**

Page 2 of 8

## Cases of Up to Five Unexcused Absences

The Chief School Administrator shall assign a district employee to attempt to notify parents/guardians of any unexcused absences of their children prior to the beginning of the school day following said unexcused absence. After 5 unexcused absences, a letter of inquiry will be sent home.

## Cases of Six to Nine Cumulative Unexcused Absences

A second letter of inquiry will be sent home and a conference will be held with the parent/guardian.

## Cases of Ten Cumulative Unexcused Absences

In cases of 10 or more cumulative unexcused absences, the student between the ages of 6 and 16 shall be considered to be truant pursuant to NJAC 18A:38-37. In such cases, the following actions shall be instituted:

1. A mandatory referral to the court program designated and required by the New Jersey Administrative Office of the Courts and subject to DCF (Division of Children and Families) notification;
2. Notify the student's parents/guardians of said mandatory referral;
3. Possible withholding of credit for the academic school year;
4. Students will not be eligible to participate in special activities (field trips, Family Day, etc.);
5. Cooperation with law enforcement and other authorities and agencies, and as appropriate;
6. Proceed in accordance with the provisions of NJSA 18A:38-28 through 31, Article 3B, Compelling Attendance at School and other applicable state and federal statutes, as required.

## Truancy

Penalties for students who cut classes shall include detention and in-school suspension. Parents/guardians who fail to comply with the compulsory attendance laws are subject to the penalties prescribed by law.

The Chief School Administrator will report to appropriate authorities infractions of the law regarding the attendance of pupils below the age of 16. Repeated infractions by enrolled pupils over the age of 16 may result in the suspension or expulsion of the pupil.

## **Elsinboro Township Board of Education District Policy Manual**

**Students  
Absences & Excuses**

**Series 5000  
Policy 5113**

Page 3 of 8

It shall be the policy of the Board to consider the effectiveness and appropriateness to his/her needs of the educational program that is offered each pupil who is habitually and repeatedly absent from his/her assigned program and to consult with the child study team for its recommendations.

### Excused Absences

The Board considers the following as cause for excused absence:

1. Personal illness or injury (Doctor's note may be requested for excessive absences).
2. Quarantine (the quarantine of the student or family in accordance with the directives of health officials).
3. Required court attendance
4. Medical or dental appointments (Doctor's note is expected upon return to school or absence will be recorded as unexcused).
5. Death in the family (One day within state, 3 days out of state)
6. Religious observance—In accordance with statute, no pupil absent for religious observance of a day recognized by the commissioner of education or this Board of Education shall be charged with an unexcused absence, deprived of an award or eligibility/opportunity to compete for an award, or of the right to take an alternate to a test or examination missed through such absence.
7. Unique special circumstances that may develop on a case-by-case basis.

### Family Vacations During Times When School is in Session

The Board of Education, the administration and the faculty strongly urges families planning to take vacations do so only when school is not in session. Taking students out of the classroom for family vacations disrupts the educational process and, as a result, students may experience academic difficulties.

The following procedures shall be followed if parents/guardians choose to remove their children to attend a family vacation during the school year:

1. It is the responsibility of the student's parent/guardian to inform the school of the dates that their child will be away from school on vacation at least one week prior to the student departing for vacation.
2. When the student is away on vacation and while school is in session, the student will be marked as "Absent-Unexcused" with the notation that the student has parent/guardian permission to be away from school. A family vacation does not constitute an "Excused Absence" as defined in this policy.

## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

### **Absences & Excuses**

**Series 5000**

**Policy 5113**

Page 4 of 8

3. Upon the return from vacation, there shall be no requirement or expectation that a teacher will provide extra “catch up” instruction (i.e. one-on-one tutoring) to students, beyond regular course instruction. It shall be solely the student’s responsibility to catch up on material missed while the student was on vacation.
4. The student will be required to complete any assignments that were conducted during the student’s vacation. For every one day absent, the student will have 1 day to make up the work.
5. Failure to complete any tests, quizzes, examinations, homework assignment, projects or other assignments by the date stipulated by the teacher, shall result in a grade of “0” for those assignments, without the option of submitting them late.

#### Regular Release of Pupils Before the End of the Normal School Day

There are varying situations which may justify release of certain pupils from school before the normal time for closing. Such situations are justifiable only if the release does not jeopardize the pupil’s educational program and the reasons for such release can be shown to have positive benefits for the pupil.

The Board expects students to arrive at school and in classrooms on time. The Board recognizes that from time to time compelling circumstances will require that a pupil be late to school or dismissed before the end of the school day.

#### Late Arrival

As agent responsible for the education of the children of this district, the Board shall require that, the school be notified in advance of such absences by written request of the pupil’s parent/guardian, which shall state the reason for the tardiness.

Justifiable reasons may include:

1. Medical or dental appointments which cannot be scheduled outside of school hours (Doctor’s note is expected upon return to school or absence will be recorded as unexcused);
2. Family emergency;
3. Court appearance;

When it is necessary for a child to arrive 5 or more minutes after the beginning of the school day for reasons other than those listed above, time missed by the student shall be counted as unexcused time and will be made a part of the student’s permanent attendance record. Two unexcused latenesses will equal one unexcused absence.

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|---|------------------------------------|
| <b>Elsinboro Township Board of Education<br/>District Policy Manual</b> |                                    |
| <b>Students<br/>Absences &amp; Excuses</b>                              | <b>Series 5000<br/>Policy 5113</b> |
| Page 5 of 8   |                                    |

### Early Dismissal

No pupil in grades kindergarten through eight shall be permitted to leave the school before the close of the school day unless he/she is met in the school office by his/her parent/guardian or a person authorized by the parent/guardian to act in his/her behalf. Teachers have been directed to dismiss students only upon direction from the office. Tardiness not covered by the causes listed shall be cumulative, and may affect course credit.

When is it necessary for a parent/guardian to pick up a child five (5) or more minutes prior to the end of the school day for reasons other than the reasons listed above, time missed by the student shall be counted as unexcused time and will be made a part of the student's permanent attendance record. Upon their return, parents/guardians are required to provide documentation of the reason(s) for removing their child from school prior to the end of the school day. If documentation is not produced, the early dismissal will remain unexcused. Two unexcused early pick-ups will equal one unexcused absence.

Any combination of two unexcused late arrival or early release will equal one unexcused absence.

Excessive absences including those resulting from late arrivals or parents/guardians picking up their child before the end of the school day may result in the district filing a complaint with the New Jersey Division of Child Protection and Permanency (DCP&P) Office of the Courts in accordance with and required by the provisions of NJSA 18A:38-28 through 31, Article 3B, Compelling Attendance at School and other applicable state federal statutes.

### Legal Custody

A record shall be kept indicating the legal custodian of each pupil. Such custodian shall be responsible for informing the Board of any change in the pupil's custodian. If one parent/guardian has been awarded custody of the pupil in a divorce settlement, the other parent/guardian shall present to the Chief School Administrator a letter authorizing him/her to accompany the child from school before the child may be released. The Chief School Administrator may take such steps as seem necessary to ensure that the child is released only to the proper legal custodian.

### Make-Up Work

Students shall be provided the opportunity to make up all work and examinations missed because of absence. Failure to make up such work or take such examinations shall result in appropriate academic penalty.

|   |                                    |
|---|------------------------------------|
| <b>Elsinboro Township Board of Education<br/>District Policy Manual</b> |                                    |
| <b>Students<br/>Absences &amp; Excuses</b>                              | <b>Series 5000<br/>Policy 5113</b> |
| Page 6 of 8   |                                    |

For every one day absent, the student will have 1 day to make up the work. Failure to complete any tests, quizzes, examinations, homework assignment, projects or other assignments by the date stipulated by the teacher, shall result in a grade of “0” for those assignments, without the option of submitting them late.

For excused absences, additional days may be granted by the CSA if deemed appropriate (i.e. injury due to an extended illness or injury).

#### Exclusions

When a student has been excluded from school in accordance with statute, he/she shall have the same opportunity to make up missed work as a student absent for any other reason. Such days of non-attendance shall be recorded as excused absences.

#### Potentially Missing Children

- A. If daily attendance records indicate a child is absent, and the parent/guardian has not called, a designated person shall attempt to contact them, even using emergency numbers in an effort to locate the child.
- B. If no telephone contact can be made, the attendance officer shall investigate.
- C. If the attendance officer cannot locate the child, he/she shall inform the Chief School Administrator, who shall inform the appropriate local authorities.
- D. If a child who was present in the morning is absent after lunch, the same procedure shall be followed.

#### Marking Missing Child's School Record

Whenever the Chief School Administrator receives notice from the Missing Persons Unit that a child has been reported missing, he/she shall mark the child's records in such a way that

whenever a copy of or information regarding the record is requested, district personnel will be aware that the record is that of a missing child. If a copy of a marked school record is requested, the Chief School Administrator shall supply the record to the requestor without alerting him/her to the fact that the record has been marked; according to provisions in code and statute on accessing pupil records (see Policy 5125 Pupil Records). After the Chief School Administrator has complied with the request for copies of records or information, he/she shall immediately report the inquiry or any knowledge as to the whereabouts of the missing child to the Missing Persons Unit.

## **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Absences & Excuses**

**Series 5000**

**Policy 5113**

Page 7 of 8

### Regulations

The Chief School Administrator shall develop procedures for the attendance of pupils which:

- A. Ensure a school session which is in conformity with requirements of the rules of the New Jersey State Board of Education;
- B. Identify potentially missing and/or abused pupils;
- C. Govern the keeping of attendance records in accordance with rules of the New Jersey State Board of Education, including pupils serving in- or out-of-school suspensions, or excluded for health and cleanliness reasons;
- D. Impose on truant pupils such disciplinary measures as may be appropriate for infractions of school regulations, but no such penalty may have an irredeemable negative effect on the pupil's record of achievement beyond that which naturally follows his/her absence from school activities;
- E. Identify the habitual truant, investigate the causes of his/her behavior, and consider modification of his/her educational program to meet his/her particular needs and interests;
- F. Address tardiness and class cutting in terms of the intent of this policy;
- G. Ensure that pupils absent for any reason have an opportunity to make up work they missed;
- H. Recognize exemplary attendance.

# **Elsinboro Township Board of Education District Policy Manual**

**Students  
Absences & Excuses**

**Series 5000  
Policy 5113**

Page 8 of 8

## Legal References

- NJSA 18A:11-1 General mandatory powers and duties  
18A:35-4.9 Pupil promotion and remediation; policies and procedures  
18A:36-14, -15, -16 Religious holidays; absence of pupils on; effect ...  
18A:36-19a Newly enrolled students; records and identification  
18A:36-24 through -26 Missing children; legislative findings and declarations ...  
18A:38-25 Attendance required of children between six and 16; exceptions  
18A:38-26 Days when attendance required; exceptions  
18A:38-27 Truancy and juvenile delinquency defined  
18A:38-31 Violations of article by parents or guardians; penalties  
18A:38-32 District and county vocational school attendance officers  
18A:40-7 Exclusion of pupils who are ill  
18A:40-8 Exclusion of pupils whose presence is detrimental to health and cleanliness  
18A:40-9 Failure of parent to remove cause for exclusion; penalty  
18A:40-10 Exclusion of teachers and pupils exposed to disease  
18A:40-11 Exclusion of pupils having communicable tuberculosis  
18A:40-12 Closing schools during epidemic  
52:17B-9.8a through -9.8c Marking of missing child's school record
- NJAC 6A:8-5.1 Graduation requirements  
6A:16-1 et seq. Programs to support student development.  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-8.1 et seq. Student Attendance and Accounting  
6A:32-8.3 Student attendance
- Wetherell v. Board of Education of Township of Burlington, 1978 S.L.D. 794  
Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851  
C.R., on behalf of J.R., v. Board of Education of the Scotch Plains-Fanwood  
Regional School District, 1988 S.L.D. (June 22)

## Possible Cross References

5020, 5111, 5114, 5115, 5124, 5141.2, 5141.4, 5142, 6146, 6147, 6147.1, 6154, 6171.4,  
6173



# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Suspension & Expulsion / Pupil Due Process**

**Policy 5114**

Date Adopted: March 30, 2009

Date Revised: September 12, 2016

Page 1 of 6

While the Board believes that positive approaches to acceptable behavior are usually more effective, it is sometimes necessary to penalize pupils for violations of school regulations to ensure the good order of the school and to teach pupils the consequences of disruptive behavior.

The responsibility for preparing recommendations as to admission, readmission, or refusal to admit students after confinement, incarceration, or after expulsion by the Board of Education, shall rest with the Chief School Administrator of the school where the pupil would attend if readmitted.

All pertinent information will be secured, including recommendations of parole board, probation officers, or other state institutions or agencies when pertinent; reports of interviews with parents or guardians; and recommendations of guidance departments and/or psychologists, as necessary.

Pupils who indulge in disruptive behavior may be suspended or expelled. Disruptive behavior includes, but is not limited to:

- A. Continued and willful disobedience;
- B. Open defiance of the authority of any teacher or person having authority over a pupil;
- C. Actions that constitute a continuing danger to the physical well-being of other pupils;
- D. Physical assault upon another pupil, a teacher, or any school employee with or without a firearm or other weapon;
- E. Taking, or attempting to take, personal property or money from another pupil whether by force or fear;
- F. Willfully causing, or attempting to cause, substantial damage to school property;
- G. Taking part in any unauthorized occupancy of a district facility and refusing to leave promptly when directed to do so by a person in authority;
- H. Inciting others to take part in an unauthorized occupancy;
- I. Inciting other pupils to truancy;
- J. Truancy and class cutting; leaving school property without permission;
- K. Poor attendance and lateness;
- L. Use or possession of unsafe or illegal articles;
- M. Use of any tobacco product on school property;
- N. Use, possession or sale of a controlled dangerous substance, drug paraphernalia, anabolic steroids or alcohol;
- O. Use of profanity or abusive language;
- P. Turning in a false alarm;

## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

**Series 5000**

### **Suspension & Expulsion / Pupil Due Process**

**Policy 5114**

Page 2 of 6

- Q. Tampering with or damaging property of other pupils or staff members;
- R. Selling or buying lottery tickets or any other gambling paraphernalia on school property.

The Chief School Administrator will review cases on an individual basis and determine whether or not each case warrants suspension.

Any pupil who commits an “assault” (as defined by NJSA 2C:12-1) with or without a weapon upon a Board Member, teacher, administrator or other employee of the Board of Education shall be suspended from school immediately according to procedural due process, and suspension or expulsion proceedings shall begin no later than 30 calendar days from the date of the pupil’s suspension.

Any pupil who is convicted or adjudicated delinquent for possession of a firearm and/or weapon or a crime while armed with a firearm and/or weapon or found knowingly in possession of a firearm and /or weapon on any school property or on a school bus or at a school-sponsored function shall be immediately removed from the school’s regular education program for a period of not less than one calendar year. The Chief School Administrator may modify this suspension on a case-by-case basis. Each pupil so removed shall be placed in an alternative educational program or on home instruction and shall be entitled to a hearing before the Board. The hearing shall take place no later than 30 days following the day the pupil is removed from the regular education program and shall be closed to the public.

The Chief School Administrator shall have the authority to suspend pupils for improper conduct in or on school property in grades 3 through 8, which in his/her judgment is deemed sufficient cause for such action. Students in preschool through second grade will be subject to early detection and prevention programs for behavioral issues incorporated in their daily program to include remediation of problem behaviors, positive reinforcements, supportive interventions, and referral services. Students in grades 3 through 8 shall also be considered for remediation and referral in the event their behaviors warrant such action given their circumstances for suspension.

The Chief School Administrator shall be responsible for the removal of such students. The Chief School Administrator shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

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

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|---|--------------------|
| <b>Elsinboro Township Board of Education District Policy Manual</b> |                    |
| <b>Students</b>   | <b>Series 5000</b> |
| <b>Suspension &amp; Expulsion / Pupil Due Process</b>               | <b>Policy 5114</b> |
| Page 3 of 6   |                    |

### In-school Suspension

The Board directs the administration to arrange facilities for in-school suspension whenever possible. Pupils will be required to occupy themselves with school-related work during such suspensions. No socializing shall be permitted. Pupils shall be counted as present in school but absent (excused) from individual classes.

### General

Pupils on home suspension shall be counted absent (excused) unless the duration of the suspension requires home instruction.

Except when special considerations warrant (at the discretion of the administration), every pupil will be given a written warning in the form of a disciplinary notice that subsequent violation of school regulations may result in his/her exclusion or suspension.

Pupils under suspension are prohibited from participating in or attending any school-regulated activity during the period of their suspension. They may not enter the school buildings or

grounds of this district without the permission of the Chief School Administrator. Any pupil under suspension who enters the school buildings or grounds without the permission of the Chief School Administrator may have the period of his/her suspension extended. The right to continue the suspension or to expel is reserved to the Board of Education, acting upon the recommendation of the administration.

Serious violations of school regulations which create a dangerous or unsafe condition for other pupils shall cause a pupil to be suspended upon the first offense.

### Making Up Missed Work

Pupils who are under suspension will be required to make up all assignments missed during the period of their suspension and will be given adequate opportunity to make up this work.

Upon their readmission, failure to complete the makeup assignments will result in a meeting with the parents/guardians. The Chief School Administrator will notify parents/guardians by telephone and send a letter regarding the telephone conversation immediately;

### Procedures

The administration shall establish, and the Board shall approve, specific procedures for dealing with suspension cases. Regulations ensuring due process to all pupils before a suspension is imposed shall be developed with the advice of the Board attorney and shall include at least:

- A. Informing the pupil of the charges against him/her;
- B. Giving the pupil a chance to reply to them.

## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

**Series 5000**

### **Suspension & Expulsion / Pupil Due Process**

**Policy 5114**

Page 4 of 6

These regulations shall also include safeguards for the dismissal of pupils suspended from school, procedures for calling an immediate conference with parents/guardians, limitations on the length of suspensions, and specifics for the reinstatement of pupils.

Every effort shall be made to adjust each suspension promptly so that the pupil can be returned to school with a minimum loss of school time and school work.

When the Chief School Administrator imposes a suspension, he/she must report it to the Board. No suspension for reasons other than assault upon a teacher, administrator, Board Member or other Board employee may continue beyond the second regular meeting of the Board following the suspension without Board action. No suspension for assault upon a teacher, administrator, Board Member or other Board employee may be continued beyond 30 days without Board action. A suspended pupil may be reinstated by the Chief School Administrator before Board action.

Each pupil shall be afforded an informal hearing before the suspension or, if circumstances prohibit, as soon as possible after the suspension except that, when extraordinary circumstances involving the health and safety of the pupil or others in the school require immediate exclusion, the hearing may be delayed to such time as circumstances permit. Pupils suspended for a period of time longer than a short-term suspension shall be afforded a formal hearing before the Board which shall take place not later than the second regular meeting of the Board following the suspension. If the offense involves a weapon or assault with or without the weapon (as described above), the hearing shall take place not later than 30 days after the suspension occurs.

The Board shall make a decision within five days of the close of the hearing. Any appeal of the Board's decision shall be made to the Commissioner of Education within 90 days of the Board's decision.

The Board requires that such hearings shall be closed to the public, but should all parties thereto agree, the hearing may be publicly held. Each suspended pupil who has requested a formal hearing shall be restored to the regular educational program pending the outcome of the hearing, except when, in the opinion of the Chief School Administrator, the presence of the pupil in school poses such a danger to himself/herself or others as to warrant continued absence.

Each such pupil suspended from the schools of this district shall receive individual instruction commencing not later than five working days after the suspension occurs, except that the Board may, on the recommendation of the Chief School Administrator, assign the pupil to an alternate educational program to meet his/her particular needs (see Policy #6172).

## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

**Series 5000**

### **Suspension & Expulsion / Pupil Due Process**

**Policy 5114**

Page 5 of 6

#### Expulsion

The Board will consider expulsion only if:

- A. The Chief School Administrator with his/her staff have exhausted all means of bringing about a correction of repeated misconduct; or
- B. The nature of a single act presents such a clear possibility of danger to others that immediate definitive action is indicated.

The parents/guardians of the pupil shall be interviewed, if possible, and advised of the reasons why expulsion is being considered, of the rights of the pupil to a full hearing which will afford him/her procedural due process, and the right of parents/guardians to appeal to the Chief School Administrator.

The child shall remain out of school until either:

- A. An appeal made to the Chief School Administrator is decided in the child's favor; or
- B. The appeal (if made) has been denied and the Board has met to hear the Chief School Administrator's recommendation.

If the Board determines that the charges, if true, may warrant expulsion, the Board will set a date for the hearing. The Board attorney will arrange for the giving of legal notice to all parties concerned for the preparation and presentation of evidence in support of the charges at the hearing.

The pupil must receive:

- A. Notification of the charges against him/her;
- B. The names of the adverse witnesses;
- C. Copies of the statements and affidavits of those adverse witnesses;
- D. The opportunity to be heard in his/her own defense;
- E. The opportunity to present witnesses and evidence in his/her own defense;
- F. The opportunity to cross-examine adverse witnesses; and
- G. The opportunity to be represented by counsel.

Juvenile authorities and law enforcement agencies shall be notified or consulted if necessary.

Prior to expulsion, prevention programs for behavioral issues incorporated in their daily program to include remediation of problem behaviors, positive reinforcements, supportive interventions, and referral services will be afforded all students. In addition, the student shall be referred to the Child Study Team for evaluation.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Suspension & Expulsion / Pupil Due Process**

**Policy 5114**

Page 6 of 6

If a pupil younger than 18 years of age is expelled, the Board shall continue to supply an educational program for him/her.

### Implementation

The Chief School Administrator shall develop detailed written procedures to implement this policy. He/she shall ensure uniform and consistent application of the policy and shall report to the Board as required on its effectiveness.

When an alternative educational program is provided for a pupil identified as disruptive but not disabled, the Chief School Administrator shall inform the Board.

### Legal References

- NJSA 2C:12-1 Definition of assault
- 18A:11-1 General mandatory powers and duties
- 18A:37-1 et seq. Discipline of pupils
- 18A:40A-1 et seq. Substance abuse
- NJAC 6A:14-2.8 Discipline/suspension/expulsions
- 6A:16-1.1 et seq. Programs to Support Student Development
- 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 6A:32-2.1 Definitions
- 6A:32-12.2 School-level planning
- 20 U.S.C.A. 1400 et seq. - Section 504 of the Rehabilitation Act of 1973
- P.L. 103-382, Improving America's Schools Act of 1994
- Goss v. Lopez, 419 U.S. 565, 581 (1975)
- Tibbs v. Franklin Township Board of Education, 114 N.J. Super. 287 (App. Div.) aff'd 59 NJ 506 (1971)
- R.R. v. Shore Reg. Board of Education, 109 N.J. Super. 337 (Ch. Div. 1970)
- H.A. v. Board of Education Warren Hills Regional, 1976 S.L.D. 336
- 82: July 28, C.F. v. Board of Education of the Upper Freehold Regional School District
- Honig v. Doe, 484 U.S. 305 (1988)
- Somerset County Educational Services Commission v. North Warren Board of Education 1999 S.L.D. September 7
- State in re G.S. 330 N.J. Super. 383 (Ch. Div. 2000)
- See also Commissioners' Decisions indexed under "Pupils-Punishment of" in Index to N.J. School Law Decisions
- A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

### Possible Cross References

5113, 5124, 5131.5, 5131.7, 6154, 6164.2, 6164.4, 6171.4, 6172, 6173

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Student Storage Areas**

**Policy 5114.6**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board of Education recognizes that the 4<sup>th</sup> Amendment Right to Privacy applies to students and that they are therefore entitled to be free from unreasonable searches and seizures by school officials. The Board furthermore recognizes that the Legislature has specifically charged school officials with the duty of maintaining order, safety and discipline.

School officials shall have reasonable grounds to believe that a student possesses evidence of illegal activity or of an activity that would interfere with school discipline and order before a reasonable search shall be conducted.

Desks and other storage areas assigned to students are school property and these shall be subject to regular and periodic inspection by the administration in order to insure proper health and safety standards. Areas may be inspected at any other time when reasonable grounds of such an inspection exist.

Whenever reasonable grounds to conduct a specific area search exists, the administration shall consider the source of the information, the reliability of the source, the actions of the student, the age and history of the student, the seriousness of the problem to the school, the need for immediacy as compared to parental knowledge or notification and the relationship of the search to the alleged wrong doing.

After due consideration of these items, the administration shall decide if a search is warranted. If so there shall be present at all times following whenever possible:

- The administrator
- The student
- The parent or legal guardian
- A witness in place of the parent if the parent/guardian is not available
- School security if available

If criminal activity is involved or suspected, law enforcement officers shall be contacted for their assistance. The Chief School Administrator shall protect the student's individual rights at all times.

The administration shall be responsible for the custody, control and disposition of any object seized (unless superseded by a law enforcement officer) and shall be responsible for the prompt recording in writing of all reasons for the search, persons present, items found and seized and disposition of them.

### Legal Reference:

NJSA 18A:36-19.2

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Plagiarism**

**Policy 5114.7**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

Pupils are expected to be honest in all of their academic work. This means that they will not engage in any of the following acts:

1. Cheating on examinations, including but not limited to the unauthorized use of books or notes, the use of crib sheets, copying from other students' papers, exchanging information with other students orally, in writing, or by signals, obtaining copies of the examination illegally, texting by cell phone, etc. and other similar activities.
2. Plagiarism is not permitted in term papers, themes, essays, reports, images, take-home examinations, and other academic work. Plagiarism is defined as stealing or use without acknowledgement of the ideas, words, formulas, textual materials, online services, computer programs, etc. of another person, or in any way presenting the work of another person as one's own.
3. Falsification, including forging signatures, altering answers after they have been graded, the insertion of answers after the fact, the erasure of grader's markings, and other acts that allow for falsely taking credit.

A pupil found guilty of academic dishonesty may be subjected to a full range of penalties including, but not limited to reprimand and loss of credit for all of the work that is plagiarized.

A teacher who believes that a pupil has been academically dishonest in his/her class should resolve the matter in the following manner:

1. Reprimand the student orally and/or in writing. The teacher is authorized to withhold credit in the work tainted by the academic dishonesty.
2. If warranted, the teacher shall file a written complaint against the student with the Chief School Administrator, requesting a more stringent form of discipline. The complaint must describe in detail the academic dishonesty that is alleged to have taken place, and must request that the matter be reviewed by the Chief School Administrator.
3. The Chief School Administrator will determine if additional discipline of the pupils is appropriate and will determine the nature of the discipline on a case-by-case basis.
4. If the pupil is not in agreement with the disciplinary action of the teacher, he/she may appeal the action to the Chief School Administrator. If the pupil is dissatisfied with the Chief School Administrator's disposition of the case, he/she may grieve the action in accordance with Policy 5145.6 – Pupil Grievance Procedure.

### Legal References:

NJSA 18A:6-1, 18A:25-2, 18A:37-1 et seq.



# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Role of the Teacher & Other Professional Staff**

**Policy 5114.9**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board believes that staff members shall demonstrate, by word and action, respect for law and order, and self-discipline, and require observance of school rules and regulations. Staff members shall continually seek appropriate resources to affect positive change in student behavior and shall reinforce such positive behavior.

The Board recognizes the essential role of members in providing direction and guidance so students can learn, think and reason and be responsible for their actions. To this end, members shall demonstrate their dedication and enthusiasm for teaching and learning. Staff members should seek to keep students and parents informed regarding student progress as well as treat students with respect and concern. The Board expects teachers to be consistent, fair and firm in dealing with students both in and out of the classroom. Staff members are further expected to provide input in the review and revision of school rules and regulations regarding student conduct.

## Legal References:

NJSA 18A:11-1

NJAC 6:3-6, 6:28-1.4(a)2

## Possible Cross References

1120, 5125, 5141.6, 5145.5

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

## **Role of the Chief School Administrator & the Board of Education**

**Policy 5114.12**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board recognizes the role of the Chief School Administrator and/or Board member to include demonstrating, by work and example, respect for law and order, self-discipline, and a sincere concern for all persons under his/her authority.

The Board and the Chief School Administrator shall employ and maintain a well-trained staff at all levels and shall support the staff by enforcing discipline in accordance with district policies and New Jersey state law.

The Board recognizes its responsibility as well as that of the Chief School Administrator to develop programs that provide for the needs of all students including those with special needs.

The Board and the Chief School Administrator shall be fair and consistent in rendering decisions regarding students whose behavior problems have been referred or appealed to the Chief School Administrator and/or the Board of Education.

It is essential that the Chief School Administrator and the Board keep the community informed of all school activities through regular publications, announcements, meetings, etc.

### Legal References:

NJSA 18A:7A-3 et. al., 18A:7F-1, et seq, 18A:11-1, 18A:12-21 et seq,  
NJAC 6:3-4.1, 6:8-1.1 et seq, 6A:28-1.1 et seq, 6A:30-1.1 et seq

### Possible Cross References:

2131, 2210, 3293.1, 4111, 4115, 4116, 4211, 4215, 9000, 9313

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**No Smoking**

**Policy 5114.13**

Date Adopted: March 30, 2009

Date Revised: August 11, 2014

Page 1 of 2

The Board of Education recognizes the medical danger associated with the use of tobacco and is cognizant of its statutory duty pursuant to NJSA 26:3D-15 regarding smoking in school facilities. Additionally, the Board of Education believes that the right of persons to smoke must be balanced against the right of those who do not smoke to breathe air untainted by tobacco smoke. In order to protect pupils and employees who choose not to smoke from an environment noxious to them and potentially damaging to their health, the Board prohibits smoking in all buildings and school grounds belonging to the District and in all school vehicles.

## Definition of Smoking, Tobacco Products & Tobacco Use

For the purposes of this policy, “tobacco product” is defined to include but not limited to cigarettes, cigars, blunts, bidis, pipes, chewing tobacco and all other forms of smokeless tobacco, rolling papers, or electronic smoking device or similar product or device or any other items containing or reasonably resembling tobacco or tobacco products (excluding quit products). “Tobacco use” includes smoking, chewing, dipping, or any other use of tobacco or similar products.

## Prohibition of Smoking by Pupils

- A. Pupils are not permitted to smoke at any time in school buildings, or anywhere within school boundaries, or on school buses, or when on a school-sponsored trip or activity off school premises.
- B. Pupils are not permitted to possess tobacco products or smoking paraphernalia while on school property.
- C. Pupils who are found exhaling smoke or possessing tobacco products or smoking paraphernalia shall be subject to school discipline codes approved by the Board of Education.

A student holding a cigarette or other form of tobacco will be considered smoking.

## Signs and Reminders

- A. Appropriate “No Smoking in This Building” signs will be posted at every entrance to each building and in appropriate other locations on the school grounds and in vehicles owned by the Board of Education.
- B. At the beginning of activities that involve large numbers of visitors (e.g. athletic events, concerts, awards, ceremonies) an announcement will be made which state that smoking is prohibited in this building or on these grounds.

# **Elsinboro Township Board of Education District Policy Manual**

**Students  
No Smoking**

**Series 5000  
Policy 5114.13**

Page 2 of 2

## Legal References

NJSA 2C:33-13 Smoking in public  
30:5B-5.3 Smoking – child care centers

NJAC 6A:16-3.1(a)7 Tobacco abuse

PL 103-227, Goals 2000: Educate America Act (Pro Children Act of 1994)  
PL 2001, Chapter 226  
No Child Left Behind Act of 2001, Pub. L. 107-110

## Possible Cross References

1250, 1330, 3515, 4119.23, 4219.23, 5131.6

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Nonresident Students**

**Policy 5118**

Date Adopted: March 30, 2009

Date Revised: April 14, 2014, November 14, 2016,  
September 16, 2019

Page 1 of 8

The Board of Education shall operate the schools of this district for the benefit of all children of school age who reside in the district and will admit other children in accordance with Title 18A, New Jersey Administrative Code, and this policy. The Board reserves the right to establish procedures to verify the residency or anticipated residency of any pupil and the validity of any affidavit of guardianship. Documentation required proving eligibility to attend the schools of this district shall be in accordance with Policy 5111 Admission and New Jersey Administrative Code.

Any person who knowingly violates these statutes may be found guilty of a disorderly person's offense and subject to prosecution by legal authorities.

Nonresident students are defined as those students whose parents or legal guardians are domiciled outside the school district. Domicile means a person's true and permanent home. The school district is only obligated to educate residents and those nonresidents who fall with certain narrow categories that are listed below. Nonresident students shall not be permitted to attend public school unless they fall into one of the following categories:

### Future Residents

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

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

Transportation is the responsibility of the parent/guardian.

### Former Residents

Regularly enrolled children whose parents/guardians have moved out of the school district during the last two months of the school year may, upon written request, be permitted to finish the school year without payment of tuition. Regularly enrolled children whose parents/guardians move from the district at any other time during the

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Nonresident Students**

**Policy 5118**

Page 2 of 8

school year may remain enrolled for the remainder of the school year upon payment of tuition (prorated).

Eighth grade students whose parents move from the district after October 20, may, upon written request and with the Board's consent, be permitted to complete their eighth grade year without payment of tuition provided that the student was enrolled for the previous two years in the district.

## Family Crisis

Notwithstanding the provisions of NJSA18A:38-1 or any other law, rule, or regulation to the contrary, a child and his/her parent(s)/guardian(s) who moves out of the school district as a result of domestic violence, sexual abuse or other family crises in accordance with the provisions of the Administrative Procedure Act, (P.L. 1968, c410 (C.52:14B-1 et seq.)), shall be permitted to remain enrolled in the school district for the remainder of the school year. Parents/guardians are required to inform the Chief School Administrator immediately, in writing, in all such cases. This notification must include any and all documentation of the family crises, and include pertinent documents on file with the courts, legal authorities and/or the New Jersey Division of Child Protection & Permanency (DCP&P).

If the child remains enrolled in the district for the remainder of the school year, the school district shall provide transportation services to the child, provided the child lives remote from school, and the State of New Jersey shall reimburse the school district for the cost of the transportation services.

Nothing in this policy shall be construed to affect the rights of homeless students pursuant to section 19 of P.L.1979, c.207 (C.18A:7B-12), section 3 of P.L.1989, c.290 (C.18A:7B-12.1), or any other applicable State or federal law.

## Children of Nonresident Staff Members

Unless otherwise specified by contract, children of nonresident employees of the Board of Education may be enrolled in the schools of this district tuition-free and in accordance with policy for other nonresident pupils. This will apply to salaried employees of the district and shall not extend to children of contracted service providers.

## Foreign Exchange Students

The Board may admit foreign exchange students into district schools in order to promote cultural awareness and understanding among students. The Board may accept exchange students on a J-1 visa who reside within the district as participants in group-sponsored

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Nonresident Students**

**Policy 5118**

Page 3 of 8

exchange programs approved by the Board. Tuition may be waived for students on a J-1 visa.

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

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

The Board shall not be responsible for the transportation to or from any school of any nonresident.

## Homeless Pupils

The district will determine the educational placement of homeless students in each child's best interest and respond to appeals concerning them made by parents/guardians or other parties in accordance with New Jersey statutes and administrative code, as well as pertinent federal law.

## National Guard/Reserves

When a child must either relocate to or from this district because his/her parent/guardian is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States and has been ordered into active service, the child shall be eligible to attend the schools of this district without paying tuition.

## New Jersey Interdistrict Public School Choice Program Students

Nonresident students attending the Elsinboro Township school under the New Jersey Interdistrict Public School Choice Program shall be admitted without tuition in accordance with the provisions of NJAC 6A:12-1 et seq and Board Policy 6147.2. In all instances, such students shall confirm with the provisions of the requirements of the Interdistrict School Choice Program and their admission shall be in accordance with said program.

## **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Nonresident Students**

**Policy 5118**

Page 4 of 8

The Chief School Administrator shall recommend to the Board of Education for its approval the admission of qualified applicants. The Board shall annually determine tuition rates for nonresident pupils.

### Affidavit Students

Any student whose parent(s)/guardian(s) reside outside the district may attend school within the district on a tuition free basis only if:

1. The student is kept in the home of an Elsinboro resident and supported by the Elsinboro resident gratis as if he/she were the Elsinboro resident's own child;
2. The Elsinboro resident submits to the Chief School Administrator a sworn affidavit which provides:
  - a. A statement and supporting documentation pursuant to Board Regulation No. 5111 (II) and/or applicable law, of his/her residence in Elsinboro; and
  - b. A statement and supporting documentation that he/she is supporting the student gratis, will continue to so support the student for longer than just the school term, and will assume all personal obligations for the student relative to school requirements; and
3. The student's parent(s)/guardian(s) submit a sworn affidavit which provides:
  - a. A statement and supporting documentation that the parent(s)/guardian(s) are not capable of supporting or providing care for the student; and
4. If no appeal is taken from the Board's decision, or if the Commissioner concludes that the evidence does not support a claim for tuition free enrollment, prorated tuition shall be assessed for the period of the student's ineligible attendance in the district's school. The Board may pursue all available legal remedies to recover assessed tuition from the student's parent(s)/guardian(s), from the student if he/she is an adult, and/or from the Elsinboro resident if an affidavit has been executed pursuant to section I (B) (2) above.

In accordance with NJSA 18A:38-1 (b-c), students residing within Elsinboro Township with persons designated as their legal guardians and who have produced notarized affidavits to that effect will be eligible to attend Elsinboro Township School.

Further, the Board directs the CSA to notify the necessary staff of the students attending Elsinboro School under a guardianship agreement and directs the CSA and staff to deal only with the person(s) listed on the affidavit as the legal guardian with regards to the student's records, report cards, conferences, and correspondence.



# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Nonresident Students**

**Policy 5118**

Page 5 of 8

A copy of the policy is to be provided to the guardians of all students attending Elsinboro Township School under this arrangement.

## Reevaluation of Tuition Free Enrollment Eligibility

If the Board reasonably determines that such action is warranted, it may, by Resolution, authorize the Chief School Administrator to conduct a district wide reevaluation of the eligibility for tuition free enrollment of all students currently so enrolled in the Elsinboro Township School District. If the reevaluation is authorized during the summer recess, all students enrolled on a tuition free basis, as of the end of the preceding school year, shall be subject to reevaluation.

## Transportation

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

## Documentation

When District wide reevaluation of tuition free enrollment is authorized by the Board, the Chief School Administrator shall require submission of copies of the following documents from the parent(s)/guardian(s)/host(s) of every student subject to reevaluation:

- A. A copy of the student's official birth certificate;
- B. A notarized lease, effective during the current or upcoming school year, showing residence within the District or
- C. A recorded deed showing ownership of a residence within the District, and if applicable
- D. An affidavit and supporting documentation of dependency for the current or upcoming school year.

The Chief School Administrator may require additional reasonable documentation, in addition to that required by paragraphs B and C above, to support a claim of residence.

## Notice

- A. The Chief School Administrator shall develop a written Notice of Reevaluation which shall be sent to the parent(s)/guardian(s)/host(s) of all students subject to reevaluation. The Notice of Reevaluation shall be sent via first class mail to the most recent addresses on file with the Board. All notices of reevaluation shall be mailed on the same day.
- B. The Notice of Reevaluation shall describe the reason(s) for and nature of the reevaluation, specify the documentation required, and state the last date on which the documentation may arrive at the Chief School Administrator's office.

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Nonresident Students**

**Policy 5118**

Page 6 of 8

## Every Student Succeeds Act (ESSA) and Foster Care

In accordance with the provisions of the Every Student Succeeds Act (ESSA), which reauthorized the Elementary and Secondary Education Act (ESEA), the district shall work with child welfare agencies to ensure the educational stability of children who are in foster care.

## Definitions

For the purposes of this policy and procedures within it, “foster care” means 24-hour substitute care for children placed away from their parents or guardians and for whom the appropriate child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.

## Background

Amendments to NJSA 18A and NJSA 30 established requirements to support and implement federal legislation require child welfare agencies and school districts to collaborate, and to keep children in foster care in the same school, even if their living placements change, provided that remaining in that school is in the best interest of the child. As a part of the legislation, the educational stability of children in foster care is the joint responsibility of both the education and child welfare systems.

The New Jersey Departments of Children and Families (DCF) and Education (DOE) have collaborated with local school districts to successfully implement those amendments, and will continue to collaborate to support the implementation of the new requirements under ESSA.

## Procedure/Regulation

The district shall implement the Title I educational stability requirements for children in foster care, by ensuring that:

- A child in foster care remains in his/her school of origin unless it is determined that remaining in the school of origin is not in that child’s best interest;
- To the extent feasible and appropriate, the child remains in his/her school of origin while this determination is being made by DCF;
- If it is not in the child’s best interest to stay in his/her school of origin, the child must be immediately enrolled in the new school even if the child is unable to produce records typically required for enrollment;

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Nonresident Students**

**Policy 5118**

Page 7 of 8

- The new or enrolling school must immediately contact the school of origin to obtain relevant academic and other records; and,
- Upon notification from DCF of their designated Point of Contacts (POCs), the district shall designate a corresponding (district) POC.

The district shall update information such as, but not limited to, the designated district POC.

Additionally, the district shall establish and maintain procedures regarding, but not limited to, the following:

- Collaboration and communication with the appropriate state or local child welfare agency to ensure children in foster care have transportation to and from school; and
- Tuition reimbursement to avoid barriers to immediate enrollment.

The Division of Child Protection and Permanency (DCP&P) Local Offices serves the district in matter. Such as this, and once the district POC information is provided, the appropriate DCP&P offices will be provided with their name(s) and contact information.

## POC Roles & Responsibilities

Once the district has assigned an individual or individuals as POC, the roles and responsibilities of the POC(s) may include, but are not limited to:

- Gathering school related information in order to assist with the best interest determination;
- Facilitating the transfer of records and ensuring that children in foster care are enrolled in and regularly attending school;
- Facilitating data sharing with DCP&P, consistent with FERPA and other privacy protocols;
- Assisting with referrals for Child Study Team services;
- Assisting with school transportation; and
- Providing professional development and training to school staff on the Title I provisions and educational needs of children in foster care, as needed.

Annually, the POC(s) shall be assigned by the appropriate administrative personnel and updates provided to the DCP&P. In addition, any authorized changes to the roles and responsibilities of the POC(s) shall be provided to the POC(s).

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Nonresident Students**

**Policy 5118**

Page 8 of 8

## Legal References

NJSA 18A:7F-3 Definitions  
18A:11-1 General mandatory powers and duties  
18A:36B-1 et seq. Interdistrict Public School Choice Program Act of 1999  
18A:38-1 et seq. Attendance at school free of charge  
18A:46-20 Receiving pupils from outside district; establishment of facilities

NJAC 6A:12-1.3 et seq. Interdistrict Public School Choice  
6A:17-1.1 et seq. Students at Risk of Not Receiving a Public Education  
6A:22 Student residency  
6A:22-3 Eligibility to attend school  
6A:22-3.1 Students domiciled within the school district  
6A:23A-19.2 et seq Method of determining the district of residence  
6A:23A-19.3 Address submission for determining the district of residence

Illegal Immigrant and Immigration Responsibility Act of 1997, 8 U.S.C. § 1101  
Board of Education of the Borough of Englewood Cliffs v. Board of Education of the  
City of Englewood, 132 NJ 327; cert. denied, 510 U.S. 991 (1993); subsequent  
listing  
333 N.J. Super. (App. Div. 2000)  
J.A. v. Board of Education of South Orange/Maplewood, 318 N.J. Super. 512  
(App.Div 1999)

## Possible Cross References

3240, 5111

# Elsinboro Township Board of Education District Policy Manual

## Students

Series 5000

## Illegal Admissions

## Policy 5118.1

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

Any person, residing outside of the this school district, who intentionally and illegally enrolls a child or children in the district schools, or in a case where a student over the age of eighteen and who is responsible for illegally enrolling himself/herself, is perpetrating a fraud upon the school system and the taxpayers of the community.

If and when this fraud is discovered, not only will the student or students be immediately dropped from the school rolls, but the parents/guardians or the student himself/herself, if he/she is over the age of eighteen, will be assessed a tuition charged for the number of days in which the student or students have attended the district schools. The assessment shall be based upon a per diem rate.

So as not to disrupt the educational continuity of the student, parents/ guardians or the student if he/she is over the age of eighteen, shall have the opportunity to request of the Board of Education that they, the parents/guardians or the student, may pay tuition for the balance of the school year, or until the situation is ultimately resolved.

### Legal References:

NJSA 18A:7F-3, 18A:11-11, 18A:36B-1 et seq., 18A:38-1 et seq.,  
18A:38-2, 38-3, 38-8, 38-9, 18A:46-20, 18A:54-20,  
NJAC 6A:12-1.3 et seq., 6A:17-1.1 et seq., 6A:23-3.1, 6A:23-5.2, 6A:23-5.3,  
6A:28-2.1 et seq., 6A:28-2.3, -2.4, -2.5,

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

### Possible Cross References:

3240, 5111, 5112, 5118, 5118.2

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Transfers / Withdrawals**

**Policy 5119**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 2

First Reading: March 16, 2009

### Transfers

All transfers of resident pupils from non-public schools shall be honored provided all requirements set forth in the policies of the Board of Education relating to pupil admissions are met.

All pupils entering the district school shall be under the jurisdiction of the district attendance policy. Absences allowed will be prorated on a monthly basis from the date the pupil enrolls in the district.

All parents/guardians of pupils or adult pupils transferring from the district must notify the administration. Records shall be transferred only after verification from the school to which the pupil is transferring.

### Grade Placement of Transferred Pupils

In order to ensure assignment to the grade best suited to a pupil's needs and readiness, placement is left to the judgment of the administration and teacher(s), working in cooperation with the pupil's parents/guardians. Such placements are to be governed by the following considerations:

1. Age health and maturity of the pupil
2. Quality and extent of previous courses of study
3. Record from previous school
4. Results of standardized tests

### Withdrawals

Students identified by the staff as a potential or immediate drop-out due to turning sixteen years of age and still enrolled will be requested to attend school for an assessment period of three days after they have indicated their intention of leaving school. During this three day period the following procedure is to be implemented:

1. The student and the school psychologist will meet for the purpose of discussing the reason for leaving school and the student's plans for the future.
2. The student and the school psychologist will meet to discuss the student's present scholastic standing.
3. The student, the parent/guardians, the school psychologist and the Chief School Administrator will meet to review all pertinent information and render their recommendations.

If, after the above procedure has been followed and the student remains firm on his/her intention to leave school, a final meeting will be scheduled between the student and the school psychologist to discuss the education and occupational alternatives that are available to them, such as:

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Transfers / Withdrawals**

**Policy 5119**

Page 2 of 2

1. Graduate equivalency diploma
2. Additional educational classes
3. Training programs
4. Work-study programs

All efforts will be extended in an attempt to retain the student in school and assist him/her in obtaining a diploma.

## Legal References:

NJSA 18A:7B-12, 18A:36-19a, 18A:36-25.1, 18A:36B-1 et seq, 18A:38-8  
NJAC 6:3-9.2, 6A:12-3.2, 6A:23-5.2

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

## Possible Cross References:

5111, 5125, 5131, 5131.5

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Transfers (Unsafe School Choice Option)**

**Policy 5119.3**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

### General

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

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

Student records shall be transferred between Chief School Administrators within the time frame prescribed by law.

### Unsafe School Choice Option

If the school is identified as "persistently dangerous" by the New Jersey State Department of Education, and the Board cannot offer a safe school alternative within the district to students choosing to transfer out of a "persistently dangerous" school or to a student who has been a victim of a violent criminal offense, the Chief School Administrator shall attempt to establish an agreement with a neighboring district. The Board shall review and approve any agreement prior to its application. Transportation shall not be provided to students transferring out of a "persistently dangerous" schools and student victims of violent criminal offenses.

The Chief School Administrator shall ensure that the district complies with all requirements of federal law and the New Jersey State Department of Education. He/she shall prepare regulations to implement this policy.

### Legal References:

NJSA 18A:7B-12, 18A:36-19a, 18A:36-25.1, 18A:36B-1 et seq, 18A:38-8  
NJAC 6:3-9.2, 6A:12-3.2, 6A:23-5.2

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

### Possible Cross References:

5111, 5125, 5131, 5131.5



# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Needs Assessment of Individual Pupils**

**Policy 5120**

Date Adopted: March 30, 2009

Date Revised: October 14, 2014

Page 1 of 3

Each pupil shall be assessed upon entrance into the district's schools and beginning in grade three shall be assessed annually thereafter to identify pupils not meeting district proficiency levels.

The Chief School Administrator/designee shall develop procedures to implement a program of individual pupil needs assessment that shall include but not be limited to:

- A. Identifying district needs as the basis for development of mandated goals; development of staff in-service programs; selecting and approving instructional materials; staffing;
- B. Identifying and determining the needs of:
  - Gifted and talented pupils;
  - Disruptive pupils;
  - Disaffected pupils;
  - Potential dropouts;
  - Pupils who require basic skills improvement programs;
  - Pupils with limited English proficiency;
  - Pupils who may require formal referral to the Child Study Team for classification;
  - Pupils who exhibit one or more potential indicators of dyslexia or other reading disabilities.
- C. Disseminating results of such assessments to parents/guardians and to appropriate staff, state and federal agencies as required without invading the privacy of the individual pupil.

The Chief School Administrator/designee shall review all individual assessment procedures annually to ensure that they serve the purposes for which they are intended. At all times, these procedures shall be in full conformity with New Jersey law.

### Dyslexia Assessment

Dyslexia is a specific learning disability that is neurological in origin and is characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities. The difficulties that typically result from dyslexia result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Needs Assessment of Individual Pupils**

**Series 5000**

**Policy 5120**

Page 2 of 3

#### Indicators of Dyslexia

Potential indicators of dyslexia and/or other reading disabilities include, but are not be limited to:

- A. Difficulty in acquiring language skills;
- B. Inability to comprehend oral or written language;
- C. Difficulty in rhyming words;
- D. Difficulty in naming letters, recognizing letters, matching letters to sounds, and blending sounds when speaking and reading words;
- E. Difficulty recognizing and remembering sight words; consistent transposition of number sequences, letter reversals, inversions, and substitutions; and/or.
- F. Trouble in replication of content.

In accordance with the provisions of NJSA 18A:40-5.3, the Board of Education shall ensure that each student enrolled in the school district who has exhibited one or more potential indicators of dyslexia or other reading disabilities is screened for dyslexia and other reading disabilities using a screening instrument selected by the Board of Education no later than the student's completion of the first semester of the second grade.

Students enrolling or transferring into the district in kindergarten or grades one through six who exhibit potential indicators of dyslexia or other reading disabilities and who have not been previously assessed, shall be assessed using the Board-selected age-appropriate screening instrument(s). Students shall be assessed at the same time as other students enrolled in the student's grade if possible. If other students enrolled in the student's grade have previously been screened, the assessment shall be conducted within 90 calendar days of the date the student is enrolled in the district.

The screening shall be administered by a teacher or other teaching staff member properly trained in the screening process for dyslexia and other reading disabilities.

If the results of the assessment substantiate that the student possesses one or more potential indicators of dyslexia or other reading disabilities, the student shall receive a comprehensive assessment for the learning disorder.

If the diagnosis of dyslexia or other reading disability is confirmed by the comprehensive assessment, appropriate evidence-based intervention strategies shall be provided to the student, including intense instruction on phonemic awareness, phonics and fluency, vocabulary, and reading comprehension.

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Needs Assessment of Individual Pupils**

**Policy 5120**

Page 3 of 3

## **Legal References**

NJSA 18A:7A-10 Evaluation of performance of each school  
18A:40-5.1 Definitions  
18A:40-5.2 Distribution of information on screening instruments  
18A:40-5.3 Dyslexia screening  
18A:40-5.4 Assessment for learning disorders

NJAC 6A:8-3.1 et seq. Implementation of the Statewide Assessment System  
6A:8-4.1 et seq. Implementation of the Statewide Assessment System  
6A:8-5.1 Graduation requirements  
6A:14-1.1 et seq. Special Education  
6A:15-1.1 et seq. Bilingual Education  
6A:16-8.1 Establishment of intervention and referral services  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-2.1 Definitions  
6A:32-14.1 Review of mandated programs and services

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

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Honor Roll**

**Policy 5121.1**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

At the conclusion of each marking period, an honor listing shall be prepared recognizing students for outstanding academic achievement in grades two through eight. The following criteria shall be applied for recognition:

### First Honors

- No grade lower than an “A” in any major subject area (language literacy, math, science and social studies), and
- No grade lower than a “B”, or where it is appropriate “S” in any special subject area

### Second Honors

- No grade lower than a “B” in any major subject area
- No grade lower than a “C”, or where appropriate “S”, in no more than 2 special subject areas

Special areas are considered as: Art, Music, Physical Education, and Health.

All honor students will be expected to maintain a B average in Behavior.

### Legal References:

NJSA 18A:11-1

NJAC 6:3-2.2 (d, k), 6:8-3.7, 6:8-3.8(a)3, 6:8-4.1, 6:8-28, 6:8-28,  
6:8-28 -2.3, 6:8-28-2.4, 6:31-1.12(b, c)

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Examinations / Grading / Rating / Testing**

**Policy 5122**

Date Adopted: March 30, 2009

Date Revised: February 25, 2019

Page 1 of 4

The Board of Education recognizes that a system of measuring, recording, and reporting the achievements of individual pupils is important to the continuing process of learning.

The Board of Education directs that the instructional program of this district includes a system of grading in grades K through 8 consistent with the educational goals of the district. Grades will measure the progress of pupils against course objectives and proficiencies.

Pupils shall be informed at the outset of any course of study of the behaviors and achievements that are expected of them and shall be kept informed of their progress during the course of study. As a rule, grading should reward pupils for positive efforts and minimize failure, and pupils should be encouraged to evaluate their own achievements.

The Chief School Administrator, in consultation with the teaching staff, shall develop and continually review a grading program appropriate to the course of study, New Jersey Core Curriculum and the maturity of pupils, to be used uniformly throughout the district. The system should be clear, easily understood by parents and pupils, and able to be applied with consistency of interpretation. The evaluation and the grading symbols shall be intended to appraise the pupil's progress toward established goals and shall be a factor in promotion/graduation decisions. The final decision on any contested grade will be the responsibility of the Chief School Administrator. A pupil classified as disabled will be graded in accordance with his/her individualized educational program.

The Board of Education encourages the certified staff, under the direction of the Superintendent of Schools, to employ a comprehensive approach to the use of appraisal and evaluative techniques in monitoring pupil progress, including, but not limited to, recognized standardized achievement testing programs, written and oral teacher-made tests, performance observation, parent interviews, formal and informal evaluation techniques, use of cumulative pupil records, and medical examinations.

The Chief School Administrator shall have the right to review disputed grades and, after consultation with the assigning teacher, to adjust them.

In grades K and 1 the following method of evaluation will be in use to determine pupil progress in all subject areas:

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Examinations / Grading / Rating / Testing**

**Policy 5122**

Page 2 of 4

- O – Outstanding
- S – Satisfactory
- N – Needs Improvement
- I – Improved Performance
- U – Unsatisfactory

Grades 2 and 3 will use numerical grades converted to a letter grade for the report card in mathematics, language literacy, science and social studies. Other subject areas will be evaluated using the same letter designations as K and 1.

Grades 3 to 8 will employ the following numerical/letter system for reporting pupil progress on the report card:

- |          |   |
|----------|---|
| 100-93   | A |
| 92-85    | B |
| 84-77    | C |
| 76-70    | D |
| 69-Lower | F |

Grades lower than a 70 will appear on the report card as an F.

This system will be applied to all major subjects and for grades 4 to 8 in music, health, art and physical education.

### Determining A Student's Grade

A student's grade for each report card period will be determined as follows:

- 50% - Tests, Quizzes, Reports, and Projects
- 50% - Class Work, Class Participation, and Homework

Final averages for the year in each subject will be computed by averaging the numerical grade for each marking period.

If alternative assessment measures are implemented, the Chief School Administrator in consultation with the teaching staff will determine in accordance with the New Jersey Core Curriculum Standards how students will be assessed, evaluated and how grades will be recorded on the report card.

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Examinations / Grading / Rating / Testing**

**Policy 5122**

Page 3 of 4

Behavior will also be assessed on all report cards as a letter grade with teacher comments citing behavior characteristics. All behavior documentation shall be made available to parents/guardians to justify grades. Any behavior grade that is lower than a B average will hinder any student from being on the honor roll.

The school district shall establish and maintain a testing program to:

- A. Measure the needs and progress of individual pupils;
- B. Measure the achievement of grade levels;
- C. Allow comparison of district pupils with national or other norms;
- D. Aid in evaluation of programs.

The district's testing program shall embody at least the tests required by state law. The administration shall continually scrutinize the applicability and effectiveness of tests being used in the district.

School personnel shall not use tests, procedures or other guidance and counseling materials that are differentiated or stereotyped on the basis of race, color, creed, religion, sex, ancestry, national origin or social economic status.

Any requests for surveys, pupil observations, or pupil questionnaires must be forwarded through the Chief School Administrator's office for approval before any survey or observation can be conducted.

Individual results of standardized tests, including intelligence tests, shall be made available to parents/guardians upon their request, but shall be considered confidential information to be available only to authorized persons. School and district test results shall be discussed in a public meeting.

# Elsinboro Township Board of Education District Policy Manual

**Students**

**Series 5000**

**Examinations / Grading / Rating / Testing**

**Policy 5122**

Page 4 of 4

## Legal References

NJSA 18A:11-1 General mandatory powers and duties  
18A:35-4.9 Promotion and remediation

NJAC 6A:14-1.1 et seq Special education  
6A:15-1.1 et seq Bilingual education  
6A:16 et seq Programs to support student development

Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

## Possible Cross References

1000/1010, 1120, 1250, 2224, 3542.31, 5020, 5113, 5114, 5120, 5125, 5126, 5141, 5141.3, 5142, 5200, 6010, 6142.1, 6142.2, 6145, 6146, 6164.2, 6171.1, 6171.3, 6171.4, 6173, 6174, 6178

## Legal References:

NJSA 18A:7E-2 through -5, 18A:11-1, 18A:35-4.9, 18A:40A-12, 18A:54-20  
NJAC 6:3-6.2(d, k), 6:8-2.1, 6A:8-4.3, 6A:8-4.5, 6A:8-5.1, 6A:14-1.1 et seq.,  
6A:14-1.1, -2.3, -2.4, -2.5, -2.6, -3.5, -7.9, 6A:15-1.1 et seq., 6A:15-1.13, -1.15  
6A:16-1.4, 6A:24-1.1 et seq., 6A:24-2.1, -3.3, -4.1(i)8, 6A:30-1.1 et seq.,

No Child Left Behind Act of 2001, Pub. L. 107-110



Manual for the Evaluation of Local School Districts (September 2002)

Possible Cross References:

1000/1010, 1120, 1250, 2224, 3542.31, 5020, 5113, 5114, 5120, 5125, 5126,  
5141, 5141.3, 5142, 5200, 6010, 6142.1, 6142.2, 6145, 6146, 6164.2, 6171.1,  
6171.3, 6171.4, 6173, 6174, 6178

# Elsinboro Township Board of Education District Policy Manual

## Students

Series 5000

## Maintaining Records of Student Grades

Policy 5122.1

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board of Education recognizes that the grades earned by students as they fulfill the curricular requirements of our school system are irreplaceable pieces of information of inestimable value to the student as well as to the school system. Therefore all student academic grading and attendance information shall be kept by the teacher in an orderly, timely, and specified fashion as permanent documentation, the form and content of which must be reviewed and approved by the Chief School Administrator who shall collect these documents at the end of the school year and be responsible for their safety and confidentiality.

### Legal References:

NJSA 18A:7E-2 through -5, 18A:11-1, 18A:35-4.9, 18A:40A-12, 18A:54-20  
NJAC 6:3-6.2(d, k), 6:8-2.1, 6A:8-4.3, 6A:8-4.5, 6A:8-5.1, 6A:14-1.1 et seq.,  
6A:14-1.1, -2.3, -2.4, -2.5, -2.6, -3.5, -7.9, 6A:15-1.1 et seq., 6A:15-1.13, -1.15  
6A:16-1.4, 6A:24-1.1 et seq., 6A:24-2.1, -3.3, -4.1(i)8, 6A:30-1.1 et seq.,

No Child Left Behind Act of 2001, Pub. L. 107-110

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

1000/1010, 1120, 1250, 2224, 3542.31, 5020, 5113, 5114, 5120, 5125, 5126,  
5141, 5141.3, 5142, 5200, 6010, 6142.1, 6142.2, 6145, 6146, 6164.2, 6171.1,  
6171.3, 6171.4, 6173, 6174, 6178

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Promotion & Retention**

**Policy 5123**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: March 16, 2009 |               |             |

In general, pupils shall be placed at the grade level to which they are best adjusted academically, socially and emotionally. The education program shall provide for the continuous progress of pupils from grade to grade. Generally pupils will be expected to spend one year in each grade. A small number of pupils, however, may benefit from staying another year in the same grade.

### Guidelines for Retention

Retention shall be considered when:

- A. Retention would have a reasonable chance of benefiting the child.
- B. The pupil is achieving one or more grade levels below expected performance in reading and/or language and/or mathematics.
- C. Retention would not cause an undue social and emotional adjustment.

### Procedures to Be Followed

- A. Review and evaluation of the social, physical, and emotional characteristics by the classroom teacher, guidance counselor, basic skills teacher(s), Chief School Administrator, and Child Study Team when appropriate.

The following aspects should be considered:

- 1. Attendance record
  - 2. Attention span
  - 3. Completion of classroom assignments
  - 4. Completion of homework
  - 5. Relationship with peers
  - 6. Significant changes in academics and/or behavior
  - 7. Serious personal/family conditions or relationships
  - 8. Health records
- B. Identification of those pupils who are one or more grade levels below expected performance in the areas of reading/language arts and mathematics.
  - C. Review all academic records that would include the following:
    - 1. Language Arts folder
    - 2. Math folders
    - 3. Standardized test score
    - 4. Report card grades
    - 5. Any other appropriate records (i.e. basic skills records, Child Study Team records, etc.)
  - D. Notification of parents

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Promotion & Retention**

**Series 5000  
Policy 5123**

Page 2 of 2

1. Guidelines indicating expected levels of achievement for promotion are disseminated to the parents at the November conferences with the teachers; the parent signs this written form and is given a copy. The original is retained by the teacher in the child's reading folder.
2. If it appears that retention is possible, the parent shall be notified by the Chief School Administrator and/or the classroom teacher at the completion of the second marking period.
3. Relevant records shall be reviewed with the parent during a parent/teacher conference.
4. At the end of the third quarter, if retention of the pupil still may be likely, a letter will be sent to the parent/guardian.
5. At the end of each marking period, an analysis of each possible retaineer's needs will be conducted by the Chief School Administrator, staff and support staff and a program of improvement may be developed, such as:
  - a. Additional reading instruction
  - b. Additional math instruction
  - c. Provision of reinforcement materials for the parents to assist the child
  - d. Referral to guidance counselor
  - e. Referral to Child Study Team, if necessary
  - f. Periodic checks with parent by teacher to determine progress being made by the child
6. The child's subsequent progress shall be reviewed by the teacher at the end of the third marking period and a conference may be held.
7. Prior to the end of the school year, the Chief School Administrator shall meet with any parents who do not agree with the decision and/or need further explanations of why the child should be retained. The child's total record will be reviewed with them before making a final determination.
8. The Chief School Administrator shall notify parents in writing, prior to the end of the school year, of decision to retain.

### Legal References:

NJSA 18A:4-24, 18A:7A, 18A:7C  
NJAC 6:8-3.4, 6:8-4.1, 6:8-4.2(a)

# Elsinboro Township Board of Education District Policy Manual

## Students

Series 5000

## Reporting to Parents / Guardians

Policy 5124

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board believes that the cooperation of school and home is vital to the growth and education of the whole child. It recognizes its responsibility to keep parents informed of pupil welfare and progress in school.

The Board directs the establishment of a system of reporting pupil progress which shall include written reports, pupil-teacher conferences, and parent-teacher conferences. If the parent's primary language is other than English, translation shall be provided whenever possible.

The Chief School Administrator shall develop procedures for reporting pupil progress which:

- A. Illustrate appropriate to grade level and curriculum content.
- B. Ensure that both the pupil and parent receive ample warning of a pending grade of "failure" or one that would adversely affect the pupil's status.
- C. Enable the scheduling of parent/teacher conferences in such places and at such times as will ensure the greatest degree of participation by parents.
- D. Specify the issuance of report cards at intervals of not less than four times during the school year and issuance of deficiency notices as required during the school year.
- E. Ensure the continual review and improvement of methods of reporting pupil progress to parents and involve pupils, staff and parents in that review.

The district shall keep parents informed of both negative and positive behavior demonstrated in school activities.

A record shall be kept indicating the legal custodian of each pupil, so that reports can be made and conferences arranged with proper person.

### Legal References:

NJSA 18A:7E-2 through -5, 18A:11-1, 18A:35-4.9, 18A:40A-12, 18A:54-20  
NJAC 6:3-6.2(d, k), 6:8-2.1, 6A:8-4.3, 6A:8-4.5, 6A:8-5.1, 6A:14-1.1 et seq.,  
6A:14-1.1, -2.3, -2.4, -2.5, -2.6, -3.5, -7.9, 6A:15-1.1 et seq., 6A:15-1.13, -1.15  
6A:16-1.4, 6A:24-1.1 et seq., 6A:24-2.1, -3.3, -4.1(i)8, 6A:30-1.1 et seq.,  
No Child Left Behind Act of 2001, Pub. L. 107-110  
Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

1000/1010, 1120, 1250, 2224, 3542.31, 5020, 5113, 5114, 5120, 5125, 5126,  
5141, 5141.3, 5142, 5200, 6010, 6142.1, 6142.2, 6145, 6146, 6164.2, 6171.1,  
6171.3, 6171.4, 6173, 6174, 6178

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Pupil Records**

**Policy 5125**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: | Page 1 of 5 |
| First Reading: March 16, 2009 |               |             |

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

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

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

Mandated pupil records shall include the following:

1. Personal data which identifies each pupil enrolled in the school district. This data shall include the pupil's name, address, date of birth, name of parents and/or guardians, citizenship and sex of pupil. The local school district is prohibited from recording the religious or political affiliation of the pupil and/or parent or adult pupil. The district is also prohibited from labeling the pupil illegitimate.
2. Record of daily attendance.
3. Descriptions of pupil progress, according to the system of pupil evaluation used in the district. Grad level or other program assignments shall also be recorded.
4. History and status of physical health compiled in accordance with state regulations, including results of any physical examinations given by qualified district employees.
5. All other records required by the State Board of Education, including those pursuant to rules and regulations regarding the education of educationally handicapped pupils, including printed test forms supporting classification and placement.

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

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Pupil Records**

## **Series 5000 Policy 5125**

Page 2 of 5

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

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

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

- A. Notification of rights in writing, in dominant language of parent/adult student, if possible. When the parent or adult student's dominant language is not English, or the parent/adult student is deaf, the district shall provide interpretation of the record in the dominant spoken or sign language;
- B. Copies of applicable state and federal laws and local policies made available on request;
- C. Should the parental rights of one or the other parent/guardian be terminated by a court of appropriate jurisdiction, it is the responsibility of the person/agency having legal custody to notify the district that the right to review student records should be denied the person whose rights have been terminated;
- D. Parents/guardians or adult students have the right to seek to include in the records material they think pertinent or to seek exclusion from the records of material that is untrue, irrelevant to the student's present educational situation or otherwise improperly contained in the student's record. Parents/adult students have the right to request an immediate stay of disclosure pending final determination of the challenge procedure. They also have the right to challenge the district's granting or denial of access to the student's records.

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

### Student Information Directories

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

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

Such rights include:

- A. Notification of these rights in writing, in dominant language of parents/guardians or adult student.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Pupil Records**

## **Series 5000 Policy 5125**

Page 3 of 5

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

### District Review of Student Records

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

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

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

### Records of Classified Students

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

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

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

### Transfer of Student Records

- A. The Chief School Administrator shall request records of a newly enrolled student from the district of previous attendance as soon as possible after enrollment, but in any case within the time limit



# **Elsinboro Township Board of Education District Policy Manual**

## **Students Pupil Records**

## **Series 5000 Policy 5125**

Page 4 of 5

- prescribed by the administrative code.
- B. The Chief School Administrator shall forward mandated student records as soon as possible upon receipt of the request from the Superintendent of Schools of the district to which the student has transferred, but in any case within the time limit prescribed by the administrative code. Permitted records shall be forwarded in the same manner at the same time if parental permission was given at the time the student's parents/guardians informed the district of the transfer.
  - C. All records of district students moving into the 9th grade shall be transferred in a secure and orderly fashion at the mutual convenience of the Chief School Administrator.

### Permitted Access to Student Records

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

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

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

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

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

The district will assess a reasonable charge for copies. The Board realizes and accepts the fact that any charges assessed shall not prevent parents/guardians from exercising their rights.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Pupil Records**

**Policy 5125**

Page 5 of 5

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

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

### Conditions of Access

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

### Retention & Destruction of Records

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

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

### Liability

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

### Legal References:

NJSA 2A:4A-60 et al., 18A:36-19, 18A:36-19a, 18A:36-19.1, 18A:36-35, 18A:40-4, 18A:40-19, 26:5C-7 through -14, 47:1A-1 et seq., 47:3-15 et seq., 52:17B-9.8a through -9.8c  
NJAC 6:3-6.1 et seq., 6:3-9.1, 6:8-4.1, 6A:8-4.2, 6A:14-1.1 et seq., 6A:14-1.3, -2.3, -2.9, -7.9, 6A:16-1.1 et seq., 6A:16-1.4, -1.5, -2.2, -3.2, -5.4, -6.5,

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Pupil Anonymity**

**Policy 5125.2**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 16, 2009 |               |             |

The Board of Education will do all in its power to prevent the use of an educationally handicapped pupil's name when discussing or acting upon a recommendation in which the use of the pupil's name could be considered detrimental to the child and a breach of confidentiality.

The Board directs that the names and other personally identifiable data concerning educationally handicapped children shall be kept confidential and shall not be included in the public acts and records of the district, except upon the written request of the parent or adult pupil, to the Chief School Administrator. Such names and data shall be coded for inclusion in the public record. A special confidential file shall be maintained listing the names of educationally handicapped pupils on whose behalf the Board of Education must take public action. Motions concerning handicapped pupils made at public meetings shall be anonymous and referred to this confidential file. Access to this file, as to all other records of handicapped pupils, shall be given only to authorized school employees and official of the state department of education. Any further access to this information will be governed by law.

To ensure proper accessibility and confidentiality, the records of educationally handicapped pupils shall be gathered, updated, maintained, stored, transferred, made accessible and finally disposed of in accordance with the provisions of New Jersey Administrative Code on Pupil Records, N.J.A.C. 6:3-2.

It shall be the policy of the Board of Education that all employees of the district shall be directed to utilize the following procedures to avoid the needless public labeling of educationally handicapped students but no be limited to:

Avoidance of any educationally handicapped labeling in public address announcements, classroom signs, open circulation of documents designating an individual or class as educationally disabled, open circulation of photographs and audio or video tapes without prior written parental/guardian approval to photograph and/or tape.

### Legal References:

NJSA 18A:36-35

NJAC 6:3-2

### Possible Cross References:

1100, 1110, 1120, 5125, 5141.4, 6145.3, 6171.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Awards for Achievement**

**Policy 5126**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board of Education believes that pupil achievement should be recognized at all levels in a manner appropriate to the pupil's accomplishment.

The Board directs the Chief School Administrator to develop criteria and procedures for presenting awards to pupils for scholarship and outstanding accomplishments in the arts, athletics, community service, technology, attendance, citizenship, and other areas appropriate for special recognition.

The Chief School Administrator shall review and advise the Board on acceptance of proposed trophies, prizes, scholarships or other awards from non-school donors. Any such proposed award shall be free from bias as outlined in the district's affirmative action program and policies.

It is the policy of the Board that areas of recognition be unique and distinctive. As an example, there is to be only one scholarship granted to the male and female graduating student who has demonstrated the highest academic achievement.

Criteria regarding eligibility and selection for awards shall be disseminated annually to all pupils and parents/guardians.

### Academic Recognition

The Board directs the Chief School Administrator to establish criteria and procedures for placing pupils in grades or on academic honor rolls.

### Service Participation

School service groups shall be recognized for participation in order to emphasize the importance of good citizenship in school life as outlined in the course of study. The Chief School Administrator will develop procedures for tracking participation of students in grades 5 through 8 in service activities.

### Legal References:

NJSA 18A:36-20, 18A:71-27

### Possible Cross References:

1322, 3280, 5120, 5125, 5127, 5131, 6145.1/6145.2, 6147

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Commencement Activities**

**Policy 5127**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 2

First Reading: March 16, 2009

The Board endorses graduation activities and ceremonies. The date of graduation shall annually be recommended by the Chief School Administrator and approved by the Board.

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

### Guidelines for Graduation Year Activities

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

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

- A. Consistent involvement in disciplinary action(s);
- B. Suspension;
- C. Collaborative evaluation by the staff.

The final decision shall be made by the Chief School Administrator.

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

### Graduation Procedures & Ceremonies

No pupil shall be barred from participation in graduation ceremonies for arbitrary or discriminatory reasons. A pupil who may be prevented from participation and his/her parents/guardians shall be so notified in advance and no later than 10 days prior to the close of the school year.

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

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

### Awarding of Diplomas

A Board Member shall present a copy of the Declaration of Independence, the Constitution of the United States and the amendments thereto, and the Constitution of the

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Commencement Activities**

**Series 5000**

**Policy 5127**

Page 2 of 2

State of New Jersey and the amendments thereto to each pupil upon graduation from elementary school.

The President of the Board of Education and/or another designated member of the Board shall award the diplomas. Board Members and former Board Members shall be afforded the opportunity to award diplomas to their own children.

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

#### **Legal References:**

NJSA 18A:7C-5.1, 18A:11-1, 18A:36-18,  
NJAC 6A:8-5.1 et seq

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

5113, 5114, 5126, 5131, 6111, 6141.2, 6146

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **School Activities**

**Policy 5127.1**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The school program shall also include provisions for a balanced program of student activities in keeping with the various age levels and needs of the children served. Such activities are recognized by the Board of Education as vital needs in a well-rounded program of education when they are clearly defined and their function is primarily directed toward the growth of children. Planned extra-curricular activities should be reviewed by the Chief School Administrator who in turn should report it to the Board of Education.

All student activities must be sanctioned by the Administration and be under the specific and direct supervision of the Administration and/or faculty. Parent assistance may be requested and utilized.

Every teacher who sponsors an activity shall remain at school until every child has been picked up by his/her parents.

Parents shall provide transportation to and from extra-curricular activities which they consent for their child to attend. Parents are to be punctual in arrival and departure. In extreme cases, a student may be excluded from any activity at the discretion of the faculty in charge. Eligibility for student activities may be based on the academic and conduct records of the student. Students are under the supervision of the school from the time they leave home in the morning until they return to their homes. Students are therefore also under school supervision at all school sponsored activities.

### Legal References:

NJSA 18A:11-3

NJAC 6A:8-3.2(d) 2, 6:3-8.1 et seq

### Possible Cross References:

1210, 1322, 5113, 5114.3, 5114.4, 5114.5, 5126, 6145

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Students Driving to School**

**Policy 5128**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 16, 2009 |               |             |

No student shall be permitted to drive an automobile, or motorcycle or any other motorized vehicle to school at any time.

### Legal References:

NJAC 18A:11-1



# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Campus Disturbances**

**Policy 5129**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

It is the right of every pupil to go to and from school, and to obtain an education in the schools, without fear of molestation, physical or verbal. The Board of Education hereby states that it will take such measures as are necessary, including suspension, permanent expulsion, or prosecution in the courts, against any person, pupil or other, who so interferes with the education of others.

The Board of Education therefore makes it clear that it will support teachers and other staff members who report violations of the school regulations, or violations of their own orders, because such violations do interfere with the rights of others. The disruption of the educational program of the schools by disorder or any other purposeful activity will not be tolerated. The Board of Education will prosecute any unauthorized person who enters upon school property.

For purposes of this policy, disorder shall be any deliberate activity by an individual or a group, whether peaceful or violent, which interferes with the normal operation of the school.

The Board, having the responsibility for providing an educational program for the pupils of this district, shall have the authority to preserve order for the proper functioning of that program.

No pupil shall encourage any other pupil on or off school property to participate in any protest, march, picketing, or similar activities which cause or result in the disruption of any lawful function or activity of the school to which he/she is assigned or any other school.

Pupils shall not be disturbed in the exercise of their constitutionally guaranteed rights to assemble peaceably and to express ideas and opinions, privately or publicly, provided that such exercise does not infringe on the rights of others and does not interfere with the operation of the schools.

### Legal References:

NJSA 2A:4A-60 et al., 2A:53A-15, 2C:39-5, 18A:17-46, 18A:25-2, 18A:37-1 et seq., 18A:37-2, -2.1 through -2.5, -3, -7 through -12, NJAC 6A:14-2.8, 6A:16-1.1 et seq., 6A:16-1.4, -5.1, -5.2, -5.3, -5.5, -5.6, -5.7, -6.1 No Child Left Behind Act of 2001, Pub. L. 107-110, A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials (1999 Revisions)  
Unsafe School Choice Option Policy, NJ Department of Education, June 30, 2003

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Student Disturbances**

**Policy 5129.05**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

It is the policy of the Board of Education that the following shall be the procedure for addressing student disorder:

1. Any teacher, administrator, staff member, parent volunteer or pupil being aware of, or hearing any rumors of a potential disorder shall immediately inform the Chief School Administrator.
2. The Chief School Administrator shall make an immediate investigation to determine if there is any basis to the rumor. If there is no basis but his/her investigation reveals a need to put the Grievance Policy into effect, this shall be done in order to prevent any possible future disorder. If this rumor is centered on several key students, they shall be immediately taken into conference to determine the cause of the problem(s).

If, upon investigation, actual disorder is taking place that is endangering others and does not respond to administrative requests, then the Chief School Administrator, after due consideration, shall:

1. Contact the local law enforcement officer if available.
2. Contact the New Jersey State Police Barracks responsible for patrolling the school
3. Enlist the assistance of any personnel available and continue to attempt to calmly and peacefully bring the disorder under control.

The Chief School Administrator, at his/her discretion may advise the County Superintendent of Schools of the incident.

The Chief School Administrator shall, as soon as conditions permit, advise the President of the Board of Education verbally of the incident and prepare and submit a full written report of the incident that shall include a detailed description of the incident as well as the remedies taken.

### Legal References:

NJSA 2A:4A-60 et al., 2A:53A-15, 2C:39-5, 18A:17-46, 18A:25-2,  
18A:37-1 et seq., 18A:37-2, -2.1 through -2.5, -3, -7 through -12,  
NJAC 6A:14-2.8, 6A:16-1.1 et seq., 6A:16-1.4, -5.1, -5.2, -5.3, -5.5, -5.6, -5.7, -6.1

No Child Left Behind Act of 2001, Pub. L. 107-110,

A Uniform State Memorandum of Agreement Between Education and Law  
Enforcement Officials (1999 Revisions)

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

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Enforcement of Drug-Free School Zones**

**Policy 5129.2**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 4

First Reading: March 16, 2009

### Enforcement of Drug-Free School Zones

The Board of Education recognizes its responsibility to ensure continuing cooperation between school staff and law enforcement authorities in all matters relating to the use, possession, and distribution of controlled dangerous substances and drug paraphernalia on school property. The Board further recognizes its responsibility to cooperate with law enforcement authorities in planning and conducting law enforcement activities and operations on school property. The Board shall, therefore, establish a formal Memorandum of Agreement with the appropriate law enforcement authorities and set forth the following policies and procedures after consultation with the County Prosecutor and approval by County Superintendent of Schools. The Memorandum of Agreement shall be consistent with the School Zone Enforcement Code (N.J.A.C. 6:3-6.1-6.6), Statewide Action Plan for Narcotics Enforcement and the Attorney General's Executive Directive 1988-1.

### Law Enforcement Liaison

In order to ensure that such cooperation continues, the Board directs the Chief School Administrator to designate a school district liaison to law enforcement agencies and to prescribe the rules and responsibilities of the school liaisons. Such assignment shall be in accordance with the district's collective bargaining agreement, if applicable.

### Undercover Operations

The Board hereby recognizes that the Chief School Administrator may request that law enforcement authorities conduct an undercover operation in the school if he/she has reason to believe that anabolic steroid, alcohol, or other drug use and/or trafficking of the same is occurring in the school and that a less intrusive means of law enforcement intervention would be ineffective. The Board hereby authorizes the Chief School Administrator to request such intervention under these circumstances. The Board recognizes that the Chief School Administrator is not permitted to discuss any aspect of the undercover operation until authorized to do so by law enforcement authorities.

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

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Enforcement of Drug-Free School Zones**

**Series 5000**

**Policy 5129.2**

Page 2 of 4

The Board directs the Chief School Administrator to cooperate with the law enforcement authorities in the planning and conduct of undercover school operations. The Chief School Administrator or any other school staff or district Board member who may have been informed about the undercover operation is required to immediately communicate information to the County Prosecutor or designee if the integrity of the undercover school operation has been compromised in any way.

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

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

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

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

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

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Enforcement of Drug-Free School Zones**

**Series 5000**

**Policy 5129.2**

Page 3 of 4

#### Student Searches and Securing Physical Evidence

The Chief School Administrator or his/her designees may conduct a search of a student's person or belongings if the search is necessary to maintain discipline and order in the school, and the school official has a reasonable suspicion that the student is concealing contraband. All searches and seizures conducted by designated school staff shall comply with the standards prescribed by the United States Court in *New Jersey v. T.L.O.*, U.S. 325 (1985), as set forth in Appendix C of the Attorney General's Statewide Action Plan for Narcotics Enforcement.

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

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

#### Police Presence at Extracurricular Activities

The Chief School Administrator is hereby authorized to contact the appropriate law enforcement agency and arrange for the presence of officers in the event of an emergency or when the Chief School Administrator believes that uniformed police presence is necessary to determine illegal drug use or trafficking or to maintain order or crowd or traffic control at a school function.

#### Resolving Disputes Concerning Law Enforcement Activities

The Board authorizes the Chief School Administrator to contact the Chief Executive Officer of the law enforcement agency involved with any dispute or objection to any proposed or ongoing law enforcement operation or activity on school property. If, for any reason, the dispute or objection is not satisfactorily resolved with the Chief Executive Officer of the agency, the Chief School Administrator shall work in conjunction with the County Prosecutor and, where appropriate, the Division of Criminal Justice to take appropriate steps to resolve the matter.

Any dispute that cannot be resolved at the county level shall be reported to the Board and shall be resolved by the Attorney General whose decision will be binding.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Enforcement of Drug-Free School Zones**

**Series 5000**

**Policy 5129.2**

Page 4 of 4

#### Confidentiality of Pupil Involvement in Intervention and Treatment Programs

Nothing in this policy shall be construed in any way to authorize or require the transmittal of any information or records that are in the possession of a substance-abuse counseling or treatment program including, but not limited to, the school districts own substance abuse programs. All information concerning a pupil's or staff member's involvement in a school intervention or treatment program shall be kept strictly confidential, see 42 C.F.R. 2 and N.J.A.C. 6:3-6.6.

#### In-Service Training

The Chief School Administrator will ensure that all district employees receive annual in-service training to make them aware of their responsibilities in accordance with Board policies and N.J.A.C. 6:3-6.3 et seq.

#### Annual Review

The Board will review annually the effectiveness of these policies and the Memorandum of Agreement entered into with the appropriate law enforcement agency. As part of this review, the Board will consult with the County Superintendent of Schools, local community members, and the County Prosecutor's office.

#### Availability of Policy

The policies and procedures contained herein shall be made available to all staff, pupils, parents or guardians on an annual basis.

#### Legal References:

NJSA 2A:62-A, 2A:170-25.9, 2C:29-3a, 2C:33-15, 2C:33-16, 2C:33-17, 2C:33-2C:35-1 et seq, 9:17A-4, 18A:25-2, 18A:36-19.2, 18A:37-1, 18A:37-2, 18A:40A-1 et seq, 18A:40A-10, 18A:40A-11, 18A:40A-17, 24:21-2, 26:3D-15 through – 21  
NJAC 6:8-3.1 et seq, 6:11-11.5, 6A:8-3.1, 6A:16-1.1 et seq  
Regulations Under Drug Free Workplace Act, CFR 4946 (1/31/89)  
42 CFR Part 2 – Confidentiality of Alcohol and Drug Abuse Patient Records  
FG v. Bd of Ed of Hamilton, 1982 SLD 382  
GLH v. Bd of Ed of Hopewell Valley Regional School District et al 1987 SLD  
State in the Interest of TLO 94 NJ 331 (1983) Rev'd 469 US 325 (1985)  
State of NJ v Jeffrey Engerud 93 NJ 308 (1983)  
Honig v. Doe 484 US 305 (1988)  
Vernonia School District v. Acton 515 US 646 (1995)  
In the Matter of Tenure Hearing of Graceffo, 2000 SLD (Sept 21)  
Manual for the Evaluation of Local School Districts (August 2000)  
The NJ School Search Policy Manual, NJ Attorney General (1988)  
A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials (1999 Revisions)

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

### **Paging Devices, Cell Phones & Other Electronic Devices**

**Policy 5129.7**

Date Adopted: March 30, 2009

Date Revised: July 2, 2012, January 10, 2020

Page 1 of 2

#### Paging Devices

Students are not permitted to possess or use remotely activated paging devices, beepers, walkie-talkies, audio devices or other forms of electronic communication during the school day, at any school-sponsored activity (on or off school property) or while en-route to or from any school function in a district owned, leased or contracted school vehicle.

Any person enrolled as a student in the School System knowingly and without the express written permission of the Board of Education or designee knowingly brings or possesses any remotely activated paging device, or other such electronic device at any time and regardless of whether school is in session or other persons are present, may be guilty of a disorderly persons offense.

Electronic devices necessary to maintain the medical health of the student are exempt from this policy. If a student requires the use of a medically required electronic device, it is expected that the student's physician will provide a written description of the device as well as its intended purpose.

#### Cell Phones

Use of cell phones is strictly prohibited.

Students are not permitted to possess or use cell phones during the school day, at any school-sponsored activity or while en-route to or from any school function in a district owned, leased or contracted school vehicle. An exception will be made for students participating in school-sponsored field trips. Students will be allowed to use their cell phones in emergencies only (i.e., they become lost from their group). Any student, who brings a cell phone on their field trip, does so at his/her own risk. Cell phones must be turned off and kept out of sight.

#### Smart Watches

Since Smart Watches may have the capacity to record images, the use and/or possession of Smart Watches by the students of this district is strictly forbidden. This shall include but not be limited to a Smart Watch DX2. The Chief School Administrator/designee may, at his/her sole discretion, take possession of said watches and turn them over to the parents/guardians at a future date and time.

Failure to comply with this policy will subject students to the sanctioned as described in the student discipline code of the district. In all cases of violation of this policy, the cell phone shall be confiscated by the administration and returned to the parent/guardian.

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Paging Devices, Cell Phones &  
Other Electronic Devices**

**Policy 5129.7**

Page 2 of 2

Any student who wishes to bring a cell phone onto any property used for school purposes must petition the Board of Education in writing to show a reasonable basis for the possession of such a device. The Board directs the CSA to develop regulations and implement this policy.

## Legal References

NJSA 2C:33-19 Prohibition of possession of remotely activated paging device  
18A:11-1 General mandatory powers and duties  
18A:36-19.2 Search of student lockers  
18A:37-1 Authority over students  
18A:37-2 Suspension and expulsion



# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Conduct / Discipline**

**Policy 5131**

Date Adopted: March 30, 2009

Date Revised: February 14, 2011, October 9, 2012,  
December 10, 2012, September 14, 2015

Page 1 of 25

## **I. PHILOSOPHY**

Public schools, to be effective, must give all students the opportunity to learn and all teachers the opportunity to teach. Students must be taught that group living demands that individual actions must be tempered and limited. Such understandings take time for growth in the individual, and meanwhile external authority must prevail until desirable habits are acquired.

In this school system all staff and administration are held responsible for upholding the disciplinary standards of the school. It is expected that high standards of conduct will be maintained at all times, which are consistent with the emotional and social growth of the child at any given level. The emphasis on positive behavior creates an atmosphere of mutual respect and appreciation of individual differences among staff, students, and parents as well as respect for District and community property.

In all matters related to the discipline and conduct of the students in the school, the teachers and administrators assume the supervisory role of parent/guardian to the students. The relationship shall extend to all activities connected with the school program and may be exercised at any time for the safety and supervision of the students in the absence of their parent/guardian.

This philosophy of our discipline program can be summarized as follows:

1. All children can behave appropriately.
2. Misbehavior is a matter of choice.
3. A student will accept responsibility for his/her actions.
4. Teachers have a right to teach.
5. Students have a right to learn.
6. No student will prevent a teacher from teaching or a student from learning.

The school may report any illegal act to local law enforcement agencies (see Category III actions). Police will share information with the schools only as allowed by law.

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Conduct / Discipline**

**Policy 5131**

Page 2 of 25

Discipline should be directed toward developing the skills necessary for young people to:

1. cope with real life situations;
2. develop good relationships with others;
3. become productive individuals;
4. recognize when their actions are interfering with the rights of others;
5. recognize their rights within the limits of society.

## **II. RESPONSIBILITIES OF MEMBERS OF THE SCHOOL COMMUNITY**

The responsibility for student conduct within the school rests with students, parents and staff. With the cooperation of all persons, it will be possible to maintain an environment, which is safe, orderly, and conducive to learning. Therefore, it is necessary that all parties understand their responsibilities.

A. The students have a responsibility to:

- Conduct themselves properly in the school building, on school grounds, to and from school, on buses and at bus stops, and at any school-related activity.
- Attend school regularly, arrive on time to school and to class and be prepared to learn.
- Respect the rights and feelings of fellow students, parents, school personnel, visitors, and guests.
- Respect the materials, equipment, and property of the school.

B. The parents have a responsibility to:

- Model positive modes of behavior and good manners.
- Insist on his/her child's punctual and regular school attendance.
- Exercise respect and civility in all interactions with staff, students, and members of the community.
- Explain and discuss the code of conduct with his/her child.
- Provide emotional, social, and academic support in the student's school life.
- Adhere to all policies and procedures of the school district.

C. The staff has a responsibility to:

- Model positive modes of behavior and good manners.
- Exercise respect and civility in all interactions with staff, students, and members of the community.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Conduct / Discipline**

**Policy 5131**

Page 3 of 25

- Explain and discuss acceptable and unacceptable modes of behavior with students and parents/guardians.
- Foster an emphasis on positive behaviors, creating an atmosphere of mutual respect and the appreciation of individual differences among staff, students, and parents for individuals as well as for district and community property.
- Inform and enforce the discipline structure with students.
- Be consistent in enforcing the discipline structure throughout the school.
- Comply with requirements of New Jersey Administrative Code and District policies and procedures.

For students with disabilities, the behavior interventions and supports are determined and provided pursuant to the requirements of N.J.A.C. 6A:14. Students with disabilities are sometimes eligible to receive behavioral supports/services as determined by the Child Study Team. The Elsinboro Township School District provides these types of services to eligible children based on individual assessments performed by qualified professionals. The individual behavior plans designed are based on a positive behavior approach, ensuring that children are learning to modify their behaviors based on positive feedback from adults. Behavior plans may be re-designed as often as necessary as the child grows, develops, and learns to modify his/her behavior over time.

The School District also has procedures in place for the discipline of students with disabilities, designed to implement the relevant mandates outlined in the federal IDEA and N.J.A.C. 6A:14. These procedures apply to all students who have been determined eligible for special education and students who have been referred to the CST for possible eligibility, while that process of identification and/or evaluation is in progress.

### **III. STUDENT CONDUCT GUIDELINES**

In order to help ensure a respectful, responsible learning environment, it is expected that a student shall:

- Be on time and attend every class every day. [See Policy 5110, Attendance.]  
Attain satisfactory academic achievement consistent with the student's ability and complete all homework and other assignments.
- Assume personal responsibility for acting with respect and civility, bullying and harassment in all its forms, is unacceptable. [Policy 5131.9]
- Exhibit ethical behavior as it applies to tests, assignments and other work for which the student is responsible.
- Abide by school rules that have been developed to assure the safety of all those in the school community.
- Communicate with peers and those in authority with respect and consideration.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Conduct / Discipline**

**Policy 5131**

Page 4 of 25

- Accept disciplinary consequences with dignity and a resolve to improve one's performance and conduct.
- Comply with Board Policies governing appropriate dress and the proper use of electronic devices.
- Understand and comply with school requirements in relation to bus conduct and appropriate conduct at all school-sponsored activities.
- Respect school property and help to keep it free from damage.
- Refrain from the use of non-prescription drugs at school and at all school-sponsored activities unless necessary for the health and safety of the student in accordance with District policy and procedural requirements, including written authorization provided by the parent/guardian to the school nurse. Students are not permitted to self-administer the parent/guardian to the school nurse. Students are not permitted to self-administer medication except in certain limited life-threatening conditions. [See Policy 5141.21, Administration of Medication.]
- Refrain from using and/or possessing alcohol, controlled dangerous substances, or other illegal substances at school, on school property or school buses, and at all school-sponsored activities.

## **IV. STUDENT RIGHTS**

Students have the right to:

- Advance notice of behaviors that will result in suspension or expulsion. These behaviors are listed under the Discipline Categories section of this Code.
- Education that supports students' development into productive citizens.
- Attendance in safe and secure school environments.
- Notification to their parents/guardians consistent with procedures established by the District for instances of law enforcement agency interviews involving their children, for short-term and long-term suspensions or expulsions, and for attendance-related issues and consequences.
- The due process procedures established by the District for review of conduct which may result in the imposition of short-term suspensions, long-term suspensions, or expulsions. Those procedures are set forth below in this Code of Conduct.
- Appeal disciplinary determinations of District officials or the Board of Education to the New Jersey Commissioner of Education and, where applicable, to pursue the due process rights established in N.J.A.C. 6A:14 for pupils classified as eligible for special education.
- Protections pursuant to 20 U.S.C. § 1232g and 34 CFR Part 99, Family Educational Rights and Privacy Act; 20 U.S.C. § 1232h and 34 CFR Part 98, Protection of Pupil Rights Amendment; N.J.A.C. 6A:32-7, Student Records;

# **Elsinboro Township Board of Education District Policy Manual**

**Students  
Conduct / Discipline**

**Series 5000  
Policy 5131**

Page 5 of 25

45 CFR § 160, Health Insurance Portability and Accountability Act; 20 U.S.C. § 6301, Title IV(A)IV § 4155 of the Elementary and Secondary Education Act as reauthorized under the No Child Left Behind Act; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, School-based drug and alcohol abuse counseling; information from participants; disclosure; N.J.A.C. 6A:16-3.2, Confidentiality of student alcohol and other drug information; N.J.S.A. 18A:36-19, Creation; Pupil Records: Maintenance and Retention, Security and Access; Regulations; Non-Liability; N.J.A.C. 6A:14-2.9, N.J.A.C. 6A:32 Student Records; as well as other existing Federal and State laws pertaining to student protections.

## **V. THE MERIT SYSTEM**

The merit system is intended to reward and recognize students who live up to expectations with acceptable or even outstanding behavior. It will also identify those students, whose behavior, at times, is unacceptable. Students will also receive praise referrals for good conduct and academic success and can earn back lost merits for proper behavior.

Each student in third through eighth grade will receive 100 points at the beginning of the school year. If a student commits a disciplinary infraction, a pre-assigned point total will be subtracted from the student's current total depending on penalty given. The points assigned to the penalties are as follows:

1. Verbal reprimand (bus and classroom misconduct) – 1 point deducted
2. Bus Suspension – 2 points deducted for each day
3. Lunch/recess detention – 2 points deducted for each day
4. After-school detention – 3 points deducted for each day
5. Out to parent – 4 points
5. Internal suspension – 4 points deducted for each day
6. External suspension – 15 points deducted for the first day; 5 points deducted for each additional day.

Students must earn their privileges. Therefore, when a student reaches a point total of less than 60 points, he/she will not be allowed to participate or attend any extra-curricular activities. This would include dances, trips, chorus, band, safety patrol, family day, Jump Rope/Hoops for Heart event, and evening programs held at the school. If a pre-k through second grade student receives five discipline referrals, he/she will not be permitted to participate in track and field day.

A student's most recent point (demerit) total can be found at the bottom of each individual discipline referral. Demerit summary letters may be sent out as well when

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Conduct / Discipline**

**Policy 5131**

Page 6 of 25

students reach benchmark demerit totals. A notice will be mailed to the student's parents when the total reaches 59 or below (41 demerits). Any student reaching a point total of zero may graduate but may not attend the graduation ceremony. Any student denied the privilege of attending a trip due to their merit total will be required to remain in internal suspension for the day and complete classwork. To encourage proper behavior, a student will be able to gain back five (5) points, if they do not receive any loss of points for thirty (30) consecutive school days.

If a student loses all 100 merit points, he/she will be required to serve (5) internal suspensions from 8AM -12PM during summer vacation. Failure to comply will result in the student beginning the following school year with zero merit points. That student will also need to make up the week missed during the following summer vacation, otherwise he/she will remain at zero merits.

## **VI. STUDENT CODE OF CONDUCT**

It is the position of the school that the punitive aspect of discipline should be a last resort. Preventive discipline and behavior modification through a close working relationship between the school and the home should be the first step. We realize that consistent communication with the home will allow parents and teachers to work together for the benefit of the student. It is expected that teachers and administrators will employ as many intervention strategies as possible.

The school realizes that unfortunately, there are times when punitive disciplinary action is necessary. It is the position of the school that discipline be administered in a way that is speedy, fair, and consistent. It is also this school's position that the imposed discipline will not impinge on a student's dignity, feeling of self-worth, and will be administered in such a way that a student's right to be treated with respect will not be affected.

Students are reminded that all teachers, staff employees, or persons acting in a capacity of supervision authorized by the school administration, *i.e.*, chaperones in the building, have the authority to enforce rules and regulations. Teacher authority is not in any way limited to the classroom and particular students. Students are reminded that they are to show respect to all Elsinboro staff members whether professional or nonteaching. In time of any type of disorder in school, infractions cannot be ignored where positive identification is established. Offenders will be disciplined. (It must be recognized that not all the offenders will or can be identified).

Verbal insubordination as well as physical acts will be recognized.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Conduct / Discipline**

**Policy 5131**

Page 7 of 25

Students and parents must recognize that in order for the administration to have control of the school, it must have knowledge of incidents where disciplinary infractions are taking place. It is impossible for the school administrator to be physically present in all areas of the school, therefore, the administrator must be, and is obligated to recognize the teacher's and support staff's authority and judgment in situations where an administrator has not been physically present.

School authorities have the right to impose consequences on a pupil for conduct away from school grounds pursuant to N.J.A.C. 6A: 16-7.6. This authority shall be exercised only when it is reasonably necessary for a pupil's physical or emotional safety, security and wellbeing or for reasons relating to the safety, security and wellbeing of other students, staff or school grounds. This authority shall be exercised only when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school.

### Disciplinary Procedures

The CSA or designee (teacher in charge) shall have the authority to assign discipline to pupils. Discipline shall be applied at the discretion of the administration. Pupil discipline and code of conduct in the district will be applied without regard to race, color, religion, ancestry, national origin, gender, sexual orientation, or mental, physical or sensory disability or by any other distinguishing characteristics pursuant to N.J.S.A. 10:5. Before dispensing disciplinary measures, administration will take into account, at least, the severity of offenses, age and developmental level of the student offender, and student history of inappropriate behavior in accordance with N.J.A.C. 6A:16-7.2.

Referral of a student to the CSA is used as a last resort, after teachers have exhausted all other appropriate preventive and corrective measures such as parent contact, student conferences, etc. Once a student reaches the CSA's office, the seriousness of the case will speak for itself.

When a student is suspended, the parents/guardians may be required to attend an in-school conference appointment with the CSA. After the student and his/her parents have conferred with the CSA, the student will be remitted to class.

It is understood that during a day of absence, internal or external suspension the student may not attend classes or participate in any school activities. Students on external suspension will not be permitted on the school grounds. Any student, who is suspended before the end of the school day, will lose their privilege to participate in or attend any after school activities that day.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Conduct / Discipline**

## **Series 5000 Policy 5131**

Page 8 of 25

### Rules, Regulations, and Violations

The administration and staff will apply the following guidelines in the consistent administration of discipline at Elsinboro Township Elementary School. Decisions regarding disciplinary matters will depend on the following:

1. A complete investigation and presentment of evidence in detail;
2. Consideration of the severity of the offense;
3. Consideration of the repetitive behavior of the offender; and
4. Fairness in light of mitigating circumstances.

Rules of conduct relate to students not only when they are present in the school building or on school grounds, but also while they are being transported to and from school, and to school-sponsored activities. Rules of conduct also apply to after-school related activities; newspaper club, instrumental club, etc.

School bus drivers, while performing their duties, have the same authority as a member of the teaching staff. Due to the possible hazard of transporting students, improper conduct will not be tolerated at any time on school buses during scheduled runs to and from school.

Realizing that there are degrees of misconduct, a detention system of discipline has been instituted along with internal and external suspension. Through the use of such a system for disciplining violators of less serious offenses, the loss of classroom time has been reduced.

### Penalties

1. Lunch/recess detention – Students will be required to sit in the Resource Room during the lunch/recess period.
2. After-school detention – Students will be required to remain after school from 3:00 – 4:00 PM. Parents must arrange transportation for their child, but will be given 24-hour notice for the detention. Detention(s) assigned by the office must begin within three (3) days of the offense.
3. Internal suspension – Students will be required to be isolated for the entire school day including lunch period. The student will not be permitted to attend any after-school activities during the time of the suspension.
  - \* Students in internal suspension may bring their own lunch or get a choice of a cheese or peanut butter and jelly sandwich. No hot lunch will be served while a student is in internal suspension.
4. External suspension – Students will be required to remain out of school for the entire school day. A parent-administrator conference at the school may be



# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Conduct / Discipline**

**Policy 5131**

Page 9 of 25

required prior to re-entry to the regular school program. The student will not be permitted to attend any after-school activities during the time of the suspension.

Students are to report to the detention area by the time detention is to start. If the student is not on time, or is not prepared to use the time wisely, he/she will receive additional discipline. Should a student not conduct himself properly during the detention, he/she will be suspended. In the event detention or internal suspension is missed due to absence, illness or the cancellation of school, the assigned discipline will be served the next available school day.

All disciplinary infractions and the resulting consequences can be accessed by logging into Elsinboro's grade portal – OnCourse.

It is understood that the administration of this code must include some administrative judgments where the cases do not exactly fit the descriptions. Nevertheless, unless there are specific and considerable extenuating circumstances, this code will be followed.

The administration reserves the right to assign alternative penalties when disciplinary guidelines are not followed and is the final authority on code infraction interpretation. Student discipline may be implemented prior to parent contact.

### Positive Student Development

The following factors at a minimum shall be given full consideration by school administration in the development of remedial measures to address the problem behaviors:

- Age, developmental and maturity levels of the parties involved;
- Degree of harm;
- Surrounding circumstances;
- Nature and severity of the behaviors;
- History of past incidences or past or continuing patterns of behavior;
- Relationships between the parties involved; and,
- Context in which the alleged incidents occurred.

Remedial measures could include the following:

- Restitution and restoration;
- Mediation;
- Corrective instruction or other relevant learning or service experience;
- Supportive student interventions
- Behavioral management plan, with benchmarks that are closely monitored;

# Elsinboro Township Board of Education District Policy Manual

## Students

### Conduct / Discipline

Series 5000

Policy 5131

Page 10 of 25

- Assignment of leadership responsibilities;
- Involvement of CSA;
- Student counseling; or,
- Parent conferences.

The list of rules, regulations, and violations on the following pages are the most important ones in the school, but these do not include every possible violation. For example, a student can get into difficulty for doing something even if there is not a specific rule stating that the action is a violation. Any act that disrupts school activity or causes danger to people or destruction to property is forbidden and will not be tolerated.

There are three levels of misconduct for students. They are as follows:

- A. Category I Violations – Misconduct
- B. Category II Violations - Serious Misconduct
- C. Category III Violations - Intolerable and/or Illegal Conduct

Each category is followed by possible disciplinary actions.

\*OTP Out to Parent

\*ISS In School Suspension

\*OSS Out of School Suspension

The following are general guidelines only. Students will be subject to disciplinary action any time they engage in inappropriate behavior. Furthermore, the specific consequences/ disciplinary actions listed may be modified at the discretion of the administration.

## **MISCONDUCT - CATEGORY I VIOLATIONS**

Category I violations include behavior that disrupts or interferes with the orderly educational process of oneself and/or other students. These violations include the following:

**I-1 Disruptive behavior** - Displaying any behavior that is disruptive to the orderly process of classroom instruction. For example: Excessive noise, excessive talking, throwing things, distracting action or comments.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Conduct / Discipline**

**Policy 5131**

Page 11 of 25

- 1<sup>st</sup> offense Recess/Lunch Detention
- 2<sup>nd</sup> offense 3 days Recess/Lunch Detention
- 3<sup>rd</sup> offense OTP
- 4<sup>th</sup> offense ISS/OSS (1 or more days) w/parent conference on return

### **I-2 Uniform Policy Violation**

- 1<sup>st</sup> offense Referral to Nurse and parent contact.
- 2<sup>nd</sup> offense Lunch detention/parent contact.
- 3<sup>rd</sup> offense OTP
- 4<sup>th</sup> ISS/OSS w/parent conference on return.

### **I-3 Failure to serve detentions.**

- 1<sup>st</sup> offense 1 additional detention day.
- 2<sup>nd</sup> offense 2 additional detentions days.
- 3<sup>rd</sup> ISS/OSS w/parent conference on return.

### **I-4 Improper building/outdoor conduct** - Running, excessive noise, horseplay, shoving, or throwing things (all areas of the building including halls, restrooms, lunchrooms, playground, etc.).

- 1<sup>st</sup> offense Recess/Lunch Detention
- 2<sup>nd</sup> offense 3 days Recess/Lunch Detention
- 3<sup>rd</sup> offense OTP
- 4<sup>th</sup> offense ISS/OSS (1 or more days) w/parent conference on return

### **I-5 Improper conduct during a school program or assembly**

- 1<sup>st</sup> offense removal from the program and 1 lunch/recess detention
- 2<sup>nd</sup> offense 3 days lunch/recess detention
- 3<sup>rd</sup> offense OTP and prohibited from attending assemblies during school hours

### **I-6 Name-calling towards other students**

- 1<sup>st</sup> offense lunch/recess detention
- 2<sup>nd</sup> offense 2 lunch/recess detentions
- 3<sup>rd</sup> offense 3 lunch/recess detentions
- 4<sup>th</sup> offense 1 ISS
- 5<sup>th</sup> offense 2 ISS

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Conduct / Discipline**

**Policy 5131**

Page 12 of 25

**I-7 Inappropriate, abusive, or profane language** - any vulgar behavior written or directed toward other students.

- 1<sup>st</sup> offense 1 ISS
- 2<sup>nd</sup> offense 2 ISS
- 3<sup>rd</sup> offense 1 to 3 OSS
- 4<sup>th</sup> offense 3 to 5 OSS w/parent conference on return

**I-8 Lying/cheating** - The intentional telling of stories that are not true, copying another's work on assignments or tests, or allowing another to copy one's own work.

- 1<sup>st</sup> offense recess/lunch Detention
- 2<sup>nd</sup> offense 3 days recess/lunch Detention
- 3<sup>rd</sup> offense OTP
- 4<sup>th</sup> offense ISS/OSS (1 or more days) w/parent conference on return

**I-19 Unexcused Absences, Tardiness and Early Pick Up** – As per policy 5113

Absences & Excuses, any combination of two unexcused late arrivals or early releases will equal one unexcused absence.

- For every four unexcused absences accumulated in a marking period, the student will have one morning detention (7:45AM – 8:15AM), the week following the end of the marking period, (Dates to be determined.)
- Students will not be able to participate in any non-instructional activities for that marking period.
- Students who accumulate 8 absences prior to class trip or family day will have to attend a parent meeting to review absences to determine eligibility for participation.
- After five excused or unexcused incidence of absences; a doctor's note will be required for each absence thereafter. (An incidence would be one or more consecutive days absent. For example, being absent Sept. 1,2,3<sup>rd</sup> would be 1 incident.)

**I-10 Possession of Medication** – Students will only be permitted to self-administer medication without the assistance of the nurse if it is deemed necessary for life threatening illness/conditions with special permission form(s) signed by the physician and parent. A student may be permitted to use inhalers for asthma without the nurse's assistance, but this requires a special set of permission forms. A student will be permitted to self-administer insulin in school and on field trips, if so directed by the physician.

- 1<sup>st</sup> offense referral to nurse with parent contact
- 2<sup>nd+</sup> offense ISS/OSS/notification of Law Enforcement Personnel as deemed necessary by the CSA or Teacher in Charge.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Conduct / Discipline**

**Policy 5131**

Page 13 of 25

**I-11 Bus/Bus Stop Misbehavior** (Not following bus rules such as not wearing seat belts, switching seats, yelling, throwing objects, hands or objects out of window, etc.)

- 1<sup>st</sup> offense parent contact and possible exclusion from the bus for 1 day or more
- 2<sup>nd</sup> offense parent contact and possible exclusion from the bus for 3 days or more
- 3<sup>rd</sup> offense parent contact and possible exclusion from the bus for 5 days or more
- 4<sup>th</sup> offense parent contact and possible exclusion from the bus for 10 days or more
- 5<sup>th</sup>+ offense parent contact and possible exclusion from the bus for 30 days or more

**I-12 Failure to return signed disciplinary referral**

- 1<sup>st</sup> offense Recess/Lunch Detention
- 2<sup>nd</sup> offense 3 days Recess/Lunch Detention
- 3<sup>rd</sup> offense OTP
- 4<sup>th</sup> offense ISS/OSS w/parent conference on return

NOTE: Category I may include other offenses not specifically listed which are similar in severity to the above.

## **SERIOUS MISCONDUCT - CATEGORY II VIOLATIONS**

Category II violations include behavior that disrupts or interferes with the education of oneself and/or other students and is more serious in nature. These acts are more likely to result in harming the well-being of other people or damaging property. Some violations in this category may be unlawful. These violations include the following:

**II-1 Written or Verbal Assault or Gesture Delivered or Undelivered** - Threatening to harm another student.

- 1<sup>st</sup> offense removal from class and ISS
- 2<sup>nd</sup> offense removal from class and 2 ISS
- 3<sup>rd</sup> offense 1-3 days OSS
- 4<sup>th</sup>+ offense 3-5 days OSS

**II-2 Physical Assault to Students** - Physical contact, fighting and or incitement that could result or does result in physical confrontation with students.

- 1<sup>st</sup> offense removal from class and 2 days ISS
- 2<sup>nd</sup> offense removal from class, parent conference and 1 day OSS.
- 3<sup>rd</sup> offense parent conference and 3 days OSS.
- 4<sup>th</sup>+ offense 5 days OSS

## **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Conduct / Discipline**

**Policy 5131**

Page 14 of 25

**II-3 Forgery** - The unauthorized signing of the name of another person, or altering times, dates, grades, passes or permits.

- 1<sup>st</sup> offense parent contact and 1 day lunch/recess detention
- 2<sup>nd+</sup> offense 1 day ISS

**II-4 Gambling/Extortion/Bribing** -Playing any game of chance or skill involving the exchange of anything of value, taking money or any other items through threats.

- 1<sup>st</sup> offense parent contact and 1 day lunch/recess detention
- 2<sup>nd</sup> offense 1 day ISS
- 3<sup>rd+</sup> offense 1 day OSS

**II-5 Gang Related Activities** - Use of graffiti, hand signals, colors, jewelry, dress, etc. that communicate gang membership.

- 1<sup>st</sup> offense parent contact and 1 day lunch detention
- 2<sup>nd</sup> offense 1 day ISS
- 3<sup>rd+</sup> offense 1 day OSS

### **II-6 Harassment/Bullying**

- Refer to HIB Policy #5131.9 (attached, page 22)
- And/Or Refer to Category Offense

**II-7 Inappropriate items brought to school** - including pagers, beepers, walkie-talkies, audio devices or other forms of electronic communication devices. NO CELLULAR PHONES to be brought to school or on the bus. Devices will be returned to parents only.

- 1<sup>st</sup> offense confiscation of item, parent contact and 1 day lunch detention
- 2<sup>nd</sup> offense confiscation of item, parent contact and 1 day ISS
- 3<sup>rd+</sup> offense confiscation of item, parent contact and 3 days ISS

**II-8 Insubordination/Disrespect**-Failure to obey reasonable, fair, and proper instructions or directions of any staff member or any person having authority over the students.

- 1<sup>st</sup> offense 1 day ISS
- 2<sup>nd</sup> offense 3 days ISS
- 3<sup>rd+</sup> offense 1 day OSS, parent conference on return and referral to School Psychologist

## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

**Series 5000**

### **Conduct / Discipline**

**Policy 5131**

Page 15 of 25

**II-9 Written or Verbal Assault** - obscene and/or vulgar language, gestures, and/or threats toward any school employee, bus driver, or parent chaperoning any school event.

- 1<sup>st</sup> offense 1-3 days OSS
- 2<sup>nd</sup> offense 3-5 days OSS
- 3<sup>rd</sup> offense 5-10 days OSS

**II-10 Leaving School Building or Property** - Students are not permitted to leave the property unless excused by school personnel.

- 1<sup>st</sup> offense parent contact and/or law enforcement contact, and 1 day ISS
- 2<sup>nd</sup>+ offense parent meeting, 3 days ISS and referral to School Psychologist

**II-11 Misbehavior with Substitutes** - Students need to be on their best behavior.

- 1<sup>st</sup> offense 1 day ISS
- 2<sup>nd</sup> offense 3 days ISS
- 3<sup>rd</sup>+ offense 1 day OSS, parent conference on return and referral to School Psychologist

**II-12 911 Calls** - A student making an unauthorized 911 call for unfounded reasons.

- 1+ offense Parent contact, law enforcement contact and removal for remainder of the day with parent meeting on return.

### **II-13 Pornography**

- 1<sup>st</sup> offense parent contact and/or law enforcement contact, and 1 day ISS
- 2<sup>nd</sup>+ offense parent meeting, law enforcement contact, 3 days ISS and referral to School Psychologist

**II-14 Sexual Harassment** - Verbal, written or gesturing conduct of a sexual or sex-based nature imposed on the basis of sex.

- 1<sup>st</sup> offense 1 day OSS, parent conference on return and referral to School Psychologist
- 2<sup>nd</sup> offense 3-5 days OSS based upon severity of offense
- 3<sup>rd</sup> offense possible expulsion

**II-15 Stealing** - Taking something that belongs to the school or another person without permission. Students accused of stealing personal items such as shoes, coats, purses, wallets, or school property may be charged with a Category III violation.

- 1<sup>st</sup> offense parent contact and/or law enforcement contact, and 1 day ISS
- 2<sup>nd</sup>+ offense parent meeting, law enforcement contact, 3 days OSS and referral to School Psychologist

## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

**Series 5000**

### **Conduct / Discipline**

**Policy 5131**

Page 16 of 25

**II-16 Truancy** - The willful refusal of a child to attend school for a day or a portion thereof, in defiance of parental or lawful authority or when a child is not at the assigned place at the assigned time. After ten unexcused absences, a student is considered truant (truancy is a violation of NJ attendance laws).

- Refer to Attendance Policy
- 1-4 days unexcused absences parent notification by phone and/or letter
- 5-8 days of unexcused absences parent notification by letter, 5 or more absences a doctor's note is required for excused absence.
- 9 unexcused absences Out to Parent meeting, referral school counselor
- 10+ unexcused absences referral to State Court Program for Truancy and/or law enforcement agency.

**II-17 Vandalism** - Damaging/misusing staff, student, or school property. May be charged with a Category III violation.

- 1<sup>st</sup> offense parent contact and/or law enforcement contact, and 1 day ISS
- 2<sup>nd</sup>+ offense parent meeting, law enforcement contact, 3 days OSS and referral to School Psychologist

NOTE: Category II may include other offenses not specifically listed, which are similar in severity to the above.

### **INTOLERABLE AND/OR ILLEGAL CONDUCT CATEGORY III VIOLATIONS**

Category III violations include intolerable behavior that not only breaks the school rules, but may be against the law. These violations may pose a direct threat to the safety of others and seriously disrupt the orderly educational process in the classroom, in the school building, on the school grounds or during transit to and from school.

These violations include the following:

**III-1 Arson** - Setting fire in school or on school property.

- Referral to law enforcement agency and school psychologist
- Expulsion



## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

**Series 5000**

### **Conduct / Discipline**

**Policy 5131**

Page 17 of 25

**III-2 Assault** - Threatening to physically harm any student or staff member, and/or threatening to bring a weapon to school or threatening to use any weapon against students or staff.

- 1<sup>st</sup> offense parent and/or law enforcement contact, 3 days OSS and school psychologist
- 2<sup>nd</sup> offense 5 days OSS and parent meeting and law enforcement contact
- 3<sup>rd</sup> offense Expulsion

**III-3 Battery** - Physically touching another person either directly or with a weapon or dangerous object and causing injury. This includes any physical attack on any person or any fight involving two or more people.

- 1<sup>st</sup> offense 5 days OSS and parent meeting and/or law enforcement contact
- 2<sup>nd</sup> offense Expulsion

**III-4 Disrupting School or School Related Functions While Under the Influence of Drugs or Alcohol** - Attending school by students, regardless of age, who are under the influence of drugs other than prescribed by a doctor and/or alcohol or who have used or consumed drugs and/or alcohol which can alter their behavior.

- 1<sup>st</sup> offense 5 days OSS and parent meeting and/or law enforcement contact
- 2<sup>nd</sup> offense Expulsion

**III-5 Drug/Look Alike Drug/Alcohol Violations** - Having, using, selling, buying, or giving away any drugs, look alike drugs or alcohol. If a student has a drug prescribed by a doctor, it must be kept in the nurse's office or main office.

- 1<sup>st</sup> offense 5 days OSS and parent meeting and/or law enforcement contact
- 2<sup>nd</sup> offense Expulsion

**III-6 Explosives/Fireworks** - Having, using, selling or giving away any explosives or fireworks.

- 1<sup>st</sup> offense 5 days OSS and parent meeting and/or law enforcement contact
- 2<sup>nd</sup> offense Expulsion

**III-7 False Alarms/Bomb Threats** - Making a report of a fire or bomb, or attempting to pull an alarm when neither exists.

- 1<sup>st</sup> offense 5 days OSS and parent meeting and law enforcement contact
- 2<sup>nd</sup> offense Expulsion

## **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Conduct / Discipline**

**Policy 5131**

Page 18 of 25

**III-8 Stealing and/or Possession of Stolen Property** - Having property that the student knows was stolen by another person.

- 1<sup>st</sup> offense 5 days OSS and parent meeting and/or law enforcement contact
- 2<sup>nd</sup> offense Expulsion

**III-9 Possession of tobacco products and/or drug paraphernalia.**

- 1<sup>st</sup> offense parent contact and/or law enforcement contact, and 1 day ISS
- 2<sup>nd</sup>+ offense parent meeting, law enforcement contact, 3 days OSS and referral to School Psychologist

**III-10 Possession of a Weapon** -Having, using, selling, or giving to any other student any weapon/look alike weapon. This includes sticks, pipes, bottles, or even a pencil, if it is used as a weapon.

- 1<sup>st</sup> offense 5 days OSS and parent meeting and/or law enforcement contact
- 2<sup>nd</sup> offense Expulsion

**III-11 Sexual Misconduct/Harassment** - Touching others in ways that would be considered sexually offensive.

- 1<sup>st</sup> offense 1 day OSS, parent conference on return and referral to School Psychologist
- 2<sup>nd</sup> offense 3-5 days OSS based upon severity of offense
- 3<sup>rd</sup> offense possible expulsion

**III-12 Stalking** - of students or staff

- 1<sup>st</sup> offense 1 day OSS, parent conference on return and referral to School Psychologist and/or law enforcement agency
- 2<sup>nd</sup> offense 3-5 days OSS based upon severity of offense, notification of law enforcement agency, parent meeting upon return
- 3<sup>rd</sup> offense possible expulsion

**III-13 Use of Tobacco Products** - In the school building, on the bus, at school activities, or on school property.

- 1<sup>st</sup> offense parent contact and/or law enforcement contact, and 1 day ISS
- 2<sup>nd</sup>+ offense parent meeting, law enforcement contact, 3 days OSS and referral to School Psychologist

## **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Conduct / Discipline**

**Policy 5131**

Page 19 of 25

**III-14 Willful Exposure** - Showing or revealing parts of the human body in such a manner that embarrasses or offends other people or causes disruption to others in the school.

- 1<sup>st</sup> offense parent meeting, possible law enforcement contact, 3 days OSS and referral to School Psychologist
- 2<sup>nd</sup> offense 5-10 days OSS, parent meeting, possible law enforcement contact, and referral to School Psychologist
- 3<sup>rd</sup> offense possible expulsion

NOTE: Category III may include other offenses not specifically listed, which are similar in severity to the above.

### **Attendance (Board of Education Policy #5110)**

The Board of Education of the Elsinboro Township School District recognizes the educational significance of the student's attendance in class and, as mandated by NJAC 6:8-4, 2(d) legislates an attendance policy which requires student attendance on the days and during the hours in which the school is in session. The Board of Education will not permit absence from school for any reason not specified in the policy.

The Board directs the administration to provide a minimum of 180 well-planned instructional days for students, under the tutelage of certified and competent teachers, and to implement this attendance policy.

#### Attendance in School

Attendance in school is a prerequisite to successful completion of respective grade promotion requirements. In the evaluation of grades, teachers are obligated to follow the attendance policy. When able, students are expected to be in school. An individual student's attendance may incorporate the wording from an IEP plan, 504 plan, or Individual Healthcare plan.

A student having an absence has the privilege of making up any work missed. However, logically it can be assumed class participation cannot be made up. For all absences, a student in grades 3-5 will have the work collected for them by the teacher. For a student in grades 6-8, they must approach their individual teachers for make-up assignments. It will not be considered the teacher's role to contact the student. The student with an absence must turn in his/her missed work within the same number of days he/she was absent.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Conduct / Discipline**

**Policy 5131**

Page 20 of 25

For students in grades 6-8, work missed due to absences relating to truancy, suspension or other disciplinary reasons will be considered as work missed due to negligence or non-compliance on the part of the student. The work assigned the day or period of the infraction(s) will be due the day the student returns. Any work not turned in the day of return will be graded as a zero.

### Absences

Parents and guardians are requested to call the school prior to the pupil's session (before 8:30 AM) to inform the school nurse of a proposed absence.

It is advisable for students to bring in some form of documentation following an absence to verify that he/she was not truant. (Any doctor's note verifying an absence must be turned into the nurse's office within 3 school days and contain the time of the appointment.) Any notes from a dentist, orthodontist, eye doctor, counselor, lab technician, etc. will not excuse the entire day unless specifically stated in the note. These notes will excuse lateness's to school or an early dismissal only.

### Unexcused Absences, Tardiness and Early Pick Up

As per policy 5113 Absences & Excuses, any combination of two unexcused late arrivals or early releases will equal one unexcused absence.

- For every four unexcused absences accumulated in a marking period, the student will have one morning detention (7:45AM – 8:15AM), the week following the end of the marking period, (Dates to be determined.)
- Students will not be able to participate in any non-instructional activities for that marking period.
- Students who accumulate 8 absences prior to class trip or family day will have to attend a parent meeting to review absences to determine eligibility for participation.
- After five excused or unexcused incidence of absences; a doctor's note will be required for each absence thereafter. (An incidence would be one or more consecutive days absent. For example, being absent Sept. 1,2,3<sup>rd</sup> would be 1 incident.)

### N.J. Dept. of Education Excused Absences

Religious observances recognized by the New Jersey Department of Education

Bedside tutoring and extended/chronic illnesses verified by a doctor

All other absences are categorized into unexcused absences; examples of unexcused absences include, but are not limited to, the following: Family Obligations, Vacations, Hunting, Illness, Appointments, Contests, Dentist, Eye Doctor, Counseling, Lab Work, etc.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Conduct / Discipline**

**Policy 5131**

Page 21 of 25

### Excessive Absences and Student Marks

Absences are not calculated into the marking period grades. Students must make up missed work due to non-attendance. However, it must be understood that certain classroom activities cannot be made up when a student is absent. These classroom activities can have a negative impact on the student's grade when he/she is not present in class.

### Extended Illness

Students absent for three or more consecutive school days must have a doctor's note for re-entry to Elsinboro. The school will be responsible to call DYFS if a student is absent five consecutive days or more without any form of communication from the parent.

### Student/Parent Notification

Parents will be contacted by the school nurse if a student is absent and no notification of that absence has been received. Parents will be notified in writing of the student's precarious absence classification at the fourth, eighth and twelfth days of student non-attendance. On the thirteenth absence, parents will be mailed a letter inviting them to meet the CSA. The purpose of this meeting is to review the effects of the excessive absences with respect to meeting promotion requirements. The district board of education shall adopt policies and procedures for notification of the appropriate law enforcement and child welfare authorities when there is reasonable cause that a potential missing or abused child situation is detected pursuant to N.J.A.C.6A:16-11.

### Record Keeping/Administrative Responsibilities

All record keeping on student absences and parent/student notifications will be under the jurisdiction of the administrative office. It will also be the obligation of this office to maintain constant communication with the health office. Parents are responsible to keep their contact information updated by notifying the administrative office of any changes as soon as possible.

### Discipline For Students With Disabilities

These procedures relate to the Policies listed in Policy 5114: Suspension and Expulsion and Policy 6171.4, Special Education.

1. All children with disabilities are subject to the same discipline procedures as the general student population, unless otherwise exempted or modified within the child's Individualized Education Program (IEP).

## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

**Series 5000**

### **Conduct / Discipline**

**Policy 5131**

Page 22 of 25

2. There is no applicability of an IEP modification or exemption in situations that involve the possession or use of a weapon, the possession or use of an illegal drug, or the inflicting serious bodily injury to others.
3. Children with disabilities may be suspended/removed from their educational placement for up to 10 days within a school year under the same rules that apply to all children, according to the district's code of conduct.
4. Whenever a school official suspends/removes a child with a disability under the discipline policy, he/she must notify the case manager and the parent in writing of the removal, provide a reason, and specify the number of days.
5. When a child with a disability has been removed for 10 days within a school year, the following shall apply:
  - a. If the 10 days are non-consecutive, the school official in collaboration with the case manager will determine whether or not the pattern of removals constitute a change in placement, taking into consideration the length of each removal, the total amount of time for the removals, and the proximity of the removals to one another. If the determination is a NO, thus there has not been a change in placement, the child may be further disciplined under the same rules that apply to all children, according to the district's code of conduct. However, educational services must be provided to ensure IEP implementation.
    - i. If that determination is a YES and therefore there has been a change in placement, the child may not be further suspended/removed, and the district must follow specific steps as outlined below starting with a meeting of the CST team; or
  - b. If the 10 days are consecutive, in fact there is an "automatic" change in placement, thus the child may not be further suspended/removed, and the district must follow specific steps as outlined below, starting with a meeting of the CST.
  - c. At this juncture, upon the 10<sup>th</sup> day of removal, whether consecutive or nonconsecutive, the administrator at the school level must immediately notify the parents in writing.
6. For all discipline situations involving children with disabilities, in which there has been a change of placement due to the 10-day removal as outlined above, with the exception of situations as defined in #2 above, a meeting must be convened quickly to include the parent, the student as appropriate, and all other relevant members of the CST team to review the student's file including the IEP, any observations by teachers, and consider information provided by the parents, in order to make a determination known as "manifestation determination" (MD) as defined below.

## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

**Series 5000**

### **Conduct / Discipline**

**Policy 5131**

Page 23 of 25

- a. Manifestation determination is a review of the relationship between the child's disability and the conduct/behavior subject to disciplinary action.
  - b. The CST team must answer two key questions:
    - i. Whether the conduct was caused by, or had a direct and substantial relationship to the child's disability;
    - ii. Whether the conduct was a direct result of the district's failure to implement the child's IEP.
  - c. If the manifestation determination meeting results in a conclusion that the child's conduct does not constitute a manifestation of his/her disability nor resulted from the district's failure to implement the IEP, the child may be further disciplined under the same rules that apply to all children, according to the district's code of conduct. However, educational services must be provided to ensure IEP implementation.
  - d. If the manifestation determination meeting results in a conclusion that the child's conduct does constitute a manifestation of his/her disability or that it resulted from the district's failure to implement the IEP, the district may not further suspend/remove the child, and must take further steps as follows:
    - i. Review, the child's current Behavior Intervention Plan (BIP), if there is one, and modify it as necessary; if there is no plan in place, conduct a Functional Behavior Assessment (FBA);
    - ii. Consider a change in the child's program to address the persistent behavior issues and modify the IEP accordingly;
    - iii. Unless the parent and the CST agrees to change the child's placement, return the child to the placement which was in effect prior to the manifestation determination meeting.
7. For situations that involve a student's possession or use of a weapon, the possession or use of an illegal drug, or the inflicting of serious bodily injury to others, a school official may remove the student for 45 calendar days to an Interim Alternative Education Setting (IAES). This authority is held by the district regardless of whether or not the manifestation determination resulted in a conclusion that the student's conduct was caused by, or had a direct and substantial relationship to the child's disability.
- a. The CST, in consultation with the CSA, will make the choice of placement for 45-day removal, and will ensure that the placement chosen will enable the student to progress appropriately in a general curriculum, and provide sufficient services to enable the student to advance appropriately toward achieving his/her IEP goals.
8. All decisions made via the processes outlined above, including the decision resulting from a manifestation determination meeting, and the decision to remove a student to a 45-day interim alternative education setting may be appealed by parents.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Conduct / Discipline**

**Policy 5131**

Page 24 of 25

9. The district Board of Education may file an appeal in response to a parent's formal objection to its disciplinary action, when it has determined that keeping a student in the current placement rather than removing him/her to an interim alternative education setting is substantially likely to cause injury to himself/herself or others.

### Bringing Valuables to School

Students are prohibited from bringing valuable items or large amounts of money to school. These include personal electronic devices, expensive jewelry, hand-held games, sport cards and game cards, or any items that would cause a significant problem if they were lost or stolen. Staff members will be taking them from students if students insist on bringing them into the school building. It should be recognized that any item of value brought into school might be lost or stolen. Even if the student who brings it in is not at fault, there are no funds to pay for its repair or replacement and the school carries no insurance that is applicable in these matters.

### Lost and Found

An area in vestibule has been designated for lost and found items. We encourage parents to label all clothing, book bags, etc. with child's name so items may be returned more easily to their owners.

### Bus Safety

It is very important that each child adheres to the bus rules. Below are a few basic rules that every child should follow when riding a school bus. If your child rides the bus to and from school, please take some time with him/her to go over the rules of the bus and the importance of bus safety.

1. Be on time; never run to and from the school bus
2. Wait for the school bus in a safe place, away from the edge of the street in a line allowing space so you do not push the person ahead of you; enter the bus one at a time (single file)
3. Stay in your seat, with seatbelt fastened, while riding the school bus until it is time to get off
4. Keep the aisle clear of feet and backpacks
5. Keep your hands to yourself while riding the school bus
6. Use a quiet voice when talking with friends
7. Never put hands or arms out of the windows of the bus
8. Never throw things out of the bus
9. Stay out of the Danger Zone of the bus; stay where you can see the bus driver's eyes when crossing in front of the bus
10. Never cross the street in back of the bus or go near the tires



# **Elsinboro Township Board of Education District Policy Manual**

## **Students Conduct / Discipline**

**Series 5000  
Policy 5131**

Page 25 of 25

11. Keep your things in a backpack but, if you drop something, do not go to pick it up; never crawl under the bus; get an adult to help
12. Obey the directions of the bus driver at all times

### Legal References

NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure  
2C:12-1 Definition of assault  
2C:33-19 Paging devices, possession by students  
2C:39-5 Unlawful possession of weapons  
18A:6-1 Corporal punishment of pupils  
18A:11-1 General mandatory powers and duties  
18A:25-2 Authority over pupils  
18A:36-19a Newly enrolled students; records and identification  
18A:37-1 et seq. Discipline of Pupils  
18A:40A-1 et seq. Substance Abuse  
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:14-2.8 Discipline/suspension/expulsions  
6A:16-1.1 et seq. Programs to Support Student Development  
6A:16-17.6 Conduct Away from School Grounds  
6:32-12.1 Reporting requirements  
6:32-12.2 School-level planning

### Public Law

PL 1968, c.410 (C.52:14B-1, et seq.), Administrative Procedure Act  
PL 1945, c.169 (C.10:5-1, et seq.), Law Against Discrimination  
PL 2002, c.83 (C.18A:37-13, et seq.), Anti-Bullying Bills of Rights

### Possible Cross References

1220, 3517, 3541.33, 4148, 5000, 5010, 5020, 5113, 5114, 5124, 5127,  
5131.5, 5131.6, 5131.7, 5132, 5145, 5145.2, 5145.4, 5145.6, 6145,  
6164.4, 6171.4, 6172

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Dating Violence**

**Policy 5131.2**

Date Adopted: January 9, 2012

Date Revised: September 16, 2019

Page 1 of 6

The Board of Education has determined that a safe and civil environment in school is necessary to learn. Acts or incidents of dating violence whether they are verbal, sexual, physical or emotional will not be tolerated and will be dealt with according to school student code of conduct.

### Warning Signs of Dating Violence

A pattern of behaviors may be an important sign that a student is involved in an unhealthy or abusive dating relationship. Warning signs may include but not be limited to the following:

- Name Calling and Put Downs Does one student in the relationship use name-calling or putdowns to belittle or intimidate the other student?
- Extreme Jealousy Does one student in the relationship appear jealous when the other talks with peers?
- Making Excuses Does one student in the relationship make excuses for the other?
- Cancelling or Changing Plans Does one student cancel plans often, and at the last minute? Do the reasons make sense or sound untrue?
- Monitoring Does one student call, text, or check up on the other student constantly. Does one student demand to know the other's whereabouts or plans?
- Uncontrolled Anger Have you seen one of the students in the relationship lose his or her temper or throw and break things in anger?
- Isolation Has one student in the relationship given up spending time with family and friends? Has the student stopped participating in activities that were once very important?
- Dramatic Changes Has the student in the relationships appearance changed? Lost or gained weight? Does the student seem depressed?
- Injuries Does the student in the relationship have unexplained injuries? Does the student give explanations that seem untrue?
- Quick Progression Did the student's relationship get serious very quickly?

### Statistics

- Victims of alleged aggressors of teen dating violence are more likely to bring a weapon to school.
- Victims of teen dating violence have lower academic achievement and grades of D and F.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Dating Violence**

## **Series 5000 Policy 5131.2**

Page 2 of 6

- 5% of girls reported missing at least one day of school a month due to safety concerns.
- 43% of teen dating violence victims report that the dating violence experience occurred in a school building or on school grounds.<sup>7</sup>
- 83% of the acts or incidents of dating violence that occurred at school was physical abuse.

### Procedures for Reporting Incidents of Dating Violence

All acts or incidents of dating violence shall be reported to the principal/designee in compliance with existing school district policy and procedures. School staff should take all reasonable measures to prevent acts or incidents of teen dating violence. This report should be made verbally as soon as possible but no later than the end of the student's school day. A written report regarding the act or incident of dating violence should be submitted to the principal/designee by the reporting staff member no later than one day after the act or incident occurs. Staff members are required to report all acts or incidents of dating violence, including, but not limited to:

- Witnessed or reliable information concerning acts or incidents that are characterized by physical, emotional, verbal or sexual abuse;
- Digital or electronic acts or incidents of dating violence;
- Patterns of behavior that are threatening or controlling.

### Guidelines for Responding to Incidents of Dating Violence at School

#### Protocol for Staff Members

Any school staff member who witnesses or learns of an act or incident of dating violence is required to take the following steps:

- Separate the victim from the aggressor;
- Speak with the victim and the aggressor separately;
- Speak with witnesses or bystanders separately;
- Inform the principal, or his or her designee of the act or incident;
- Prepare written report of incident for principal/designee;
- Monitor the interactions of the victim and the aggressor. Student safety should be the priority.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Dating Violence**

## **Series 5000 Policy 5131.2**

Page 3 of 6

### Protocol for Administrators

Any school administrator who witnesses or learns of an act of dating violence is required to take the following steps:

- Separate the victim from the aggressor;
- Meet separately with the victim and the aggressor;
- Take written statements from the victim and alleged aggressor;
- Review the victim's and aggressor's written statements to ascertain an understanding of the act or incident. Questions may be asked of either individual for clarification;
- Further investigate the incident by speaking with bystanders/witnesses of the act or incident. All statements should be documented;
- The school administrator should make the determination to involve the School Resource Officer or law enforcement agency serving the district;
- After an assessment by a school social worker, counselor or psychologist a determination is made that the victim or aggressor's mental health has been placed at risk appropriate referrals should be made;
- Contact should be made with the parents/guardians of both the victim and the aggressor. A recommendation of a meeting should be made to discuss the act or incident with the principal/designee;
- Schools must notify both parties in writing of the outcome of the investigation into the act or incident of dating violence.

### Protocol for Working with the Victim of an Act or Incident of Dating Violence

Administrators shall consider adopting the following methods for dealing with victims of dating violence.

- Student safety should be the first priority. Interaction between the victim and the alleged aggressor should be avoided. The burden of any schedule changes (classroom, bus etc.) should be taken on by the alleged aggressor.
- Schedule a conference with the victim and their parents/guardians.
- Identify any means or actions that should be taken to increase the victim's safety and ability to learn in a safe and civil school environment.
- Alert the victim and their parents/guardians of school and community based resources that may be appropriate, including their right to file charges, if the act or incident violated the law.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Dating Violence**

**Series 5000**

**Policy 5131.2**

Page 4 of 6

- Monitor the victim's safety as needed. Assist the victim with any plans needed for the school day and after school hours. (e.g. Hallway safety, coordination with parents/guardians for transportation to and from school). An individualized safety plan may be developed if deemed necessary. See Appendix A for examples and additional resources.
- Discuss a school approved Stay Away Agreement between the victim and the alleged aggressor.
- Encourage the victim to self report any and all further acts and incidents of dating violence that occur at-school in writing to the principal, or his or her designee. Document all meetings and action plans that are discussed.

#### Protocol for Working with the Alleged Aggressor of an Act or Incident of Dating Violence

Administrators shall utilize the following methods for dealing with the alleged aggressor in act or incidents of dating violence:

- Schedule a conference with the aggressor and their parents/guardians.
- Give the alleged aggressor the opportunity to respond in a written statement to the allegations of an act or incident of dating violence at-school;
- Alert the alleged aggressor and their parents/guardians, to both school and community based support and counseling resources that are available;
- Identify and implement counseling, intervention and disciplinary methods that are consistent with school policy for acts or incidents of this nature;
- Review the seriousness of any type of retaliation (verbal, emotional, physical, sexual, electronic/digital) towards the victim who reported the act or incident of dating violence. Address that consequences would be issued consistent with the school's student code of conduct and procedures for any type of retaliation or intimidation towards the victim;
- Document all meetings and action plans that are discussed;

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Dating Violence**

## **Series 5000 Policy 5131.2**

Page 5 of 6

Protocol for the Documentation and Reporting of an Act or Incident of Dating Violence  
Incidents of dating violence that occur at school shall be documented in the following manner:

- Dating violence statements and investigations should be kept in files separate from student academic and discipline records to prevent the inadvertent disclosure of confidential information;
- Every act or incident of dating violence at school that is reported should be documented in an appropriate manner, including statements, planning actions, disciplinary measures as well as counseling and other support resources that are offered and prescribed to the victim or alleged aggressor.

### Discipline Procedures Specific to Incidents of Dating Violence at School

The Board of Education requires its school administrators to implement discipline and remedial procedures to address acts or incidents of dating violence at school. These procedures should be consistent with the student code of conduct. The procedures specific to acts or incidents of dating violence at school should be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses should be tiered with consideration given to the seriousness and the number of previous occurrences of acts or incidents in which both the victim and alleged aggressor have been involved.

The consequences and remedial measures shall include, but not be limited to:

#### Consequences

- Admonishment
- Temporary removal from the classroom
- Classroom or administrative detention
- In-school suspension
- Out-of-school suspension
- Reports to law enforcement
- Expulsion

#### Remediation/Intervention

- Parent conferences
- Student Counseling (all students involved in a the act or incident)
- Peer support group

# Elsinboro Township Board of Education District Policy Manual

## Students Dating Violence

## Series 5000 Policy 5131.2

Page 6 of 6

- Corrective instruction or other relevant learning or service experiences
- Supportive student intervention (IR&S)
- Behavioral management plan
- Alternative placements

### Resources

Parents/guardians and students will be provided with information on safe, appropriate, school, family, peer and community resources available to address dating violence.

### Forms

The district will utilize the forms that follow this policy to report and document incidents of dating violence.

### Legal References

- NJSA 18A:6-113 Instruction in suicide prevention in public school curriculum
- 18A:11-1 General Mandatory Powers and Duties
- 18A:35-4.19 through -4.22 AIDS Prevention Act of 1999
- 18A:35-4.23a Dating violence into health education curriculum
- 18A:35-5 through -9 Maintenance of physical training courses; features
- 18A:37-33 to 37 Dating violence policy and education
- NJAC 6A:7-1.7 Equality in school and classroom practices
- 6A:8-3.1 Curriculum and instruction
- 6A:8-5.1 Graduation requirements
- 6A:9-5.19 Athletics Personnel
- 6A:9-11.8 Health and physical education
- 6A:16-2.1 et seq. General Provisions for School Health Services
- 6A:32-9.1 General Provisions for School Health Services
- Guide to Preventing Bullying, Teen Dating Violence and Sexual Violence, Rhode Island Department of Elementary and Secondary Education 2008
- The Model Policy and Guidance for Prohibiting Harassment, Intimidation and Bullying On School Property At School Sponsored Functions and on School Buses, NJDOE April 2011
- 20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
- The Comprehensive Equity Plan, New Jersey State Department of Education

### Possible Cross References

2224, 5145.4, 6121, 6140, 6141, 6142, 6145.1, 6145.2, 6146

# ELSINBORO TOWNSHIP SCHOOL DISTRICT

## Parents' / Guardians' Signature Page

Please complete and return this form to your student's homeroom teacher  
by \_\_\_\_\_

### PARENTS OR GUARDIANS

As a parent or guardian of an Elsinboro student, I have read and reviewed with my child the **ELSINBORO TOWNSHIP CODE OF STUDENT CONDUCT**. My child understands that there are positive rewards for following school rules and regulations and consequences, if they are violated.

I have discussed with my child the necessity and importance of following the disciplinary guidelines and procedures as described in this booklet. I understand that a violation of these rules may result in disciplinary action, which may include suspension and/or expulsion depending on the seriousness of the offense.

STUDENT'S NAME (Print)

\_\_\_\_\_  
SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

PARENT/GUARDIAN NAME (Print)

\_\_\_\_\_  
SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

NOTICE: Failure to sign and return this page will not excuse any student, parent or guardian from adherence to the standards and expectations set forth in the Code of Student Conduct, nor will it prevent imposition of pupil discipline in accordance with the provisions of the Code and District policies and procedures.



## **STUDENT SAFETY PLAN**

STUDENT NAME \_\_\_\_\_ Grade \_\_\_\_\_ H.R. \_\_\_\_\_  
ADMINISTRATIVE Staff \_\_\_\_\_

### **VICTIM SAFETY PLAN**

**A safety plan should be considered when a student discloses dating violence and abuse, whether or not a Restraining Order/No Contact Order has been issued by the court.**

NOTE: Administrative staff should develop this plan with the victim, in an effort to empower the victim and keep him/her safe. A safety plan needs to be individualized, as every victim has unique needs and challenges.

**1.) Any Schedule Changes Made** (attach revised schedule) School should consider who will notify the teachers, what if there's only one AP English course in the school and both parties take the course?

\_\_\_\_\_  
\_\_\_\_\_

**2) School Arrival** (change in time, entrance, transportation, with whom, etc...)

\_\_\_\_\_  
\_\_\_\_\_

**3) Locker** (Is there a gym locker as well? How will the student access their locker ex. five minutes early?)

\_\_\_\_\_  
\_\_\_\_\_

**4) Lunch** (Is the cafeteria safe? Can the victim experience retaliation from friends of the perpetrator? Can the eating schedule be changed? Who will alert cafeteria staff of the order?)

\_\_\_\_\_  
\_\_\_\_\_

**5) Route Changes** (include places to avoid/watch for, after school activities and team schedules, travel to and from school, class, etc.)

\_\_\_\_\_  
\_\_\_\_\_

**6. School Departure** (time, entrance, designated friend, etc.)

\_\_\_\_\_  
\_\_\_\_\_

**7. STAFF:** Let the victim select one staff member that they feel comfortable with.. This staff person should be available for student for "check-ins" and support as needed

**Support Staff** \_\_\_\_\_

**8. Additional Staff to Share Plan With:** (Administrators, Teachers, Guidance Counselors, Resource Officer, Lunch Aides, Bus Driver, Coaches, School Nurse, etc.)

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**9. Support Network of Peers:** (to accompany student throughout the day if necessary)

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**10. Strategies to Problem Solve:** Have the victim think through different ways s/he will react and deal with emergency situations, where they would go? Who would they call? Consider strategies to assess dangerousness, threats, Etc.

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**11. Any Additional Special Conditions:** Are there other extracurricular school activities/events which present conflicts? How are they to be addressed?

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**12. School has completed the Restraining Order/ No Contact Order School Checklist.**

## **SCHOOL-BASED STAY AWAY AGREEMENT**

The intent of this agreement is to increase safety for students who have been the victim of bullying, sexual harassment, dating violence, or sexual violence. It is to be administered in a conference with the alleged perpetrator and his or her parent/guardian (if available).

Name of student: \_\_\_\_\_

Date of most serious incident: \_\_\_\_\_

Description of behaviors involved in incident: \_\_\_\_\_

Date of assessment: \_\_\_\_\_

Date of parent/guardian notification: \_\_\_\_\_

In order to protect the rights and safety of all members of our school community, you are required to stay away from (name of student)

\_\_\_\_\_ at all times during the school day and at any school-sponsored event. This means that you may not approach, talk to, sit by, or have any contact, direct or indirect (e.g. through friends, electronic) with (name of student)

\_\_\_\_\_ at school or on school property, school buses, and bus stops and/or at any school sponsored event.

In addition, the following actions are effective immediately:

Arrival/Departure

Time: \_\_\_\_\_ Entrance: \_\_\_\_\_

Bus/Parking: \_\_\_\_\_

Current Schedule: \_\_\_\_\_

New Schedule: \_\_\_\_\_

Lunch: \_\_\_\_\_

Locker: \_\_\_\_\_

Extracurricular Activities: \_\_\_\_\_

Other disciplinary actions: \_\_\_\_\_

Violations of this agreement and acts of retaliation directly or indirectly toward the victim or the victim's friends or family members will be taken seriously and will result in further disciplinary actions. Your compliance will be monitored by (name and staff title):

Agreement is valid from \_\_\_\_\_ to \_\_\_\_\_.  
date date

This agreement will be reviewed on \_\_\_\_\_.  
date

Signatures:

Student: \_\_\_\_\_ Date: \_\_\_\_\_

Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

cc: Principal \* Assistant Principal \* Counselor \* School Resource Officer

# **STUDENT COMPLAINT FORM**

## **Student Complaint Form for reporting DATING VIOLENCE and SEXUAL VIOLENCE**

Name: \_\_\_\_\_ Student ID: \_\_\_\_\_

Grade: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_ School: \_\_\_\_\_

Please answer the following questions about the most serious incident:

List the name of the alleged perpetrator(s) of bullying, sexual harassment, dating violence, or sexual violence:

Relationship between you and the alleged perpetrator: \_\_\_\_\_

Describe the incident: \_\_\_\_\_  
\_\_\_\_\_

When and where did it happen? \_\_\_\_\_

Were there any witnesses? ☐ yes ☐ no If yes, who? \_\_\_\_\_

Is this the first incident? ☐ yes ☐ no

If no, how many times has it happened before? \_\_\_\_\_

Other information, including previous incidents or threats: \_\_\_\_\_  
\_\_\_\_\_

Student or parent declines to complete this form: Initial: \_\_\_\_\_ Date: \_\_\_\_\_

I certify that all statements made in the complaint are true and complete. Any intentional misstatement of fact will subject me to appropriate discipline. I authorize school officials to disclose the information I provide only as necessary in pursuing the investigation.

Signatures

Student: \_\_\_\_\_ Date: \_\_\_\_\_

School official receiving complaint: \_\_\_\_\_ Date: \_\_\_\_\_

School official conducting follow-up: \_\_\_\_\_ Date: \_\_\_\_\_

**These documents should remain confidential.**

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

### **Student Use of Bicycles**

**Policy 5131.3**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board regards the use of bicycles for travel to and from school by students as an assumption of responsibility on the part of those students; a responsibility in the care of property in the observation of safety rules and in the display of courtesy and consideration toward others.

The Board will permit the use of bicycles by students and in accordance with the rules of the district and only when the student has submitted to the Chief School Administrator the written permission of his/her parent/guardian.

The Board does not construe the use of bicycles by students as a waiver of its responsibility to provide bus transportation in accordance with Board policy and NJ State law. The Board encourages students who are qualified to use bus transportation to do so at all times.

The Board will not permit the use of any motorized vehicle for travel to and from school by any student.

The Board assumes no liability for and will not be responsible for any bicycle that is lost, stolen or damaged or for any property that is damaged as a result of the reckless use of a bicycle by a student.

Students riding bicycles to and from school shall be responsible to follow all existing local, county and state laws pertaining to bicycle use and to provide their own safety equipment in accordance with local, county and state laws.

#### Delegation of Responsibility

The Chief School Administrator shall develop rules and regulations for the operation and parking of bicycles and shall disseminate those rules to all students in the district.

#### Legal References:

NJSA 18A:11-1, 39:4-10.1 et seq

#### Possible Cross References:

5131, 5142

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Vandalism & Violence**

**Policy 5131.5**

Date Adopted: March 30, 2009

Date Revised: September 12, 2011, November 14, 2017,  
November 19, 2018, September 16, 2019

Page 1 of 4

### Vandalism

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

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

The Chief School Administrator shall develop general guidelines for pupil conduct in classrooms, hallways, on school grounds, and in school owned and sponsored vehicles, he/she shall also oversee the development of detailed rules governing and maintaining appropriate student behavior.

Accordingly, when vandalism is discovered, the administrator is directed to take such steps as are necessary to:

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

### Violence

Physical violence against another pupil or a staff member is unacceptable conduct and will result in the disciplinary sanctions included in policies on suspension and discipline/punishment. Disruptive behavior that is characterized by verbal or physical violence, even though not directed toward another person, should be reported by the classroom teacher, to the Chief School Administrator, so that possible program adjustments may be identified.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Vandalism & Violence**

**Series 5000**

**Policy 5131.5**

Page 2 of 4

#### Reporting

Any school employee observing or having direct knowledge from a participant or victim of an act of violence in the School System should complete the standard report form and submit it to the Chief School Administrator who is responsible for preparing the official report.

The Chief School Administrator will annually submit a report utilizing the accurately reporting on each incident of violence, vandalism and alcohol and other drug abuse within the school district.

The Board of Education shall adopt and implement procedures regarding any school employee who knowingly falsifies the annual report on violence and vandalism required under NJSA 18A:17-46. Whenever it is alleged that a school employee has knowingly falsified the annual report, the Board of Education shall make a determination as to whether the employee actually committed the act.

Any employee alleged to have knowingly falsified the annual report shall be notified in writing of such allegations and shall be entitled to a hearing before the Board of Education. The hearing shall comply with the provisions stipulated in NJAC 6A:16-5.3(e) et seq.

The Chief School Administrator shall annually, at a public meeting, report to the Board of Education all acts of violence and vandalism in the district; he/she shall forward a copy of the report of violence and vandalism to the Executive County Superintendent in the manner and form required.

The Chief School Administrator shall annually:

- A. Report to the Board of Education at a public meeting, all acts of violence and vandalism in the district that occurred during the previous school year;
- B. Ensure that a transcript of the annual report of violence and vandalism is kept on file at the Board office and made available to the public;
- C. Forward the transcript of the public hearing on violence and vandalism to the Department of Education;
- D. Notify the Executive County Superintendent of action taken regarding incidents of violence.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Vandalism & Violence**

**Series 5000**

**Policy 5131.5**

Page 3 of 4

Two times each school year, the Board of Education shall hold a public hearing at which the Chief School Administrator reports to the Board of Education all acts of violence, vandalism, and harassment, intimidation, or bullying (HIB) which occurred during the previous reporting period. The report shall include the number of HIB reports in the schools, the status of all investigations, the nature of the HIB, and other data required by law.

#### Threats of Violence

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

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

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

#### Unsafe School Choice Option

The Chief School Administrator shall comply with all requirements of the Unsafe School Choice Option policy adopted by the New Jersey State Board of Education for schools in districts that receive federal funds. He/she shall keep the Board informed of all state requirements and actions taken to implement the policy.

Particularly, if a school in the district is designated as “persistently dangerous” as defined in the policy, corrective action plans shall be prepared and presented to the board for review. The corrective action plans shall be in the format provided by the New Jersey Department of Education and shall describe how the schools will reduce the number of incidents of violence as determined by the Student Data Safety System (SSDS).



# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Vandalism & Violence**

**Series 5000**

**Policy 5131.5**

Page 4 of 4

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

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

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

#### School Violence Awareness Week

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

#### Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure  
2A:53A-15 Liability of parent or guardian for willful destruction of property by infant under 18  
2C:39-5 Unlawful possession of weapons  
18A:17-46 Act of violence; report by school employee; notice of action taken; annual report  
18A:25-2 Authority over pupils  
18A:36-5.1 School Violence Awareness Week  
18A:37-1 et seq. Discipline of Pupils
- NJAC 6A:14-2.8 Discipline/suspension/expulsion  
6A:16-1.1 et seq. Programs to Support Student Development
- "H.A." v. Warren Hills Regional School District, 1976 S.L.D. 336  
See also Commissioners' Decisions indexed under "Pupils - Punishment of" in Index to N.J. School Law Decisions  
A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials (1999 Revisions)  
Unsafe School Choice Option Policy, New Jersey Department of Education, June 30, 2003

#### Possible Cross References

1120, 3250, 3517, 4148, 4248, 5114, 5119, 5119.3, 5124, 5131, 5131.4, 5131.6, 5131.7, 6114, 6172

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Substance Abuse**

**Policy 5131.6**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 3

First Reading: March 16, 2009

It is the responsibility of the Board of Education to safeguard the health, character, citizenship, and personality development of the students in its schools. We, therefore, must maintain that the use of drugs and the unlawful possession and use of alcohol is wrong and harmful. The Board of Education recognizes that the misuse of drugs, alcohol, tobacco or steroids threatens the positive development of that student and the welfare of the entire school community. The Board of Education is committed to the prevention of drug, alcohol, tobacco and steroid abuse and the rehabilitation of identified abusers.

### Students

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

- A. The Board of Education prohibits the use, possession and/or distribution of any drug, alcohol, tobacco, or steroids on school premises, and at any event away from the school provided by the Board. Compliance with a drug-free standard of conduct at all school functions is mandatory for all students. Pupils suspected of being under the influence of drugs, alcohol, tobacco, or steroids will be identified, evaluated, and reported in accordance with the law. Assessment will be provided by individuals who are certified by the New Jersey State Board of Examiners as substance awareness coordinators or by individuals who are appropriately certified by the New Jersey Board of Examiners and trained in alcohol and other drug abuse prevention. A pupil who uses, possesses, or distributes drugs, alcohol, tobacco or steroids on school premises or while attending a school-sponsored activity will be subject to discipline that may include suspension or expulsion, and may be reported to appropriate law enforcement personnel. Pupils suspected of involvement with alcohol, drugs or steroids away from school premises will be offered appropriate treatment and remediation. Treatment services for students who are affected by alcohol or other drug use will be provided by individuals who are certified as substance awareness coordinators or who are otherwise appropriately trained in drug and alcohol prevention, intervention, and follow-up.
- B. The Board will enforce the laws of New Jersey requiring a program of drug, alcohol, tobacco and steroid education. The Chief School Administrator shall prepare and submit to the Board for its approval a comprehensive curriculum for such instruction offering a minimum of 10 clock hours per school year of alcohol and other drug education in

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Substance Abuse**

## **Series 5000 Policy 5131.6**

Page 2 of 3

- accordance with Department of Education chemical health guidelines, pursuant to NJSA 18A:40A-1 et seq. Drug, alcohol, tobacco and steroid education shall be integrated with the health curriculum. Additionally, the district will offer a special class or course designed to meet the needs of pupils with alcohol or other drug use problems.
- C. All district personnel shall be alert to signs of alcohol, drug, tobacco and steroid use by pupils and shall respond to those signs in accordance with procedures established by the Chief School Administrator. The Board of Education will provide inservice training to assist teaching staff members in identifying the pupil who uses drugs, alcohol, tobacco and/or steroids, and in helping pupils with drug, alcohol, tobacco and steroid-related problems in a program of rehabilitation. The Board directs the establishment of a program designed to provide short-term counseling and support services for pupils who are in care or returning from care for alcohol and other drug dependencies. The district shall establish a parent/guardian substance abuse program offered at times and places convenient to the parents/guardians of the district on school premises or other facilities.
- D. The Chief School Administrator shall develop administrative regulations for:
- A comprehensive program of drug, alcohol, tobacco and steroid education;
  - The identification and remediation of pupils involved with drugs, alcohol, tobacco and steroids;
  - The examination and treatment of pupils suspected of being under the influence of drugs, alcohol, tobacco or steroids to determine the extent of the pupil's drug or alcohol use or dependency;
  - The treatment and discipline of pupils who use, possess or distribute drugs, alcohol, tobacco and steroids in violation of law or this policy through referral to an appropriate drug/alcohol abuse program as recommended by the department of health; and
  - The readmission to school and treatment of pupils who have been convicted of drug, alcohol, tobacco and/or steroid offenses.
- E. The Board of Education shall establish an annual process to review the effectiveness of its alcohol and drug policies and procedures. The Board of Education shall solicit community input as well as consult with local agencies recommended by the NJ State Department of Health in the review process. Alcohol and other drug policies and procedures for discipline, evaluation, and treatment of pupils shall be made available annually to all school staff, pupils, and parent/guardians. This policy shall be made available and shall appear annually in the student agenda books.
- F. Any staff member who reports a pupil to the Chief School Administrator or his/her designee in compliance with the provisions of this subsection shall not be liable in civil damages as a result of making such a report as provided for under

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Substance Abuse**

## **Series 5000 Policy 5131.6**

Page 3 of 3

NJSA18A:40A-1 et seq.

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

H. Refusal or failure by a parent/guardian to comply with the provisions of NJSA 18A:40A-12 shall be deemed a violation of the compulsory education (NJSA 18A:38-25 and 18A:38-31) and/or child neglect (NJSA 9:6-1 et seq.) laws.

### Legal References:

NJSA 2A:62-4, 2C:29-3a, 2C:33-16 through – 19, 2C:35-1 et seq, 2C:35-10.4, 9:6-1 et seq, 9:17A-4, 18A:25-2, 18A:36-19.2, 18A:37-1, 18A:37-2, 18A:38-25, 18A:38-31, 18A:40-1 et seq, 18A:24:21-2, 18A:40-18, 18A:40-12, 18A:40-13, 18A:40-14, 18A:40-15  
NJAC 6A:8-3.1, 6A:9-13.2, 6A:14-2.8, 6A:16-1.1 et seq, 6A:32-13.1 et seq

Drug Free Workplace Act of 1988

Regulations Under Drug Free Work Place Act CFR 4946

42 CFR Part II

FG v Bd of Ed of Hamilton 1972 SLD 382

GLH v Bd of Ed of Hopewell Valley Regional School District et al 1987 SLD

State of New Jersey v Jeffrey Engerud 93 NJ 308 1983

Honig v Doe 484 US 305 1988

Veronia School District v Acton 515 US 646 1995

In the Matter of the Tenure Hearing of Graceful 2000 SLD Sept 2002

Manual for the Evaluation of Local School Districts

No Child Left Behind Act of 2001

The New Jersey School Search Policy Manual

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

### Possible Cross References:

1330, 1410, 4131.1, 4231.1, 5114, 5124, 5125, 5131, 5131.7, 5141.3, 5141.21, 5145.12, 6145.1/6145.2, 6145.7, 6154, 6172, 6173

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Substance Abuse**

**Regulation 5131.6**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 4

First Reading: March 16, 2009

### Possible Drug & Alcohol Related Situations

Whenever it shall appear to any teaching staff member, school nurse or other education personnel that a pupil may be under the influence of alcohol or other drugs, they shall report the matter as soon as possible to the school nurse or medical inspector (school physician) or a substance awareness coordinator and the Chief School Administrator.

- A. In the absence of the Chief School Administrator, his/her designee shall be notified.
- B. The pupils shall be removed to a protective environment for observation and care by the school nurse or medical inspector until his/her parent(s)/guardian(s) can be contacted. This shall not be construed to limit or condition the right of the Board of Education to seek emergency medical assistance for a pupil when acting in loco parentis, and as an agent of the parent(s)/guardian(s) and for the welfare of the pupil.
- C. The pupil's parent(s)/guardian(s) and the Chief School Administrator/designee shall be immediately notified of the incident and shall be provided a description of the situation and symptoms.
- D. The Chief School Administrator/designee shall arrange for an immediate examination of the pupil. The examination may be performed by a physician selected by the parent/guardian or by the medical inspector. If the chosen physician is not immediately available, the examination shall be conducted by the medical inspector, or, if the medical inspector is not available, the pupil shall be accompanied by a member of the school staff, designated by the Chief School Administrator to the emergency room of the nearest hospital for examination. If available, a parent/guardian should also accompany the pupil. The pupil shall be examined as soon as possible for the purpose of diagnosing whether or not the pupil is under the influence of alcohol or other drugs.
- E. If, at the request of the parent or legal guardian, the medical examination is conducted by a physician other than the medical inspector, such examination shall not be at the expense of the district board of education.
- F. Provisions shall be made for the appropriate care of the pupil while awaiting the results of the medical examination.
- G. A written report of the medical examination shall be furnished to the parent/guardian of the pupil, the principal and the Chief School Administrator by the examining physician within 24 hours.
- H. If the written report of the medical examination is not submitted to the parent/guardian, principal and Chief School Administrator within 24 hours, the pupil shall be allowed to return to school until such time as a positive diagnosis of alcohol or other drug use is received.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Substance Abuse**

## **Series 5000 Regulation 5131.6**

Page 2 of 4

- If there is a positive diagnosis from the medical examination indicating that the pupil is under the influence of alcoholic beverages or other drugs, the pupil shall be returned to the care of a parent/guardian as soon as possible. Attendance at school shall not resume until a written report has been submitted to the parent/guardian of the pupil and Chief School Administrator from a physician who has examined the pupil to diagnose alcohol or other drug use. The report shall certify that substance abuse no longer interferes with the pupil's physical and mental ability to perform in school. In addition, the staff member shall complete the violence, vandalism and substance abuse incident report.
- I. In accordance with NJAC 6A:16-4.3(d), refusal or failure by a parent to comply with the provisions of NJSA 18A:40A-12 shall be deemed a violation of the compulsory education (NJSA 18A:38-25 and 18A:38-31) and/or child neglect (NJSA 9:6-1 et seq) laws.
  - J. While the pupil is home because of the medical examination or after his/her return to school, the school may require additional evaluation for the purpose of determining the extent of the pupil's alcohol or other drug use and its effect on his/her school performance. In addition, if there is a positive diagnosis, the pupil shall be interviewed by a substance awareness coordinator or other appropriately trained teaching staff member for the purpose of determining the extent of the pupil's involvement with alcohol or other drugs and possible need for treatment. In order to make this determination, the coordinator or other teaching staff member may conduct a reasonable investigation that may include interviews with the pupil's teachers and parents/guardians. The coordinator or other teaching staff member may also consult with such experts in the field of alcohol or other drug abuse as may be necessary and appropriate. If it is determined that the pupil's involvement with and use of these substances represents a danger to the pupil's health and well-being, the coordinator or other teaching staff member shall refer the pupil to an appropriate treatment program.
  - K. As required by law, the Board of Education shall provide for the evaluation and referral for treatment of pupils whose use of alcohol or other drugs has affected their school performance or who possess or consume alcohol or other drugs in school or at a school function as required by the definitions of evaluation and treatment contained at NJAC 6A:16-1.3. This shall include referral to the substance awareness coordinator. The Board of Education is not responsible for the cost of any evaluation or treatment provided by any outside agency and/or organizations.
  - L. If a pupil is identified as having an alcohol or other drug abuse problem and there is reason to believe that his/her education appears to be affected by the alcohol or other drug use, a referral to the Child Study Team may be made.
  - M. While a pupil is receiving medical or therapeutic care for the diagnosed alcohol or other drug dependency problem, provisions for a program of intervention, curriculum and related services will be provided.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Substance Abuse**

**Series 5000  
Regulation  
5131.6**

Page 3 of 4

- N. Pupils who are in care or returning from care for alcohol or other drug dependency will receive proper referral and support services by the substance awareness coordinator, guidance counselor or Child Study Team. If the pupil is found in possession or under the influence of alcohol or other drugs, or has used or consumed, the pupil will be excluded from school and will only be readmitted at the end of the exclusion after the receipt of the required medical certification that the pupil is physically and mentally able to return to school and after a conference has been held between the Chief School Administrator and the parent(s)/guardian(s). A plan to address those specific needs which a pupil may have shall be developed during this conference.
- O. If a pupil is found in possession or under the influence of alcohol or other drugs for a second time, then such pupil will be referred to the local police and a recommendation will be made by the Chief School Administrator to the Board of Education concerning the continuing educational status of the pupil.
- P. In all instances involving the use of alcohol or other drugs, a Violence, Vandalism and Substance Abuse Incident Report shall be completed by the Chief School Administrator/designee.
- Q. Staff members implementing this policy will be indemnified under NJSA 18A:40-13 and 18A:40A-14.
- R. Pupils possessing for distribution or administering alcohol or other drugs as defined in this policy to others in school, at a school sponsored activity or out of school shall be immediately referred to the Chief School Administrator. The Chief School Administrator shall immediately notify the police and the parents/guardians and transfer the pupil to home instruction and will make the appropriate recommendations to the Board of Education concerning the expulsion of the pupil.
- S. When it becomes necessary to implement these procedures, a full written report of the incident will be immediately submitted to the Chief School Administrator who will forward the same to the Board of Education at its next regularly scheduled meeting.

### Recordkeeping Regarding Self-Discipline vs. Discovery of Student Substance Abuse Concerns

- A. In all cases involving drugs, alcohol or steroids, voluntary student disclosures will be kept confidential and exchange of information will be kept between the student, staff members and the Chief School Administrator. Records will be confidential and kept separate and apart from general student files. These files will be kept locked. Feedback to referral sources will be limited to status of student progress only.
- B. Disciplinary referrals or cases that involve discovery of student chemical use by students, teachers, administrator, and other staff members will be recorded in

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Substance Abuse**

**Series 5000  
Regulation  
5131.6**

Page 4 of 4

student disciplinary files. Only the content of student disclosures made thereafter to a staff member or the Chief School Administrator will be kept as a part of the confidential substance awareness treatment program records. It must be noted that even under the strictest of confidentiality laws; a staff member is required to report a student whom they believe to:

- Be suicidal;
- Be assaultive (murder, rape, armed robbery intent);
- Have been abused;
- Be under the influence of drugs;
- Be in need of emergency medical treatment.



# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

### **Physical Restraint of Students by Staff Members**

**Policy 5131. 8**

Date Adopted: January 9, 2012

Date Revised:

Page 1 of 3

The goal of the Board of Education is to provide a safe, caring atmosphere that supports all learners in the least restrictive environment. The Board of Education recognizes that on occasion, a situation may arise in which some students attending our district will exhibit behaviors that are disruptive to the social and educational environment of the school; and thus, are a danger to themselves and others and reduce the student's potential for learning. This policy applies to all, including general education students and students with disabilities. It should also be noted that nothing in the policy precludes a teacher or other staff member using reasonable force to protect students, themselves, or other persons from assault or imminent, serious physical harm.

Restraints are only to be used in an emergency. For the purpose of this policy, emergency is defined as a situation in which a student's behavior poses a threat of imminent, serious physical harm to the student or others or eminent serious property destruction.

The restraint procedure falls within a continuum of behavior management techniques that are designed to address potentially unsafe student behavior. This continuum begins with minimally intrusive or restrictive strategies that can be implemented within the classroom setting. The continuum then progresses to more restrictive strategies that may involve the physical separation or restraint of a student. The goal is minimal separation for his/her classmates in order to enable the student to regroup and return to the classroom setting. The primary intervention options used by staff when a student exhibits escalating, disruptive behavior should focus on assisting the student in regaining behavioral control. These options include:

- Verbally redirecting student in a low, nonthreatening voice;
- Setting reasonable limits;
- Offering alternatives;
- Allowing time so that the student can regain control.

Restraint does include momentary periods of physical restriction by direct person-to-person contact without the aid of material or mechanical devices that is accomplished with limited force and designed to prevent a student from completing an act that would result in potential physical harm to himself/herself or another or damage property or to remove a disruptive student who is unwilling to leave an area voluntarily. Physical prompting to assist a student in task completion, such as holding a student's hand, positioning a student's body, securing a student on the bus, or using prescribed adaptive equipment to prevent ongoing, repetitive, self injurious behavior are not considered to be restraint. Restraint shall only be used with the following limitations:

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Physical Restraint of Students by Staff Members**

**Series 5000**

**Policy 5131.8**

Page 2 of 3

1. Limited to the use of only the reasonable force needed;
2. Discontinued immediately when the emergency no longer exists;
3. Implemented in such a way as to protect the health and safety of the students and others; and,
4. Does not deprive the student of basic human necessities.

The use of physical restraints is prohibited in the following circumstances:

1. As a means of punishment;
2. As an intervention to property destruction, unless the potential property destruction may result in possible harm to self and/or others;
3. As a response to verbal threats, disruptive behavior or a student's refusal to comply with a school rule or staff directive, unless the student's behavior poses an immediate or serious danger to self and/or others.

In accordance with NJSA 18 A:6-1, no person employed or engaged in school or educational instruction, whether public or private, shall inflict or cause to be inflicted corporal punishment upon a pupil attending such school or institution; but any such person may, within the scope of his/her employment, use and apply such amount of force as is reasonable and necessary:

The use of physical restraint is subject to the following requirements:

1. The student must possess a physical risk to himself/herself or others or to quell a disturbance, with the intent of threatening physical injury to others;
2. To obtain possession of weapons or other dangerous objects upon the person or within the control of a pupil, or to prevent significant property damage which ultimately may present harmful to the student or others;
3. For the purpose of self-defense;
4. Restraint techniques will take into account medical conditions and shall be modified as necessary;
5. Students will not be subject to physical restraint for using profanity or other verbal displays or disrespect or for noncompliance. A verbal threat will not be considered as constituting a physical danger unless a student also demonstrates a means of, or intent to, carry out the threat;
6. In determining whether a student who is being physically restrained should be removed from the area where the restraint was initiated, the supervising staff member should consider the potential for injury to the student, the student's need for privacy and the educational and emotional well-being of the other students in the vicinity;

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

### **Physical Restraint of Students by Staff Members**

**Policy 5131.8**

Page 3 of 3

7. A student shall be released from physical restraint immediately upon a determination by the staff member administering the restraint that the student is no longer in imminent danger of causing harm to himself/herself or others;
8. The student shall be examined by school personnel (i.e. nurse, counselor, administrator, etc.) after any restraint;
9. The school principal, or acting school administrator will be notified immediately when a student is being restrained, or immediately following the conclusion of the restraint.
10. A written incident report will be completed by school personnel (teacher, nurse, counselor, administrator, etc.) after a physical restraint is implemented. Parents are to be notified by telephone and provided with a copy of the report. The report must also be maintained in the student's permanent record.

#### Legal References

NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure  
2C:12-1 Definition of assault  
2C:33-19 Paging devices, possession by students  
2C:39-5 Unlawful possession of weapons  
18A:6-1 Corporal punishment of pupils  
18A:11-1 General mandatory powers and duties  
18A:25-2 Authority over pupils  
18A:36-19a Newly enrolled students; records and identification  
18A:37-1 et seq. Discipline of Pupils  
18A:40A-1 et seq. Substance Abuse  
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:14-2.8 Discipline/suspension/expulsions  
6A:16-1.1 et seq. Programs to Support Student Development  
6:32-12.1 Reporting requirements  
6:32-12.2 School-level planning

#### Possible Cross References

1220, 3517, 3541.33, 4148, 5000, 5010, 5020, 5113, 5114, 5124, 5127,  
5131.5, 5131.6, 5131.7, 5132, 5145, 5145.2, 5145.4, 5145.6, 6145, 6164.4,  
6171.4, 6172

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Harassment, Intimidation & Bullying**

**Policy 5131.9**

Date Adopted: March 30, 2009

Date Revised: February 14, 2011, September 12, 2011,  
November 14, 2017, October 15, 2018, November 19, 2018,  
September 16, 2019

Page 1 of 18

The Board of Education prohibits acts of harassment, intimidation or bullying against any pupil.

A safe and civil environment in school is necessary for pupils to learn and achieve. High academic standards; harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a pupil's ability to learn and a school's ability to educate its pupils in a safe environment; and since pupils learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation or bullying.

For the purposes of this policy, "bullying" is unwanted, aggressive behavior that may involve a real or perceived power imbalance and "harassment, intimidation or bullying" means any gesture or written, verbal or physical act or any use of an electronic communication device directed at a student that takes place on or off school grounds, at any school-sponsored function, or on a school bus as provided for in section 16 of P.L.2010, c.122 (C.18A:37-15.3 that:

- A. Targets a student and which may affect his/her educational program;
- B. Substantially disrupts, infringes or interferes with the orderly operation of the school or the rights of other students;
- C. Creates a hostile educational environment for a student(s) by infringing and/or interfering with a student(s)' education;
- D. Severely or pervasively causes physical or emotional harm to a student(s);
- E. Is motivated by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability; or,
- F. By any other distinguishing characteristic; and
- G. A reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of harm to his person or damage to his property; or
- H. Has the effect of insulting or demeaning any pupil or group of pupils in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

For the purposes of this policy and as defined in NJSA 18A:37-15.1, an electronic communication device is, "A communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer or pager."

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 2 of 18

Acts of harassment, intimidation or bullying may also be a pupil or group of pupils exercising control over another pupil, in either isolated incidents (e.g., intimidation, harassment) or patterns of harassing or intimidating behavior (e.g., bullying).

The term “school grounds,” pursuant to NJAC 6A:16-1.3, means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider and structures that support these buildings, such as school district wastewater treatment facilities, generating facilities, and other central service facilities including, but not limited to, kitchens and maintenance shops. School property also includes other facilities as defined in NJAC 6A:26-1.2, playgrounds, and recreational places owned by local municipalities, private entities or other individuals during those times when the school district has exclusive use of a portion of such land.

#### Anti-Bullying Coordinator

The Chief School Administrator shall appoint a district anti-bullying coordinator, who shall be responsible for overseeing and strengthening the anti-bullying initiatives and policies of this district to prevent, identify and address harassment, intimidation or bullying of students. The school district shall provide time during the usual school schedule for the Anti-Bullying Coordinator and each school Anti-Bullying Specialist to participate in harassment, intimidation, and bullying training programs.

The district anti-bullying coordinator shall also:

- A. Collaborate with the school anti-bullying specialist(s), the Board of Education and the Chief School Administrator to prevent, identify and respond to harassment, intimidation or bullying of students in the district;
- B. Shall be made available to private schools in the municipality the public school is located in.
- C. Provide data in collaboration with the Superintendent of Schools, to the New Jersey Department of Education regarding harassment, intimidation or bullying of students;
- D. Execute such other duties related to school harassment, intimidation or bullying as requested by the Superintendent of Schools; and,
- E. Meet at least twice per school year (once in the first semester and once in the second semester) with the school anti-bullying specialist(s) to discuss and strengthen procedures and policies to prevent identify and address harassment, intimidation or bullying in the district.

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

## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 3 of 18

In addition, a school safety team shall be established in each school to foster and maintain a positive school climate within the schools. The school safety/climate team must, at a minimum, consist of the principal or his/her designee, a teacher within the school, the school anti-bullying specialist who will serve as the team chair, and a parent/guardian of a student within the school. Any parent/guardian who serves on the school safety team shall not participate in any activity of the team that may compromise the confidentiality of students.

The Principal shall be appointed by the Chief School Administrator to fulfill the role of anti-bullying specialist.

The Principal or Chief School Administrator must appoint the currently employed school guidance counselor, school psychologist or other similarly trained individual as the school anti-bullying specialist. If there is no such individual meeting these criteria, the Principal or Chief School Administrator must appoint another currently employed individual in the school to the position of school anti-bullying specialist.

The school anti-bullying specialist shall:

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

The Superintendent of Schools/designee shall develop a list of appropriate responses to actions of harassment, intimidation or bullying occurring off school grounds, in cases in which a school employee is made aware of such actions. These responses shall be consistent with the district's code of student conduct and other provisions of this policy and in accordance with the provisions of state and federal laws.

For school staff to address HIB that occurs off school grounds there must be reason to believe, at a minimum, that the alleged HIB has substantially disrupted or interfered with the orderly operation of the school or the rights of other students. Once this determination has been made, school staff must implement the provisions of this policy and the code of student conduct of the district.

### Expected Behavior

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

## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 4 of 18

The Board of Education believes that standards for pupil behavior must be set cooperatively through interaction among the pupils, parents/guardians, staff and community members, producing an atmosphere that encourages pupils to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for district and community property on the part of pupils, staff and community members.

The Board of Education believes that the best discipline is self-imposed, and that it is the responsibility of staff to use disciplinary situations as opportunities to help pupils learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with pupils shall apply best practices designed to prevent discipline problems and encourage pupils' abilities to grow in self-discipline.

#### Cyber-bullying

The Board of Education expressly forbids cyber-bullying. For the purposes of this policy, "cyber-bullying" shall mean using the communication capacities of computers, the Internet and/or other digital communication devices to bully others by:

- A. Sending or posting cruel messages or images;
- B. Threatening others;
- C. Excluding or attempting to exclude others from activities or organizations;
- D. Starting or passing on rumors about others or the school system;
- E. Harassing or intimidating others;
- F. Sending angry, rude or vulgar messages directed at a person or persons privately or to an online group;
- G. Sending or posting harmful, untrue or cruel statements about a person to others;
- H. Pretending to be someone else and sending or posting material that makes that person look bad or places that person in potential danger;
- I. Sending or posting material about a person that contains sensitive, private or embarrassing information, including forwarding private messages or images; and/or,
- J. Engaging in tricks to solicit embarrassing information that is then made public.

Pupils found to be engaging in activities as described above shall be subject to the terms and sanctions found in this policy and the discipline code of the district.

The Chief School Administrator shall provide annually to pupils and their parents/guardians the rules of the district regarding pupil conduct, and the policy shall appear in all publications of the school district's comprehensive rules, procedures and standards of conduct for schools within the school district, including the pupil handbook.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 5 of 18

Provisions shall be made for informing parents/guardians whose primary language is other than English. These district rules shall include, but not be limited to:

- A. Describing pupil responsibilities including the requirements for pupils to conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others; obey constituted authority; and respond to those who hold that authority;
- B. Addressing appropriate recognition for positive reinforcement for good conduct, self-discipline, good citizenship and academic success,
- C. Explaining pupil rights; and,
- D. Identifying disciplinary sanctions and due process.

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

##### Discipline of Pupils

In considering whether a response beyond the individual level is appropriate, the administrator should consider the nature and circumstances of the act, the level of harm, the nature of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom, school building, school district) responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based bullying prevention program models, to training for certificated and non-certificated staff, to participation of parents and other community members and organizations, to small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of the acceptable pupil behavior and the consequences of such actions and to involvement of law enforcement officers, including school resource officers.

##### Pupils

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

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



## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 6 of 18

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

#### Consequences

- A. Admonishment;
- B. Temporary removal from the classroom;
- C. Deprivation of privileges;
- D. Classroom or administrative detention;
- E. Referral to disciplinarian;
- F. In-school suspension during the school week or the weekend;
- G. After-school programs;
- H. Out-of-school suspension (short-term or long-term);
- I. Legal action; and
- J. Expulsion.

#### Remedial Measures

- A. Personal;
- B. Restitution and restoration;
- C. Mediation;
- D. Peer support group;
- E. Recommendations of a student behavior or ethics council;
- F. Corrective instruction or other relevant learning or service experience;
- G. Supportive student interventions, including participation of the intervention and referral services team;
- H. Behavioral assessment or evaluation, including, but not limited to, a referral to the child study team, as appropriate;
- I. Behavioral management plan, with benchmarks that are closely monitored;
- J. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- K. Involvement of school disciplinarian;
- L. Student counseling;
- M. Parent conferences;
- N. Student treatment; or
- O. Student therapy.

#### Environmental (Classroom, School Building or School District)

- A. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- B. School culture change;

## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

#### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 7 of 18

- C. School climate improvement;
- D. Adoption of research-based, systemic bullying prevention programs;
- E. School policy and procedures revisions;
- F. Modifications of schedules;
- G. Adjustments in hallway traffic;
- H. Modifications in student routes or patterns traveling to and from school;
- I. Supervision of students before and after school, including school transportation;
- J. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
- K. Teacher aides;
- L. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- M. General professional development programs for certificated and non-certificated staff;
- N. Professional development plans for involved staff;
- O. Disciplinary action for school staff who contributed to the problem;
- P. Supportive institutional interventions, including participation of the intervention and referral services team;
- Q. Parent conferences;
- R. Family counseling;
- S. Involvement of parent-teacher organizations;

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

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

### **Staff**

Remaining consistent with the Board of Education requirements that all violations and complaint reports of harassment, intimidation or bullying committed by an adult or youth against a student be investigated promptly by the appropriately designated administrator or his/her designee. All investigations shall be thorough and complete with the understanding that complaints about any staff member or adult conduct cannot be investigated by a member of the same bargaining unit. Any person who has been convicted of bias intimidation may be disqualified for employment in this district.

The Board of Education prohibits the employment of or contracting for school staff positions with individuals whose criminal history record check reveals a

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 8 of 18

record of conviction for a crime of bias intimidation or conspiracy to commit or attempt to commit a crime of bias intimidation.

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

#### Consequences

- A. Admonishment;
- B. Temporary removal from the classroom;
- C. Deprivation of privileges;
- D. Referral to disciplinarian;
- E. Withholding of Increment
- F. Suspension;
- G. Bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds;
- H. Legal action; and
- I. Termination.

#### Remedial Measures

- A. Personal;
- B. Restitution and restoration;
- C. Mediation;
- D. Support group;
- E. Recommendations of behavior or ethics council;
- F. Corrective action plan;
- G. Behavioral assessment or evaluation;
- H. Behavioral management plan, with benchmarks that are closely monitored;
- I. Involvement of school disciplinarian;
- J. Counseling;
- K. Conferences;
- L. Professional development programs;
- M. Work environment modifications;
- N. Treatment; or
- O. Therapy.

#### Environmental (Classroom, School Building or School District)

- A. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 9 of 18

- B. School culture change;
- C. School climate improvement;
- D. Adoption of research-based, systemic bullying prevention programs;
- E. School policy and procedures revisions;
- F. Modifications of schedules;
- G. Supervision;
- H. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- I. General professional development programs for certificated and non-certificated staff;
- J. Professional development plans for involved staff;
- K. Disciplinary action;
- L. Supportive institutional interventions, including participation of the intervention and referral services team;
- M. Conferences;
- N. Counseling.

#### Reporting Harassment, Intimidation or Bullying

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

Any school employee, pupil, Board Member, or volunteer who has witnessed, or has reliable information that a pupil has been subject to harassment, intimidation or bullying, must report the incident to the appropriately designated administrator or his/her designee.

All acts of harassment, intimidation or bullying shall be reported verbally to the school principal on the same day when the school employee or contracted services provider witnessed or received reliable information regarding any such incident. This includes an act of HIB committed by an adult or youth against a student. The principal may use his/her discretion in handling initial HIB complaints in accordance with current HIB legislation. The principal shall inform the parent(s)/guardian(s) of all students involved in the alleged incident, and may discuss, as appropriate, the availability of counseling and other intervention services. All acts of harassment, intimidation or bullying including an act of HIB committed by an adult or youth against a student, shall be reported in writing to the principal within 2 school days of when the school employee or contracted service provider witnessed or received reliable information that a student had been subjected to harassment, intimidation or bullying.

In cases in which an incident of harassment, intimidation or bullying occurs exclusively among or between special education students or student with developmental disabilities

## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 10 of 18

in the context of a county special services school district or a separate program for special education students within a school district, the school employee who witnesses such an incident shall have the discretion to determine whether it is necessary to report the incident or if the incident may have been affected by the condition of the student(s) and thereby warrants an alternative approach more appropriate in the special education context.

Reports of harassment, intimidation or bullying in any form, including but not limited to, oral reports, written reports or electronic reports shall be taken. Reports shall also be made to the Department of Education through the School Safety Data System (SSDS). The Board of Education shall allow reports to be anonymous, but no formal disciplinary action shall be based solely on an anonymous report.

The Board of Education requires that all violations and complaint reports of harassment, intimidation or bullying be investigated promptly by the appropriately designated administrator or his/her designee. The principal (or his/her designee) and the anti-bullying specialist may make a preliminary determination if the complaint is within the scope of HIB prior to initiating an investigation. All investigations shall be thorough and complete and shall include, but not be limited to:

- A. Taking of statements from victim, witnesses and accused;
- B. Careful examination of facts;
- C. Support for the victim; and
- D. Determination if alleged act constitutes a violation of this policy.

The appropriately designated administrator shall maintain all reports and records of the investigation on file.

#### Range of Ways to Respond to Harassment, Intimidation or Bullying

The Board of Education recognizes that some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school officials respond appropriately to the individuals committing the acts and provide support programs for victims. Other acts may be so serious or parts of a larger pattern of harassment, intimidation or bullying that they require a response either at the classroom, school building or school district levels or by law enforcement officials. In considering whether a response beyond the individual is appropriate, the administrator shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom; school building; school district) responses may include, but are not limited to:

## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 11 of 18

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

For every incident of harassment, intimidation or bullying, the district shall respond to the individual who committed the act. Responses may include, but not be limited to:

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

#### **Retaliation and Reprisal Prohibited**

The Board of Education prohibits reprisal or retaliation against any person who reports an act of harassment, intimidation or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the Chief School Administrator and/or principal or their designee after consideration of the nature, severity and circumstances of the act, in accordance with case law and Board of Education policies and procedures.

Any act of retaliation or reprisal against any person who reports an act of harassment, intimidation or bullying shall not be tolerated. Any student, school employee, volunteer,

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 12 of 18

visitor, or Board of Education Member who engages in the act of retaliation or reprisal or who falsely accuses another shall be subjected to consequence and appropriate remedial action. In cases where any state or federal law has allegedly been violated, the local law enforcement agency shall be notified.

#### Students

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

#### School Employees

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

#### Visitors, Volunteers

Consequences and appropriate remedial action for a visitor or volunteer, found to have engaged in retaliation, reprisal and/or falsely accusing another as a means of harassment, intimidation or bullying shall be determined by the Chief School Administrator after consideration of the nature, severity and circumstances of the act, including reports to appropriate law enforcement officials.

#### Consequences

- A. Admonishment;
- B. Temporary removal from the classroom or school;
- C. Deprivation of privileges;
- D. Classroom or administrative detention;
- E. Referral to disciplinarian;
- F. In-school suspension during the school week or the weekend;
- G. After-school programs;
- H. Out-of-school suspension (short-term or long-term);
- I. Legal action;
- J. Withholding of Increment;
- K. Suspension;
- L. Expulsion;

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 13 of 18

M. Termination.

#### Remedial Measures

- A. Personal;
- B. Restitution and restoration;
- C. Mediation;
- D. Peer support group;
- E. Recommendations of a student behavior or ethics council;
- F. Corrective instruction or other relevant learning or service experience;
- G. Supportive student interventions, including participation of the intervention and referral services team;
- H. Behavioral assessment or evaluation, including, but not limited to, a referral to the child study team, as appropriate;
- I. Behavioral management plan, with benchmarks that are closely monitored;
- J. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- K. Involvement of school disciplinarian;
- L. Counseling;
- M. Conferences;
- N. Professional development programs;
- O. Work environment modifications;
- P. Treatment; or
- Q. Therapy.

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

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

#### Support for Victims of Harassment, Intimidation or Bullying

The Superintendent of Schools/designee shall establish procedures and practices for



## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 14 of 18

supporting victims of harassment, intimidation or bullying, incorporating the services of professional staff members within the district or as he/she deems appropriate.

#### Investigation & Appeal

The Superintendent of Schools/designee is responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the Superintendent of Schools/designee shall oversee a prompt, thorough and complete investigation of the alleged incident.

School administrators who receive a report of harassment, intimidation or bullying from a district employee and fail to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation or bullying and fail to take sufficient action to minimize or eliminate the harassment, intimidation or bullying may be subject to disciplinary action.

The investigation shall be initiated by the principal within one school day of the report of the incident and shall be conducted by a school anti-bullying specialist. Additional personnel may be appointed by the principal to assist in the investigation. The investigation shall be completed within 10 school days from the date of the written report of the incident of harassment,

intimidation or bullying. In the event that there is information relative to the investigation that is anticipated but not yet received by the end of the 10-day period, the school anti-bullying specialist may amend the original report of the results of the investigation to reflect the information.

The results of the investigation shall be reported to the Chief School Administrator within 2 school days of the completion of the investigation and in accordance with the regulations promulgated by the NJ State Board of Education pursuant to the "Administrative Procedure Act," PL 1968, c410 (C.52:14B-1 et seq). The Chief School Administrator may decide to provide intervention services, establish training programs to reduce harassment, intimidation or bullying and enhance school climate, impose discipline, or order counseling as a result of the findings of the investigation or take or recommend other appropriate actions.

The results of each investigation shall be reported to the Board of Education no later than the date of the Board of Education meeting next following the completion of the investigation along with information on any services provided, training established,

## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 15 of 18

discipline imposed or other actions taken or recommended by the Superintendent of Schools.

Parents/guardians of the students who are parties to the investigation shall be entitled to receive information about the investigation in accordance with federal and state law and regulations, whether the district found evidence of harassment, intimidation or bullying or whether discipline was imposed or services provided to address the incident. This information shall be provided in writing within 5 school days after the results of the investigation are reported to the Board of Education. A parent/guardian may request a hearing before the Board of Education after receiving the information and the hearing shall be held within 10 days of the request. The Board of Education shall meet in executive session for the hearing to protect the confidentiality of the student(s). At the hearing, the Board of Education may hear from the school anti-bullying specialist about

the incident, recommendations for discipline or services and any programs instituted to reduce such incidents.

At the Board meeting following the receipt of the report, the Board of Education shall issue a decision, in writing to affirm, reject or modify the decision of the Superintendent of Schools. The decision of the Board of Education may be appealed to the NJ Commissioner of Education in accordance with the procedures set forth in law and regulation, no later than 90 days after the issuance of the decision of the Board of Education.

A parent/guardian or organization may file a complaint with the Division on Civil Rights within 180 days of the occurrence of any incident of harassment, intimidation or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination," PL 1945, c169 (C. 10:5-1 et seq).

#### Response to an Incident of Harassment, Intimidation or Bullying

Some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school respond appropriately to the individuals committing the acts. Other acts may be so serious or parts of a larger pattern of harassment, intimidation or bullying that they require a response either at the classroom, school building or school district levels or by law enforcement officials.

#### Consequences for False Accusation

Consequences and appropriate remedial action for a pupil found to have falsely accused another as a means of harassment, intimidation or bullying range from positive

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 16 of 18

behavioral interventions up to and including suspension or expulsion, as permitted under NJSA 18A:37-1, Discipline of Pupils.

#### Public Participation

Based on broad community involvement (i.e., the use of a process that includes representation of parents/guardians and other community representatives, school employees, volunteers, pupils and administrators for the purpose of providing input regarding the development and content of the policy that is based on accepted core ethical values), the Board of Education shall develop general guidelines for pupil conduct and shall direct development of detailed regulations suited to the age levels of the pupils and the mission and physical facilities of the individual schools. Board policy requires all pupils in the district to adhere to the rules and regulations established by the school district and to submit to such disciplinary measures as are appropriately assigned for infraction of these rules.

#### Dissemination and Implementation

The Chief School Administrator shall take the following steps to publicize this policy:

- A. Publicized on district website;
- B. Distributed annually to all staff, students and parents/guardians;
- C. Printed in school handbooks; and
- D. Posted at the entrance of each building.

A link to this policy shall be prominently posted on the home page of the district website and distributed annually to parents/guardians of students of this district. In addition, the name, school address, school phone number and email address of the district anti-bullying coordinator shall be listed on the district's website home page

All pupils and staff shall be informed that harassment, intimidation or bullying is prohibited on school property, at any school-sponsored function or on a school bus. This shall include development of a process to annually discuss the policy with students. This information shall also be incorporated into the student handbook and employee training programs.

#### Training of Staff Members, Administrators & Board of Education Members

The training needs of district staff for the effective implementation of this policy, procedures and initiatives of the Board of Education shall be reviewed annually. The Board of Education shall also implement staff training programs consistent with this review. Such training shall include, but not be limited to information on and the relationship between the risk of suicide and incidents of harassment, intimidation or bullying and reducing the risk of suicide among students, especially for those students who are members of communities identified as having members at high risk of suicide.

By the 2011-2012 school year, all candidates for school administrator or teacher certification will be required to complete a program on harassment, intimidation or

## **Elsinboro Township Board of Education District Policy Manual**

### **Students**

### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 17 of 18

bullying prevention, and that training in this area will be a part of the professional development requirements for these individuals.

Within one year after being newly elected or appointed or being re-elected or re-appointed to the Board of Education, a Board Member shall complete a training program dealing with harassment, intimidation or bullying in schools and including a school district's responsibilities under PL 2002, c.83 (C.18A:37-13 et seq). This training shall be provided by the New Jersey School Boards Association in consultation with recognized experts in school bullying from a cross-section of academia, child advocacy organizations, nonprofit organizations, professional associations and governmental agencies. Board Members shall be required to complete the program only once.

The training course for any safe school resource officers and/or public school employees assigned by the Board of Education to serve as a school liaison to law enforcement must include training in the protection of students from harassment, intimidation or bullying.

The extent and characteristics of harassment, intimidation or bullying behavior in the district's schools, and implementation programs, or other responses, if appropriate, shall be reviewed annually. These programs or other services shall be planned in consultation with parents, and other community members, including appropriate community-based social and health provider agencies, law enforcement officials, current and new school employees school volunteers, students, and school administrators, as appropriate.

Twice annually, at a public hearing, the Chief School Administrator must report to the Board of Education, all acts of violence, vandalism and harassment, intimidation or bullying that occurred during the previous period. This report shall include, but not be limited to:

- A. The number of reports of harassment, intimidation or bullying the status of all investigations;
- B. The nature of the bullying based on one of the protected categories identified in Section 2 of PL 2002, c.83 (C18A:37-14);
- C. The names of the investigators;
- D. The type and nature of any discipline imposed on any student engaged in harassment, intimidation or bullying; and,
- E. Any other means imposed training conducted or programs implemented to reduce harassment, intimidation or bullying.

The information shall also be reported once during each semester of the school year to the Department of Education. The report must include data broken down by the enumerated categories as listed in Section 2 of PL 2002, c.83 (C18A:37-14, and data broken down by each school in the district, in addition to district-wide data. The report will be used to grade schools and districts in their efforts to implement policies and programs with the "Anti-Bullying Bill of Rights Act. It shall be a violation to improperly release any confidential information not authorized by federal or state law for public release.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Harassment, Intimidation & Bullying**

**Series 5000**

**Policy 5131.9**

Page 18 of 18

The district shall be graded by the New Jersey Commissioner of Education on its efforts to identify harassment, intimidation or bullying and the School Report Card shall include data identifying the number and nature of all reports of harassment, intimidation or bullying.

The grade assessed for each school and the district shall be published on the district website, along with a link to the report. This information shall be posted on the district website within 10 days of the receipt of a grade by the school and district.

The Chief School Administrator shall ensure that the rules for this policy are applied consistently with the district's code of student conduct NJAC 6A:16-7 and all applicable laws and regulations and that all disciplinary sanctions are carried out with necessary due process.

A copy of this policy and any future revisions to it shall be transmitted to the County Executive Chief School Administrator within 30 days of the adoption of the policy and/or any revisions to it.

Annually, the district shall conduct a re-evaluation, reassessment and review of this policy, making any necessary revisions and additions. The Board of Education shall include input from the school anti-bullying specialist(s) in conducting this review, re-evaluation, and reassessment.

The week beginning with the first Monday in October of each year has been designated as a "Week of Respect" in the State of New Jersey. This district shall observe the week by providing age-appropriate instruction focusing on preventing harassment, intimidation and bullying. In addition, the district shall provide ongoing age-appropriate instruction dealing with the prevention of harassment, intimidation and bullying, in accordance with the New Jersey Core Curriculum Content Standards.

#### Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
- 2C:12-1 Definition of assault
- 2C:33-19 Paging devices, possession by students
- 2C:39-5 Unlawful possession of weapons
- 18A:6-1 Corporal punishment of pupils
- 18A:11-1 General mandatory powers and duties
- 18A:25-2 Authority over pupils
- 18A:37-1 et seq. Discipline of Pupils
- NJAC 6A:14-2.8 Discipline/suspension/expulsions
- 6A:16-1.1 et seq. Programs to Support Student Development
- 6:32-12.1 Reporting requirements

#### Possible Cross References

1120, 1410, 3517, 3541.33, 4131, 4131.1, 4148, 4231.1, 4248, 5010, 5020, 5113, 5114, 5124, 5131.7, 5132, 5145, 5145.4, 5145.6, 5145.11, 5145.12, 6142.41, 6145, 6164.4, 6171.4, 6172

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **School Uniforms**

**Policy 5132**

Date Adopted: March 30, 2009

Date Revised: May 14, 2012 July 2, 2012, September 10, 2012,  
August 19, 2019

Page 1 of 6

A safe and disciplined learning environment is essential to maximize student achievement and to ensure that students reach their full potential. The Board of Education believes that a school uniform dress code is a positive and cost-effective way to create a more unified, positive, and safe school climate focused more strongly on the learning process. Research has demonstrated that school uniforms increase school safety by minimizing disruptive behavior, decreasing violence, instilling and improving discipline, and helping maintain the focus on learning. It is expected that a school uniform dress code will promote respect for teachers, build school spirit, decrease unhealthy competition involving fashion trends and dress, ease the strain on parental clothing budgets, and allow for easy identification of intruders on campus.

For all of these reasons, the Board of Education is implementing a mandatory school uniform dress code for students in grades kindergarten through eight.

The general requirements of the mandatory school uniform for all students in grades kindergarten through eighth, commencing with the effective date of this policy, will be as follows:

1. All students will be required to wear a solid hunter green, kelly green, navy or white collared button front, polo shirt, or blouse. Shirts must have sleeves. Tops are not to be excessively tight or over-sized. Un-tucked shirts should not exceed wrist length.
2. Any shirt worn under the school uniform (layering) must be solid white, navy or kelly/hunter green and is not to be showing below the hemline of the uniform shirt. The shirt can be either a turtleneck or crew neck.
3. All students will be required to wear cotton blend bottoms (khaki or navy) or blue denim jean bottoms (pants, skirts, skorts, shorts, capris, or jumpers). Bottoms made of nylon, stretch, or rayon material are not permitted. Bottoms are not to be excessively tight or over-sized. Bottoms are not to have any type of embellishment such as beading, rhinestones, etc.
4. Shorts and skorts may be worn all year. All shorts, skirts, jumpers and skorts will be required to be worn no shorter than two inches above the knee. Ankle length leggings/tights in white, blue or green may be worn under jumpers and skirts only.
5. Any shirt that does not portray the official Elsinboro Township School logo may have a small unobtrusive logo that can be covered with a quarter.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **School Uniforms**

**Policy 5132**

Page 2 of 6

6. All students may wear zipped sweatshirts, sweaters, or sweater vests over a shirt or blouse as described in #1 above and are solid navy, green or white. They also are required to be free of logos or insignias.
7. Accessories such as ball caps and neck scarves may not be worn during the school day.
8. All clothing is to be free of slits, holes, tears, and cuts.
9. Outerwear (coats & jackets) are at your discretion. Outerwear must be removed during the school day.

### Implementation and Compliance Date

At all levels, classroom teachers will be responsible for monitoring student appearance to identify those who attempt to modify their clothing during the day.

The specific requirements of the mandatory school uniform for all students in grades kindergarten through eighth, commencing with the effective date of this policy, will be as follows:

### Male Students

1. All male students are required to wear cotton blend bottoms (khaki or navy) or blue denim jean pants/shorts of the appropriate size. Shorts must be worn at the appropriate length as indicated previously. Bottoms are not to have any type of embellishment.
2. All male students are required to wear their pants or shorts properly at the waist. Pants with elastic at the waist that do not require a belt may also be worn. Bottoms are not to be excessively tight or over-sized.
3. All clothing is to be free of slits, holes, tears, and cuts.
4. All male students are required to wear a solid hunter green, kelly green, navy or white collared button front or polo shirt of the appropriate size. Shirts must have sleeves. Tops are not to be excessively tight or over-sized. Un-tucked shirts should not exceed wrist length.
5. Any shirt worn under the school uniform (layering) must be solid white, navy or kelly/hunter green and is not to be showing below the hemline of the uniform shirt. The shirt can be either a turtleneck or crew neck and of the appropriate size.
6. All male students may wear solid navy, green or white zipped sweatshirts, sweaters or sweater vests over a shirt as described above and must be free of obvious logos or insignias.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **School Uniforms**

**Policy 5132**

Page 3 of 6

7. Accessories such as ball caps and neck scarves may not be worn during the school day.
8. Outerwear (coats & jackets) are at your discretion. Outerwear must be removed during the school day.

### Logos / Insignias

Shirts that are not portraying the official Elsinboro Township School logo may have a small unobtrusive logo that can be covered with a quarter.

### Foot Apparel

All male students are required to wear casual shoes, dress shoes, dress boots, or sneakers. Sneakers may be worn on a daily basis but are required to be worn during physical education classes. For safety: flip-flops, open toes, or open heels are not permitted during the school day. Boots designed to be worn for inclement weather such as rain or snow, may only be worn to and from school.

### Female Students

1. All female students are required to wear cotton blend bottoms (khaki or navy) or blue denim jean bottoms (pants, skirts, skorts, shorts, capris, or jumpers) of the appropriate size. Shorts, skirts, jumpers and skorts must be worn at the appropriate length as indicated previously. Bottoms are to be free of embellishments.
2. All female students are required to wear their skirts, shorts, pants, capris, or skorts properly at the waist. Pants with elastic at the waist that do not require a belt may also be worn. Bottoms are not to be excessively tight or over-sized.
3. Ankle length leggings/tights in white, blue or green may be worn under jumpers and skirts.
4. All clothing is required to be free of slits, holes, tears, and cuts.
5. All female students are required to wear a hunter green, kelly green, navy or white collared button front, polo shirt, or blouse of the appropriate size. Shirts must have sleeves. Tops are not to be excessively tight or over-sized. Un-tucked shirts should not exceed wrist length.
6. Any shirt worn under the school uniform (layering) must be solid white, navy or kelly/hunter green and is not to be showing below the hemline of the uniform shirt. The shirt can be either a turtleneck or crew neck and of the appropriate size. Camisoles worn under the uniform top must be tucked in.
7. All female students may wear solid navy, green or white zipped sweatshirts, sweaters, or sweater vests over a shirt or blouse as described above and must be free of obvious logos or insignias.



# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **School Uniforms**

**Policy 5132**

Page 4 of 6

8. Accessories such as ball caps and neck scarves may not be worn during the school day. Girls may wear hair accessories that reasonably coordinate with their student uniform, including headbands, scrunchies, rubber bands, ribbons, bows and small barrettes. Clip-on bows and barrettes must be close to the head and no larger than 1" by 4". Any embellishment (such as a flower) may be no larger than a quarter and close to the head.
9. Outerwear (coats & jackets) are at your discretion. Outerwear must be removed during the school day.

### Logos / Insignias

Shirts that are not portraying the official Elsinboro Township School logo may have a small unobtrusive logo that can be covered with a quarter.

### Foot Apparel

All female students are required to wear casual shoes, dress shoes, dress boots or sneakers. Heel height will be required to be no more than one inch. Sneakers may be worn on a daily basis but are required to be worn during physical education classes. For safety: flip-flops, shoes with high heels, platform heels, open toes, or open heels are not permitted during the school day. Boots designed to be worn for inclement weather such as rain or snow, may only be worn to and from school.

### Gym Clothes – Male & Female Students

On their scheduled gym day, all students have the option of wearing solid blue, green, white, or grey sweatpants of the appropriate size. Students also have the option of wearing "Elsinboro Wear" t-shirts on scheduled gym days.

### Administrative Clause

The administration reserves the right to permit variations to the mandatory school uniform for specifically organized learning activities and weather conditions.

The administration reserves the right to temporarily suspend the mandatory school uniform for special theme days and/or special activities.

The administration reserves the right to amend the mandatory school uniform policy.

The administration reserves the right to restrict any item of clothing.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **School Uniforms**

**Policy 5132**

Page 5 of 6

### Exceptions to the Uniform Policy

The only exceptions to the uniform policy are:

**Picture Day:** On these days, uniforms are not required; however, clothing must be neat and practical for school. Students must adhere to the policy in regards to length of shorts, skirts and skorts. Shirts must have sleeves. Sweats may not be worn. For safety, even on special dress days: flip-flops, shoes with high heels, platform heels, open toes, or open heels are not permitted.

**Field Trips:** Students are required to wear their school uniform on a field trip unless otherwise notified.

**Family Day:** Students may dress in their gym attire. Shirts may be green or white to represent their “team” colors for the day. All shirts must have sleeves.

**Medical/Religious Exemptions:** An “Application for Exemption from the Student Uniform Policy” must be completed and submitted to school staff for review in order to be considered for exemption.

### Enforcement

When a student in grades kindergarten - eighth is found to be out of uniform, the parent will be called about the violation and asked to bring appropriate clothing to the school for the child. If a parent can not be reached, the nurse will provide the child with appropriate clothing for the day. Repeated infractions will be addressed in the Elsinboro Township School’s Code of Student Conduct.

Students should be in compliance on the first day of school. New students, enrolling during the school year, have 5 school days to comply.

### Students with Financial Need

Students with limited financial means may be provided with a district supplied school uniform at the discretion of the Chief School Administrator.

To keep parents aware, the uniform policy will be uploaded to the district’s web site then updated annually. The policy will also be sent home at the start of each school year. Kindergarten and newly enrolled students will be provided with the uniform policy prior to their first day.

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**School Uniforms**

**Policy 5132**

Page 6 of 6

## **Legal References**

- NJSA 18A:11-1 General Mandatory Powers and Duties
- 18A:11-7 Findings relative to school dress codes
- 18A:11-8 Adoption of dress code policy for school permitted
- 18A:11-9 Prohibition of gang-related apparel
- 18A:37-1 Submission of pupils to authority

## **Possible Cross References**

5131

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

### **Exclusion of Pupils from School for Reasons of Illness**

**Policy 5132.2**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 2

First Reading: March 16, 2009

#### Communicable Diseases – Exclusion of Pupils from School

It is sometimes necessary to exclude from school individuals who are ill or who have been exposed to a communicable disease or whose presence is detrimental to the health or cleanliness of others. The Board of Education therefore, implements this policy.

The School Nurse shall instruct the teachers at the beginning of the school year, or when designated by the Board of Education, instructing the teachers about the methods employed to detect the first signs of communicable diseases and the recognized measures for the promotion of health and prevention of disease. In addition, the School Nurse will instruct those teachers from whose classrooms a pupil has been excluded about the symptoms of the disease for which the pupil was excluded.

No teacher shall attempt to diagnose any illness of a pupil but shall refer suspected cases to the nurse.

Any pupil who appears to be ill or who is suspected of having a communicable disease shall be excluded from school or isolated at school to await instructions from or the arrival of an adult member of the pupil's family, the School Physician, and/or the School Nurse.

Where there is evidence of departure from normal health of any pupil, or if a pupil has been exposed to a communicable disease, or if the presence of the pupil in the school is detrimental to the health or cleanliness of the pupils or staff members in the school:

- A. The Chief School Administrator, upon the recommendation of the School Nurse or School Physician, may exclude the pupil from school.
- B. In the absence of the School Nurse or School Physician, the Chief School Administrator or designee, may exclude the pupil from the school. In this event, the person making the exclusion must immediately notify the Chief School Administrator.
- C. The Administrator shall notify the pupil's parent of the reason for the exclusion.

A pupil retained at home or excluded from school shall not be readmitted to school until written evidence is presented of being free of the reason for the exclusion. Such evidence may be by a qualified physician, or School Physician who has examined the pupil.

The rules of the local Board of Health or State Department of Health, State Board of Education, or in the absence of these, the rules of the School Physician pertaining to communicable disease shall apply in determining periods of incubation, communicability, quarantine, and reporting.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Exclusion of Pupils from School for Reasons of Illness**

**Series 5000**

**Policy 5132.2**

Page 2 of 2

No pupil who is a member of a household in which a person is suffering from or been exposed to smallpox, diphtheria, scarlet fever, whooping cough, yellow fever, typhus fever, cholera, or measles, shall attend any public school during such illness, or until the attending physician, Board of Health, or School Physician has certified that all danger of communicating the disease by the staff member or pupil has passed.

The School Physician, and/or the School Nurse, shall report all cases of communicable diseases to the local, county, or state Board of Health. The Chief School Administrator will also inform the County Superintendent of Schools.

#### Legal References:

NJSA:18A:40-7, 18A:40-8, 18A:40-10, 18A:40-11, 18A:40-12, 18A:40-25(b)  
NJAC 6:21-1.2, 6A:16-1(a)20, 6A:16-1.4(a)-1 through -3, 6A:16-2.3(e),  
6A:26-12.2(a)2iii, 6A:27-12.28:57, 26:4-6, 26:4-15

#### Possible Cross References:

3516, 3541.33, 5113, 5142

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Communicable Diseases**

**Policy 5132.45**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

### Control of Contagious/Infectious Diseases

In order to protect the health of the children in district schools, all regulations of the NJ State Department of Education, the State Department of Health and local Board of Health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases.

Any pupils returning to school after an absence due to contagious/infectious disease must present a certificate from a licensed physician stating that he/she is free from the disease, or otherwise qualify for admission under the above agencies rules pertaining to periods of incubation, communicability, quarantine and reporting.

The School Nurse shall cooperate with the school doctor in instructing all teachers in the symptoms of the most common diseases at least once a year. The diseases to be covered in this instruction shall include but not be limited to:

Chicken Pox  
Mumps  
Poliomyelitis  
Diphtheria  
Salmonellosis

Acquired Immune Deficiency  
Syndrome  
Petussis (whooping cough)  
Typhoid Fever  
Measles

Small Pox  
Hepatitis  
Rubella  
Strep infections,  
including Scarlet  
Fever, sore throat and  
Erysipelas

In addition to the annual review of health and safety measures required by law, the School Nurse shall individually instruct teachers from whose classrooms a pupil has been excluded in the symptoms of the disease for which the pupil has been excluded. The School Nurse shall examine the classmates of the excluded pupil as soon as the disease is diagnosed.

Teachers shall not attempt to diagnose any illness of a pupil, but shall refer all illness to the School Nurse immediately.

The Chief School Administrator, in cooperation with the school doctor, shall develop procedures and programs to implement this policy. The school doctor shall report all cases of communicable disease to the local Board of Health as required by law.

No ill pupil shall be identified by name or address in order to preserve confidentiality.

### Legal References:

NJAC 6A:16-1.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

### **Procedures for Handling Students who Must be Returned Home During the School Day**

**Policy 5132.5**

Date Adopted: March 30, 2009

Date Revised: September 16, 2019

Page 1 of 2

The nurse shall exercise his/her own judgment but notify the central office of her action immediately.

In cases of gross misbehavior, inappropriate dress or other alleged rule infractions, teachers, counselors and other professional personnel are obligated to report to the Administrator. They shall not initiate punitive action such as exclusion or suspension from class.

Under no circumstances shall non-professional personnel recommend or execute a particular course of action in the handling of pupils.

In the absence of the Chief School Administrator, secretarial or custodial personnel shall proceed in the following manner:

1. Call the Chief School Administrator for direction or for authority to act.
2. Call the School Nurse for illness and accident cases; then notify the Chief School Administrator immediately.
3. In discipline cases, or cases involving inappropriate school attire, keep the child in the classrooms or close by, under the supervision of the teacher until the Administrator arrives. If the problem of misbehavior is sufficiently severe to warrant exclusion from the class, the child should be

The importance of professionals at all levels acting in emergencies and doing so with only their experience, intelligence and good judgment to guide them is recognized. Further, prompt and responsible action is encouraged. It is extremely important however, that sound procedures be followed and that proper administrative personnel be notified when problems arise. This will enhance the chances of the right thing being done for children and insure adequate support for action taken if and when disputes arise.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

### **Procedures for Handling Students who Must be Returned Home During the School Day**

**Policy 5132.5**

Page 2 of 2

#### Legal References

- NJSA 18A:16-6, -6.1 Indemnity of officers and employees against civil actions ...  
18A:35-4.6 et seq. Parents Right to Conscience Act of 1979  
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries;  
terms; rules  
18A:40-3 Lectures to teachers  
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian  
18A:40-5 Method of examination; notice to parent or guardian  
18A:40-6 In general  
18A:40-7, -8, -10, -11 Exclusion of pupils who are ill ...  
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils  
18A:40A-1 et seq. Substance Abuse  
44:6-2 Maintenance by boards of education of clinics for indigent children
- NJAC 6A:16-1.1 et seq. Programs to Support Student Development  
8:57-1.1 et seq. Reportable Communicable Diseases  
8:57-2 Reporting of AIDS and HIV  
8:61-1.1 Attendance at school by pupils or adults Infected by Human  
Immunodeficiency Virus (HIV)
- Plainfield v. Cooperman, 105 NJ 587 (1987)

#### Possible Cross References

1410, 1420, 3510, 3516, 3542, 4112.4, 4131/4131.1, 4151, 4212.4, 4251.2, 5111,  
5125, 5131, 5131.6, 5141.1, 5141.2, 5141.3, 5141.4, 5141.21, 5142, 5200



# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

### **Readmittance After Absence Due to Illness**

**Policy 5132.6**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 16, 2009 |               |             |

Any student who has been absent for five consecutive school days shall be seen by the School Nurse prior to re-admittance to class. The School Nurse shall notify the classroom teacher of the status of the student's health as it pertains to re-admission.

Any student exhibiting symptoms of illness following any absence, as observed by any teacher, staff or Administrator, shall be seen by the School Nurse prior to re-admittance to class. The School Nurse shall notify the classroom teacher of the status of the student's health as it pertains to re-admission.

#### Legal Reference:

NJAC 6A:16-1.4

# **Elsinboro Board of Education District Policy Manual**

**Students**

**Series 5000**

**Pediculosis / Head Lice**

**Policy 5132.7**

Date Adopted: March 30, 2009

Date Revised: December 9, 2013, November 19, 2018,  
September 16, 2019

Page 1 of 3

The Elsinboro Elementary School has developed this head lice (pediculosis) policy with the parent body, teachers, the Community (School Nurse) and the Department of Health. The aim of the policy is to ensure a consistent, coordinated and cooperative approach to head lice management for the school community.

## Responsibilities

The Parent's/Guardian's responsibility is:

- to learn about head lice infestation and management by reading the Department of Health's Head Lice Fact Sheet.
- to treat their child's hair immediately if the child has head lice, using the advice in the Head Lice Fact Sheet.
- to inform the school (and other contacts) if their child has a head lice infestation and to confirm that treatment has commenced.
- to understand and to follow the school's head lice policy.
- to check their child's hair for head lice infestation regularly.

The Community School Nurse's role is:

- to provide information, advice and education to parent/guardians and the school community about head lice management.
- to provide additional assistance for families experiencing persistent head lice infestation.

The School's role is:

- to develop, implement and maintain a current head lice management policy.
- to ensure that all parents/guardians and staff are aware of the school's head lice policy and that they are provided with a copy of the Head Lice Fact Sheet and school policy at enrollment and upon request.

## How Head Lice Information Will Be Disseminated

The school will undertake the following steps to ensure dissemination of accurate up-to-date head lice treatment advice within the school community:

| <b>Elsinboro Board of Education District Policy Manual</b> |                      |
|--|----------------------|
| <b>Students</b>  | <b>Series 5000</b>   |
| <b>Pediculosis / Head Lice</b>                             | <b>Policy 5132.7</b> |
| Page 2 of 3  |                      |

#### Other Head Lice Education Strategies

- Head lice information will be included in class activities where appropriate, e.g., personal development (identify head lice and how to comb out), science (life cycle of the head louse) and drama.
- Head lice management sessions will be provided to individual parents/guardians/caregivers.
- Parents/guardians who need further advice or who experience difficulty with treatment may be referred to the Community (School) Nurse for assistance.

#### What Will Happen When a Child is Found to have Head Lice

- When Pediculosis (head lice) is discovered, the parent/guardian will be called and made aware.
- The student will return to class and the Head Lice fact sheet will be sent home with the student.
- The parent/guardian will complete the over-the-counter shampoo treatment and thoroughly comb the student's hair with a nit comb.
- The parent/guardian will continue to do the weekly head lice shampoo treatments and daily combing of the student's hair with the nit comb for at least 3 weeks, or until there are no nits seen.
- The parent/guardian will check every family member and treat, if necessary.
- The school nurse will check the student's hair on a weekly basis for the next 3 weeks, and then as needed.

#### Regulation

If upon re-assessment by the school nurse, nits are found, either at the time of the initial or return assessment, the student will be assessed at weekly intervals or more frequently at the discretion of the school nurse.

The school nurse retains the authority to, in consultation with the school administrator, exclude a student with repeated infestations of live lice or viable nits, or a student with a current infestation for which there is inadequate management by the parent/guardian. the student may be referred to his/her healthcare provider and/or the Salem County Health Department for additional intervention(s).

# **Elsinboro Board of Education District Policy Manual**

**Students**

**Series 5000**

**Pediculosis / Head Lice**

**Policy 5132.7**

Page 3 of 3

## **Legal & Other References**

NJSA 18A:40-7, -8, -10, -11 Exclusion of pupils who are ill

American Academy of Pediatrics (2006). Red Book – Report of the Committee on Infectious Diseases.

Centers for Disease Control and Prevention (2010). Head lice information for schools. Retrieved from <http://www.cdc.gov/parasites/lice/head/index.html>.

National Association of School Nurses (NASN), Pediculosis Management in the School Setting; Position Statement, January 2011.

New Jersey Department of Health: Head Lice – Frequently Asked Questions. Retrieved from [http://www.state.nj.us/health/cd/documents/faq/headlice\\_faq.pdf](http://www.state.nj.us/health/cd/documents/faq/headlice_faq.pdf)

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Married / Pregnant Pupils**

**Policy 5134**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board of Education is obligated to provide an educational setting free of discrimination against admission to, or in obtaining any advantages, privileges or course of study of the school by reason of race, color, creed, sex or national origin (N.J.S.A. 18A:36-20). Further, no pupil shall be discriminated against because of pregnancy, childbirth, pregnancy related disabilities, actual or potential parenthood, or family or marital status (N.J.A.C.6:41.5) and Title IX – 106.40). In compliance with these statements, the Board of Education makes the following policy relative to married and pregnant pupils.

No pupil, whether married or unmarried, who is otherwise eligible to attend school, shall be denied an educational program solely because of pregnancy, false-pregnancy, termination of pregnancy, childbirth, pregnancy-related disabilities, recovery thereof or actual or potential parenthood.

### Attendance/Participation

Pregnant pupils shall be permitted to continue attendance in regular classes and participate in extracurricular activities as long as the pregnant pupil's physician has sanctioned the above. A letter from the pregnant pupil's physician for continued attendance/participation must be on file with the School Nurse.

The Board reserves the right to require, as a prerequisite for attendance in class and participation in the extracurricular program, that each pregnant pupil submit to periodic examinations by her physician at the intervals prescribed by the School Physician. The School Nurse will notify the pregnant pupil and her parents of the requirements for these physical examinations. Records of said examinations will be placed in the pupil's file in the School Nurse's office.

### Bedside Instruction

If the pregnant pupil is physically unable to attend regular classes, she may be eligible of a program of "Home Instruction" (Policy 6173). Typically, the pregnant pupil is required to attend day school or the alternative evening high school until six weeks before her expected delivery date.

Home instruction will end a maximum of six weeks after the delivery date unless medical contraindications prohibit this. Medical complications must be verified in writing by the pupil's physician.

### Legal References:

NJSA 10:5-1 et seq, 18A:36-20

NJAC 6A:7-1.1 et seq, 6A:7-1.4 through -1.7

Possible Cross References: 5141.3, 6145, 6154, 6172, 6173

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Adolescent Suicide Awareness & Prevention Programs**

**Policy 5135**

Date Adopted: March 30, 2009

Date Revised: December 10, 2012

Page 1 of 1

First Reading: March 16, 2009

### **Suicide or Sudden Death**

The Board of Education recognizes that the rate of self-destructive behavior is increasing among children and adolescents in this country. Pupils who experience depression are unable to benefit fully from the educational program of the school. Moreover, a pupil who attempts suicide poses a danger both to self and possibly to others.

Therefore, the Board of Education directs that all school personnel should be alert to the warning signs of childhood and adolescent suicide and the procedures to follow in the event of an actual attempt or completion. Such signs and behavior shall be taken seriously and reported to the school administration and Child Study Team who shall determine what further action is required. Other district employees may be used to intervene or assist with such situations. If emergency intervention is required, the pupil shall be taken to the appropriate medical facility.

In incidents of such potential self-destructive behavior, the pupil's parents shall be notified immediately and their cooperation shall be sought for immediate intervention. If the parent is unwilling to cooperate, the school administration and/or Child Study Team shall contact appropriate agencies to request intervention on the pupil's behalf. In cases of child abuse or neglect, school personnel are required to contact the New Jersey Division of Child Protection & Permanency (DCP&P).

The Board directs the Chief School Administrator to develop procedures to implement this policy.

|                                 |
|---------------------------------|
| Legal Reference: NJSA 30:9-A-12 |
|---------------------------------|

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Adolescent Suicide Awareness & Prevention Programs**

**Regulation 5135**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Chief School Administrator with the help of the school counselor shall be responsible for determining the seriousness of the threat of suicide. The Chief School Administrator and counselor should make use of the “Scale for Assessing Suicidal Risk” to determine the level of risk.

A. If it is determined that there is a high risk:

- Do not let the student out of your sight
- Issues of confidentiality will no longer apply
- The parent/guardian must be notified immediately
- Pupils should only be released to a parent/guardian or close relative or to a psychiatrist or clinic capable of providing direct help. (i.e., Health Care Commons)
- A follow-up should be made within one week after initial contract to determine if supportive services are being provided

B. If it is determined that the situation is a medium risk:

- The parents/guardians are to be notified
- The student and parent/guardian should be given phone numbers of agencies that can provide additional support services
- A follow-up should be made within one week after initial contract to determine if supportive services are being provided

C. If it is determined that the situation is a low risk:

- The parents/guardians are to be notified
- Encourage the student to consider written methods of communication with his/her family with the help of the school counselor
- Provide the student and the parent/guardian with information about community agency support services and offer supportive counseling.

D. Physical Education OASA Guidelines

If a suicide by a student or staff member occurs, the Chief School Administrator shall be notified immediately. Administrative staff will be assembled to plan and implement an Action Plan. All requests for information will be directed to the Chief School Administrator. All faculty members will be assembled prior to the opening of school to provide accurate information and plans for the school day.

Students will be given the facts. The students must be able to discuss their feelings of loss, and they must be able to discuss their good and bad memories of the person without penalty. Participation by students in discussions of depression, death and suicide is a must. Those students close to the victim should be identified and monitored.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Fund-Raising Activities**

**Policy 5136**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board of Education recognizes the need for fund raising activities in the schools to support various educational activities that are of benefit to pupils. The Board also acknowledges that the solicitation of funds from pupils must be limited since compulsory attendance laws make the pupil a captive donor and since such solicitation may disrupt the program of the schools.

Fund-raising activities should be reasonable in number and type and should not place excessive demands on pupils, parents and community members.

For purposes of this policy, “pupil fund raising” shall include the solicitation and collection of money by pupils for any purpose and shall include the collection of money in exchange for tickets, papers or any other goods or services.

The Board prohibits the collection of money in school or on school property or at any school-sponsored event by a pupil for personal benefit.

Collection of money by approved school organizations shall be approved by the Chief School Administrator. All money collected will be deposited into a student activity account maintained at the Elsinboro School supervised by the Chief School Administrator.

The Chief School Administrator shall establish rules and regulations for the solicitation of funds and see to the distribution of both policy and implementing regulations to each student organization granted permission to solicit funds.

### Legal References:

NJSA 18A:11-1, 18A:19-14, 18A:20-34, 18A:23-1, 18A:23-2, 52:14-15.9c1 et al.  
NJAC 6A:23-2.1 et seq, 6A:23-2.14, 6A:23-2.15

### Possible Cross References:

1140, 1210, 1230, 1314, 1330, 3400, 3450, 3453, 3571, 3571.4, 6145, 6153



# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Safety Drills**

**Policy 5137**

Date Adopted: March 30, 2009

Date Revised: September 16, 2019

Page 1 of 2

The Board of Education recognizes that possible natural and/or man-made disaster could compromise the safety of students.

Therefore, the Board directs the Chief School Administrator to develop and implement an emergency preparedness plan.

## Fire Drills & Homeland Security Drills

Fire drills shall be held at least once each month for all pupils. There shall also be at least one homeland security drill per month.

The plan shall provide that all threats to the safety of students and staff are identified and promptly responded to by trained district personnel.

In the event of a bomb threat, the school shall be evacuated when, in the discretion of the Administrator in charge, it is deemed advisable to do so.

The Chief School Administrator shall develop procedures for the handling of school emergencies that include:

1. A plan for the prompt and safe evacuation of the school;
2. The practice of such an evacuation plan twice monthly in the fire drills conducted in accordance with law;
3. The conduct of bus evacuation drills in accordance with rules of the State Board of Education;
4. Procedures for the safe dispersal of pupils from school property and, if necessary, a plan for the housing of pupils in a safe place other than school;
5. The design of a communications system to alert the whole school community when necessary and to notify parents of the evacuation of pupils;
6. Instruction in emergency preparedness and survival techniques as a part of the regular curriculum;
7. The immediate notification of appropriate administrative personnel whenever any employee becomes aware of an emergency or an impending emergency;
8. Cooperation with local and county emergency management offices;
9. The appointment of a school emergency procedures committee; and
10. The continuing evaluation of the effectiveness of emergency planning in preparing the school for disaster.

# **Elsinboro Township Board of Education District Policy Manual**

**Students**  
**Safety Drills**

**Series 5000**  
**Policy 5137**

Page 2 of 2

## Legal References

NJSA 18A:6-2 Instruction in accident and fire prevention  
18A:11-1 General mandatory powers and duties  
18A:40-12 Closing schools during epidemic  
18A:41-1 et seq. Fire drills and fire protection

NJAC 6A:16-1.4(a)14 District policies and procedures  
6A:16-5.1et seq. School safety and security  
6A:16-6.3 Reporting students or staff members to law enforcement agencies  
6A:26-12.2 Policies and procedures for school facility operation  
8:57-1.7 Reporting of diseases occurring in schools

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

## Possible Cross References

1410, 2210, 3541.33, 5141.6, 6112

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Insurance**

**Policy 5139**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board of Education shall provide student insurance for all school-related activities. Student insurance coverage shall be a Compulsory Double A Plan, primary excess over \$100. In addition, the Board shall supply, for all students, a Catastrophic Medical Expense Coverage Policy with each benefit not to exceed a limit of \$1,000,000.

## Legal References:

NJSA 18A:12-20, 18A:16-6, 18A:16-6.1, 18A:20-25 through 33,  
18A:43-1 through -3

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

### **Student Inter-Visitation to Schools**

**Policy 5140**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board of Education is cognizant of the value of students who have graduated from school or are attending other schools returning to visit and even counsel with former teachers. There is appreciation, too, that older students enjoy returning to former schools.

However, certain problems can arise from indiscriminate visitations, classes can be disrupted. In some cases, fights can disrupt. Students can roam the building causing perhaps a safety problem or showing disrespect for teachers and other students.

Therefore, the following policy will be observed:

1. The students must be authorized by the Administrator to visit the school during the regular school day.
2. Students visiting the school must obtain permission from the Administrator before making visitations in the building.
3. Students' visitations must be made to a specific individual or group with a stated purpose.
4. Visiting students must comply with all rules and policies of the school and must agree to obey all directives of adult staff members.

#### Legal References:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Animals in the Classroom/School**

**Policy 5140.1**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 16, 2009 |               |             |

In an effort to provide a safe and healthy environment for all students the following rules and regulations have been established and adopted by the Board of Education:

1. Permission for animals to be in a classroom and/or school must be cleared by the Chief School Administrator before they enter and /or remain in the building.
2. If a parent requests bringing an animal to school they must sign a note stating such and remain with the animal until it leaves the building if not contained in an appropriate cage.
3. Classroom pets must be contained in a secure cage or container at all times with the exception of purposes for instruction or housekeeping duties. Animals should not be free to roam around the classroom.
4. Cages, tanks, etc. must be kept clean at all times. Maintenance of the cage or container must take place prior to or after the school day.
5. Written parental permission is required for students to clean or maintain cages or tanks.

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Health**

**Policy 5141**

Date Adopted: March 30, 2009

Date Revised: February 8, 2010, September 16, 2019

Page 1 of 4

The Board of Education believes that good health is vital to successful learning. In order to help district pupils achieve and maintain good health, the Board directs the Chief School Administrator to develop a program of pupil health services that employs professional personnel and interacts with both parents and community health agencies. The program shall include but not be limited to:

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

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Health**

## **Series 5000 Policy 5141**

Page 2 of 4

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

### Annual Nursing Plan

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

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

The operation of the pupil health program shall be at all times in compliance with the rules and regulations of the state department of education, local Board of Health and the State Department of Health. The Board shall review and adopt the regulations developed to implement the district's health services.

### Nonpublic School Pupils

The Board shall provide mandated nursing services to nonpublic school pupils as required by law.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Health**

## **Series 5000 Policy 5141**

Page 3 of 4

### Students with Diabetes

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

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

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

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

1. The symptoms of hypoglycemia for that particular student and the recommended treatment;
2. The symptoms of hyperglycemia for that particular student and the recommended treatment;
3. The frequency of blood glucose testing;
4. Written orders from the student’s physician or advanced practice nurse outlining the dosage and indications for insulin administration and the administration of glucagon, if needed;
5. Times of meals and snacks, and accommodations for exercise and sports, school trips and other school-related activities.

The school nurse shall coordinate the provision of diabetes care and ensure that appropriate staff are trained in the care of these students, including staff working with school-sponsored programs outside of the regular school day. The school nurse shall also



# **Elsinboro Township Board of Education District Policy Manual**

**Students**  
**Health**

**Series 5000**  
**Policy 5141**

Page 4 of 4

ensure that each school bus driver that transports a student with diabetes is provided notice of the student's condition, how to treat hypoglycemia, and emergency/parent contact information. A reference sheet identifying signs and symptoms of hypoglycemia shall be posted in plain view within school buildings.

Upon written request of the parent or guardian and as provided in the individualized health care plan, the student shall be allowed to attend to the management and care of his/her diabetes in the classroom or on school grounds, if evaluated and determined to be capable of doing so consistent with the plan, and NJSA 18A:40-12.15.

## Legal References

- NJSA 2A:62A-23 to 26 AED emergency medical services, 1999 statute  
18A:16-6, -6.1 Indemnity of officers and employees against civil actions ...  
18A:35-4.6 et seq. Parents Right to Conscience Act of 1979  
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules  
18A:40-3 Lectures to teachers  
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian  
18A:40-5 Method of examination; notice to parent or guardian  
18A:40-6 In general  
18A:40-7, -8, -10, -11 Exclusion of pupils who are ill ...  
18A:40-12.13 Development of health care plans for students with diabetes  
18A:40-12.15 Management, care of diabetes by student permitted; authorization.  
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils  
18A:40A-1 et seq. Substance Abuse  
44:6-2 Maintenance by boards of education of clinics for indigent children
- NJAC 6A:16-1.1 et seq. Programs to Support Student Development  
6A:26-12.1 et seq. Operation and Maintenance of School  
6A:26-12.3 Required facilities  
8:57-1.1 et seq. Reportable Communicable Diseases  
8:57-2 Reporting of AIDS and HIV  
8:61-1.1 Attendance at school by pupils or adults Infected by Human Immunodeficiency Virus (HIV)  
Plainfield v. Cooperman, 105 NJ 587 (1987)

## Possible Cross References

1410, 1420, 3510, 3516, 3542, 4112.4, 4131/4131.1, 4151, 4212.4, 4251.2, 5111, 5125, 5131, 5131.6, 5141.1, 5141.2, 5141.3, 5141.4, 5141.21, 5142, 5200, 6142.4, 6142.12

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Accidents**

**Policy 5141.1**

Date Adopted: March 30, 2009

Date Revised: November 19, 2018

Page 1 of 2

The Board of Education directs the Chief School Administrator to develop, review and approve a program of accident prevention. When unforeseen situations arise, and an accident occurs, the School Nurse or another assigned staff member shall be responsible for providing emergency services to a child or staff member. The medical inspector shall prepare a list of first aid treatment for the most common minor injuries. This list shall be made known to the staff.

## Guidelines for Dealing with Accidents or Injuries

- A. The School Nurse or another trained person shall be responsible for administering first aid. Universal precautions shall be taken in the handling of blood and body fluids to ensure the containment of bloodborne pathogens.
- B. In all cases where the nature of an injury appears in any way serious, every effort shall be made to contact the parent/guardian and/or family physician immediately.
- C. Parent/guardian shall be requested to pick up their child. If a parent/guardian is unable to provide such transportation, no pupil who is injured shall be sent home alone. A pupil who is injured shall not be taken home unless it is known that someone is there to receive him/her.
- D. In extreme emergencies, the School Nurse, School Doctor, or Administrator may make arrangements for immediate transportation and possible hospitalization of injured pupils, contacting parents/guardians in advance if at all possible.
- E. The teacher, School Nurse, or other staff member who is responsible for a child at the time an accident occurs shall prepare a report within 24 hours on an official form providing details about the accident. This shall be required for every accident, whether first aid is necessary or not.
- F. Any injuries or accidents to pupils shall be reported as soon as possible to the Chief School Administrator.

Staff shall be informed at the beginning of each school year of the accident prevention program and procedures to be followed in case of an accident/injury.

The Board directs the Chief School Administrator to report the effectiveness of the emergency medical procedures to the Board annually for its review.

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Accidents**

**Policy 5141.1**

Page 2 of 2

## Legal References

- NJSA 18A:11 3 Voluntary associations regulating conduct of student activities; membership; rules and regulations; appeals  
18A:16 6 Indemnity of officers and employees against civil actions  
18A:16 6.1 Indemnity of officers and employees in certain criminal actions  
18A:40-25 Boards of education to provide nursing care to students in nonpublic schools
- NJAC 6A:16-1.1 et seq. Programs to Support Student Development  
6A:26-12.2(a)2iii Policies and procedures for school facility operation  
6A:27-12.2 Accident reporting  
6:32-9.1 et seq. Athletics Procedures  
8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV Infection
- HIV Policy and Practice: Regulatory Requirements for New Jersey Public Schools  
SDOE Division of Student Services, Sept. 1996, Doc. #P101400-31

## Possible Cross References

3516, 3541.33, 4112.4, 4212.4, 4123, 5113, 5125, 5131.6, 5141, 5141.2, 5141.4, 5141.6, 5141.21, 5142, 5200, 6114, 6142.12, 6145.1/6145.2, 6153

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Illness**

**Policy 5141.2**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 2

First Reading: March 16, 2009

When pupils are taken suddenly ill in school, they shall be sent or escorted to the School Nurse. If the Nurse is not in the medical office, the pupil shall be sent or taken to the main office. In general, the same procedures that apply to accidents shall apply to sudden pupil illness. The Chief School Administrator, in cooperation with the Medical Inspector and the Nurse shall implement this policy.

### Control of Contagious Diseases or Conditions

In order to protect the health of the pupils in our school district, all regulations of the NJ State Department of Education and the local Board of Health shall be scrupulously observed, particularly those dealing with contagious or infectious diseases or conditions. Pupils who have been absent because of contagious or infectious diseases or conditions must present a certificate of recovery from a licensed physician or be examined by the Medical Inspector.

The School Nurse shall observe pupils who show evidence of communicable disease and recommend their exclusion to the Chief School Administrator. Such pupils shall be isolated in the Nurse's office until a parent/guardian picks them up, and any necessary measures taken to prevent spread of the infection. The School Nurse, under the direction of the Medical Inspector, shall instruct all teachers in the symptoms of the most common diseases or conditions at least once a year.

Any student with HIV infection or AIDS or who lives with or is related to someone with HIV or AIDS shall not be excluded from general education, transportation services, extracurricular activities, athletic activities, assigned to home instruction or classified as eligible for special education because of the HIV infection. The School Nurse shall recommend the exclusion of any individual with weeping skin lesions that cannot be covered.

In addition to the review of health and safety measure required by law, the School Nurse shall individually instruct teachers from whose classrooms pupils have been excluded in the symptoms of the disease for which the pupil was excluded. No teacher shall attempt to diagnose any illness of a pupil, but shall refer suspected cases to the School Nurse immediately.

### Handling Blood and Body Fluids

The Chief School Administrator, Medical Inspector and School Nurse shall develop detailed routine procedures based on NJ Administrative Code and Guidelines from the Centers for Disease Control for the proper handling of blood and body fluids resulting from illness/accidents in the school. These procedures shall be disseminated to all district staff.

# **Elsinboro Township Board of Education District Policy Manual**

**Students  
Illness**

**Series 5000  
Policy 5141.2**

Page 2 of 2

The Medical Inspector shall report all cases of communicable disease to the local Board of Health as required by law.

## Legal References:

NJSA 18A:16-6, 18A:16-6.1, 18A:40-3, 18A:40-7, 18A:40-8, 18A:40-10, 18A:40-11, 18A:40-12, 18A:40-25, 26:4-6, 26:4-15, 26:5C-1 et seq., 26:2T-1

NJAC 6A:16-1.1 et seq., 6A:16-1.3, -1.4, -2.1 et seq., 8:57-1.1 et seq., 8:57-1.3, -1.7, -2, 8:61-1.1,

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

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

## Possible Cross References:

1410, 4131.1, 5113, 5141, 5141.1, 5141.4, 6142.13

# Elsinboro Township Board of Education District Policy Manual

## Students

Series 5000

## Illness

Regulation 5141.2

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 2

First Reading: March 16, 2009

### How Spilled Body Fluids Should be Removed from the Environment

Use sanitary absorbent agents specifically intended for cleaning body fluid spills (e.g. ZGOOP, Parsen Mfg. Co., Philadelphia, PA). Disposable gloves should be worn when using these agents. The dry material is applied to the area, left for a few minutes to absorb the fluid and then vacuumed or swept up. The vacuum bag or sweepings should be disposed of in a plastic bag. Broom and dust pan should be rinsed with a disinfectant. Vacuuming equipment should utilize a high efficiency filter. Vacuum cleaner should be disinfected after use.

### What Should be Done to Avoid Contact with Body Fluids?

When possible, direct contact with body fluids should be avoided. Disposable gloves should be available in at least the office of the custodian, nurse and teachers' rooms. Gloves are recommended when direct hand contact with body fluids is anticipated (e.g., treating bloody noses, handling clothes soiled by incontinence, cleaning small spills by hand). If extensive contact is made with body fluids, hands should be washed afterwards. Gloves used for this purpose should be put in a plastic bag or lined trash can, secured and disposed of daily.

### What Should be Done if Direct Skin Contact Occurs?

In many instances, unanticipated skin contact with body fluids may occur in situation where gloves may not be immediately available (e.g., when wiping a runny nose, applying pressure to a bleeding injury outside the classroom, helping a child in the bathroom). In these instances, hands and other affected skin areas of all exposed persons should be routinely washed with soap and water after direct contact has ceased. Clothing and other non-disposable items (e.g., towels used to wipe up body fluid) that are soaked through with body fluids should be rinsed and placed in plastic bags. If presoaking is required to remove stains (e.g., blood, feces), use gloves to rinse or soak the item in cold water prior to bagging. Clothing should be sent home for washing with appropriate directions to parents/teachers (see laundry instructions below). Contaminated disposable items (e.g., tissues, paper towels, diapers) should be handled with disposable gloves.

### Handwashing Procedures

All regulations will follow the latest OSHA guidelines.

Proper handwashing requires the use of soap and water and vigorous washing under a stream of running water for approximately 10 seconds.

Soap suspends easily removable soil and microorganisms allowing them to be washed off. Running water is necessary to carry away dirt and debris. Rinse under running water. Use paper towels to thoroughly dry hands.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Illness**

## **Series 5000 Regulation 5141.2**

Page 2 of 2

### Disinfectants

An intermediate-level disinfectant should be used to clean surfaces contaminated with body fluids. Such disinfectants will kill vegetative bacteria, fungi, tubercule bacillus and viruses. The disinfectant should be registered by the US Environmental Protection Agency, (EPA) for use as a disinfectant in medical facilities and hospitals.

Various classes of disinfectants are listed below. Hypochlorite solution (bleach) is preferred for objects that may be put in the mouth.

1. Ethyl or isopropyl alcohol (70%)
2. Phenolic germicidal detergent in a 1% aqueous solution (e.g., Lysol®)
3. Sodium hypochlorite with at least 100 ppm available chlorine (½ cup household bleach in 1 gallon of water, needs to be freshly prepared each time it is used)
4. Quaternary ammonium germicidal detergent in 2% aqueous solution (e.g., Tri-quat®, Mytar®, or Sage®)
5. Iodophor germicidal detergent with 500 ppm available iodine (e.g., Wescodyne®)

### Disinfection of Hard Surfaces and Care of Equipment

After removing the soil, a disinfectant is applied. Mops should be soaked in the disinfectant after use and rinsed thoroughly or washed in a hot water cycle before rinse. Disposable cleaning equipment and water should be placed in a toilet or plastic bag as appropriate. Non-disposable cleaning equipment (dust pans, bucket) should be thoroughly rinsed in the disinfectant. The disinfectant solution should be promptly disposed. Remove gloves and discard in appropriate receptacles.

### Disinfection of Rugs

Apply sanitary absorbent agent, let dry and vacuum. If necessary, mechanically remove with dust pan and broom, then apply rug shampoo (a germicidal detergent) with a brush and re-vacuum. Rinse dust pan and broom in disinfectant. If necessary, wash brush with soap and water. Dispose of non-reusable cleaning equipment as noted above.

### Laundry Instructions for Clothing Soiled with Body Fluids

The most important factor in laundering clothing contaminated in the school setting is the elimination of potentially infectious agents by soap and water. Addition of bleach will further reduce the number of potentially infectious agents. Clothing soaked with body fluids should be washed separately from other items. Pre-soaking may be required for heavily soiled clothing. Otherwise, wash and dry as usual. If the material is bleachable, add ½ cup household bleach to the wash cycle. If the material not colorfast, add ½ cup non-clorox bleach (e.g., Clorox II®, Borateem®) to the wash cycle.

Note: Brand names are used only as examples of each type of germicidal solution and should not be considered an endorsement of a specific product.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Administering Medication**

**Policy 5141.21**

Date Adopted: March 30, 2009

Date Revised: March 9, 2015

Page 1 of 6

The Board shall not be responsible for the diagnosis and treatment of pupil illness. The administration of medication to a pupil during school hours will be permitted only when failure to take such medicine would jeopardize the health of the pupil, or the pupil would not be able to attend school if the medicine were not made available to him/her during school hours.

For purposes of this policy, “medication” shall include all medicines prescribed by a physician for the particular pupil, including emergency medication in the event of bee sting, etc., and all non-prescription “over the counter” medication.

Before any medication may be administered to or by any pupil during school hours, the Board shall require the written request of the parent/guardian which shall give permission for such administration and relieve the Board and its employees of liability for administration of medication. In addition, the Board requires the written order of the prescribing physician which shall include:

- A. The purpose of the medication, including illness, injury, condition treated;
- B. The dosage;
- C. The time at which or the special circumstances under which the medication shall be administered;
- D. The length of time for which medication is prescribed;
- E. The possible side effects of the medication.

Both documents shall be kept on file in the office of the School Nurse.

The district medical inspector shall develop procedures for the administration of medication which provide that:

- A. All medications, whether prescribed or over the counter, shall be administered by the School Nurse, the parent/guardian or the pupil himself/herself where the parent/guardian so permits and the School Nurse is present;
- B. Medications shall be securely stored and kept in the original labeled container;
- C. The School Nurse shall maintain a record of the name of the pupil to whom medication may be administered, the prescribing physician, the dosage and timing of medication and a notation of each instance of administration;
- D. All medications shall be brought to school by the parent/guardian or adult pupil and shall be picked up at the end of the school year or end of the period of medication, whichever is earlier;



# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Administering Medication**

**Series 5000**

**Policy 5141.21**

Page 2 of 6

- E. A student may self administer medication without supervision of the School Nurse for asthma or other life-threatening illnesses. “Life-threatening illness” has been defined as an illness or condition that required an immediate response to specific symptoms or sequelae, that if left untreated may lead to potential loss of life such as, but not limited to, the use of an inhaler to treat an asthma attack or the use of an adrenaline injection to treat a potential anaphylactic reaction.

The district shall have and maintain at least one nebulizer in the office of the school nurse or at a similar accessible location. The Chief School Administrator shall prepare and the Board shall adopt regulations on the administration of asthma medication through the use of a nebulizer by the school nurse or his/her designee(s). Regulations shall be in accord with New Jersey statute and administrative code and shall include, but not be limited to, to the following:

- A. Requirement that each School Nurse shall be authorized to administer asthma medication through use of a nebulizer;
- B. Requirement that each School Nurse receive training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards;

Requirement that each student authorized to use asthma medication or a nebulizer have an asthma treatment plan prepared by the student’s physician that identifies, at a minimum, asthma triggers and an individualized health care plan for meeting the medical needs of the student while attending school or a school-sponsored event.

#### Pupil Self-Administration of Medication

The Board shall permit self-administration of medication for asthma or other potentially life-threatening illnesses by pupils, both on school premises during regular school hours and off-site or after regular school hours when a pupil is participating in field trips or extracurricular activities. Parents/guardians of the pupil must meet the following conditions:

- A. Provide the Board with written authorization for the pupil’s self-administration of medication;
- B. Provide written certification from the pupil’s physician that the pupil has asthma or another potentially life-threatening illness and is capable of and has been instructed in the proper method of self-administration of medication.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Administering Medication**

**Series 5000**

**Policy 5141.21**

Page 3 of 6

- C. Sign a statement acknowledging that the district shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil and that the parents/guardians shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the self-administration of medication by the pupil.

The Board shall:

- A. Inform the pupil and his/her parents/guardians that permission is effective for the school year for which it is granted and must be renewed for each subsequent school year upon fulfillment of requirement listed above;
- B. Inform parents/guardians in writing that the district and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication.
- C. Maintain the right to revoke the pupil's permission to self-medicate if he/she has failed to comply with all conditions of this policy and/or has violated in any way the tenets of the agreement of self-medicate. The Chief School Administrator shall confer with the School Physician and School Nurse prior to recommending termination of a pupil's permission to self-medicate and shall also consult with the pupil, the pupil's parents/guardians and the pupil's physician.

#### Emergency Administration of Epinephrine Regulations / Procedures

Parents/guardians shall provide the Board with the following:

- A. Written authorization for the administration of the epinephrine by the School Nurse or trained designees;
- B. A signed statement acknowledging their understanding that the district shall have no liability as a result of any injury arising from the administration of the epinephrine via a pre-filled auto-injector mechanism to the pupil and that the parents/guardian indemnify and hold harmless the district and its employees or agents against any claim(s) arising out of the administration of the epinephrine via a pre-filled auto-injector mechanism; and,
- C. The permission is effective for the school year for which it is granted and is renewed for each subsequent school year upon fulfillment of the requirements of this policy.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Administering Medication**

**Series 5000**

**Policy 5141.21**

Page 4 of 6

#### District Responsibilities:

The placement of a pupil's prescribed epinephrine shall be in a secure but unlocked location, easily accessible by the School Nurse/designees to ensure prompt availability in the event of an allergic emergency at school or at a school-sponsored event.

The location of the epinephrine shall be indicated on the pupil's emergency care plan. Back-up epinephrine shall also be available at the school if needed.

The School Nurse/designee shall be available promptly available on site at the school and school sponsored events in the event of an allergic reaction.

The pupil shall be transported to a hospital emergency room by emergency services personnel after the administration of epinephrine, even if the pupil's symptoms appear to have been resolved.

The School Nurse or other trained designee shall be permitted to administer epinephrine via a pre-filled auto-injector mechanism to any pupil whose parents/guardians have not met the requirements of Items A, B & C (above), in that written notice has not been received by the district, allowing emergency administration of epinephrine via a pre-filled auto-injector mechanism, in cases where the School Nurse or designee, in good faith, believe that the pupil is having an anaphylactic reaction.

The district shall maintain a supply of epinephrine auto-injectors in a secure but unlocked location that is proscribed under a standing protocol from a licensed physician. The epinephrine shall be accessible to the School Nurse and trained designees for administration to a pupil having an anaphylactic reaction.

The School Nurse shall have primary responsibility for the administration of the epinephrine. The School Nurse shall designate, in consultation with the Chief School Administrator, staff members who volunteer to administer epinephrine via a pre-filled auto-injector mechanism to a pupil for anaphylaxis when the School Nurse is not physically present at the scene.

The School Nurse shall determine that designees have been properly trained the administration of epinephrine via a pre-filled auto-injector mechanism, using standardized training protocols established by the New Jersey Department of Education in consultation with the New Jersey Department of Health and Senior Services.

## **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Administering Medication**

**Policy 5141.21**

Page 5 of 6

Nothing in the policy shall prohibit the emergency administration of epinephrine via a pre-filled auto-injector mechanism to a pupil for anaphylaxis by the School Nurse or designees when the pupil is authorized to self-administer epinephrine pursuant to the provisions of NJSA 18A:40-12.3 or when there is a coexisting diagnosis of asthma, or when a prescription is received from a licensed health care professional for epinephrine coupled with another form of medication or when the epinephrine is administered pursuant to the provisions of NJSA 18A:40-12.5.

No school employee, including a School Nurse or any other officer or agent of the Board of Education or a physician providing a prescription under a standing protocol for school epinephrine pursuant to the provisions of NJSA 18A:40-12.5 shall be held liable for any good faith act or omission consistent with the provisions of NJSA 18A:40-12.5, nor shall action before the New Jersey State Board of Nursing lie against a School Nurse for any such action taken by a person designated in good faith by the School Nurse pursuant to the provisions of NJSA 18A:40-12.6.

Good faith shall not include willful misconduct, gross negligence or recklessness.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Administering Medication**

**Series 5000  
Policy 5141.21**

Page 6 of 6

### Legal References

NJSA 18A:11-1 General mandatory powers and duties  
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules  
18A:40-3.2 et seq. Medical and Nursing Personnel  
18A:40-4 Examination for physical defects and screening of hearing of pupils  
18A:40-7 Exclusion of pupils who are ill  
18A:40-12.3 through -12.4 Self-administration of medication by pupil; conditions  
18A:40-12.5 Policy for emergency administration of epinephrine to public school pupils  
18A:40-12.6 Administration of epinephrine; primary responsibility; parental consent  
18A:40-12.7 Nebulizer  
18A:40-12.8 Administration of asthma medication by school nurse through nebulizer; training; pupil asthma treatment plan  
45:11-23 Definitions

NJAC 6A:16-1.1 et seq. Programs to Support Student Development

Bernards Township Education Association v. Bernards Township Board of Education,  
1981 S.L.D. (9/29/81), aff'd State Board, 1982 S.L.D. 4/7/82, aff'd App. Div., unpublished opinion (A-4211-81T3, 5/18/83)  
Communications Workers of America, Local 1033, On behalf of Karen Norton, Barbara Woolston, Mary Ellen Schoen et al. v. New Jersey State Department of Education, Marie H. Katzenbach School for the Deaf, State Board Docket #52-91  
Policy Advisory #1 on N.J.S.A. 18A:40-12.3 et seq. Self-Administration of Medication By a Pupil, New Jersey State Department of Education, June 5, 1995  
Protocol and Implementation Plan for the Emergency Administration of Epinephrine by a Delegate Trained by the School Nurse, New Jersey State Department of Education, October, 1998

### Possible Cross References

5141.1, 5141.2, 6153

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Administration of Medical Marijuana**

**Policy 5141.25**

Date Adopted: March 14, 2016

Date Revised: June 20, 2016

Page 1 of 3

In accordance with the provisions of the New Jersey Compassionate Use Medical Marijuana Act (CUMMA), a parent/guardian or primary caregiver may administer medical marijuana to a student of this district, while the student is on school grounds, aboard a school bus or while attending a school-sponsored event, provided the student is authorized to engage in the medical use of marijuana pursuant to the provisions of P.L. 2015, c.158, supplementing chapter 40 of Title 18A of the New Jersey statutes, chapter 6D of Title 30 of the Revised Statutes and P.L. 2009, c.307 (C.24:I-1, et. al. and provided that the parent/guardian, primary caregiver and those individuals authorized to provide marijuana for medical purposes to assist the student with the medical use of marijuana pursuant to the provisions of P.L. 2009, c.307 (C.24:I-1, et. al.

Students who have valid medical marijuana prescriptions may petition the district for a waiver of federal laws, including, but not limited to the Controlled Substances Act and the Drug Free Schools and Communities Act, prohibiting marijuana use, or possession at educational institutions and on the premises of other recipients of federal funds.

The parent/guardian or primary caregiver may administer medical marijuana to eligible students who submit an application with the proper documentation demonstrating the condition and prescription need. Parents/guardians, and primary caregivers of students who have been authorized for medical use of marijuana may administer medical marijuana to the student while the student is on school grounds, aboard a school bus, or attending a school-sponsored event.

Parents/guardians or primary caregivers will be greeted by a school official or nurse and be taken to a designated area to administer the medication and then be escorted off school grounds, assuring that no marijuana is left on school property.

The use of medical marijuana must be properly documented with the school nurse and verified by the school physician with the prescribing physician prior to administration at school, aboard a school bus, or attending a school-sponsored event.

The Chief School Administrator/designee shall establish the location where the administration of medical marijuana shall be administered.

The administration of medical marijuana to a student by smoking or other form of inhalation while the student is on school grounds, aboard a school bus, or attending a school-sponsored event is strictly prohibited, and nothing in this policy shall be construed to authorize medical marijuana to be smoked in any place where smoking is prohibited pursuant to the provisions of NJSA 2C:33-13.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Administration of Medical Marijuana**

**Series 5000**

**Policy 5141.25**

Page 2 of 3

Should it be found that said prescription is not warranted or there is no need for a dose to be administered during the school day, notification will be provided to this effect and there will be no medicine administered at school.

#### Definitions

For the purposes of this policy, the following definitions shall apply:

- A. “Physician” means a person licensed to practice medicine and surgery pursuant to Title 45 of the Revised Statutes with whom the patient has a bona fide physician-patient relationship and who is the primary care physician, hospice physician, or physician responsible for the ongoing treatment of a patient’s debilitating medical condition, provided, however, that such ongoing treatment shall not be limited to the provision of authorization for a patient to use medical marijuana or consultation solely for that purpose.
- B. “Primary caregiver” or “caregiver” means a resident of the State who:
  - is at least 18 years old;
  - has agreed to assist with a registered qualifying patient’s medical use of marijuana;
  - is not currently serving as a primary caregiver for another qualifying patient;
  - is not the qualifying patient’s physician;
  - has never been convicted of possession or sale of a controlled dangerous substance, unless such conviction occurred after the date of this policy and was for a violation of federal law related to possession or sale of marijuana that is authorized under the provisions of this policy, has registered with the State Department of Health and has satisfied the criminal history record background check requirement of the CUMMA; and,
  - has been designated as primary caregiver on the qualifying patient’s application or renewal for a registry identification card or in other written notification to the Department of Health in accordance with the provisions of NJSA 24:6I-3.
- C. “Qualifying patient” or “patient” means a resident of the State who has been provided with a certification by a physician pursuant to a bona fide physician-patient relationship.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Administration of Medical Marijuana**

**Series 5000**

**Policy 5141.25**

Page 3 of 3

Both the patient and the caregiver must apply for and be granted a registration card, valid for two (2) years, pursuant to CUMMA.

The administration of medical marijuana on school grounds, aboard a school bus, or attending a school-sponsored event must be consistent with the requirements of the law and this policy.

#### Liability/ Legal Actions

No person shall be subject to arrest or prosecution for constructive possession, conspiracy or any other offense for simply being in the presence or vicinity of the medical use of marijuana as authorized under P.L.2009, c.307 (C.24:6I-1 et al.

No custodial parent, guardian, or person who has legal custody of a qualifying patient who is a minor shall be subject to arrest or prosecution for constructive possession, conspiracy or any other offense for assisting the minor in the medical use of marijuana.

#### Legal References

NJSA 18A:11-1 General mandatory powers and duties  
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules  
18A:40-3.2 et seq. Medical and Nursing Personnel  
18A:40-12.3 through -12.4 Self-administration of medication by pupil; conditions  
45:11-23 Definitions

NJAC 6A:16-1.1 et seq. Programs to Support Student Development

P.L.2009, c.307 (C.24:6I-1 et al.

#### Possible Cross References

5141.1, 5141.2, 6153



# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Opioids**

**Policy 5141.26**

Date Adopted: November 19, 2018

Date Revised:

Page 1 of 5

It is the policy of the Board of Education to provide assistance to any person(s) who may be suffering from an opioid overdose following protocols and procedures of the District. Staff members trained in accordance with the policy shall make every reasonable effort, to include the use of Naloxone combined with rescue breaths, to revive the victim of any apparent drug overdose.

## Background and Authority

The New Jersey “Overdose Prevention Act,” P.L. 2013, c. 46 (the “Act”), encourages the wider prescription and distribution of an opioid antidote to prevent opioid overdose. The Act also expresses the finding of the New Jersey Legislature that such antidote, naloxone hydrochloride, is an inexpensive and easily administered antidote to potentially save lives in the event of an opioid overdose. The New Jersey Department of Education has informed school districts that they may develop and adopt policies and procedures to maintain and administer an opioid antidote to any student, school personnel, or other person believed to be experiencing an opioid overdose during school hours or during onsite school-sponsored activities to block the opioid’s life-threatening effects. Additionally, the New Jersey Legislature and governor have issued directives that require high schools to maintain supply of opioid antidotes.

The “Overdose Prevention Act,” P.L. 2013, c. 46 (the “Act”), also provides immunity from civil and criminal liability to non-health care professionals who have, in an emergency, administered an opioid antidote (naloxone hydrochloride) to a person whom he/she believes, in good faith, is experiencing an opioid overdose, provided the requirements of the Act have been met. The Act also provides that a health care professional or pharmacist who, acting in good faith, prescribes or dispenses an opioid antidote to a person capable, in the judgment of a healthcare professional, of administering the opioid antidote in an emergency, shall not be subject to criminal or civil liability, or to professional disciplinary action, for prescribing or dispensing an opioid antidote in accordance with the Act.

## Standing Order of School Physician for Opioid Antidote

In accordance with N.J.S.A. 24:6J-4.a.(1)(a) and a.(1)(e), the School Physician, as a health care practitioner as defined in N.J.S.A. 24:6J-3, may prescribe or dispense an opioid antidote directly or through a standing order to the school district for a school district certified school nurse to administer to overdose victims, provided the School Physician deems a school district certified school nurse is capable of administering the opioid antidote to an overdose victim in an emergency.

# **Elsinboro Township Board of Education District Policy Manual**

**Students  
Opioids**

**Series 5000  
Policy 5141.26**

Page 2 of 5

The School Physician's standing order must specify, at a minimum, the following:

- That the certified school nurse(s) are authorized to directly administer the opioid antidote to overdose victims in the event of an emergency; and
- Whether the School Physician finds that the certified school nurse(s) may also dispense or grant access, in emergency situations, to other persons employed by the District who have certified to having received training in the administration of the opioid antidote and to receipt of overdose prevention information pursuant to N.J.S.A. 24:6J-5.

In accordance with N.J.S.A. 24:6J-5.a.(1), the School Physician issuing the standing order shall ensure that overdose prevention information is provided to the school district and the certified school nurse(s) authorized to administer an opioid antidote

If authorized by the standing order of the School Physician, the certified school nurse shall also ensure that staff members employed by the district, who have volunteered to administer the opioid antidote in the event of an emergency where the school nurse is unavailable, shall be trained for the administration of the same through a program endorsed by the New Jersey Department of Human Services and shall receive such overdose prevention information. If the standing order of the School Physician authorizes the opioid antidote to be dispensed to or accessible to such other staff members, each such staff member shall sign and provide to the school nurse a certification affirming that the staff member has received such training and received the overdose prevention information provided to the school district. A list of all district staff members who have certified to having received such information and training, and who are authorized to administer an opioid antidote in cases of emergency where the school nurse is not present, shall be maintained in the nurse's office of each school building and distributed to all school staff at the start of each school year.

The overdose prevention information shall include, but not be limited to: information on opioid overdose prevention and recognition; instructions on how to perform rescue breathing and resuscitation; information on opioid antidote dosage and instructions on opioid antidote administration; information describing the importance of calling 911 emergency telephone service for assistance with an opioid overdose; and instructions for appropriate care of an overdose victim after administration of the opioid antidote.

# **Elsinboro Township Board of Education District Policy Manual**

**Students  
Opioids**

**Series 5000  
Policy 5141.26**

Page 3 of 5

## Procedure for Emergency Opioid Overdose and Administration of Antidote

The Principal of each school building shall ensure that all building staff are familiar with the following procedure, which shall be followed in cases of possible opioid overdose during school hours or during an on-site school sponsored activity:

- Upon receiving a report of a possible opioid overdose, the Principal, Principal's designee, or supervising staff member will immediately call 911.
- The school nurse, during school hours and if available at an on-site school sponsored activity, will also be immediately called. If the school nurse is available in the building or on-site, in accordance with N.J.S.A. 24:6J-5d.(1), the school nurse may administer the opioid antidote to a student, school personnel, or other person in an emergency if he or she believes, in good faith, that a person is experiencing an opioid overdose.
- If the school nurse is not in the building or not readily available on-site, and another staff member is present who is on the list of employees that have certified to having received training and the overdose prevention information, and is thereby authorized to administer the opioid antidote (if permitted by the school physician's standing order), in accordance with N.J.S.A. 24:6J-5.d.(1), such staff member may administer the opioid antidote in an emergency if he or she believes, in good faith, that a person is experiencing an opioid overdose.
- The school nurse and/or other school staff members shall keep the student, school personnel, or other person comfortable until emergency medical responders arrive on the scene.
- Any student who receives an opioid antidote by the school nurse or by an emergency medical responder shall be transported to the nearest hospital with a school staff member designated by the Principal, Principal's designee, or supervising staff member.
- The Principal, Principal's designee, or supervising staff member will notify the parent or legal guardian of any student, or a family member or other contact person for any school staff member, who may be experiencing a possible opioid overdose, as soon as practicable.
- The Principal, Principal's designee, or supervising staff member of the on-site school-sponsored activity shall notify the Superintendent of Schools of an opioid overdose and whenever an opioid antidote is administered by a school nurse, other staff member, or emergency medical responder.

# **Elsinboro Township Board of Education District Policy Manual**

**Students  
Opioids**

**Series 5000  
Policy 5141.26**

Page 4 of 5

Nothing in this policy shall prohibit the administration of an opioid antidote to a student, school personnel, or other person in an emergency during school hours or during on-site school-sponsored activities by an emergency medical responder or other person authorized by law to administer an opioid antidote in accordance with N.J.S.A. 24:6J-1 et seq.

## Documentation of Administration of Opioid Antidote

The school nurse shall document any administration of an opioid antidote on a student's health record in the same manner as for the administration of other medications under a non-patient specific order. Further, nothing in this policy shall be construed to modify the obligations of the district with respect to the confidentiality of student records, in accordance applicable statutes, regulations, and other Board policies/regulations pertaining thereto.

## Protection from Criminal and Civil Liability

In accordance with the provisions of N.J.S.A. 24:6J-4.d.(2), the school district, the school nurse, or other authorized person administering an opioid antidote shall not, as a result of any acts or omissions, be subject to any criminal or civil liability for administering an opioid antidote in good faith in accordance with the provisions of N.J.S.A. 24:6J-1 et seq. or under this policy.

## Storage and Disposal of Opioid Antidote

The school nurse shall be responsible to store the opioid antidote that has been prescribed by the school physician in a safe and secure location. Such medication shall be stored according to the manufacturer's directions regarding the heat and cold sensitivity of the medication. To the extent it is safe, the naloxone shall be stored within reasonable proximity to an automated external defibrillator (AED). The school nurse shall establish protocols to ensure monitoring of the on-site inventory and replacement of the opioid antidote supply. The school nurse shall also plan for and implement the disposal of any administered and/or expired opioid antidote applicator.

## Construction and Interaction with other Applicable Statutes, Regulations, Policies

Any student or staff member found to be under the influence of a controlled dangerous substance shall be subject to the provisions of all applicable statutes, administrative codes, and Board policies and regulations regarding substance use. For students under the influence of a controlled dangerous substance, this shall include, but not limited to, referral for intervention, prevention, and evaluation, and treatment, in accordance with N.J.A.C. 6A:16-3.1 and all applicable Board policies and regulations.

# **Elsinboro Township Board of Education District Policy Manual**

**Students  
Opioids**

**Series 5000  
Policy 5141.26**

Page 5 of 5

Nothing in this policy shall be construed to modify or affect the ability of the Board or district administration to take any and all appropriate administrative and/or disciplinary action towards any staff member found to be under the influence of controlled dangerous substances after an emergency created by an opioid overdose has ended.

## Adoption, Revision, Notice/Availability to Parents, Students and Staff

Written notification of this Policy shall be distributed annually to all parents, guardians, and adult students, which shall include notification that the Board authorizes the certified school nurse to administer an opioid antidote in emergency circumstances. If applicable and permitted by the standing order of the school physician, the notification shall also inform parents, guardians, and adult students that other volunteer, unlicensed school personnel who have been appropriately trained through a Department of Human Services endorsed program and received overdose prevention information, may also administer an opioid antidote in emergency circumstances where the school nurse is not present. The written notification shall provide a means for the parent, guardian, or adult student to provide written refusal for the emergency administration of an opioid antidote by school personnel.

This policy shall be reviewed and approved by the School Physician and Board attorney prior to its adoption and any subsequent revision. This Policy shall be made available to all school staff members, parents, and students, and also made available in staff and student handbooks, on the district's website, or through any other appropriate means.

## Legal References

### NJSA

18A:40-1 et seq. Employment of medical inspectors, etc.

### NJAC

6A:16-2.1 to 2.4 Health services policy and procedural requirements

6A:16-3.1 et seq. Drug abuse programs

6A:16-4.1 et seq. Policies for intervention of drug abuse

24:6J-1 et seq. ("Overdose Prevention Act")

New Jersey Department of Education Memorandum – "Information for Schools Regarding Opioid Overdose Prevention" (May 24, 2016)

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Medical Examinations & Immunizations**

**Policy 5141.3**

Date Adopted: March 30, 2009

Date Revised: May 20, 2019

Page 1 of 3

Pupils who enter the district schools for the first time shall have a medical examination conducted at the medical home of the student, and a full report sent to the school. If a student does not have a medical home, the district shall provide this examination at the school physician's office or other appropriately equipped facility.

Definition: For the purposes of this policy, "medical home" means a health care provider and that provider's practice site chosen by the student's parent/guardian for the provision of health care. As the school physician is also a health care provider, the parent/guardian may request that the school physician provide the medical examination.

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

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

In order to protect the health of the children and staff in 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 or conditions.

Pupils seeking to enter school who have been identified as having a communicable/infectious disease or condition shall not be enrolled unless they qualify under the above agencies' rules pertaining to periods of incubation, communicability, quarantine and reporting.

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

## **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Medical Examinations & Immunizations**

**Policy 5141.3**

Page 2 of 3

### Parent Notice

In accordance with federal law, the Protection of Pupil Rights Amendment (PPRA), parents/guardians shall be notified annually of the opportunity for the parent/guardian to opt the student out of any non-emergency, invasive physical examination or screening that is:

- Required as a condition of attendance;
- Administered by the school and scheduled by the school in advance; and
- Not necessary to protect the immediate health and safety of the student, or of other students.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Medical Examinations & Immunizations**

**Series 5000**

**Policy 5141.3**

Page 3 of 3

#### Legal References

- NJSA** 18A:35-4.6 through -4.8 Parents Right to Conscience Act of 1979  
18A:40-4 Examination for physical defects and screening of hearing of pupils; health records  
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian  
18A:40-4.4 Exemption  
18A:40-4.5 Immunity from action of any kind due to provisions of act  
18A:40-5 Method of examination; notice to parent or guardian  
18A:40-6 In general  
18A:40-11 Exclusion of pupils having communicable tuberculosis  
18A:40-16 through -19 Tuberculosis infection; determination of presence ...  
18A:40-20 Immunization at public expense  
18A:61D-8 through -10 Findings, declarations relative to Hepatitis B vaccinations....  
26:1A-9.1 Exemption of pupils from mandatory immunizations  
26:4-6 Prohibiting attendance of teachers or pupils  
26:2T-5 through -9 Findings, declarations relative to Hepatitis C
- NJAC** 6A:14-3.4 Evaluation  
6A:16-1.1et seq. Programs to Support Student Development  
6A:32-9.1 Athletics Procedures  
8:57-2 Reporting of acquired immunodeficiency syndrome and infection with Human Immunodeficiency Virus  
8:57-4.1 Applicability  
8:57-4.2 Proof of immunization  
8:57-4.3 Medical exemptions  
8:57-4.4 Religious exemptions  
8:57-4.5 Provisional admission  
8:57-4.6 Documents accepted as evidence of immunization  
8:57-4.7 Records required  
8:57-4.8 Reports to be sent to the State Department of Health  
8:57-4.9 Records available for inspection  
8:57-4.10 Diphtheria and tetanus toxoids and pertussis vaccine  
8:57-4.11 Poliovirus vaccine  
8:57-4.12 Measles virus vaccine  
8:57-4.13 Rubella vaccine  
8:57-4.14 Mumps vaccine  
8:57-4.15 Haemophilus influenza type b (Hib) conjugate vaccine  
8:57-4.16 Providing immunization  
8:57-4.17 Emergency powers of the State Commissioner of Health  
8:61-2.1 Attendance at school by pupils or adults infected by Human Immuno-deficiency Virus (HIV)

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

#### Possible Cross References

1410, 4123, 5111, 5113, 5141, 5141.21, 6142.4, 6145.1/6145.2, 6164.2, 6171.4



# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Child Abuse & Neglect**

**Policy 5141.4**

Date Adopted: March 30, 2009

Date Revised: December 10, 2012

Page 1 of 4

First Reading: March 16, 2009

The Board of Education believes that the physical and mental well being of all children in its charge must be maintained as prerequisite to learning through the formal educational process. The Board of Education is cognizant of the importance of early identification of child abuse. The school district personnel will cooperate with the New Jersey Division of Child Protection & Permanency (DCP&P) in the identification, immediate reporting, and investigation of allegations of child abuse.

The Board of Education directs the Chief School Administrator to develop and implement procedures for compliance with the law and code requirements pertaining to allegations of child abuse. The Board of Education has designated a liaison to DCP&P. Abuse referrals are not screened or referred through the liaison. The function of the liaison is to:

Facilitate communication and cooperation between the district and DCP&P; and act as the primary contact person between the schools and the DCP&P with regard to general information sharing and the development of mutual training and other cooperative efforts.

The Chief School Administrator shall require all the employees and volunteers to receive in-service training concerning child abuse, instructional methods and techniques relative to issues of child abuse in the local curriculum, and personnel responsibilities pursuant to NJSA 9:6-8.10 et seq. This training shall include information regarding the identification and reporting of allegations of child abuse to DCP&P, as well as the investigative process conducted by DCP&P. Additionally, the employees shall be made aware of their rights and responsibilities according to law and code. A person making the report in good faith is immune.

“Anyone acting pursuant to this act in the making of a report under this act shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such person shall have the same immunity with respect to testimony given in any judicial proceeding resulting from such report” (NJSA 9:6-8.13).

Failure to make a report is a violation, and the person is subject to a \$1,000 fine and up to six months in jail.

“Any person knowingly violating the provisions of this act, including the failure to report an act of child abuse, having reasonable cause to believe that an act of child abuse has been committed, is a disorderly person” (NJSA 9:6-8.14). “No school personnel will be discharged from employment or in any manner be discriminated against as a result of making, in good faith, a report or causing to be reported an allegation of child abuse (NJSA 9:8.13). “Due process rights will be provided to school personnel who have been

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Child Abuse & Neglect**

## **Series 5000 Policy 5141.4**

Page 2 of 4

reassigned or suspended in accordance with NJSA 18A:6-10 et seq., 18A:25-1, 18A:25-6, and NJSA 9:6-3.1. Temporary reassignment or suspension of school personnel alleged to have committed an act of child abuse shall occur if there is reasonable cause to believe that the life or health of the alleged victim or other children is in imminent danger due to continued contact between the school personnel and a child (NJSA 18A:6-10 et seq. and NJSA 9:6-3.1).

### Procedures

These procedures provide direction for public school personnel to report allegations of child abuse to DCP&P and to cooperate with the investigation of such allegations.

### Reporting

School personnel, compensated and uncompensated (volunteer), having reasonable cause to believe that a child has been subjected to child abuse or acts of child abuse shall immediately report to DCP&P (N.J.S.A. 9:6-8.10). The person reporting the alleged child abuse shall inform the Chief School Administrator or designee of the report after DCP&P referral has been made. However, notice to the Chief School Administrator or designee need not be given when the person believes that such notice would be likely to endanger the referrer or child involved or when the person believes that such disclosure would be likely to result in retaliation against the child or in discrimination against the referrer with respect to his or her employment.

When referring cases to DCP&P, the school referrer should provide, when possible, the following information:

- the name of the child;
- the age and grade of the child;
- the name and addresses of the child's parent or guardian or other person having custody and control (for example a foster parent)
- a description of the child's condition, including any available information concerning current or previous injuries, abuse, or maltreatment;
- the nature and possible extent of the child's injuries, abuse, or maltreatment; and
- any other pertinent information that the referrer believes relevant with respect to the child and/or to the identity of the alleged perpetrator.

Noninstitutional Child Abuse-abuse alleged to have taken place in the home or community by parent, guardian, or any other person having custody or control of the child or

Institutional Child Abuse-abuse alleged to have taken place in a school or other institutional setting by school personnel, compensated and uncompensated (volunteer), should be reported as follows:

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Child Abuse & Neglect**

## **Series 5000 Policy 5141.4**

Page 3 of 4

In person or by telephone to the local DCP&P office weekdays between 9 a.m. and 5 p.m. at 935-6350; weekends, holidays, or after hours at 1-877-652-2873.

### Investigations

The Board of Education has detailed the district responsibilities as follows:

Cooperate with DCP&P in investigations of child abuse that have occurred at any time outside or within the confines of the school or during a school-related function.

Permit DCP&P investigator to interview the child in the presence of the school principal or designee.

If the child is intimidated by the presence of the school representative, the child shall name a staff member, whom he or she feels will be supportive, who will be allowed to accompany the child during the interview. The purpose of including a school representative is to provide comfort and support to the child, not to participate in the investigation.

Cooperate with DCP&P in scheduling interviews with any school personnel who have information relevant to the investigation.

Release, in accordance with N.J.S.A. 18A:36-19 and N.J.A.C. 6:3-2, all pupil records of the child under investigation that are deemed to be relevant to the assessment or treatment of child abuse N.J.S.A. 9:6-8.40.

Maintain and secure all confidential information about child abuse cases in accordance with N.J.S.A. 18A:36-19 and N.J.A.C. 6:3-2.

DCP&P may release information to:

- “An agency authorized to care for, treat or supervise a child who is the subject of a child abuse report, or a parent, guardian, or other person who is responsible for the child’s welfare, or both, when the information is needed in connection with the provision of care, treatment or supervision to such child or such parent, guardian or other person” N.J.S.A. 9:6-8.10A.
- “Any person who willfully permits or encourages the release of the contents of any record or report in contravention of this act shall be guilty of a misdemeanor and subject to a fine of not more than \$1,000 or to imprisonment for not more than 3 years, or both” N.J.S.A. 9:6-8:10b.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Child Abuse & Neglect**

**Series 5000**

**Policy 5141.4**

Page 4 of 4

- Permit DCP&P to physically remove pupils from school during the course of a school day when it is necessary to protect the child or take the child to a service provider. Such removal shall take place once the Chief School Administrator or designee has been provided, either in advance or at the time removal is sought, with appropriate authorization as specified in N.J.S.A. 9:6-8.27 through 8:30; and
- Cooperate with DCP&P when it is necessary to remove the child from his or her home for proper care and protection and when such removal results in the transfer of the child to a school other than the one in which he or she is enrolled.

#### Legal References

- NJSA 9:6-1 et seq. Abuse, abandonment, cruelty and neglect of child;  
18A:6-7a, -10, -11, -13, -14, -18.1, -30, -30.1 Removal from personnel files of reference to complaint of child abuse or neglect determined to be unfounded  
18A:25-1 Transfer of teaching staff members  
18A:25-6, -7 Suspension of assistant superintendents, principals and teachers ...  
18A:36-19 Pupil records; creation; maintenance and retention, security and access; regulations; nonliability  
18A:36-19a Newly enrolled students; records and identification  
18A:36-24 et seq. Missing children; legislative findings and declarations  
52:17B-9.8a et seq. Marking of missing child's school record
- NJAC 6A:16-1.4 et. seq. District policies and procedures  
6A:16-11.1 et seq. Reporting Allegations of Child Abuse and Neglect  
6A:32-7.1 et seq. Student records

#### Possible Cross References

5113, 5125, 5141.1, 5142

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Early Detection of Missing Children**

**Policy 5141.5**

Date Adopted: March 30, 2009

Date Revised: December 10, 2010, November 19, 2018

Page 1 of 3

The Board of Education is deeply concerned with early detection of any missing or abused children. Attendance at school can be a means of identifying such children. Accordingly, the Chief School Administrator shall implement procedures designed to provide for reporting to appropriate law enforcement and child welfare authorities when a potential missing or abused child is detected.

Furthermore, though limits are set on certain numbers of days for certain kinds of action, these limits are maximums, not minimums, and the Administrator is encouraged to take bolder steps and to act sooner than the limits established in every category. Additionally, it is recognized that the Administrator's daily procedures may demand more stringent accounting from parents than provided for herein; it is most appropriate that these practices should be continued and form a sound base for the implementation of this policy:

1. Attendance

- A. Any child absent from our schools for five consecutive days without the administration being aware that the absence is for a known cause shall be considered "at risk" as a potentially abused or missing child.
- B. Any absent child for whom there are grounds for the reasonable suspicion of the potential for abuse or abduction shall be considered an "at risk" child.
- C. A student who never appears on the school's register because he/she has the status of a "did not enter" student shall be considered an "at risk" child and every effort shall be made to account for his/her welfare and safety, as indicated below.
- D. The schools shall attempt to contact the home of each "at risk" child by phone on a daily basis or by mail. An attempt should also be made to locate the child through the emergency notification information that the parents have provided the school, and any other information that is available to the school.
- E. If, after three days, there is no response affirming the safety of the child, the attendance officer shall make an on-site investigation at the child's home.
- F. If the attendance officer is unable to confirm the safety of the child, the school shall consider the child to be missing and shall notify the New Jersey Division of Child Protection & Permanency (DCP&P), the proper police authorities, and other appropriate agencies and organizations. The school shall provide these agencies all information from the school records that could help in search for the child.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Early Detection of Missing Children**

**Policy 5141.5**

Page 2 of 3

2. Release from School

During the school session, a child may be excused only into the custody of his/her custodial parent/guardian. The school may release a child into the care of another person with written permission from the parent/guardian. The persons who are listed on a properly completed emergency notification form may be treated by the school as in loco parentis.

3. Students Transferring to Another School

When issuing a transfer card, the school shall attempt to ascertain all possible information about the destination of the child's family, including the future address, job site, names of relatives or friends in the area, and the anticipated date of the student's arrival at the new school.

If the school has not received confirmation of the student's arrival at the new district within one week of the anticipated date of arrival, the new school district should be called and attempts made to locate the child through school districts and the other information that the school has available. If these attempts prove to be fruitless, reports shall be made to DCP&P and the appropriate police authorities indicating that the school is unable to confirm that the child has reached his/her destination. The proper police authorities, DCP&P, and other appropriate agencies and organizations shall be provided any information from the school records that could help in a search for the child.

4. Students Transferring from Another School

A. When a student transfers in from another school, the guardianship of the child will be verified from the transfer card, through contact with the previous district, by court records, the child's school records, or other appropriate means. If the child is residing with someone other than the apparent legal guardian, the school must report this discrepancy to DCP&P the proper police authorities, and other appropriate agencies and organizations. In the meantime, the school must verify the student's entitlement to a free public education in this school district in a reasonable amount of time. A week of free public education in this school district is reasonable amount of time. A week, except in unusual circumstances, through all of the following means, as prescribed by law:

- (1) A sworn statement by the person with whom the child resides that he/she:
  - is domiciled in the district,
  - is supporting the child gratis,

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

### **Early Detection of Missing Children**

**Policy 5141.5**

Page 3 of 3

-will assume all personal obligations of the child relative to school requirements,

-intends to keep and support the child gratuitously for a longer time than merely through the school term.

- (2) A copy of the lease of the person with whom the child resides, if the person is a tenant, or a sworn statement of the landlord acknowledging that such person is residing as a tenant without written lease.
- (3) A sworn statement by the child's legal parent that he/she is not supporting the child.
- (4) A satisfactory documentation as to the validity of the sworn statement.

#### **5. Student Registration**

- A. A child may be registered into school while documentation of guardianship is being resolved, provided however, that proper health records have been verified and there is adequate information on which to make an educational placement.
- B. If the school is not able to verify the student's entitlement to a free public education in this district through the means listed in 4A above, in a reasonable amount of time, the student shall be excluded from school.
- C. If the non-parent with whom the child resides chooses to contest the school's decision before the Commissioner of Education, the school shall admit and register the child during the pendency of such proceedings.

#### **6. Registered Students Not in the Custody of a Person with Legal Parental Status**

If a registered student should reside out of the custody of a legal guardian, all of the procedures of document custody and residence which are listed in part 4 above, shall be instituted, as if the child were transferring in from another school.

#### **Legal References**

NJSA 18A:36-24 et seq Missing children

52:17B-9.8a et seq Marking of missing child's record

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Control of AIDS**

**Policy 5141.6**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 2

First Reading: March 16, 2009

The Board of Education recognizes that many difficult issues are raised when pupils are infected with Human Immunodeficiency Virus (HIV). The right of such pupils to a thorough and efficient education and the benefit to them of an education in the school setting must be balanced against the interests of the school community to a safe environment.

The Board will, in compliance with the rules of the NJ State Board of Education and the state department of health, permit the exclusion from the regular school setting of a pupil infected with HIV only when the pupil is not toilet trained or is incontinent or cannot control drooling or is unusually physically aggressive with a documented history or harming or biting others. A pupil infected with HIV may not be excluded in the absence of one or more of these exceptional characteristics and may not be excluded to protect the pupil against infection by others.

A pupil of school age infected with HIV, who does not demonstrate one or more of the characteristics that warrants exclusion, will be admitted to the regular school setting. His or her medical condition will be held in strict confidence, and his or her infection with HIV will be withheld from public records of this district.

When a pupil in this district or a pupil who seeks admission to this district is identified as infected with HIV, the school physician shall confer with the pupil's physician to determine whether the pupil should be excluded from school in accordance with this policy. The school physician shall promptly report his or her determination to the Board; the Board shall, within ten (10) days of the request to admit the pupil, decide to exclude or admit the pupil in accordance with the state Board rules and the following guidelines:

1. If the school physician approves the admission of the pupil, the pupil will be permitted to attend the regular school session. In the event the pupil subsequently develops any of the characteristics that warrant exclusion, the school physician shall be notified.
2. If the school physician, the pupil's physician, and the pupil's parent or guardian agree that the pupil should be excluded from school, and appropriate alternative education shall be planned and implemented.
3. If the physician inspector determines that the pupil should be excluded from the school and the pupil's physician disagrees, the pupil's admissibility shall be determined by the Commissioner of Education on the recommendation of a medical advisory panel appointed by the Commissioner of Health.

The Board will promptly submit to the County Superintendent of Schools the pupil's entire medical record including all medical information relied on the Board in its exclusion decision; all information supplied by the pupil's parent or guardian and



# **Elsinboro Township Board of Education District Policy Manual**

## **Students Control of AIDS**

**Series 5000  
Policy 5141.6**

Page 2 of 2

physician; a written statement of the school medical inspector's reasons for exclusion; the qualifications and credentials of all experts relied on by the Board and the school physician; and, in the case of a classified pupil, child study team evaluation reports recommendations and the pupil's Individual Educational Plan (IEP).

The names of the pupil and his or her parents or guardian will be removed from the records submitted to the County Superintendent of Schools; future district references to the pupil will be by the code number supplied by the department of education.

Pending the determination of the Commissioner, the pupil shall be temporarily excluded from school and given an alternative program of home instruction appropriate to the pupil's needs and in accordance with the rules of the NJ State Board of Education. The professional staff members teaching the pupil will be appropriately certified and trained in proper precautions against the possible transmission of disease.

No pupil, staff member, or visitor may attend or visit school if he or she has an uncoverable weeping lesion, whether or not the person has been screened for HIV.

A school employee infected with HIV shall not be restricted in his or her employment for reason of HIV infection unless the employee has another illness that would affect employment.

### Legal References:

NJSA18A:40-7, 18A:40- 8  
NJAC 6:29-2.1, 6:29-2.4, 6:29-7

### Possible Cross Reference:

5141.3

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

### **HIV Status of Students**

**Policy 5141.7**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 2

First Reading: March 16, 2009

The Board of Education is committed to conforming to all applicable laws regarding students who are HIV positive, have AIDS or are suspected of being HIV positive or having AIDS. Toward this end, the Board adopts the following policy and directs the Chief School Administrator to develop the procedures necessary to ensure compliance with it:

1. **Confidential Information:** Confidential information regarding a current or prospective pupil's HIV/AIDS status is not required to be furnished to the school or district, or any representative thereof. HIV/AIDS status is therefore an exception to records required pursuant to students' physical examinations. No inquiry shall be made regarding the HIV status of a current or prospective pupil. All records containing identifying information regarding same shall be kept strictly confidential. No information relating to the HIV/AIDS status of a student shall be disclosed except in accordance with the provisions of NJSA 26:5C-5 et seq. Information concerning the HIV status of a pupil may be shared only with the written consent of the pupil's parent, guardian, or other individuals authorized under state law to act on the pupil's behalf, and then only with those who need to know the status to determine the appropriate educational program for the pupil.
2. **Enrollment/Attendance of Pupils:** No pupil, including individuals entitled to school attendance in grades K-12, and pre-kindergarten children who are entitled to school attendance, shall be excluded from attending school due to HIV infection, nor shall any pupil be excluded to protect himself/herself against exposure to the infectious diseases of others. The presence of HIV infection also may not be used, in and of itself, to exclude any pupil by way of classification as eligible for home instruction. Additionally, pupils who have HIV and are symptomatic and/or diagnosed with AIDS are not to be excluded from school by virtue of the diagnosis, but may only be excluded for the medical or health conditions which would lead to exclusion of any other pupil. This policy applies to all pupils, whether currently enrolled or seeking enrollment. AIDS or HIV infection shall not be considered a communicable disease for purposes of admission to or attendance in an education facility or eligibility for the pupil.

No pupil may be excluded from school solely by virtue of their being related to an HIV-infected individual.

3. **Exclusion Required:** Any pupil, regardless of his/her HIV status, is to be removed if he/she has weeping skin lesions that cannot be covered.
4. **Procedures for Handling Blood or Body Fluids:** Training and supplies for the handling of blood and body fluids shall be made available to school personnel,

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **HIV Status of Students**

**Series 5000**

**Policy 5141.7**

Page 2 of 2

whether or not pupil HIV are present, and nurses, custodians and teachers in particular are to have knowledge of the proper techniques in the handling and disposal of such materials. It shall be the responsibility of the Chief School Administrator to secure appropriate supplies and training for school employees.

#### Legal References:

NJAC 6:29-3.4(1), 5.2(a), 6.3(c)41, 1.2(a)1, 1.2(b)1i, 1ii, 1iii, 1.4(a), 1.4(c), 2.1(d), 2.3, 6.5(a)2, 6:284-6, 26:1A-9.1, 6:29-1.1 et seq., 1.2(a)1-1.2(b)1i, 1ii, 1iii, -1.4(a), (c), -2.1, -2.2, -2.3, -3.4(d), (e), (f), -5.2(a), -6.3(c)4i, -6.5, 8:57-2, -4.1, -4.2, -4.3, -4.4, -4.5, -4.6, -4.7, -4.8, -4.9, -4.10, -4.11, -4.12, -4.13, -4.14, -4.15, -4.16, -4.17, 8:61-1.1  
NJSA 18A:35-4.6, -4.8, 40-4, 40-4.3, 40-4.4, 40-4.5, 40-5, 40-6, 40-11, 40-16-19, 40-20, 26:4-6

#### Possible Cross References:

1410, 4123, 5111, 5113, 5141, 5141.21, 6142.4, 6145.1/6145.2, 6164.2, 6171.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Automated External Defibrillator**

**Policy 5141.9**

Date Adopted: March 30, 2009

Date Revised: January 6, 2014, August 11, 2014,  
November 19, 2018

Page 1 of 5

The American Heart Association estimates many lives could be saved if defibrillators were more widely available. Due to technological advances, automated external defibrillators (AEDs) may be used by laypersons without any training to provide defibrillation within the first minutes of cardiac arrest thereby increasing the victim's chances of survival. In accordance with NJSA 18A:40-41.a, the Board of Education shall ensure every school in the school district has an AED as defined in NJSA 2A:62A-24. The AED shall be made available in an unlocked location on school property with an appropriate identifying sign. The AED shall be accessible during the school day and any other time when a school-sponsored athletic event or team practice is taking place in which pupils of the school district are participating. The AED shall be within reasonable proximity of the school athletic field or gymnasium, as applicable.

A team coach, licensed athletic trainer, or other designated staff member if there is no coach or licensed athletic trainer, who is present during athletic events or team practices, shall be trained in cardio-pulmonary resuscitation and the use of the AED in accordance with the provisions of NJSA 2A:62A-25.a. The school district shall be deemed to be in compliance with NJSA 2A:62A-25.a, if a State-certified emergency services provider or other certified first responder is on site at the event or practice.

Each AED in the school district shall be tested and maintained according to the manufacturer's operational guidelines. Notification shall be provided to the appropriate first aid, ambulance, rescue squad, or other appropriate emergency medical services provider regarding the AED, the type acquired, and its location in accordance with NJSA 2A:62A-25.b and c.

The school district and its employees shall be immune from civil liability in the acquisition and use of AEDs pursuant to the provisions of NJSA 2A:62A-27.

In accordance with the provisions of NJSA 18A:40-41.b, the Chief School Administrator or designee shall establish and implement an Emergency Action Plan applicable to each school in the school district for responding to a sudden cardiac event including, but not limited to, an event in which the use of an AED may be necessary. The Emergency Action Plan shall be consistent with the provisions of NJSA 18A:40-41.a and, at a minimum, shall include a list of no less than five school employees, team coaches, or licensed athletic trainers who hold current certifications from the American Red Cross, American Heart Association, or other training programs recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and in the use of an AED. This list shall be updated, if necessary, at least once in each semester of the school year.

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Automated External Defibrillator**

**Policy 5141.9**

Page 2 of 5

The Emergency Action Plan shall also include detailed procedures on responding to a sudden cardiac event including, but not limited to, the identification of the persons in the school who will be responsible for responding to the person experiencing the sudden cardiac event; calling 911; starting cardio-pulmonary resuscitation; retrieving and using the AED; and assisting emergency responders in getting to the individual experiencing the sudden cardiac event.

## Regulations/Procedures

### Automated External Defibrillator (AED)

- A. Every school in the school district shall have an AED as defined in NJSA 2A:62A-24.
- B. For the purposes of this Policy and Regulation, “automated external defibrillator” or “defibrillator” or “AED” means a medical device heart monitor and defibrillator that:
  - Has received approval of its pre-market notification filed pursuant to 21U.S.C. §360(k) from the United States Food and Drug Administration;
  - Is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, and is capable of determining, without intervention by an operator, whether defibrillation should be performed; and,
  - Upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual's heart.

### Location and Availability of AED

- A. The AED shall be made available in an unlocked location on school property with an appropriate identifying sign.
- B. The AED shall be accessible during the school day and any other time when a school-sponsored athletic event or team practice is taking place in which pupils of the school district are participating.
- C. The AED shall be within reasonable proximity of the school athletic field or gymnasium, as applicable.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Automated External Defibrillator**

**Series 5000**

**Policy 5141.9**

Page 3 of 5

#### Training Requirements for Using an AED

- A. A team coach, licensed athletic trainer, or other designated staff member if there is no coach or licensed athletic trainer, who is present during athletic events or team practices, shall be trained in cardio-pulmonary resuscitation and the use of the AED in accordance with the provisions of NJSA 2A:62A-25.a. The school district shall be deemed to be in compliance with this requirement if a State-certified emergency services provider or other certified first responder is on site at the event or practice.
- B. Prior to using an AED a school employee must have successfully completed and hold a current certification from the American Red Cross, American Heart Association, or other training programs recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and the use of an AED.
- C. The Board of Education shall not be liable for any act or omission of any layperson who uses the defibrillator in the rendering of emergency care.
- D. Each AED shall be maintained and tested according to the manufacturer's operational guidelines.
- E. The Principal or designee shall notify the appropriate first aid, ambulance, rescue squad, or other appropriate emergency medical services provider that the school has acquired an AED, the type acquired, and its location.
- F. Prior to purchasing an AED, the Chief School Administrator or designee will provide the prescribing licensed physician with documentation that the school district has a protocol in place to comply with the requirements listed above.

#### Immunity from Civil Liability

- A. Any person who uses an AED shall request emergency medical assistance from the appropriate first aid, ambulance, or rescue squad as soon as practicable. However, a layperson who, in good faith, fails to request such emergency medical assistance shall be immune from civil liability for any personal injury that results from that failure.
- B. The school district and its employees shall be immune from civil liability in the acquisition and use of AED(s) pursuant to the provisions of NJSA 2A:62A-27.
  - Any person or entity who, in good faith, acquires or provides an AED, renders emergency care or treatment by the use of an AED, assists in or supervises the emergency care or treatment by the use of an AED, attempts to use an AED for the purpose of rendering emergency care or treatment, and who has complied with the requirements of NJSA 18A:40-41.a and b, and NJSA 2A:62A-23 through 2A:62A-27 shall be immune from civil liability for any personal injury as a result of that care or treatment, or as a result of any acts or omissions

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Automated External Defibrillator**

**Series 5000**

**Policy 5141.9**

Page 4 of 5

by the person or entity in providing, rendering, assisting in, or supervising the emergency care or treatment.

- A person or entity providing or maintaining an AED shall not be liable for any act or omission involving the use of an AED in the rendering of emergency care by a layperson.
- C. The immunity noted above shall include the prescribing licensed physician and the person or entity who provided training in cardio-pulmonary resuscitation and use of the AED.
- D. NJSA 2A:62A-27 shall not immunize a person for any act of gross negligence or willful or wanton misconduct. It shall not be considered gross negligence or willful or wanton misconduct to fail to use a defibrillator in the absence of an otherwise pre-existing duty to do so.

### Emergency Action Plan

The Chief School Administrator or designee shall establish and implement an Emergency Action Plan applicable to each school in the district for responding to a sudden cardiac event including, but not limited to, an event in which the use of an AED may be necessary.

The Emergency Action Plan shall be consistent with the provisions of NJSA 18A:40-41.a and, at a minimum, shall include a list of no less than five school employees, team coaches, or licensed athletic trainers in each school building who hold current certifications from the American Red Cross, American Heart Association, or other training programs recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and in the use of the AED. This list shall be updated, if necessary, at least once in each semester of the school year.

The Emergency Action Plan shall also include detailed procedures on responding to a sudden cardiac event including, but not limited to:

- A. The identification of the persons in the school who will be responsible for responding to the person experiencing the sudden cardiac event;
- B. Calling 911;
- C. Starting cardio-pulmonary resuscitation;
- D. Retrieving and using the AED; and
- E. Assisting emergency responders in getting to the individual experiencing the sudden cardiac event.

Revision and updating of these guidelines will be the responsibility of the Board of Education.

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Automated External Defibrillator**

**Policy 5141.9**

Page 5 of 5

## Legal References

NJSA 2A:62A-1 “Good Samaritan Act”

18A:11-1 General mandatory powers and duties

18A:11-3 Voluntary associations resulting student activities; rules and regulations; appeals

18A:40-41a et seq Schools required to have AED – “Janet’s Law”

18A:40-4.5 No court action against school personnel

AED’s in the School, Stapleton, E., Ed Louis J. Acompora Memorial Foundation, 1998

Fundamentals of BLS for Healthcare Providers, AHA, 2001

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

## Possible Cross References

5141.1, 5141.2, 6153



# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

### **Safety: Personal & Property**

**Policy 5142**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 7

First Reading: March 16, 2009

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

#### Facilities

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

#### Staff Education and Training

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

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

#### Student Supervision

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

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Safety: Personal & Property**

**Series 5000**

**Policy 5142**

Page 2 of 7

No pupil shall leave the school before the end of the school day without permission of the Chief School Administrator/designee granted upon written request of the parent/guardian for good cause known to the Chief School Administrator.

Telephoned requests for excuse of pupils from school shall be referred to the Chief School Administrator and honored with caution. Elementary pupils must be provided with proper escort.

No pupil shall run errands on school business off the school property.

The curriculum shall include courses in safety as required by state law. The Chief School Administrator shall oversee development and implementation of a vocational education safety program correlated with coursework. In development of courses, the safety of participating pupils shall be a primary consideration.

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

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

#### Supervision of Pupils During Dismissal

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

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

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Safety: Personal & Property**

**Series 5000**

**Policy 5142**

Page 3 of 7

The Board of Education will review the dismissal procedures annually.

#### Supervision of Non-bused Pupils at Dismissal

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

All documented arrangements will be considered permanent for the entire school year. Parents/Guardians may alter arrangements upon prior written notification to the Chief School Administrator/designee.

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

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

#### Notification of Dismissal Protocols

The Chief School Administrator/designee shall ensure that parents are notified of the following:

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

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

The Chief School Administrator will develop procedures:

- A. For parents/guardians to provide signed acknowledgement of receipt of the school calendar, including all school closure and early dismissal dates, and the school dismissal policy and procedures,

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Safety: Personal & Property**

**Series 5000**

**Policy 5142**

Page 4 of 7

- B. For parents/guardians to indicate and define the circumstances that the pupil is to be released from the school's care at dismissal,
- C. For the collection and retention of all documents pertaining to receipt of calendar and escort/transportation arrangements.

#### Potentially Missing Children

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

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

#### Release to an Individual Impaired by Drugs/Alcohol Prohibited

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

#### Megan's Law

Only law enforcement agencies in the community receive notification of the presence of Tier One offenders. The Chief School Administrator and his/her designees in affected schools shall receive notification from the county prosecutor's office or local law enforcement officials when Tier Two or Tier Three sex offenders move into the district. The Chief School

Administrator/designee shall inform those employees/ volunteers whose duties regularly put them in a position to observe unauthorized persons on or near the property of the school. Chief School Administrator/designee shall determine who to notify on the basis of this

definition, as well as on specific job duties carried out in their schools. If private vendors perform any of these functions, the Chief School Administrator/designee shall inform the vendor. Notification may include, but is not limited to:

- A. Aides
- B. Bus drivers
- C. Coaches
- D. Maintenance staff
- E. Professional support staff

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Safety: Personal & Property**

**Series 5000**

**Policy 5142**

Page 5 of 7

- F. School level administrative staff
- G. Security personnel
- H. Teachers' aides
- I. Teachers

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

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

- A. Members of E.S.A. (Elsinboro School Association)
- B. Organizations using school facilities
- C. Other schools
- D. Press

The Chief School Administrator/designee shall provide registration forms to any organization that uses the school facilities, including a parent-teacher organization that wishes to be notified by the county prosecutor's office of the presence of a Tier Two or Tier Three offender in the community.

In addition to the school personnel identified by the Chief School Administrator/designee, students and parents/guardians shall be notified of the presence of Tier Three offenders. The prosecutor's office and local law enforcement shall supply the school with notices for them when a school is located in the area where a vulnerable population is likely to encounter a Tier Three offender. Dissemination of these notices shall be in accord with law and accomplished in cooperation with the county prosecutor's office.

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

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

# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**Safety: Personal & Property**

**Policy 5142**

Page 6 of 7

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

## Rights of Parents

The Board of Education recognizes that the parents of each child are ultimately responsible for the care and custody of that child, and that both parents share that responsibility equally. The Board recognizes as well that, where only one parent has legal custody of a child, the custodial rights and responsibilities of the other parent may be limited. The Board believes that the interests of each child are best served by the continuing involvement of both parents in the child's life and well-being.

The Board will presume that each natural or adoptive parent or legal guardian of a pupil enrolled in this district possesses full parental rights of access to the pupil and to information about the pupil, notwithstanding any separation of the parents or dissolution of their marriage. Accordingly and in the absence of notice to the contrary, the Board directs that school administrators accommodate the needs of both parents for access to their child, to their child's teachers, and to information about their child.

The Board's presumption of the equal rights and responsibilities of parents may be set aside only upon the presentation to the Chief School Administrator of proper notice that custody of a pupil resides in only one parent and that the custodial rights of the other parent have been limited. When such notice is duly presented, the Chief School Administrator will be directed by the terms of that notice to limit the access of the non-custodial parent to the child or to information about the child. Proper notice consists of the custodial parent's sworn affidavit or certification supported by a copy of the pertinent portion of a legal agreement or court order that awards custody and establishes the rights and limitations of the non-custodial parent or terminates the parental rights of the non-custodial parent.

Nothing in this policy shall be construed as limiting in any way the rights of the non-custodial parent whose parental rights have not been terminated to full access to his/her child's records and to full participation, in accordance with law, in the decisions regarding his/her handicapped child's evaluation, classification and placement.

## Personal Property

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

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Safety: Personal & Property**

**Series 5000**

**Policy 5142**

Page 7 of 7

#### School Violence Awareness Week and Annual Public Hearing

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

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

#### Legal References:

NJSA 2C:7-2, et seq, 2C:39-5, 18A:6-2, 18A:17-42 et seq, 18A:20-21, 18A:35-5, 18A:35-5.1-5.3, 18A:36-24-25, 18A:36-29 et seq, 18A:40-12.1 et seq, 18A:41-1 et seq, 30:5B-26 et seq, 34:5A-1 et seq, 39:4-183.1a, 52:27D-123.9 et seq  
NJAC 5:23-11 – 11.4, 6A:8-5.1, 6A:16-1.1 et seq, 6A:16-2.1, 6A:16-5.1 et seq, 6A:16-6.1 et seq, 6A:19-10.2, 6A:26-12.1 et seq, 6A:27-11.1 et seq

#### Manual for the Evaluation of Local School Districts

#### Possible Cross References:

1250, 1410, 3333/3010, 3516, 3530, 3541.33, 4112.4, 4131/4131.1, 4212.4, 4231/4231.1, 5020, 5113, 5124, 5125, 5131, 5131.5, 5131.6, 5131.7, 5141.1, 5141.2, 5141.4, 5141.21, 5145.12, 5142, 6114, 6142.12

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Safety Patrol**

**Policy 5142.1**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board of Education believes that student safety patrols can contribute greatly to the development of good traffic habits and can provide opportunities for growth in leadership skills.

Therefore, the Chief School Administrator shall develop regulations for the formation of Safety Patrols.

These regulations shall be include but not be limited to the provision for:

- A. Appointment of a faculty advisor to select, instruct and discipline members of the Safety Patrol;
- B. Informing candidates and their parents/guardians of the purpose and activities of the Safety Patrol and the possible hazards;
- C. An outline of suitable duties;
- D. Obtaining signed, written consent from the parent/guardian for the student's involvement in the safety patrol;
- E. Cooperation with law enforcement agencies.

### Legal References:

NJSA 18A:42-1

NJAC 6A:26-12.2(a)(3)



# **Elsinboro Township Board of Education District Policy Manual**

**Students**

**Series 5000**

**School Symbols, Colors**

**Policy 5144**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

## School Colors

Green and White are the approved school colors. The school colors may be worn by pupils on certain occasions throughout the year.

## School Symbol

The school mascot is the Trojan.

## Legal References:

NJSA 18A:11-1

## Possible Cross References:

1410

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Questioning & Apprehension**

**Policy 5145.11**

|                               |                                 |             |
|-------------------------------|---------------------------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: December 10, 2012 | Page 1 of 2 |
| First Reading: March 16, 2009 |                                 |             |

The Board of Education acknowledges that the law compelling school attendance vests in the Board a custodial responsibility for the pupils in its charge and a duty to protect those children from persons not associated with the school district.

The Board further recognizes that its interest in helping pupils understand and respect the law is best served by a close and cooperative relationship with local law enforcement agencies and directs the Chief School Administrator to institute a program of such communication and cooperation.

In order to protect pupils' rights during the time they are under school control, the Chief School Administrator/designee shall interview every person who wishes to question a pupil on school property during the school day. The Chief School Administrator shall be informed of such incidents.

### Law Enforcement Officers

- A. If the officer has an arrest warrant, the Chief School Administrator/designee shall ensure that all procedural safeguards as prescribed by law are observed. No pupil shall be taken from the school without the knowledge of the Chief School Administrator/designee. The Chief School Administrator/designee shall make every reasonable effort to notify parent/guardians. The Chief School Administrator shall be informed whenever such apprehensions take place.
- B. If the officer has a juvenile complaint or wants to question a pupil on school property, the Chief School Administrator/designee shall request that the questioning be delayed if possible until the parents/guardians can be present. If the officer refuses and the Chief School Administrator/designee is convinced that the situation justifies questioning, he/she must attempt to have the parents/guardians informed immediately and shall remain with the pupil during the questioning.
- C. If the officer is an agent of the New Jersey Division of Child Protection & Permanency (DCP&P) the agent shall determine whether the presence of a parent/guardian or school employee is appropriate.

### Private Persons

If a private person wishes to question a pupil on school property during the school day, generally parents/guardians shall be notified of the request and give their permission before the Chief School Administrator/designee will permit the private person to question the pupil. In cases involving possible harm to another pupil that might be prevented by early information, the Chief School Administrator/designee may permit such questioning if the parent/guardian cannot be reached. The Chief School Administrator/designee shall be present during the questioning.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Questioning & Apprehension**

**Series 5000  
Policy 5145.11**

Page 2 of 2

### Substance Abuse Questioning by Staff

When questioning any pupil about possible possession, use or distribution of prescribed substances, drug paraphernalia, alcohol, firearms or other deadly weapons, staff shall follow the procedures adopted by the Board in compliance with administrative code.

### Generally

The Chief School Administrator shall notify the Board president when the police have sought to question a pupil in school, and the outcome of the incident. The district shall make every effort to establish close and cordial relationships with local law enforcement and other agencies, while ensuring that the parents/guardians are informed and pupil rights protected.

### Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for Disclosure
- 2C:35-5 Comprehensive Drug Reform Act of 1986
- 18A:11-1 General mandatory powers and duties
- 18A:54-20 Powers of board (county vocational schools)
  
- NJAC 6A:16-4.1 Adoption of policies and procedures for the intervention of student alcohol and other drug abuse
- 6A:16-5.1 et seq. School Safety
- 6A:16-6.1 et seq. Law Enforcement Operations for Substances, Weapons,
- 6A:32-7 et seq. Student records
  
- New Jersey Constitution, Article I, para. 7
- U.S. Constitution, Amendment IV, V, XIV
- The New Jersey School Search Policy Manual, New Jersey Attorney General (1998)
- In re Gault, 387 U.S. 1 (1967)
- A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

### Possible Cross References

1410, 5114, 5131, 5131.6, 5131.7, 5145.12

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Search & Seizure**

**Policy 5145.12**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

A pupil's person and possessions may be searched by a school official provided that the official has reasonable grounds to suspect that the search will turn up evidence that the pupil has violated or is violating either the law or the rules of the school. Under no circumstances shall a search be conducted based solely upon an anonymous tip and/or rumor that contraband is present. The extent or scope of the search shall be reasonable related to the objectives of the search and not excessively intrusive in light of the age and sex of the pupil and the nature of the infraction. A physical search may only be conducted by a staff member of the same sex as the pupil. Before instituting such a search, except in cases of emergency, the Chief School Administrator shall try to inform the parents/guardians and request their presence.

School personnel shall not conduct strip searches or body cavity searches of any pupils under any circumstances.

### Searches for Controlled Dangerous Substances/Drug Paraphernalia /Alcohol/ Firearms/ Other Deadly Weapons

Searches conducted by staff when there is suspicion that laws and policies on safe and drug free schools are being violated shall be based on the reasonable grounds required by this policy. When law enforcement officials conduct the search, then more stringent grounds required by law must be applied.

### Legal References:

NJSA 2A:4A-60 et al, 18A:11-1, 18A:36-19.2, 18A:37-6.1, 18A:54-20

NJAC 6A:16-6.1 et seq.

State in interest of TLP 94NJ 33 (1983) NJ v TLO, 469US 325, 53 (1985)

Vernonia School District 47J v Acton et uz, Guardians ad litem for Actor  
\_\_US\_\_, 115 Ct. 2386 (1995)

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

A Uniform State Memorandum of Agreement Between Education and Law  
Enforcement Officials (1999 Revisions)

### Possible Cross References:

1410, 5114, 5131, 5131.6, 5131.7, 5145.11

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Equal Educational Opportunity**

**Policy 5145.4**

Date Adopted: March 30, 2009

Date Revised: September 12, 2011, April 14, 2014

Page 1 of 4

The district shall provide an equal opportunity for all enrolled children to achieve their maximum potential through the programs offered in these schools regardless of any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes. Enforcement of other district affirmative action policies (2224 and 6121) contribute to this legally required equality of educational opportunity.

Staff members shall maintain professional relationships with pupils at all times and develop wholesome and constructive relationships with them. Staff members shall be expected to regard each pupil as an individual and to accord each pupil the rights and respect that is due him/her.

Staff members shall promote a learning environment that encourages fulfillment of each pupil's potential in regard to his/her program, consistent with the district goals and with optimal opportunities for pupils. This goal may be reached by adapting instruction to individual needs, by:

- A. Insisting on reasonable standards of scholastic accomplishment for all pupils;
- B. Creating a positive atmosphere in and out of the classroom;
- C. Extending the same courtesy and respect that is expected of pupils;
- D. Treating all pupils with consistent fairness.

The Board of Education guarantees to all pupils equal access to all academic programs within the learning environment.

Pupils shall respect the rights of other pupils to receive an education in an environment that is conducive to learning and personal growth. No pupils shall have the right to abridge another pupil's right to privacy or right to hold personal beliefs that are different from those of the mainstream.

### Harassment

The district's affirmative action program is part of each academic program regarding all pupils. No one – including pupils, staff members, vendors, volunteers, or visitors – shall commit an act of harassment/discrimination of any kind against any member of the school community on any of the grounds prohibited by law.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Equal Educational Opportunity**

## **Series 5000 Policy 5145.4**

Page 2 of 4

Harassment is defined as a repeated pattern of unprovoked aggressive behaviors of a physical and/or psychological nature carried out by individual or a group against an individual or group with the effect of causing harm or hurt. Harassing behaviors are all those behaviors that are unwelcome, unwanted and uncomfortable in the view of the recipient. They all have the effect of creating a hostile environment.

Harassment may be claimed by a third party. That is, individuals who are not directly involved in the behavior may experience a hostile environment. They shall have the same legal rights to act under this policy as those directly victimized.

### Sexual Harassment

Particularly, the Board of Education shall maintain an academic environment that is free from sexual harassment.

Sexual harassment shall consist of unwanted and unwelcome sexual advances, requests for sexual favors, and other inappropriate conduct or communication of a sexual nature when made by any staff member to a pupil, by any pupil to another pupil, or by any pupil to a staff member when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of a pupil's evaluation, promotion, opportunities, privileges and other benefits of education;
- B. Submission to or rejection of such conduct by a pupil is used as a basis for decisions affecting the pupil;
- C. Such conduct has the purpose or effect of interfering with a pupil's academic performance or creating an intimidating or hostile educational environment.

The Administration will inform all pupils that sexual harassment is prohibited in the educational setting. Specifically, no person employed by the district or by a vendor, or acting in a voluntary capacity, shall threaten or insinuate, either directly or indirectly, that a pupil's refusal to submit to sexual advances will adversely affect the pupil's standing in the school setting. Pupils are forbidden to harass other pupils or staff members or vendors or volunteers through conduct or communications of a sexual nature within the school setting.

Any member of the student body may file a formal grievance related sexual harassment. The Affirmative Action Officer will receive all complaints and initiate a thorough investigation and will protect the rights of both the pupil making the complaint and the alleged harasser. Filing of a grievance or otherwise reporting sexual harassment will not reflect upon the individual's status nor affect future grades or class assignments.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Equal Educational Opportunity**

**Series 5000**

**Policy 5145.4**

Page 3 of 4

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

Procedures shall be made available for pupils and/or parents/guardians who wish to file a grievance protesting alleged discriminatory or sexually (or other) harassing action. An immediate report of the allegation should be made to the Affirmative Action Officer/Chief School Administrator.

#### Service Animals

Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of the school facilities where members of the community, participants in services, programs or activities, or invitees, as relevant, are allowed to go.

Violations of this policy or its related procedures shall be cause for disciplinary action.

#### Implementation

The Chief School Administrator shall direct development of procedures regarding the implementation of this policy to include sanctions, protection of individual rights to confidentiality and due process, and notification procedures. The Chief School Administrator shall ensure that, annually, all staff and pupils (in means and terms that are age-appropriate) be thoroughly informed of this policy, their rights to file grievances under this policy and the law and procedures relative to filing. Further, all staff and pupils shall be informed annually of the identity of the district's Affirmative Action Officer and how he/she may be contacted.

The Chief School Administrator shall also ensure that staff and pupils participate in educational programs relating to this policy and the maintenance of an educational environment.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students Equal Educational Opportunity**

**Series 5000  
Policy 5145.4**

Page 4 of 4

### Legal References

- NJSA 2C:16-1 Bias Intimidation  
10:5-1 et seq. Law Against Discrimination  
18A:36-20 Discrimination; prohibition  
18A:38-5.1 No child to be excluded from school because of race, etc.
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education  
6A:16-6.3(e) Reporting students or staff members to law enforcement Authorities  
6A:17-1.1 et seq. Students At-Risk of Not Receiving a Public Education  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-12.1 Reporting requirements  
6A:32-14.1 Review of mandated programs and services
- Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)  
20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972  
20 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973  
20 U.S.C.A. 1400 et seq. - Individuals with Disabilities Education Act (formerly Education for All Handicapped Children Act)--Part B  
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)  
Hawkins-Stafford Elementary and Secondary School Improvement Amendments of  
Saxe v. State College Area School Dist., 240 F. 3d 200 (3d Cir. 2001)  
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.  
L.W. v. Toms River Regional Schools Board of Education, N.J., No. A-111-05  
Comprehensive Equity Plan, New Jersey State Department of Education  
New Jersey Quality Single Accountability Continuum (NJQSAC)



# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Photographing & Taping Students**

**Policy 5145.5**

Date Adopted: March 30, 2009

Date Revised: December 10, 2012, March 10, 2014

Page 1 of 2

First Reading: March 16, 2009

Taking pictures of district pupils and buildings for commercial purposes is prohibited without written approval of the Chief School Administrator.

“Commercial purposes” in this context is defined to mean for sale or for use in connection with the advertisement or promotion of goods or services.

“School pupils” in this context means boys and girls enrolled in the school during that part of the day they are at school, on the school grounds, or engaged in any activity under the direction and supervision of the school.

Pictures of children with educational disabilities shall not be disseminated in any way unless written permission is granted by parents/guardians. Photos of children placed in the district by the New Jersey Division of Child Protection & Permanency (DCP&P) shall not be published without permission of the division caseworker.

### **Taping Students**

In order to protect the privacy of the students and staff of this school district, the Board of Education prohibits students, visitors, employees and administrators from recording a district student during the school day or while attending school-sponsored activities, without the knowledge and permission of the student and his/her parent(s)/guardian(s) as well as the Superintendent of Schools.

For the purposes of this policy, “recording” shall be defined to mean “photographing, video-taping, audio-taping and/or audio/video-taping, by using a camera, movie camera, tape recorder or any other similar device, including, but not limited to a cell phone or other such device.”

Should a student or staff member become aware that a student is being recorded, he/she shall immediately notify a teacher or other adult staff member, who shall contact the Superintendent of Schools/designee. The Superintendent of Schools/designee is authorized to intervene by requiring the individual to stop recording the student immediately, require the individual to leave the school and school property, and, if necessary, summon law enforcement authorities.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

### **Photographing & Taping Students**

**Policy 5145.5**

Page 2 of 2

The Superintendent of Schools may file a complaint with the appropriate law enforcement agency or agencies against any person(s) who is found to be violation of this policy.

#### Photographs on the District Web Site

Pictures of district pupils shall not be posted on the web site, except under the following conditions:

- A. Prior written permission has been obtained from the pupil's parent/guardian or from the adult pupil;
- B. Group photographs may identify the group, but not the individuals in the group;
- C. Prior written permission has been obtained from the pupil's parent/guardian or from the adult pupil, if the pupil is receiving an award or special recognition.

#### Legal References

NJSA 18A:11-1 General mandatory powers and duties  
18A:36-35 Disclosure of certain student information on internet prohibited without parental consent

#### Possible Cross References

1100, 1110, 1120, 1140, 1250, 1320, 5125, 5141.4, 6171.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Pupil Grievance Procedure**

**Policy 5145.6**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The district shall establish procedures for the consideration of pupil problems and for the processing of their complaints and appeals. These procedures should be developed through the cooperative efforts of pupils, faculty and administrators. The Chief School Administrator shall establish and maintain procedures for appeals beyond the decision of the Chief School Administrator. Details of those procedures should be made known to pupils and staff by inclusion in the district pupil handbook, and pupils who wish to use them should be assured of access to the appropriate personnel within a reasonable period of time.

A grievance is a cause of distress felt to afford reason for complaint.

Any student who has a grievance should first discuss it with the teacher involved within 2 schools days of the incident.

If at that time he/she feels the matter has not been settled he/she may request a meeting with the Chief School Administrator. This discussion must be held within 2 school days after the discussion with the teacher involved.

If at this time the student feels the matter has not been settled he/she may request a meeting with the teacher, Chief School Administrator and his/her parent. This request should be made in writing to the Chief School Administrator within 5 days after the previous meeting. The request should state the reason for the meeting, together with a brief statement of facts. Said meeting must be held within 5 school days of receiving the request.

If student and parent feel at that time that the grievance has not been satisfied, they may within 5 school days make a request in writing to the Chief School Administrator to appear before the Board of Education to state the case. This request should also accompany a written statement of the issues involved in the grievance. The Chief School Administrator must then write to the student and parent giving them a date and time to appear before the Board of Education.

### Legal References:

NJSA 18A:11-1

NJAC 6A:16-5.1

### Possible Cross References:

1251, 1312, 5113, 5114, 5145.4

# Elsinboro Township Board of Education District Policy Manual

## Students

Series 5000

## Nonpublic School Pupils

Policy 5200

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

New Jersey Statutes and Regulations of the State Board of Education require the Board of Education to provide certain services and supplies to those New Jersey children whose parents enroll them in nonpublic schools within the confines of the district. Out-of-state pupils enrolled in nonpublic schools within the district are not included.

### Nursing Services

The Board of Education shall, within the funding limitations as determined by the state's appropriations and nonpublic school enrollment, provide the mandated nursing services for pupils enrolled full-time in nonpublic schools located within the district. The district shall not be required to make expenditures for purposes of this act in excess of the amount of state aid received for those purposes.

### Federal Requirements

All requirements of federal law shall be obeyed; particularly those addressed in provision of Title 1 program services, and IDEA.

### Implementation

Therefore, the Chief School Administrator shall develop rules, regulations and procedures for the efficient and economical delivery of such services and supplies as are mandated by law. Wherever possible, already existing means and procedures for delivering those same supplies and services to the pupils attending the district's public school shall be utilized.

### Legal References:

NJAC 18A:39-1 et seq., 18A:40-3.2 et seq., 18A:40-23 et seq., 18A:40A-1 et seq., 18A:40A-5, -17(c), 18A:46-19.1 et seq., 18A:46A-1 et seq., 18A:58-37.3,

NJSA 6:8-4.1, 6A:14-1.1 et seq., 6A:14-6.1 et seq., 6A:16-1.4(a)20, 6A:16-2.4, 6A:23-6.1(b), 6A:23-6.2, 6A:27-2.1 et seq., 6A:30-1.1 et seq.,

20 U.S.C.A. 1400 et seq. - Individuals with Disabilities Education Act (formerly Education for All Handicapped Children Act)--Part B

No Child Left Behind Act of 2001, Pub. L. 107-110,

Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100-297)

Agostini v. Felton, 521 U.S. 203 (1997), overruling Aguilar v. Felton, 473 U.S. 402

Mitchell v. Helms, No. 98-1648, 2000 U.S. Lexis 4485 (June 28, 2000) \_\_\_\_\_

U.S. \_\_\_\_\_ (June 28, 2000)

Parents for Student Safety, Inc. v. Board of Education of the Morris School District, 1986 S.L.D. (February 5), St. Bd. rev'g 1984 S.L.D. (August 24)

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

6171.3, 6171.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

**Series 5000**

## **Distribution of Non-School Material**

**Policy 5210**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

### Distribution of Materials to Students

Students and the educational program must be the focus of the schools. It is, therefore, the policy of the Elsinboro Township Board of Education to create a non-public forum for distributing materials from outside organizations to be taken home by students. Staff shall be required to distribute only four types of materials to students to be taken home;

1. Materials from Elsinboro Township School;
2. Materials from agencies/departments with the towns, county, state or federal government;
3. Materials from E.S.A. (Elsinboro School Association);
4. Materials from non-profit organizations providing programs for youth that are primarily designated to promote fitness, cultural arts or academics consistent with New Jersey Core Curriculum Content Standards. Materials that primarily promote fund-raising activities by these non-profit groups will not be approved for distribution.

Materials distributed through students shall contain no commercial advertising. The listing of the name and/or logo of a program sponsor for an outside agency or school or non-profit organization or an acknowledgement of financial support will be allowed.

No other organizations may require school staff to distribute materials to be taken home by students. Each school may develop procedural guidelines for the distribution of the aforementioned materials, but the distribution of non-school material should not interfere with instructional time. The Chief School Administrator shall approve materials from the school organizations, as well as agencies, government branches and non-profit organizations before distribution.

Nothing herein shall prevent staff from choosing to distribute outside materials developed to further students' educational programming or to recommend complementary services from other student-serving organizations. Likewise, nothing herein shall prevent the distribution of student-to-student materials or prohibit school from designating a location accessible to parents and student where flyers or literature may be left by any person or organization. If a school chooses to create a limited public forum to allow literature distribution in this fashion, it may develop procedures as needed, but materials may not be screened for viewpoint.

Political campaign materials for candidates may not be distributed to students or made available on school grounds during school time or school events. However, on election days, posters and printed materials are permitted at schools used as polling places in accordance with state law of and board of elections requirements.

# **Elsinboro Township Board of Education District Policy Manual**

## **Students**

### **Distribution of Non-School Material**

**Series 5000**

**Policy 5210**

Page 2 of 2

#### Distribution of Materials to Employees

It is the policy of the Elsinboro Township Board of Education to create a limited non-public forum for the distribution of materials in employee mailboxes. Employee mailboxes shall only be accessible for literature distribution by Elsinboro Township School professional organizations for staff, the E.S.A. and school-sponsored groups.

Schools may designate another location accessible to employees, such as a table in the teachers' lounge, where flyers or literature may be left by any person or organization. If a school chooses to create a limited public forum to allow literature distribution in the fashion, it may develop procedures as needed, but materials may not be screened for viewpoint.

#### Legal References:

US Constitution Amendment I; G.S. 115C-36, -47

**Elsinboro Township  
Board of Education**

**District Policy Manual**



**Instructional Program**

**Series 6000**



**Elsinboro Township  
Board of Education  
District Policy Manual  
TABLE OF CONTENTS**

**Instructional Program – Series 6000**

|   |                             |
|---|-----------------------------|
|   |                             |
| <b>Philosophy of Education</b>  | <b>6000</b>                 |
| <b>Goals &amp; Objectives</b>   | <b>6010</b>                 |
| <b>Implications of the HSPA</b>                                       | <b>6010.1</b>               |
| <b>School Level Planning</b>  | <b>6010.2</b>               |
| <b>Special Education Students and the HSPA</b>                        | <b>6010.3</b>               |
| <b>Parental Involvement in Title I Program</b>                        | <b>6015</b>                 |
| <b>Programs of Study</b>  | <b>6100</b>                 |
| <b>School Calendar</b>  | <b>6111</b>                 |
| <b>School Day</b>   | <b>6112</b>                 |
| <b>Emergency &amp; Disaster Preparedness</b>                          | <b>6114</b>                 |
| <b>Emergency &amp; Disaster Preparedness<br/>Crisis Response Plan</b> | <b>Regulation<br/>6114</b>  |
| <b>Crisis Intervention Regulations<br/>Physical Intervention</b>      | <b>Regulation<br/>6114A</b> |
| <b>Ceremonies &amp; Observances</b>                                   | <b>6115</b>                 |
| <b>Nondiscrimination/Affirmative Action</b>                           | <b>6121</b>                 |
| <b>Articulation</b>   | <b>6122</b>                 |
| <b>Teacher Requests</b>   | <b>6125</b>                 |
| <b>Curriculum Adoption</b>  | <b>6140</b>                 |
| <b>Curriculum Design/Development</b>                                  | <b>6141</b>                 |
| <b>Curriculum Committee</b>   | <b>6141.1</b>               |
| <b>Recognition of Religious Beliefs &amp; Customs</b>                 | <b>6141.2</b>               |
| <b>Subject Fields</b>   | <b>6142</b>                 |
| <b>Family Life Education</b>  | <b>6142.1</b>               |
| <b>English as a Second Language/Bilingual Programs</b>                | <b>6142.2</b>               |
| <b>Physical Education &amp; Health</b>                                | <b>6142.4</b>               |
| <b>Speech Correction Services</b>                                     | <b>6142.5</b>               |
| <b>Basic Skills Curriculum</b>  | <b>6142.6</b>               |
| <b>Experiments on / Dissection of Animals</b>                         | <b>6142.7</b>               |
| <b>Arts</b>   | <b>6142.9</b>               |



|   |                  |
|---|------------------|
| <b>Acceptable Use of Internet</b>   | <b>6142.10</b>   |
| <b>Creating &amp; Publishing Web Pages</b>  | <b>6142.11</b>   |
| <b>Vocational / Industrial / Occupational Education</b>   | <b>6142.12</b>   |
| <b>HIV/AIDS Prevention Education</b>  | <b>6142.13</b>   |
| <b>E-Mail Policy</b>  | <b>6142.14</b>   |
| <b>Internet Safety</b>  | <b>6142.15</b>   |
| <b>Anti-Big Brother Act / Student Use of District-Owned Electronic Devices</b>                      | <b>6142.16</b>   |
| <b>ADA Compliant Website</b>  | <b>6142.19</b>   |
| <b>Curriculum Guides</b>  | <b>6143</b>      |
| <b>Lesson Plans</b>   | <b>6143.1</b>    |
| <b>Controversial Issues</b>   | <b>6144</b>      |
| <b>Extracurricular Activities</b>   | <b>6145</b>      |
| <b>Intramural / Interscholastic Competition</b>   | <b>6145.1</b>    |
| <b>Precautions for Heat &amp; Humidity During Athletics &amp; Other Extra Curricular Activities</b> | <b>6145.25</b>   |
| <b>Student Publications</b>   | <b>6145.3</b>    |
| <b>Sports-Related Concussions &amp; Head Injuries</b>   | <b>6145.4</b>    |
| <b>Graduation Requirements</b>  | <b>6146</b>      |
| <b>Student Progress / Report to Parents</b>   | <b>6146.1</b>    |
| <b>Promotion / Retention</b>  | <b>6146.3</b>    |
| <b>Standards of Proficiency</b>   | <b>6147</b>      |
| <b>Evaluation of the Individual Study Program</b>   | <b>6147.1</b>    |
| <b>New Jersey Interdistrict Public School Choice Program</b>  | <b>6147.2</b>    |
| <b>Instructional Arrangements / Class Size</b>  | <b>6150/6151</b> |
| <b>Student Field Trips</b>  | <b>6153</b>      |
| <b>Guidelines for Chaperones on Student Field Trips</b>   | <b>6153.1</b>    |
| <b>Homework / Makeup Work</b>   | <b>6154</b>      |
| <b>Instructional Planning / Scheduling</b>  | <b>6156</b>      |
| <b>Instructional Assignments Prior to the Beginning of the School Year</b>                          | <b>6157</b>      |
| <b>Instructional Services &amp; Resources</b>   | <b>6160</b>      |
| <b>Copyright Policy</b>   | <b>6160.1</b>    |
| <b>Comparability of Materials &amp; Supplies</b>  | <b>6161</b>      |
| <b>Instructional Materials</b>  | <b>6161.1</b>    |
| <b>Complaints Regarding Instructional Materials</b>   | <b>6161.2</b>    |
| <b>Child Study Team</b>   | <b>6161.4</b>    |
| <b>Consultants to the Staff</b>   | <b>6162.2</b>    |
| <b>Community Resources</b>  | <b>6162.4</b>    |
| <b>Research (Student Surveys)</b>   | <b>6162.5</b>    |
| <b>Audio-Visual Materials</b>   | <b>6163.1</b>    |
| <b>Intervention &amp; Referral Services for General Education Pupils</b>                            | <b>6164.1</b>    |
| <b>Guidance Services</b>  | <b>6164.2</b>    |
| <b>Referral to Intervention Team</b>  | <b>6164.3</b>    |
| <b>Special Education Program</b>  | <b>6171</b>      |
| <b>Remedial Instruction</b>   | <b>6171.1</b>    |

|   |                |
|---|----------------|
| <b>Gifted &amp; Talented Program</b>                          | <b>6171.2</b>  |
| <b>At-Risk &amp; Title I</b>                                  | <b>6171.3</b>  |
| <b>Education Stability Transportation</b>                     | <b>6171.35</b> |
| <b>Special Education</b>                                      | <b>6171.4</b>  |
| <b>Independent Educational Evaluations</b>                    | <b>6171.45</b> |
| <b>Special Education Medicaid Initiative Program (SEMI)</b>   | <b>6171.6</b>  |
| <b>Appeals/Grievances Regarding Section 504 Issues</b>        | <b>6171.7</b>  |
| <b>Alternative Education Program</b>                          | <b>6172</b>    |
| <b>Home Instruction</b>                                       | <b>6173</b>    |
| <b>Early Childhood Education / Preschool Pilot Program</b>    | <b>6178</b>    |
| <b>Adult / Community Education</b>                            | <b>6200</b>    |
| <b>Evaluation of the Instructional Program</b>                | <b>6300</b>    |
| <b>Determining the Eligibility of Pupils to be Classified</b> | <b>6310.1</b>  |

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Program**

**Series 6000**

**Philosophy of Education**

**Policy 6000**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board of Education recognizes that life is an educational process, that learning takes place in everything we do, that education is desirable in itself, and that every individual has a right to a first-rate public education with the opportunities for self-fulfillment and realization of full potential.

The Board of Education will endeavor to fully utilize the school buildings and facilities of the Board.

Believing that the ideas, needs, and wants of the local citizens should be reflected in the educational system, the Board of Education will actively seek to involve the community in the planning and implementation of the community education process.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Goals & Objectives**

**Policy 6010**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 3

First Reading: June 8, 2009

The Board of Education accepts the responsibility for coordinating the available resources of home, school and community in a mutual effort to guide every pupil's growth towards becoming a self-respecting individual who can effectively function politically, economically and socially in a democratic society.

To this end the Board believes that every student at Elsinboro School should be helped:

1. To develop an understanding of his/her own worth, abilities, potentialities, and limitations.
2. To acquire basic skills in obtaining information, solving problems, thinking critically and communicating effectively.
3. To acquire a stock of basic information concerning the principals of physical, biological, and social sciences, the historical record of human achievements and failures, and current social issues.
4. To acquire an understanding of various ethical principals and values and to develop the ability to apply them to his or her own life.
5. To acquire the knowledge, skills, and understanding that permit the student to play a satisfying and responsible role as both a producer and consumer.
6. To become an effective and responsible contributor to the decision making process of the family, school, community and nation.
7. To acquire the ability and the desire to express himself/herself creatively and to appreciate the aesthetic expression of other people.
8. To develop entry level job skills and the knowledge necessary for further education.
9. To acquire an understanding of the ability to form responsible relationships with a wide range of people, including but not limited to those with social and cultural characteristics different from their own.
10. To acquire the knowledge, habits, and attitudes that promotes personal and public health, both physical and mental.
11. To enjoy the process of learning and to acquire the skills necessary for a lifetime of continuous learning and adaptation to change.

The Board is dedicated to ensuring that all students in the district are provided with the necessary skills and competencies for achievement of the Core Curriculum Content Standards

The Board believes New Jersey state goals should be applicable for every child in the school district.

A. All children should start school ready to learn.

1. Quality preschool opportunities shall be provided for all children, through collaboration between public school and community agencies.
2. Parents education programs shall be designed and implemented by the district to assist parents in providing readiness experiences for their preschool children.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Goals & Objectives**

**Series 6000  
Policy 6010**

Page 2 of 3

- B. Pupils shall leave grades four, eight and eleven having demonstrated competency in challenging subject matter including reading, writing, mathematics, science and social studies (civics, history and geography), health, physical education, world languages, and fine practical and performing arts.
  - 1. The district shall provide least restrictive, alternative programs for pupils who cannot succeed in the regular high school environment, including those students with disabilities.
  - 2. The district shall provide dropout prevention programs for pupils at risk.
- C. Pupils shall leave grades four and eight having demonstrated competency in challenging subject matter including language arts/literacy, mathematics, science, social studies, health and physical education, visual and performing arts and world languages.
  - 1. The district shall implement the state-approved Core Curriculum Content Standards and appropriate assessments to enable pupils to succeed and to evaluate their performance.
  - 2. The district shall provide staff development opportunities to ensure that teachers are adequately equipped to teach challenging and up-to-date subject matter and to implement effective teaching techniques. It shall monitor teaching staff members' progress toward achievement of the required 100 clock hours of continuing education to ensure that they are obtaining and maintaining the skills to help all students achieve the Core Curriculum Content Standards.
- D. Pupils shall learn to use their minds well, so that they may be prepared for responsible citizenship, further learning, and productive employment in our modern economy.
  - 1. The district shall provide students with experiences in higher level thinking, information processing, the responsibilities of citizenship, and employability skills.
  - 2. All pupils shall demonstrate competency in the skills identified in the cross-content workplace readiness standards.
  - 3. All pupils shall demonstrate respect for racial, cultural, ethnic and religious diversity.
  - 4. All pupils shall increase their achievement levels in science and mathematics to contribute to our country's ability to compete academically with all other countries of the world.
- E. All pupils shall increase their achievement levels in science and mathematics to contribute to our country's ability to compete academically with all other countries of the world.
  - 1. The district shall revise its curriculum offerings in science and mathematics according to state standards as they are developed.
  - 2. The district shall provide staff training in the teaching of mathematics and science at grades K-8 to increase teachers' understanding of and ability to teach these subjects.
- F. District schools shall be free of drugs and violence and offer a safe, disciplined environment conducive to learning.
  - 1. The district shall develop partnerships with parents to establish the responsibilities of each to create and maintain safe and healthy educational environments for all pupils.
  - 2. The district shall provide programs and staffing to deal with pupils at risk.

# Elsinboro Township Board of Education District Policy Manual

## Instructional Program Goals & Objectives

Series 6000  
Policy 6010

Page 3 of 3

3. The school and community shall expand their cooperative efforts to create drug and violence-free environments.
4. All students shall develop a positive view of self and learn to use effective interpersonal skills.

The Board shall develop, in consultation with, the Chief School Administrator and teaching staff members, a written educational plan for the district. This plan shall be reviewed and adopted annually and shall include:

- A. Written educational goals;
- B. An assessment of pupil needs;
- C. Specific annual objectives based on identified needs and action plans to implement them;
- D. Standard for assessing and evaluating the achievement of objectives;
- E. The establishment of reasonable pupil minimum proficiency levels in the areas addressed in the Core Curriculum Content Standards;
- F. An educational program consistent with these goals, objectives, standards and needs;
- G. An evaluation of pupil progress.

### Legal References:

NJSA 18A:7A-10, 18A:7C-2, 18A:7F-1 through -34, 18A:33-1, 18A:35-1 et seq.  
NJAC 6:8-1.1, 6:8-2.1, 6:8-2.2, 6:11-13.1 et seq., 6A:8-1.1 et seq.,  
6A:8-1.2 through -1.3, -2.1, -3.1, -4.4, 6A:23-1.1 et seq., 6A:23-5.1 et seq.  
6:26-1.1 et seq., 6A:30-1.1 et seq.

No Child Left Behind Act of 2001, Pub. L. 107-110  
Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

1100, 1120, 1230, 1600, 2131, 2240, 3542, 4010, 4131/4131.1, 5113, 5120,  
5124, 3011, 6140, 6141, 6142, 6145, 6147, 6152, 6156, 6160, 6162.4,  
6164.2, 6164.4, 6171.1, 6171.4, 6300

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Implications of the HSPA**

**Policy 6010.1**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board of Education recognizes that all students who attend the district school will one day be exposed to the High School Proficiency Assessment.

The Chief School Administrator is therefore directed to make every effort to have the teaching staff prepare students of this district for this educational test through procedures such as:

- Arrange and attend articulation meetings with the high school to obtain feedback on the needs of district students.
- Examine NJ Department of Education documentation that delineates the successes and weaknesses of district students in order to make and recommend improvements to the district curriculum.
- Insure that the information distributed by the NJ Department of Education dealing with curriculum offerings for success in the HSPA is incorporated in the district curriculum.
- Expedite and coordinate meetings and work sessions of our upper grade teaching staff members and those of the high school in the areas of reading, mathematics and writing.

Through these and other methods, the Board of Education hopes to prepare every student in the District for successful completion of the HSPA requirements.

### Legal Reference:

NJAC 6A:8-4.1 et seq, 6A:8-5.1, 6A:14-3.7

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **School Level Planning**

**Policy 6010.2**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 2

First Reading: June 8, 2009

The Board of Education recognizes the statutory mandates for a school level planning process that involves parents/guardians and staff members in identifying school needs, establishing performance objectives and monitoring progress toward those objectives.

### School Report Card

The Board directs the compilation, no later than the date specified by statute, of a profile of the school that includes as a minimum the statistical information specified by the NJ State Department of Education.

The School Report Card for the school shall be distributed to the staff members and the parents/guardians of pupils enrolled in the school. The profiles of the school shall be made available to the media and to members of the public at a public meeting of the Board.

### School Based Planning Team

A planning team shall be established and shall be responsible for the development and implementation of the school-level plan.

The planning teams shall be comprised of the Chief School Administrator, teaching staff members and parents/guardians of pupils enrolled in the school. Team members other than the Chief School Administrator shall each serve for a term of 2 years.

Teacher and parent/guardian representation shall be voluntary.

The school planning team shall review the school report card and other relevant school planning materials supplied by the Chief School Administrator and shall be supplied upon request with such additional materials and information it deems appropriate and necessary to its work, subject to limitations on access to pupil records established by law and Board policy.

### School-Level Plan

The School-level plan shall be developed annually. The plan shall include 2 or more pupil performance objectives and a review of progress by teaching and administrative staff toward the achievement of objectives established in the previous school-level plan. The school planning teams shall submit the plan to the Chief School Administrator no later than July 1<sup>st</sup>.

The annual school-level plan shall be reviewed at least once each semester in meetings arranged and conducted by the school planning team. Review meetings shall be conducted by grade level, department, team, or in similarly appropriate groupings. The results of each such meeting shall be considered by the school planning team in the development of the succeeding school-level plan.



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program School-Level Planning**

## **Series 6000 Policy 6010.2**

Page 2 of 2

### Pupil Performance Objectives

The school planning team shall develop two or more objectives based on pupil performance or behavior standards. The objectives shall cover a period of not more than 2 years and shall be linked to State goals.

If pupil performance is below minimum State standards, the planning team shall establish objectives to meet those standards. Benchmarks or interim performance levels shall be set to measure the school's progress toward the achievement of State minimum standards.

If pupil performance meets or exceeds minimum State standards, the planning team shall establish challenge objectives.

The Chief School Administrator shall submit the school's objectives to the County Superintendent of Schools for review and approval no later than the date specified by statute.

### Reference:

Long Range Plan

### Legal Reference:

NJAC 6:8-4.4(a)2

### Possible Cross References:

6010, 5124, 6147, 6300

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Special Education Students & the HSPA**

**Policy 6010.3**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board of Education will make every effort to comply with the requirements of the NJ Department of Education with reference to the eventual graduation of any Special Education student from any secondary school he/she may attend as a tuition student.

In order to accomplish this most efficiently, the Board of Education affirms that these procedures are its policy:

- All Special Education students that are sent on a tuition basis to any secondary school will be enrolled with an up-to-date Individualized Education Plan that details the Board of Education's Child Study Team Evaluation of that student's eligibility for the HSPA based on the student's elementary record and accomplishments.
- Any student sent as a tuition pupil to any secondary school and deemed exempt from the HSPA will achieve such exemption on the basis that the student would be adversely affected by taking the test, or because the student's IEP has not included the proficiencies tested by the HSPA.
- In the case of proficiencies, each student's IEP shall contain alternate proficiencies that must be achieved for a student to receive a secondary school diploma.
- The Board of Education Child Study Team will meet or confer with the Child Study Team of the secondary school where such a student is enrolled to offer input and counseling concerning an individual student and the IEP as relates to the HSPA.
- Appropriate forms shall be used for determining the student's status concerning exemption and alternate proficiencies.

### Legal References:

NJAC 6A:8-4.1 et seq, 6A:8-5.1, 6A:14-3.7

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Parental Involvement in Title I Program**

**Policy 6015**

Date Adopted: August 10, 2009

Date Revised: November 14, 2017

Page 1 of 4

As a school district that receives Title I funds, the Board of Education shall implement programs, activities and procedures for the involvement of parents/guardians in programs assisted by Title I funding. The district will reserve not less than one percent of its allocation under Subpart 2 to carry out these requirements, (unless the district's allocation is \$5,000 or less), which shall include promoting family literacy and parenting skills. Parents/guardians of pupils receiving Title I services shall be involved in the decisions regarding how funds will be allotted for parental involvement activities.

The district shall distribute this parental involvement policy that describes the means for carrying out federal requirements. Parents/guardians will be notified of this policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. This policy shall be made available to the local community and updated periodically to meet the changing needs of parents/guardians and schools within the district.

"Parent", for the purposes of this policy, means a parent and/or legal guardian. "School", for the purposes of this policy, is a specific school in a Target Assistance Title I program or schools within the district in a school-wide Title I program.

Each school served with Title I funds will:

- Convene an annual meeting, at a convenient time, to which all parents of participating pupils shall be invited and encouraged to attend, to inform parents of their school's participation and the requirements of this policy, and the right of the parents to be involved;
- Offer a flexible number of meetings, such as meetings in the morning or evening, and may provide, with Title I funds, transportation, child care, or home visits, as such services relate to parental involvement;
- Involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs, including the planning, review, and improvement of the school parental involvement policy and the joint development of the school-wide program plan;

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Parental Involvement in Title I Program**

**Policy 6015**

Page 2 of 4

Provide parents of participating pupils:

- Timely information about programs;
- A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and
- If requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible; and,
- Submit any parent comments on the plan when the school makes the plan available to the Board of Education, if the school-wide program plan is not satisfactory to the parents of participating pupils.

### Shared Responsibilities For High Student Academic Achievement

Each school served by Title I funds shall jointly develop with parents of all pupils served with Title I funds, a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the state's high standards. The compact will:

1. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the pupils served by Title I funds to meet the state's student academic achievement standards, and the ways in which each parent will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, and television watching; volunteering in their child's classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time; and
2. Address the importance of communication between teachers and parents on an ongoing basis through, at a minimum:
  - a) parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as the compact relates to the individual pupil's achievement;
  - b) frequent reports to parents on their children's progress; and
  - c) reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Parental Involvement in Title I Program**

**Policy 6015**

Page 3 of 4

### Building Capacity For Involvement

To ensure effective involvement of parents and to support a partnership among the school(s) involved, parents, and the community to improve student academic achievement, each school and school district assisted with Title I funds:

- Shall provide assistance to parents of pupils served by the school in understanding such topics as the state's academic content standards and state student academic achievement standards, state and local academic assessments, the requirements of this policy, and how to monitor a child's progress and work with educators to improve the achievement of their children;
- Shall provide materials and training to help parents to work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parental involvement;
- Shall educate teachers, pupil services personnel, and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school;
- Shall, to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents to more fully participate in the education of their children;
- Shall ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand;
- May involve parents in the development of training for teachers, and other educators to improve the effectiveness of such training;
- May provide necessary literacy training from Title I funds if the school district has exhausted all other reasonably available sources of funding for such training;
- May pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;
- May train parents to enhance the involvement of other parents;
- May arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend such conferences at school, in order to maximize parental involvement and participation;

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Parental Involvement in Title I Program**

**Policy 6015**

Page 4 of 4

- May establish a district-wide parent advisory council to provide advice on all matters related to parental involvement in Title I programs;
- May develop appropriate roles for community-based organizations and businesses in parent involvement activities; and
- Shall provide such other reasonable support for parental involvement activities under this policy as parents may request.

### Accessibility

In carrying out the parental involvement requirements this policy, the school and school district, to the extent practicable, shall provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, to include providing information and school reports in a format and, to the extent practicable, in a language such parents understand.

The district will inform parents of any parental information and resource centers that provide training, information, and support to parents and individuals who work with local parents, school districts, and schools receiving Title I funds.

The Chief School Administrator will submit this policy to the New Jersey Department of Education for review.

### Legal References

NJAC 6A:8-4.1 et seq Statewide assessment system  
6A:8-5.1 Graduation requirements  
6A:14-3.7 Individualized education program

Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Programs of Study**

**Policy 6100**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

Programs of study made available to the pupils of the school system must be approved by the Board of Education. It shall be the responsibility of the Administrative Staff to supervise, regulate, and recommend any changes in courses of study to keep the educational program at maximum effectiveness, in full accordance with statutory requirements and the basic philosophy of education of the Board of Education – that of providing a balanced program and providing a thorough and efficient education.

The Chief School Administrator shall keep the Board of Education informed of changes of objectives, general content, and basic text materials and shall keep abreast of accepted current educational programs and teaching methods.

The Child Study Team is responsible for developing an Individualized Education Program for each educationally handicapped pupil in accordance with 6:28-1.7. This program must be reviewed annually.

### Legal References:

NJSA 18A:6-2, 18A:6-3, 18A:7C-5, 18A:33-1, 18A:35-1 et seq., 18A:35-4.6 through -4.8,

NJAC 6:8-1.1, 6:8-2.2, 6:11-1.1 et seq., 6:11-3, -4, -5, -6, -8, -10, -11, -13, 6A:8-3.1, 6A:8-5.1, 6A:14-3.7, 6A:14-4.1, 6A:30-1.1 et seq.

Old Bridge Education Association v. Board of Education of the Township of Old Bridge, Middlesex County

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

2224, 6121, 6122, 6140, 6142.1, 6142.2, 6142.4, 6142.9, 6142.12, 6146, 6147, 6164.2, 6171.1, 6171.2, 6171.4, 9130

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **School Calendar**

**Policy 6111**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board of Education recognizes that the preparation of a calendar for the instructional program of the schools is necessary for orderly educational planning and for the efficient operation of the district.

The Board shall determine annually the days when the schools shall be in session for instructional purposes. Such school calendar shall consist of no fewer than the 180 days of instruction required by law.

The Chief School Administrator shall prepare the school calendar for Board consideration in consultation with teacher and administrator association representatives and the County Superintendent of Schools. The calendar shall be presented to the Board for review no later than the May public meeting.

The Board reserves the right to alter the school calendar when feasible and advisable in the best interests of the children of the district.

The Board shall adopt annually a list of religious holidays that shall consist as a minimum of those holidays designated by the Commissioner of Education.

### Legal References:

NJSA 18A:7F-9, 18A:11-1, 18A:25-3, 18A:36-1, -2,  
NJAC 6:3-9.3, 6A:4-4.1©

### Possible Cross References:

2210, 5113, 5127, 6112, 6114, 6146, 6171.4



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **School Day**

**Policy 6112**

Date Adopted: August 10, 2009

Date Revised: September 16, 2019

Page 1 of 1

The length of the school day and the length of periods of instruction at various levels shall be recommended by the Chief School Administrator and set by the Board, and shall be in keeping with requirements of the State Board of Education.

The particular opening and closing hours for levels and/or schools shall also be subject to comparable levels throughout the district.

In general, the following hours shall be utilized by the district when the school day is shortened:

Early Closing / Dismissal Hours 8:25 AM to 12:30PM with no lunch or recess.

Delayed Opening Hours 10:25 AM until 3:00 PM with a 30 minute lunch period but no recess

The Chief School Administrator shall recommend for Board approval the length of class periods and the frequency of instruction in individual subjects.

The Teacher in Charge or Administrative designee shall not dismiss school for any part of the school day without the approval of the Chief School Administrator.

### Legal References

NJSA 18A:36-1 School year  
18A:36-2 Time when schools are open; determination  
18A:36-16 Rules regarding religious holidays

NJAC 6A:14-4.1(c) General requirements  
6A:32-8.3 School attendance

### Possible Cross References

6111, 6114, 6141.2, 6146, 6171.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Emergencies & Disaster Preparedness**

**Policy 6114**

Date Adopted: August 10, 2009

Date Revised: June 14, 2010, January 6, 2020

Page 1 of 3

The Chief School Administrator shall review/update annually the plans for evacuation of buildings and for the safeguarding of human life and property.

The Chief School Administrator shall notify the Board President or Vice President, Board Secretary/School Business Official and the proper local authorities of any emergency.

The Chief School Administrator shall oversee development of the district-wide program for emergencies. The program shall provide for:

- Cooperation with local government agencies in developing and carrying out a community disaster plan;
- As much protection as possible for children at school and on their way to and from school.
- Training in individual self-protection and survival techniques for pupils and staff;
- Necessary training and instruction for pupils and staff so that the school emergency plan may be carried out with the greatest possible speed and safety.

### Fire Drills & Homeland Security Drills

Fire drills shall be held at least once each month for all pupils. There shall also be at least one homeland security drill per month.

The Chief School Administrator may order a modification of the fire drills so that they may take the form of indoor drills or of rapid dismissals with outdoor clothing when low temperatures prevail.

A written statement of procedures and instructions for fire drills and homeland security drills shall be formulated by the Chief School Administrator and disseminated to all staff.

Instruction in fire prevention shall be given and emphasized in appropriate courses in the curriculum of the school. The homeland security drill will be an exercise to respond to an emergency situation such as a non-fire evacuation, lockdown, bomb threat or active shooter situation that is similar in duration to a fire drill.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Emergencies & Disaster Preparedness**

**Series 6000  
Policy 6114**

Page 2 of 3

### Emergency Closing, Delayed Openings:

The Chief School Administrator is authorized by the Board to close the schools, open them late or dismiss them early in hazardous weather or in other extraordinary circumstances that might endanger the health or safety of pupils or school employees.

Each year, parents/guardians, pupils, and staff members shall be informed in advance of how they shall be notified in the event of an emergency closing. Parents/guardians shall be required to make alternative arrangements for their children in case no one is home to receive the child after an unscheduled early closing.

### Bus Drills – Emergency Evacuation Drills

School shall organize and conduct emergency exit drills at least twice within the school year for all pupils who ride school buses. As the school bus driver is an integral part of the procedure, it is mandatory that he/she participates.

Drills shall be conducted on school property and be supervised by the Chief School Administrator/designee.

### Bomb Scares

The buildings shall be evacuated as per established procedures. Staff shall follow the procedures established by the Chief School Administrator to deal with such emergencies.

### Nuclear Generating Station – Artificial Island – Emergency Response Plan

A portion of Salem County may be affected in the event of a problem at the Artificial Island Nuclear Generating Station. While it is highly unlikely that a plant condition could warrant protective actions, it is wise that the residents of Elsinboro Township be trained and prepared for that remote possibility.

In the event of an emergency, the first action may be in-place protection/sheltering. Students will remain indoors to reduce or eliminate exposure to radiation. If the plant condition continues, long before the public is in danger, an evacuation will be ordered. Specific plans will be developed for transportation, routes, drivers, etc. necessary to remove school children to safe locations.

The children registered in the Elsinboro Township School will be transferred, with adult supervision to the Woodstown High School in Woodstown, where they will be registered and cared for until the parents/guardians arrive to pick them up and reunite the family.

# Elsinboro Township Board of Education District Policy Manual

## Instructional Program Emergencies & Disaster Preparedness

**Series 6000  
Policy 6114**

Page 3 of 3

The school emergency plan will be carried out with the greatest possible speed and safety.

If a problem occurs, the degree of emergency will be classified as follows:

| Emergency Category            | Plant Condition   | Public Response   |
|-------------------------------|---|---|
| Notification of Unusual Event | Off-normal situation -<br>Example: Worker injury or minor repairs. No release expected.                           | Requires no action  |
| Alert                         | May affect plant safety –<br>Example: instrument problems or a developing tornado. Off-site release not probable. | Requires no action  |
| Site Area                     | Equipment failure, such as a pump or affecting safety systems. Potential for release.                             | Public protective actions will be directed after accident assessment. May range from take shelter (remain indoors without ventilation) to evacuation (movement of public out of affected area). |
| General Emergency             | Significant of radioactive or inert gases may occur.  | Public protective actions will be directed after accident assessment. May range from take shelter (remain indoors without ventilation) to evacuation (movement of public out of affected area). |

### Legal References

- NJSA 18A:6-2 Instruction in accident and fire prevention
- 18A:11-1 General mandatory powers and duties
- 18A:40-12 Closing schools during epidemic
- 18A:41-1 et seq. Fire drills and fire protection
- NJAC 6A:16-1.4(a)14 District policies and procedures
- 6A:16-5.1 et seq. School safety and security
- 6A:16-6.3 Reporting students or staff members to law enforcement agencies
- 6A:26-12.2 Policies and procedures for school facility operation
- 8:57-1.7 Reporting of diseases occurring in schools
- A Uniform State Memorandum of Agreement between Education and Law Enforcement Officials

### Possible Cross References

1410, 2210, 3541.33, 5141.6, 6112

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Emergencies & Disaster Preparedness Crisis Response Plan**

**Regulation 6114**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 2

This plan is suggested in the event that the school system experiences a crisis involving a student, staff member or serious incident near the school.

1. The Chief School Administrator will implement the plan.
2. School will be as normal as possible. There will not be a large group assembly and school will not be dismissed.
3. Staff members will be informed in an honest, accurate manner so that they may work with the children.
4. Resource people (Child Study Team) will be called upon to meet with the individuals or small groups.

### Purpose

This plan will provide directions, support coordination and communication to the students, staff and community following a sudden death or other tragic event involving a student or member of the staff. It is a guideline and may be altered to individual needs.

### Procedures

1. The Chief School Administrator receives information through appropriate channels. He/she gathers as much information as possible by speaking with police, family, clergy and friends.
2. The Chief School Administrator issues a statement to the Board and staff containing as many facts as available. The school secretary types the statement. All questions from the media are the responsibility of the Chief School Administrator.
3. The Chief School Administrator notifies a crisis team (Child Study Team, Guidance Counselor, etc.) of the statement. The Child Study Team is called to a meeting to implement the Crisis Response Plan. The Chief School Administrator reviews the statement to assess the impact of the crisis on students and staff in this and surrounding districts.
4. If this event occurs after school, on a weekend, during the summer, a building staff meeting will be held before the next school day. Teachers will read a statement in all first period classes. Should the event occur during the school day, the Chief School Administrator notifies Board Members, the school staff, and appropriate people.
5. No students will be permitted to leave school during the school day unless accompanied by a parent/guardian.
6. The Chief School Administrator will contact parents/guardians of students referred by teachers as needing assistance.
7. At the end of the first day, a general staff meeting is held to assess students/staff at risk and prepare for the next day.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Emergencies & Disaster Preparedness Crisis Response Plan**

**Regulation 6114**

Page 2 of 2

8. Maintain control of the situation by not over-reacting so that the district can be of maximum help to others in alleviating pain without the trauma of death.
  - Do not fly the flag at half-staff;
  - Do not provide for a moment of silence in an all school assembly.
9. School will not be canceled or dismissed on the day of the funeral. Students need the stability of a normal school day. However, students/staff who wish to attend service should request this through the teacher or Chief School Administrator as appropriate.

### Staff Crisis Meeting Agenda

The Chief School Administrator will:

1. Provide a prepared statement to all staff.
2. Explain how to relate accurate information to students.
3. Describe procedures for counseling student.
4. Generate a list of “at risk students.”
5. Schedule the day’s events.
6. Impress on the staff the need/importance of expressing feelings.

### Legal References:

NJSA 18A:6-2, 18A:11-1, 18A:40-12, 18A:41  
NJAC 6:21-1.5, 6:22, 8:57-1.5

Directive No. 71 (revised December 1, 1969) State of New Jersey, Department of Law  
and Public Safety, Division of Emergency Management

### Possible Cross References:

1410, 2210, 3541.33, 6112

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **Crisis Intervention Regulations – Physical Intervention**

**Regulation 6114A**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: August 10, 2009 | Date Revised: | Page 1 of 2 |
| First Reading: June 8, 2009   |               |             |

The primary intervention options used by staff when a student exhibits escalating, disruptive behavior should focus on assisting the student in regaining behavioral control. These options include:

- Verbally redirecting student in a low, non-threatening voice;
- Setting reasonable limits;
- Offering alternatives;
- Allowing time out so that student can regain control.

The above options should be applied unless the student displays aggressive or assaultive behaviors that pose an immediate and serious danger to the student or others.

#### Use of Physical Intervention

Any physical intervention is potentially dangerous and should be employed only in emergency situations, and with extreme caution, after other less intrusive alternatives have failed or been deemed inappropriate. Members of the Crisis Intervention Team shall use physical restraint with the following two goals in mind:

- To administer a physical restraint only when needed to protect a student and/or member of the school community from immediate, serious physical harm; and
- To prevent or minimize any harm to the student as a result of the use of physical restraint.

Members of the Crisis Intervention Team have been trained in the following measures:

- Protective measures: These include protecting other students by moving them away from the disruptive student, or having staff members step back, pivot away from the child or use forearms to shield.
- Physical escort: Touching a student on the hand, wrist, arm, shoulder or back with the purpose of redirecting a student away from a potential or actual danger or directing the student to a safe location. This type of physical escort is not a physical restraint.
- Physical restraint: Use of physical force in order to restrict a student's freedom of movement. A written incident report must be completed each time a physical restraint is implemented. Parents are to be notified by telephone and provided with a copy of the report. The report must also be maintained in the student's permanent record. Staff involved in the incident will meet with the Chief School Administrator as soon as possible.

#### Types of Physical Restraint

Crisis Intervention Team personnel have been trained in several nonviolent physical and escort measures, where simple touching is ineffective in removing a student from a dangerous situation. No extended restraints (more than a few minutes in duration), seclusion restraints (confining a

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **Crisis Intervention Regulations - Physical Intervention**

**Regulation 6114A**

Page 2 of 2

student alone and unmonitored in a limited physical space), or actions which involve forcing or holding a student to the ground, are authorized under these regulations.

If a student consistently exhibits aggressive or excessively disruptive behavior, the use of physical responses to address this behavior should be clearly delineated within the IEP Behavior Plan and agreed to by the parent or guardian.

The use of physical restraint is prohibited in the following circumstances:

- As a means of punishment;

- As a response to property destruction, verbal threats, disruptive behavior or a student's refusal to comply with a school rule or staff directive, unless the student's behavior poses an immediate or serious danger to self and/or others.



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Ceremonies & Observations**

**Policy 6115**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The flag of the United States of America shall be raised above the school and at other appropriate places during all school sessions and on all legal school holidays, weather permitting. The flag shall be raised before the opening of school and taken down at its close every day. The flag will be displayed in each classroom.

Pupils in the school system shall start each day with the salute and pledge of allegiance to the flag. New Jersey state law requires students to show respect for the flag of the United States of America. If a student is conscientiously opposed to pledge or salute, he/she may abstain from participation in these ceremonies but must remain respectfully silent.

The Chief School Administrator shall devise appropriate exercises for the development of a higher spirit of patriotism on the last day of school preceding:

Martin Luther King, Jr.'s Birthday  
Lincoln's Birthday  
Washington's Birthday  
Memorial Day

Columbus Day  
Veterans Day  
Thanksgiving Day

Suitable exercises are also required by law in all New Jersey public schools in observance of Flag Day, Arbor Day, and Commodore John Barry Day. The Board authorizes the Chief School Administrator to conduct school observances in commemoration of other persons and events of special historical significance.

Pupils shall be encouraged to develop and/or take part in events and activities in connection with special "days," "weeks" or "months" proclaimed by the nation, state or community.

Holidays and special events may be recognized in the school so long as such recognition respects the rights and feelings of others and is consistent with law.

Songs and customs from various elements of the national population may be used to broaden pupil awareness of the many elements that make up American culture.

### Legal References:

NJSA 18A:36-3, 18A:36-4, 18A:36-6, 18A:36-7, 18A:36-10 through -12,  
18A:36-13

### Possible Cross References:

5114, 5127, 5131, 6141.2

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Nondiscrimination / Affirmative Action**

**Policy 6121**

Date Adopted: August 10, 2009 | Date Revised: April 14, 2014

Page 1 of 3

No pupil enrolled in the district school shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in any educational program or activity of this district on the basis of any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes. The affirmative action officer shall be responsible for planning, implementing and monitoring the district's affirmative action program with respect to school and classroom practices.

The affirmative action officer shall be responsible for planning, implementing and monitoring the district's affirmative action program with respect to school and classroom practices.

The affirmative action officer shall review the following areas for compliance with State Department of Education regulations and make suggestions and/or recommendations when necessary.

- A. He/she shall examine the following areas to ensure that curricula eliminate discrimination and promote understanding and mutual respect among students, regardless of any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes:
  1. School climate
  2. Courses of study
  3. Instructional materials
  4. Instructional strategies
  5. Library/Media Center materials
  6. Software and audio-visual materials
  7. Guidance and counseling
  8. Extracurricular programs and activities
  9. Testing and other assessments
- B. He/she shall monitor the curriculum to ensure inclusion of instruction on African-American history in the teaching of United States History and the inclusion of instruction on the Holocaust and genocide in the curriculum for all elementary pupils.
- C. Staff Training  
He/she shall suggest a program of in-service training for school personnel designed to identify and solve problems of bias in all aspects of the school

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Nondiscrimination / Affirmative Action**

**Policy 6121**

Page 2 of 3

program. An affirmative action/equity in-service program shall be held for teaching staff annually; for each support staff member at least once every three years; and for parents and community members, as needed to facilitate participation and support.

### **D. Pupil Access**

He/she shall review all school facilities, courses, programs, activities and services to ensure that all pupils are provided equal and bias-free access to them.

Particular attention shall be paid to the following:

1. Ensuring equal access to all school and classroom facilities;
2. Assigning pupils in such a way that the racial/national origin composition of each school's enrollment reflects the composition of the district wide enrollment at each grade level;
3. Refraining from locating new facilities in areas that will contribute to unbalanced, isolated or racially identifiable school enrollments;
4. Assigning pupils so that school and classroom enrollments are not identifiable on the basis of race, national origin or gender;
5. Ensuring that pupils are not separated or isolated within the school, courses, classes, programs or extracurricular activities;
6. Ensuring that minority and male pupils are not over-represented in detentions, suspensions, dropouts or special needs classifications;
7. Ensuring equal and bias-free access for all pupils to computers, computer classes and other technologically advanced instructional assistance;
8. Ensuring that all limited English proficient pupils and pupils with disabilities have equal and bias-free access to all school programs and activities;
9. Ensuring equal and bias-free access for language-minority pupils and pupils with disabilities to multiple measures for determining special needs;
10. Ensuring that pupil support services, such as school-based youth services, health care, tutoring and mentoring are available to all pupils, including LEP pupils;
11. Ensuring that all pregnant pupils are permitted to remain in the regular school program and activities.

### **E. District support**

He/she shall ensure that like aspects of the school program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters and that all grades within the district are comparable in those areas.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Nondiscrimination / Affirmative Action**

**Series 6000**

**Policy 6121**

Page 3 of 3

#### **E. Pupil Evaluation**

He/she shall ensure that tests, procedures or guidance and counseling materials which are designed to evaluate pupil progress or rate aptitudes or analyze personality or in any manner establish or tend to establish a category by which a pupil may be judged are not differentiated or stereotyped on the basis of race, color, creed, sex, national origin or handicap.

The Chief School Administrator will report to the Board annually on continuing compliance.

#### **Legal References**

- NJSA 10:5-1 et seq. Law Against Discrimination
- 18A:4A-1 et seq. New Jersey Commission on Holocaust Education
- 18A:18A-17 Facilities for handicapped persons
- 18A:35-1 Course in history of the United States in high school
- 18A:36-20 Discrimination; prohibition
  
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
- 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 6A:32-12.1 Reporting requirements
- 6A:32-14.1 Review of mandated programs and services
  
- 20 U.S.C.A. 1681 et seq. - 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 (IDEA)
- 42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
- No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
- Gebser v. Lago Vista Indep. School Dist. 524 U.S. 274 (1998)
- Davis v. Monroe County Bd. of Ed. 526 U.S. 629 (1999)
- The Comprehensive Equity Plan, New Jersey State Department of Education

#### **Possible Cross References**

2224, 4111.1, 4131/4131.1, 4211.1, 5231/4231.1, 5134, 5145.4, 6140, 6141, 6142.4, 6145, 6161.1, 6163.1, 6164.2, 6171.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Articulation**

**Policy 6122**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board of Education wishes its pupils to progress from elementary through secondary level in an orderly, continuous program. The Chief School Administrator shall develop programs whereby teachers of the various levels of the District's school cooperate to achieve smooth transitions from level to level; whereby pupils in the district's school receive instruction in the same subjects at the same level as pupils in other districts who will be attending the same high schools; and whereby the transition for district pupils from our elementary schools to the high school is accomplished without unnecessary difficulty for any pupil.

Further, the Chief School Administrator will make every effort to develop a similar relationship with the nursery schools from which the district pupils come.

### Legal References:

NJSA 18A:38-8.1 through -8.3,  
NJAC 6:8-1.1, 6A:8-3.1, 6A:8-3.3

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

2131, 5118, 6140, 6141, 6142, 6143, 6178

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Teacher Requests**

**Policy 6125**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board of Education recruits and hires its teaching staff that meets or exceeds the requirements of the New Jersey Department of Education. In addition, the Board regularly provides extra training for its teaching staff designed to improve the instructional program of the school and to ensure that all teachers employed within the district are kept abreast of new teaching methods and curriculum improvements.

Classroom/homeroom assignments are prepared carefully and with the educational needs of all students. Criteria for these assignments include but are not limited to:

- A. Student interactions
- B. Educational needs of students
- C. Ethnic, sexual and racial distribution
- D. Discipline
- E. Abilities

While the Board may consider requests from parents/guardians that one particular individual teacher not instruct their children, all such requests must be submitted in writing and received no later than June 1<sup>st</sup> to be considered for the following school year. No verbal requests will be considered for any reason. All such requests must indicate the particular educational reasons for the request and must be substantive in nature. Requests made after the schedule for the upcoming school year has been prepared and/or after class lists have been completed are to be discouraged, but may be granted at the discretion of the Chief School Administrator.

Letters from parents/guardians shall be addressed to the Chief School Administrator, whose decision in the matter shall be made in the best interest of the school program, and that decision shall be final.

### Legal References:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Curriculum Adoption**

**Policy 6140**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 2

First Reading: June 8, 2009

The Board of Education shall provide a comprehensive instructional program to serve the needs of the children of this district in furtherance of this goal and pursuant to law; the Board shall annually adopt the existing courses of study. Adoption includes both content and credit allocation. The Board's policy in this respect is to:

- A. Adopt those courses of study mandated by the state in a form acceptable to the State Department of Education. Such courses must include the core proficiencies adopted by the State Board of Education;
- B. Adopt additional courses of study recommended by the teaching staff and administration in a form acceptable to the State Department of Education and within the financial means of the district;
- C. Adapt and revise existing courses of study to meet the changing needs of pupils and the community.

Existing courses shall be reviewed at regular intervals and revised as necessary. No course of study shall be eliminated, revised or implemented without the approval of the Board. The Board directs that the curriculum of this district:

- A. Be consistent with written goals, objectives and identified pupil needs;
- B. Develop individual talents and interests and serve diverse learning styles to motivate pupil achievement;
- C. Provide for continuous learning through effective articulation;
- D. Provide all pupils continuous access to sufficient programs and services of a library/media facility, classroom collection, or both, to support the educational program;
- E. Provide all pupils guidance and counseling to assist in career and academic planning;
- F. Provide a continuum of educational programs and services for handicapped children, pursuant to law and regulation;
- G. Provide bilingual programs for pupils whose dominant language is not English, pursuant to law and regulation;
- H. Provide compensatory education programs for pupils, pursuant to law and regulation;
- I. Provide all pupils equal educational opportunity, pursuant to law and regulation;
- J. Provide career awareness and vocational education, pursuant to law and regulation;
- K. Provide educational opportunities for exceptionally gifted and talented pupils.

The Chief School Administrator shall maintain a current list of all courses of study offered by the district and shall furnish each member of the Board of Education with a copy upon request; and shall provide a copy in the district office for public review.

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Program  
Curriculum Adoption**

**Series 6000  
Policy 6140**

Page 2 of 2

Adoption of courses shall be by a recorded roll call majority of the full membership of the Board of Education.

## Legal References:

NJSA 18A:4-25, 18A:29A-1 et seq., 18A:33-1, 18A:35-1 et seq.,  
NJAC 6:8-1.1, 6A:8-1.1 et seq., 6A:8-3.1, -5.1, 6A:14-4.1, 6A:15-1.1 et seq.,  
6A:15-1.3, -1.4, -1.5, 6A:24-1.1 et seq., 6A:24-4.1, -4.2, -4.3, 6A:30-1.1 et seq.,

Manual for the Evaluation of Local School Districts (September 2002)

## Possible Cross References:

6141, 6141.1, 6142, 6142.2, 6143, 9325.4



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Curriculum Design / Development**

**Policy 6141**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Chief School Administrator shall be responsible to the Board for the development of curriculum to meet identified pupil needs. He/she shall establish procedures for curriculum development that ensure the effective participation of teaching staff members; pupils, as appropriate to their age and grade; parents/guardians; the community, members of the Board; and the use of all available resources. Care shall be taken that certified staff shall not be assigned to teach material outside the limits of their certification and endorsements.

The Chief School Administrator shall report to the Board the objectives, evaluative criteria and costs of each proposed program before seeking Board adoption. The Board shall not act upon new programs and courses of study until the meeting following their presentation, in order for Board members to have an opportunity to review the proposed program.

Criteria by which the Board will judge the acceptability of new course offerings include:

- A. Does it address an identified pupil need?
- B. Is it relevant to the Board's philosophy and goals and does it offer real possibilities for progress toward these goals?
- C. Does it satisfy the requirements of the Board's school and classroom practices regarding bias and stereotyping?
- D. If the proposed course replaces an existing program, what defect in the previous program is it designed to overcome?
- E. Does it include the criteria by which progress can be measured?
- F. Does it address the necessary study skills?
- G. Has it been thoroughly studied and/or tested by district staff or by another district? What were the results?
- H. Has a curriculum been completed? If not, when can it be expected?
- I. Have the associated textbooks been recommended to the Board?
- J. Have the costs and time of implementation been reviewed, including in-service training?

A five-year plan for updating curriculum shall be developed and implemented. The Chief School Administrator shall report annually on all progress in curriculum development and the implementation of the five-year curriculum plan at the time of the Board's annual adoption of curriculum. During the five-year plan, course modification will be encouraged to reflect current trends in learning and information.

### Legal References:

NJAC 6:3-1.6, 6A:8-3.1 et seq., 6A:24-4.1 et seq., 6A:30-1.1 et seq.

Old Bridge Education Association v. Board of Education of the Township of Old Bridge, Middlesex County

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

2131, 5120, 6140, 6142, 6143, 6147, 6171

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Curriculum Committee**

## **Series 6000 Policy 6141.1**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

Responsibility for courses of study, textbooks, teaching methods, audiovisual materials and other items relating to the instructional programs must be shared by a variety of individuals including teachers, administrators, curriculum directors, and Board Members. Because of the rapidity of changes in social, cultural, political, economic and educational trends, the scope and magnitude of the teachers' assignment, the degree of specialized training and experience required to keep abreast of relevant changes, it is appropriate to assign specific responsibility for curriculum development and services to a designated group or team.

It is the policy of the Board of Education to establish a Curriculum Committee and to assign the Committee appropriate responsibility for making recommendations to the Board of Education a curriculum that will provide a high quality instructional program including courses of study, teaching methods and instructional materials.

The Committee membership shall consist of Board Members, members of the community, teachers representing various grade levels and subject fields and the Chief School Administrator.

The Chairperson of the Curriculum Committee shall be elected by the persons serving on the Committee.

### Legal References:

NJSA 18A:114-1

NJAC 6:3-1.6, 6A:8-3.1 et seq., 6A:24-4.1 et seq., 6A:30-1.1 et seq.

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

2131, 5120, 6140, 6142, 6143, 6147, 6171

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Recognition of Religious Beliefs & Customs**

**Policy 6141.2**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 2

First Reading: June 8, 2009

The Board directs that no religious belief or nonbelief shall be promoted in the regular curriculum or in district-sponsored courses, programs or activities, and none shall be disparaged.

However, the Board of Education recognizes that a genuine and broad secular program of education is furthered by advancement of pupils' knowledge of society's cultural and religious heritage. Therefore, the several holidays throughout the year that have both a religious and a secular basis may be recognized in the school by use of material having secular or cultural significance.

The instructional program of the school should inform pupils of the many beliefs and customs stemming from religious, racial, ethnic and cultural heritages. Such instruction should be designed to broaden the pupils' understanding of and tolerance for the multiple ways of life enjoyed by the peoples of the world.

Songs and customs that have come to us from the various ethnic, religious and racial elements of our population should be used to broaden our pupils' awareness of the contributions that each segment has made to the composite American culture.

Music, art, literature and drama having religious themes or bases are permitted as part of the curriculum for school-sponsored activities and programs if presented in an objective manner and as a traditional part of the cultural and religious heritage of the particular holiday.

The use of religious symbols such as a cross, menorah, crescent, Star of David, crèche, symbols of Native American religions or other symbols that are part of a religious holiday is permitted as a teaching aid or resource, provided such symbols are displayed as an example of the cultural and religious heritage of the holiday and are temporary in nature.

Any instruction in the school which may be contrary to a pupil's religious beliefs and teachings shall be viewed as optional for the pupil.

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

This policy supersedes any other Board of Education policy that is inconsistent with it.

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Program**

**Series 6000**

**Recognition of Religious Beliefs & Customs**

**Policy 6141.2**

Page 2 of 2

## Legal References:

NJSA 18A:11-1, 18A:36-16

NJAC 6:3-9.3(h), 6A:8-3.1

## Possible Cross References:

1330, 5113, 5127, 5131, 6115, 6121, 6144, 6161.2

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Subject Fields**

**Policy 6142**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board of Education directs that the district school offer a comprehensive curriculum to provide for the intellectual, social and emotional growth of all pupils, pre-kindergarten through grade 8, giving them the basic body of skills, understandings, attitudes and knowledge needed for living in a democracy.

The Board believes this program should focus on the NJ Department of Education's implementation schedule for its Core Curriculum Standards.

The Chief School Administrator shall direct development of and present to the Board for adoption a written curriculum for each element of the instructional program for the district to include:

- A. All courses mandated by New Jersey statute or Administrative Code;
- B. Such other courses as shall implement the Board's intent as expressed in this policy.

The total curriculum, when adopted, shall be adapted to suit the applicable requirements of the Administrative Code and shall provide basic, advanced, enriched, or technical instruction or experience to meet the identified needs of the pupils of the district.

A listing of all courses and programs comprising the instructional program shall be available in the district office.

### Legal References:

NJSA 18A:6-2, 18A:6-3, 18A:7C-5, 18A:33-1, 18A:35-1 et seq., 18A:35-4.6 through -4.8,

NJAC 6:8-1.1, 6:8-2.2, 6:11-1.1 et seq., 6:11-3, -4, -5, -6, -8, -10, -11, -13, 6A:8-3.1, 6A:8-5.1, 6A:14-3.7, 6A:14-4.1, 6A:30-1.1 et seq.

Old Bridge Education Association v. Board of Education of the Township of Old Bridge, Middlesex County

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

2224, 6121, 6122, 6140, 6142.1, 6142.2, 6142.4, 6142.9, 6142.12, 6146, 6147, 6164.2, 6171.1, 6171.2, 6171.4, 9130

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Family Life Education**

**Policy 6142.1**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board of Education directs the Chief School Administrator to coordinate the development of a family life education curriculum that will be in compliance with New Jersey Administrative Code. The program shall provide material suited to each grade level, presented in a manner intended to foster an understanding of human development and the respect for and an understanding of how human sexuality affects personal and family relationship.

The curriculum shall be developed with the active participation of teachers, administrators, parents and guardians, physicians, members of the clergy and representative members of the community.

Further, the Chief School Administrator shall assure that the curriculum developed is articulated to that of the high schools, so that the transition from elementary to secondary approaches to this material will be coordinated and progressive.

Any child whose parent or guardian presents to the Chief School Administrator a signed statement that any part of the instructions in health, family life education, or sex education is in conflict with his conscience, or sincerely held moral or religious beliefs, shall be excused from that portion of the course where such instruction is being given, and no penalties as to credit or graduation shall result there-from.

The Board urges all parents to become familiar with these courses and to participate in their development as provided by the administrative code.

The Board of Education alone, upon recommendation of the Chief School Administrator, shall determine the content, sequence and materials of family life education.

### Legal References:

NJSA 18A:35-4.6 to 4.8, 18A:35-4.19 through -4.22,  
NJAC 6:8-2.1, 6A:8-3.1, 6A:8-4.2

Pupil Protection Rights Amendment -20 U.S.C. 1232h

No Child Left Behind Act of 2001, Pub. L. 107-110

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

1220, 5131.5, 6141.6, 6122, 6140, 6142, 6142.13, 9130

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **English as a Second Language / Bilingual Programs**

**Policy 6142.2**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 2

First Reading: June 8, 2009

The Board shall provide English as a second language (ESL) and/or bilingual programs of instruction for pupils who:

- A. Are not proficient in English and need instruction toward mastery of the English language;
- B. Speak a language other than English, are more capable of performing schoolwork in that language, and need their basic educational program taught in that language.

The Chief School Administrator shall develop procedures in accordance with administrative code to determine which pupils would benefit from ESL and/or bilingual programs and to involve school staff, parents/guardians and community members in reviewing programs to determine which would best meet these pupils' needs.

The goal of ESL programs is to assist pupils to achieve fluency (including listening, comprehension, speaking, reading, and writing skills) in English. The goal of the bilingual program is to use both the native language and English to help pupils progress in the academic subject areas while developing their English language skills.

Parents/guardians of pupils of limited English speaking ability shall be notified by mail of the fact that their child has been identified as eligible for enrollment in a bilingual, ESL or English language services education program. This written notice shall include the information that the parents may choose to decline to enroll their child into the bilingual program. Communication with parents/guardians of pupils in these programs shall be in writing and in both English and their primary speaking language, whenever possible. Reports of pupil progress shall be made to parents/guardians on the same schedule as reports of pupils in the regular program.

The Chief School Administrator shall direct development of an annual plan for ESL and/or bilingual education that is in compliance with state guidelines. The Board will review and approve the plan at a public meeting. The Board must adopt the courses of study for ESL and bilingual programs in the same manner in which it adopts the curriculum for the regular program.

Pupils enrolled in district bilingual or ESL programs shall be assessed annually for exit from such programs, using indicators described in the administrative code. Whenever it is determined that a pupil should exit from the bilingual program, parents/guardians shall be notified by mail.

Parents/guardians may remove a pupil who is enrolled in a bilingual education program at any time.

The County Superintendent of Schools shall approve removal prior to the end of the school year. If the County Superintendent of Schools determines that the pupil should remain in the bilingual education program until the end of the school year, the parents/guardians may appeal that

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **English as a Second Language / Bilingual Programs**

**Policy 6142.2**

Page 2 of 2

decision to the NJ Commissioner of Education/designee pursuant to law. The Commissioner shall render a decision within 30 days of the filing of the appeal.

The Board may petition the Commissioner to waive the requirement for a full-time bilingual program when it can demonstrate that it would be impractical to provide such a program, due to the age range, grade span or geographic location of the eligible pupils.

### Legal References:

NJSA 18A:35-15 et seq.

NJAC 6:8-1.1, 6:8-2.1, 6:8-4.1, 6:11-1.1 et seq., 6:11-8.4, -8.5, 6A:5-1.1 et seq., 6A:8-4.1, 6A:8-5.1, 6A:15-1.1 et seq., 6A:15-1.4, 6A:30-1.1 et seq., 6A:30-2.2,

No Child Left Behind Act of 2001, Pub. L. 107-110

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

5120, 5124, 6121, 6147, 6147.1, 6171.2, 6171.3



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Physical Education & Health**

**Policy 6142.4**

Date Adopted: August 10, 2009

Date Revised: September 12, 2011

Page 1 of 2

First Reading: June 8, 2009

The Board directs that the district's curricular and extracurricular programs of physical education and activities comply with the District's affirmative action resolution and comprehensive equity plan for school and classroom practices. The Board shall ensure that the comprehensive health and physical education curriculum addresses all elements required by the New Jersey Core Curriculum Content Standards, New Jersey Statute and Code and Federal Regulations.

### General Provisions

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

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

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

### Dating Violence

For students in grades 7 and 8, physical education and the health curriculum will include the topic of dating violence. "Dating violence" means a pattern of behavior where one person threatens to use, or actually uses physical, sexual, verbal, or emotional abuse to control a dating partner.

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

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Physical Education & Health**

**Series 6000**

**Policy 6142.4**

Page 2 of 2

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

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

To be consistent with P.L. 2011, c. 64, district policy procedures and curriculum will include notification and information that dating violence will not be tolerated. District procedures and the curriculum will provide dating violence reporting procedures, warning signs of dating violence and guidelines for responding to incidents of dating violence that occur at school, along with discipline procedures specific to such incidents of dating violence that occur at school. Information on safe, appropriate school, family, peer and community resources available to address dating violence shall also be included within the curriculum.

#### Legal References

NJSA 18A:6-113 Instruction in suicide prevention in public school curriculum  
18A:11-1 General Mandatory Powers and Duties  
18A:35-4.19 through -4.22 AIDS Prevention Act of 1999  
18A:35-4.23a Dating violence into health education curriculum  
18A:35-5 through -9 Maintenance of physical training courses; features  
18A:37-33 to 37 Dating violence policy and education

NJAC 6A:7-1.7 Equality in school and classroom practices  
6A:8-3.1 Curriculum and instruction  
6A:8-5.1 Graduation requirements  
6A:9-5.19 Athletics Personnel  
6A:9-11.8 Health and physical education  
6A:16-2.1 et seq. General Provisions for School Health Services  
6A:32-9.1 General Provisions for School Health Services

20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972  
The Comprehensive Equity Plan, New Jersey State Department of Education

#### Possible Cross References

2224, 5145.4, 6121, 6140, 6141, 6142, 6145.1, 6145.2, 6146

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Speech Correction Services**

**Policy 6142.5**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The New Jersey Administrative Code, Title 6, Chapter 28, provides detailed mandatory regulations concerning the identification, referral, evaluations, and classification of all levels of designated handicapped students.

Within the provision of these statutes, it shall be the policy of the Board of Education that all students may be surveyed annually by a certified speech correctionist in order to determine pupil eligibility:

- A. For speech correction services that are not severe enough to warrant referral to a basic Child Study Team, and
- B. To determine pupil eligibility for possible referral to the basic Child Study Team for consideration of “Communications Handicapped” classification.

### Legal Reference:

NJAC 6:11-11.9

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Basic Skills Curriculum**

**Policy 6142.6**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

In order to provide district pupils with the basic tools necessary for achievement of the Core Curriculum Content Standards, the Board of Education directs the development of strong basic skills courses at all levels of the school.

The Chief School Administrator shall work with the staff to:

- A. Infuse instruction in basic skills into courses of study at all grade levels and ensure the articulation of those skills from grade to grade;
- B. Actively seek innovative and remedial programs to ensure that all district pupils acquire the basic skills suited to their grade level and capacity.

The district shall administer state tests as required in specified grades and may administer standardized tests as appropriate to determine student achievement levels in basic skills.

A child shall participate in a remedial education program so long as he/she does not meet minimum proficiency levels in implementation scheduled outlined by the NJ Department of Education for its Core Curriculum Content Standards.

### Legal References:

NJSA 18A:35-4.9,

NJAC 6:8-1.1, 6A:8-1.1 et seq. 6A:8-3.1, -4, 6A:30-1.1 et seq.,

Hawkins-Stafford Elementary and Secondary Schools Improvement Amendments  
of 1988 (P.L. 100-297)

### Possible Cross References:

6122, 6140, 6142, 6142.2, 6146, 6171.1, 6171.3, 6171.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Experiments on / Dissection of Animals**

**Policy 6142.7**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board of Education recognizes the importance of exposing pupils to a wide and varied curriculum in the study of sciences and biology. The Board also supports the rights of parents/guardians to make decisions about certain aspects of that curriculum for their children. Therefore, it is the policy of the Board of Education that pupils may choose not to participate in certain experiments involving animals.

Pupils will be excused from performing, participating in, or observing the dissection, vivisection, incubation of animals and/or organisms upon the receipt of a written request from his/her parent/guardian.

### Alternative Education

In all such cases, the pupil will be assigned an alternative education project that may include the use of video tapes, models, films, books, computers, or any other tools that provide an alternative method for obtaining and testing the knowledge, information, or experience required by the course of study the pupil was excused from. Alternative education programs and classroom attendance shall be arranged by the classroom teacher, with the approval of the appropriate administrator, for such pupils.

A pupil may refuse to participate in an alternative education project which involves or necessitates any use of an animal or animal parts.

In no case, will a pupil's grade be adversely affected by his/her decision not to participate in the regular lab experience, nor will he/she be discriminated against in any other manner as a result of his/her decision to exercise the rights afforded pursuant to this policy.

### Notification of Parents/Guardians

Pupils and parents/guardians will be notified at the beginning of the school year of the rights of pupils not to participate in the dissection, vivisection, incubation of animals and/or organisms. Parents/guardians will be advised that in order for a pupil to be excused from the regular lab experience, a written request must be received by the school within two weeks of the receipt of this notification.

### Legal References:

NJSA 18A:11-1, 18A:35-4.24, 18A:35-4.25

P.L. 2005 Chapter 266

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Arts**

**Policy 6142.9**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Chief School Administrator shall ensure that curriculum in the arts, including both performing and visual, are developed appropriately for each grade level in accordance with administrative code and New Jersey Core Curriculum Content Standards.

### Legal References:

NJSA 18A:7F-4, 18A:33-1,  
NJAC 6A:8-1.3, 6A:8-3.1, 6A:30-1.1 et seq.,

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

6010, 6140, 6142

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **Acceptable Use of Internet**

**Policy 6142.10**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: August 10, 2009 | Date Revised: | Page 1 of 4 |
| First Reading: June 8, 2009   |               |             |

The Board shall develop a technology plan that effectively uses electronic communication to advance and promote learning and teaching. This system of technology shall be used to provide local, statewide, national and global communications opportunities for staff and students. Educational technology shall be infused into the district curriculum to maximize student achievement of the Core Curriculum Content Standards.

To support its commitment to providing avenues of access to the universe of information available, the district's system of electronic communication shall include access to the Internet for students and staff.

#### Limitation of Liability

The Internet constitutes an unregulated collection of resources that change constantly, so it is not possible to totally predict or control the resources that users may locate. The Board cannot guarantee the accuracy of the information or the appropriateness of materials that a user may encounter. Furthermore, the Board shall not be responsible for any damage users may suffer, including but not limited to, loss of data or interruptions of service. Nor shall the Board be responsible for financial obligations arising through the unauthorized use of the system.

#### District Rights and Responsibilities

The computer system is the property of the district, and all computer software and hardware belong to it. Therefore, the district retains the right to monitor all access to and use of the Internet.

The Board designates the Chief School Administrator as the coordinator of the district system. He/she shall recommend to the Board of Education qualified staff persons to ensure provision of individual and class accounts necessary for access to the Internet, designation of quotas for disk usage on the system, establishment of a document retention schedule, establishment of a virus protection process and coordination of other activities as required to maintain the system.

The administrator shall coordinate the district system by approving all activities; ensuring that teachers receive proper training in the use of the system; ensuring that students are adequately supervised when using the system; maintaining executed user agreements; and interpreting this acceptable use policy at the building level.

#### Access to the System

This acceptable use policy shall govern all use of the system. Sanctions for student misuse of the system shall be included in the disciplinary code for students. Employee misuse may result in appropriate discipline in accord with the collective bargaining agreement and applicable laws and regulations.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Acceptable Use of Internet**

**Series 6000  
Policy 6142.10**

Page 2 of 4

The Board shall ensure the acquisition and installation of blocking/filtering software to deny access to certain areas of the Internet.

### World Wide Web

All students and employees of the Board shall have access to the Web through the district's networked or stand alone computers. An agreement shall be required. To deny a child access, parents/guardians must notify the Chief School Administrator in writing.

### Student Safety Practices

Students shall not post personal contact information about themselves or others. Nor shall students engage in any kind of personal contact with individuals they meet online. Attempts at contact from such individuals shall be reported immediately to the staff person monitoring that child's access to the Internet. Personal contact information includes but is not limited to names, home/school/work addresses, telephone numbers, or personal photographs.

### Cyber-bullying

The Board of Education expressly forbids cyber-bullying. For the purposes of this policy, "cyber-bullying" shall mean using the communication capacities of computers, the Internet and/or other digital communication devices to bully others by:

- Sending or posting cruel messages or images;
- Threatening others;
- Excluding or attempting to exclude others from activities or organizations;
- Starting or passing on rumors about others or the school system;
- Harassing or intimidating others;
- Sending angry, rude or vulgar messages directed at a person or persons privately or to an online group;
- Sending or posting harmful, untrue or cruel statements about a person to others;
- Pretending to be someone else and sending or posting material that makes that person look bad or places that person in potential danger;
- Sending or posting material about a person that contains sensitive, private or embarrassing information, including forwarding private messages or images; and/or,
- Engaging in tricks to solicit embarrassing information that is then made public.

Students found to be engaging in activities as describe above shall be subject to the terms and sanctions found in this policy, Board of Education Policy 5139 – Harassment, Intimidation & Bullying discipline code of the district.

Students, staff and administration of the school district have the opportunity to access the Internet to facilitate the need to prepare students, staff and administrators to become computer literate in an increasingly technological world, to foster educational and personal growth in technology, information gathering, and communication skills. It is understood that the school district does not have sufficient staff to monitor every aspect of the use of the



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Acceptable Use of Internet**

## **Series 6000 Policy 6142.10**

Page 3 of 4

Internet. However, the district will foster the independent use of the school's network, subject to compliance with procedures and standards for appropriate network behavior and communication. The following responsible guidelines apply to all users when accessing any school district network connection (NET):

1. It is understood that cooperation is critical in the use of the Internet. It is the goal of the use of the Internet to prepare students to become computer literate in an increasingly technological world. It is understood that a minor's independent use of the school's network is necessary to attain such a goal, subject to the procedures and standards for appropriate network behavior.
2. Violations of these responsible use guidelines may result in student discipline, subject to the Student Disciplinary Code, and/or staff and administrative discipline, subject to guidelines adopted by the administration. The primary use of the NET shall be reserved to those individuals who utilize the materials that are of "educational value" to students of the district. For purposes of these guidelines, "educational value" shall mean those areas of network access that have a direct or indirect impact on the students' educational program in the school district. The use of the system for defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, and racially offensive, and illegal material or other prohibited activities shall not be permitted, and the school district will use any and all means available to it, within the confines of the law to prevent such material from entering the NET. Individuals are encouraged to report such entry of material into the system to the administrator.
3. No personnel or student information that is protected by the Family Educational Rights and Privacy Acts shall be disseminated through the NET.
4. All users of the NET must comply with the Electronic Communications Privacy Act of 1986, as amended, and the Communications Decency Act. These Acts prohibit the unauthorized interception or disclosure of e-mail messages by third parties as well as the appropriateness of certain material being remitted on the Internet. The Acts do not permit interception or disclosure unless both the sender and the receiver of the communication consent. Further, the Acts recognize that the school district may monitor an employee's e-mail messages, as long as the interception device is included in the e-mail equipment.
5. Users of the NET must recognize that the District Administration does have the authority to intercept e-mail messages of all users and that there will be no privacy right construed by the District to exist in the statements made in the NET. Users of the NET are encouraged not to store extensive e-mail messages in the NET and that messages should be stored for a period of no longer than 14 calendar days.
6. When issued individual passwords and accounts, NET users may not allow any other person(s) to use or share those passwords and/or accounts.
7. Any attempt to circumvent system security, guess passwords, or in any way gain unauthorized access to local or NET resources is forbidden.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Acceptable Use of Internet**

**Series 6000  
Policy 6142.10**

Page 4 of 4

8. Use of the Internet for political and/or commercial gain or profit is not allowed from an educational site.
9. Users may not move, repair, reconfigure, modify or attach external devices to the system.
10. Additional rules and restrictions may be added and users will be notified of these changes in a timely manner. Users are responsible for reading and following these rules.
11. Time restrictions on the use of the Internet may be imposed to ensure equity of use.
12. From time to time, the District will encourage students and employees to use certain informational sources in order to control Internet costs.
13. The District Administration reserves the right to use electronic devices, cards, or any other media to determine whether or not the students or employees are using the NET for items of true educational value.
14. Professional employees of the school will monitor student use of the Internet.
15. Students or employees who violate the Internet guidelines of the school may be denied future Internet privileges for a defined period of time or other disciplinary measures set forth in the Student Code of Conduct or in any other rules of the District that may be applicable.

### Legal References:

N.J.S.A. 2A:38A-1 et seq., 2C:20-25, 18A:7A-11, 18A:36-35,  
N.J.A.C. 6A:24-1.1 et seq., 6A:24-1.4, 2.2, 4.1, 6.1, 6A:30-1.1 et seq.

17 U.S.C. 101 United States Copyright Law

47 U.S.C. 254(h) Children's Internet Protection Act

N.J. v. T.L.O. 469 U.S. 325 (1985)

O'Connor v. Ortega 480 U.S. 709 (1987)

No Child Left Behind Act of 2001, Pub. L. 107-110

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

1111, 3514, 4118.2, 4218.2, 5114, 5124, 5131, 5131.5, 5142, 6144, 6145.3, 6161

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **Creating & Publishing Web Pages**

**Policy 6142.11**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 4

First Reading: June 8, 2009

The Board of Education establishes the following policy to express its belief that with the growth of the World Wide Web (WEB), any material posted for the global community must reflect the high educational standards of the school district.

The availability of Internet access throughout the school district provides an opportunity for students and staff to contribute to the District's presence on the WEB. The District's web sites provide information to the entire world about curriculum, instruction, school-authorized activities, and other general information relating to the school as well as the District's mission. All published pages and corresponding links stored on the District's servers must be related to the District's educational goals and objectives or school-sponsored activities.

The District Webmaster and the District Technology Coordinator will provide Internet access for the creation of web pages. Creators of web pages should familiarize themselves with, and adhere to, the policies and responsibilities that follow. Failure to follow these policies or responsibilities may result in the loss of authoring privileges and/or other more stringent disciplinary measures.

#### Content Standards

The Chief School Administrator, with input from the Webmaster and the Technology Coordinator, are responsible for web page approval.

#### Subject Matter

All subject matter on web pages should relate to curriculum, instruction, school-authorized activities, general information that is appropriate and of interest to others, and the school district. If the information is scholarly and will help students, teachers, and parents using our web site, it is acceptable. Therefore, neither staff nor students may publish personal web pages or home pages of other individuals or organizations not directly affiliated with the school district web site. Staff or student work may be published only as it relates to a class project, course, or other school-related activity.

#### Quality

All web pages must be free of spelling and grammatical errors. Documents may not contain objectionable material or point (link) directly to objectionable material.

Objectionable material is defined as material that does not meet the standards for instructional resources specified in the school district policies.

Regarding the question of quality or propriety of web page material, appearance, or content, the judgment of the Webmaster, Technology Coordinator, and District Administrator will prevail.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Creating & Publishing Web Pages**

**Series 6000**

**Policy 6142.11**

Page 2 of 4

#### Ownership and Retention

All web pages on the District's server(s) are the property of the school district. Official district web pages will reside only on District owned or operated servers. The only organization permitted to post a web page on the District server is the E.S.A., although other sites may be linked at the discretion of the Administration.

#### Student Safeguards

Students may publish information on the school district web server only when they are under the supervision of the Webmaster, Technology Coordinator or teacher. Students must have parental permission.

Web page documents may not include student names.

Documents may not include a student's telephone number, address, names of other family members, or names of friends.

Published e-mail addresses are restricted to those of staff members or to general group e-mail address where arriving e-mail is forwarded to a staff member.

No student pictures (video or still) and audio clips shall be published.

Web page documents may not include any information that indicates the physical location of a student at a given time.

#### School Board Policies

All documents on school district server(s) must conform to the Board of Education policies and regulations as well as established school guidelines. Persons developing or maintaining web documents are responsible for complying with these policies. Some of the relevant issues and related Board policies include the following:

- Electronic transmission of materials is a form of copying. As specified in District policy, no unlawful copies of copyrighted materials may be knowingly produced or transmitted via the District's equipment, including its web server(s).
- Documents created for the web and linked to District web pages will meet the criteria for use as an instructional resource.
- Any links to District web pages that are not specifically curriculum-related will meet the criteria established in the Internet Use Policy (6142.10). Any other non-curricular materials should be limited to information about other youth activities, agencies, or organizations that are known to be non-sectarian, exclusively devoted to community interests or child welfare, non-profit, and non-discriminatory. Web page links may not include entities whose primary purpose is commercial or political advertising.
- All communications via District web pages will comply with the Internet Use Policy (6142.10) and the Code of Conduct Policy. Offensive behavior that is expressly prohibited by this policy includes religious, racial, and sexual harassment and/or violence.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Creating & Publishing Web Pages**

## **Series 6000 Policy 6142.11**

Page 3 of 4

- Any student information communicated via District web pages must comply with the Board of Education policies on Data Privacy and Public Use of School Records.
- Any deliberate tampering with or misuse of District networked services or equipment will be considered vandalism and will be handled in accordance with the District Internet Use policy, the District Student Conduct Policy and other related policies.

### Technical Standards and Consistency

Each web page added to the District web site(s) must contain the following elements in order to provide general consistency for District web pages.

- At the bottom of the web page, there must be a last update indicator and the name or initials of the person(s) responsible for the page and/or update. It shall be that person's responsible to keep the web page current.
- At the bottom of the web page, there must be a link that returns the user to the appropriate point(s) in the District web pages.
- The District will develop additional consistency standards as the need arises.
- All web pages must be submitted to the Elsinboro Township School Webmaster for review prior to placement on the District server(s). In the absence of the District Webmaster, the Computer/Technology Coordinator or Chief School Administrator shall give approval.
- No computers other than the assigned building web servers shall be configured as web/FTP servers.
- Users must exhibit care when creating web pages with extensive tiled backgrounds or large graphics. Such files require extensive download time, are frustrating for modem users, and slow down the file servers.
- The authorized teacher, who is publishing the final web\_page for himself/herself or for a student, will edit the page(s) for conformance with the standards outlined in this policy and test the page(s) for the accuracy of the links.
- Web pages may not contain links to other web pages not yet completed. If additional pages are anticipated but not yet developed, the text that will provide such a link should be included. However, the actual link to said page(s) might not be made until the final page is actually in place on the server(s).
- Any graphics, sounds, or video used on web pages must conform to the format currently used or approved by the administration.
- Web pages may not contain any student e-mail address links, any survey-response links or any other type of direct-response links.
- Final decisions regarding access to active web pages for editing content of organization will rest with the Chief School Administrator, with input from the Webmaster and/or Technology Coordinator.
- All web pages shall be linked to other Elsinboro Township School pages in relation to their current location on the server(s).

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Creating & Publishing Web Pages**

**Series 6000  
Policy 6142.11**

Page 4 of 4

### Additional Notes for Consideration

- Material on web pages reflects an individual's thoughts, interests, and activities. Such web pages do not, in any way, represent the individual school or the school district, nor are they endorsed or sanctioned by the individual school or the school district. Concern about the content of any page(s) created by students or staff should be directed to the Chief School Administrator or to the District Webmaster.
- Given the rapid change in technology, some of the technical standards outlined in this policy may require change throughout the year. The District Technology Coordinator and Webmaster will make such changes with the approval of the Chief School Administrator.

### Legal References:

N.J.S.A. 2A:38A-1 et seq., 2C:20-25, 18A:7A-11, 18A:36-35,  
N.J.A.C. 6A:24-1.1 et seq., 6A:24-1.4, 2.2, 4.1, 6.1, 6A:30-1.1 et seq.

17 U.S.C. 101 United States Copyright Law

47 U.S.C. 254(h) Children's Internet Protection Act

N.J. v. T.L.O. 469 U.S. 325 (1985)

O'Connor v. Ortega 480 U.S. 709 (1987)

No Child Left Behind Act of 2001, Pub. L. 107-110

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

1111, 3514, 3543, 4118.2, 4218.2, 5114, 5124, 5131, 5131.5, 5142, 5145.2, 6144,  
6145.3, 6161

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Vocational / Industrial / Occupational Education**

**Policy 6142.12**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 2

First Reading: June 8, 2009

The Board of Education believes that constructive attitudes and concepts involving the dignity of all kinds of work belong in the curriculum from the beginning grades. Therefore, in fulfillment of the Core Curriculum Content Standards, the Board of Education shall develop and implement a comprehensive guidance and counseling system that facilitates career awareness and exploration for all students. The Board of Education shall ensure that educational programs shall continuously expose pupils to the nature of the wide variety of careers available. The cross-content workplace readiness standards shall be infused into the curriculum throughout the grades in age appropriate activities. When any hands-on experience requires use of power tools, etc., all eye protection and other appropriate safety regulations shall be observed.

### Career Education and Counseling

The Board of Education shall develop and implement a comprehensive guidance and academic counseling program for all students to facilitate career awareness, exploration, and preparation. This program shall:

- A. Be linked to the Core Curriculum Contents Standards;
- B. Be infused throughout the K-8 curriculum;
- C. Be supported by professional development programs;
- D. Take into consideration the academic, career and personal/social development of the student; and
- E. Ensure that students with disabilities (age 14 or younger), if determined appropriate by IEP, have career and academic counseling coordinated with transitional services in accordance with N.J.A.C. 6A:14-3.7.

The Board of Education shall develop and implement curriculum and instructional methods that:

- Are integrated with technological literacy;
- Provide all students with an understanding of the career application of knowledge and skills learned in the classroom; and
- Provide all students with the opportunity to apply knowledge and skills learned in the classroom to real or simulated career challenges.

The Board of Education will develop and implement for all students a system of career development activities that:

- Offers the opportunity to explore career interests within, but not limited to, arts and humanities; business and information systems; mathematics, science and technology; and health and human services;
- Addresses district resources, community needs and student interest;

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Program**

**Series 6000**

**Vocational / Industrial / Occupational Education**

**Policy 6142.12**

Page 2 of 2

Allows the Board of Education to select an appropriate delivery format that may include an integrated curriculum based on the Core Curriculum Content Standards or specialized programs that reflect the needs of students and the community; and

Instills the concept of the need for continuous learning throughout one's life.

## Legal References:

NJSA 18A:11-1, 18A:38-36, 18A:40-12.1, -12.2, 18A:54-20, 18A:54E-1,  
NJAC 6:8-2.1, 6:8-4.1, 6:11-1.1 et seq., 6:11-8.1, -8.2, -11.3, -11.4, 6:A:7-1.7,  
6A:8-2.2, 6A:8-3.2, 6A:8-5.1, 6A:19-1.1 et seq., 6A:19-1.1, -5.1, -10.2, 6A:23-3.3,  
6A:26-12.1 et seq., 6A:26-12.2, -12.5, 6A:30-1.1 et seq.,

Manual for the Evaluation of Local School Districts (September 2002)

## Possible Cross References:

3220/3230, 3516, 5142, 5145.4, 6010, 6121, 6141, 6142.2



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **HIV / AIDS Prevention Education**

**Policy 6142.13**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 2

First Reading: June 8, 2009

The Board of Education believes HIV/AIDS education should be integrated into the comprehensive health education curriculum, but may also be applied to other curriculum areas.

The district HIV/AIDS education program must address, at a minimum, the nature, transmission, prevention and effects of the disease. The program shall be provided through a coordinated sequential elementary and secondary curriculum, taking into consideration the age, growth, development and maturity of the pupils and the subject matter of the course. Development of the program should take into account the instructional needs of all pupils in the district.

The Chief School Administrator shall ensure that the information presented as a part of the HIV/AIDS prevention education program is articulated in such a way that transition from grade to grade in the elementary schools and from elementary to secondary approaches to the material will be appropriate for all pupils.

The Chief School Administrator shall be responsible for the preparation and development of an HIV/AIDS prevention education program, with active consultation and participating of an advisory committee consisting of teachers, administrators, parents/guardians, pupils (as appropriate), physicians, members of social and health service agencies, members of the clergy and representative members of the community. The Board shall appoint the members of the committee upon the recommendation of the Chief School Administrator. The advisory committee shall be responsible for reviewing the instructional program and all materials to be used and, through the Chief School Administrator, of recommending it for Board adoption.

The Chief School Administrator shall ensure that all staff members involved in teaching the HIV/AIDS prevention education program are properly certified for the subject area in which they are teaching and adequately prepared to teach the material. As necessary, appropriate staff training shall be provided.

Upon the request of parents or guardians, the HIV/AIDS education curriculum shall be made available for their review. The Chief School Administrator shall establish procedures whereby pupils whose parent/guardian presents to the Chief School Administrator a signed statement that a designated part of the instruction is in conflict with his/her conscience, or moral or religious belief, shall be excused from that part of the curriculum. Independent study shall be directed during the time a pupil is excused from part of the program. The independent study shall include alternative topics that do not conflict with the parent/guardian's beliefs but fall within the same subject area (i.e., comprehensive health education) as the program from which the pupil is excused. No penalties to credit or graduation shall result from such an exemption.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **HIV / AIDS Prevention Education**

**Series 6000**

**Policy 6142.13**

Page 2 of 2

The Chief School Administrator shall establish a process for evaluating and updating the HIV/AIDS prevention education program to incorporate new information. Any such revisions shall be implemented after consultation with, and review by, an advisory committee as described above.

The Board of Education alone, upon the recommendation of the Chief School Administrator, shall determine the content, sequence, and materials of the HIV/AIDS prevention education program.

#### Legal References:

NJSA 26:5C-1 et seq., 18A:33-1, 18A:35-4.7, 18A:35-4.19,  
NJAC 6A:8-3.1(d), 6A:16-2.3(e), 8:61-1.1 et seq., 12:100-4.2

29 CFR 1910.1030 - Bloodborne Pathogen Standard

No Child Left Behind Act of 2001, Pub. L. 107-110

S. T. v. Board of Education of the City of Millville, 1986 S.L.D.  
(December 24), aff'd St. Bd

#### Possible Cross References:

1220, 4131/4131.1, 5124, 5131.6, 5141, 5141.2, 5145.4, 6122, 6140,  
6141, 6142, 6142.1, 6142.4, 6144, 6161.2, 6300

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **E-Mail Policy**

**Policy 6142.14**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 4

First Reading: June 8, 2009

The school district provides many computing and networking resources for use by students, faculty and staff. Members of the school district community are encouraged to use electronic mail (e-mail) for district-related activities and to facilitate the efficient exchange of useful information. Access to e-mail is a privilege and certain responsibilities accompany that privilege. Users of e-mail are expected to be ethical and responsible in the use of e-mail. E-mail is one of the most used and useful facilities on computer networks. To ensure maximum benefits from e-mail, a clear, defined balance between the need for open communication and the protection of the District's assets is critical. The purpose of this policy is to encourage use of e-mail as an effective and efficient business tool within the framework of the appropriate statutes.

E-mail is an electronic message sent by or to a member in correspondence with another person having Internet mail access. All messages sent and received on the school district computer network(s) must have an educational or administrative purpose and are subject to review. A sender of an E-mail message should expect the E-mail messages will be reviewed by the system administrators or the school administration. Messages received by the system are retained on the system until deleted by the recipient. A canceled account will not retain its E-mail. Members are expected to remove old messages within thirty calendar days or the system administrators may remove such messages. The system administrators may inspect the contents of E-mail sent by one member to an addressee, and disclose such contents to other than the sender or a recipient when required to do so by the Board policy, regulation or other laws and regulations of the State and Federal governments. The Board reserves the right to cooperate fully with local, state, or federal officials in any investigation concerning or relating to any E-mail transmitted on the school district computer network(s) or computers.

#### Monitoring

The Board of Education reserves the right to review any material accessed or transmitted by users. Users should have no expectation of privacy. Certain aspects of the use of electronic environment may be recorded in logs either for the purpose of performance monitoring or for assistance in authorized legal investigations of alleged misbehavior under this policy. The actual contents of these logs will only be reviewed by authorized district administrators or by external law enforcement officials.

#### Privacy

It is in the nature of most e-mail systems that the physical security of messages cannot be guaranteed. Therefore, the Board discourages the use of e-mail to transmit messages containing sensitive data. E-mail messages are not considered private messages. Although e-mail messages are not routinely monitored, the district may rightfully monitor or access e-mail messages if the district suspects breaches of security, harassment or other violations of other district policies or the law. The individual authorizing any search of a user's data must have reasonable grounds for suspecting that the search will reveal evidence that the user has violated a specific district policy,

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program E-Mail Policy**

**Series 6000  
Policy 6142.14**

Page 2 of 4

state or federal law, or has committed work related misconduct. The search of the user's electronic files must and will be reasonably related in scope to the suspicion that generated the search. A user's account and password are the keys to the e-mail network and users are advised that they are responsible for the security of their respective account and password. There are major risks when a user's account and password are known to others. Transmissions made using that account password are assumed to have been initiated by the account and password owner, though managers of e-mail systems who investigate complaints shall not automatically assume that the author of an offending message is the owner of the account and password.

### Guidelines

Access to and the responsible use of modern information resources is essential to the pursuit and achievement of excellence at our school. The district encourages appropriate use of e-mail to enhance productivity through the efficient exchange of information in education, research, public service and the expression of ideas. Use of these resources must be consistent with these goals. As responsible members, everyone is expected to act in accord with the following general guidelines based on common sense, common decency, and civility applied to the networked computing environment:

1. Messages sent as electronic mail should meet the same standards for distribution or display as if they were tangible documents or instruments. One should identify himself/herself clearly and accurately in all electronic communications. Concealing or misrepresenting one's name or affiliation to dissociate oneself from responsibility for one's actions is never appropriate. Alteration of the source of e-mail, message or posting is unethical and possibly illegal. One test of appropriateness would be to never "say" anything via e-mail that one would not be willing to say directly to a person;
2. Be sensitive to the inherent limitation of shared network resources. No computer security system can absolutely prevent a determined person from accessing stored information. While the district has no interest in regulating the content of e-mail it will not guarantee the privacy or confidentiality of electronic documents. Good judgment dictates the creation only of electronic documents that may become available to the public;
3. Respect the rights of others. Do not send abusive, threatening or harassing materials. Civil discourse is at the heart of a district community free of intimidation and harassment and based upon a respect for individual as well as a desire to learn from others. While debate on controversial issues is inevitable and essential, bear in mind that it is everyone's responsibility to do so in a way that advances the cause of learning and mutual understanding;
4. Each staff member is expected to promote efficient use of network resources consistent with the instructional, research, public service and administrative goals of the Elsinboro Township School. Show consideration for others and refrain from engaging in any use that would interfere with the work or disrupt the intended use of network resources. One should especially avoid wasteful or unwanted material. This effort is consistent with existing practices governing other forms of communication including telephone calls, bulletin board postings, and the mass distribution of flyers;

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program E-Mail Policy**

## **Series 6000 Policy 6142.14**

Page 3 of 4

5. E-mail and other network resources may not be used for commercial purposes or for personal financial gain. This does not preclude the use of e-mail to assist in the investigation and support of vendors' products, such as the discussion of a product's relative advantages and disadvantages by users of the product, the distribution of information or technical support material by request or vendor responses to questions about products, as long as the responses are not in the nature of a solicitation.

All users of the Internet must comply with the Electronic Communications Privacy Act of 1986, as amended, and the Communications Decency Act. These Acts prohibit the unauthorized interception or disclosure of e-mail messages by third parties as well as the appropriateness of certain material being remitted on the Internet. The Acts do not permit interception or disclosure unless both the sender and the receiver of the communication consent. Further, the Acts recognize that the school district may monitor an employee's e-mail messages, as long as the interception device is included in the e-mail equipment.

Staff will be held no less accountable for its actions in situations involving e-mail than it would be in dealing with other media. One is expected to abide by the security restrictions on all systems and information to which there is access. One should avoid any irresponsible communication where the meaning of the message, or its transmission or distribution could include but be limited to behavior that is considered illegal or unethical. Irresponsible activities include, but are not limited to, spamming, overloading a system, sending chain letters or regulation or similar actions. Conduct that involves the use of information resources to violate a district policy or regulation or state or federal law, or to violate another's rights, is a serious abuse, subject to elimination of one's privileges and appropriate disciplinary and/or legal action. The district is not responsible for transmissions that are libelous or defamatory, and will do all it can to investigate and address those unwanted transmissions with the message sender.

If unsolicited or unwanted Internet transmissions are received, or if problems or issues arise regarding Elsinboro Township School e-mail, the appropriate systems administrator shall be contacted. E-mail managers and network system administrators should not monitor or access the contents of electronic files except as noted in this policy. Complaints by any user receiving electronic transmissions through any e-mail server may be submitted to the Chief School Administrator. The Affirmative Action Officer will be notified of complaints regarding the transmission of discriminatory material. In the case of any employee investigation, if a violation did occur, the Chief School Administrator shall be informed immediately. The Chief School Administrator shall impose proper action in a form and process consistent with public employee laws and collective bargaining agreements.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program E-Mail Policy**

**Series 6000  
Policy 6142.14**

Page 4 of 4

### Legal References:

N.J.S.A. 2A:38A-1 et seq., 2C:20-25, 18A:7A-11, 18A:36-35,  
N.J.A.C. 6A:24-1.1 et seq., 6A:24-1.4, 2.2, 4.1, 6.1, 6A:30-1.1 et seq.

17 U.S.C. 101 United States Copyright Law

47 U.S.C. 254(h) Children's Internet Protection Act

N.J. v. T.L.O. 469 U.S. 325 (1985)

O'Connor v. Ortega 480 U.S. 709 (1987)

No Child Left Behind Act of 2001, Pub. L. 107-110

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

1111, 3514, 4118.2, 4218.2, 5114, 5124, 5131, 5131.5, 5142, 6144, 6145.3, 6161

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Internet Safety**

**Policy 6142.15**

Date Adopted: April 16, 2012

Date Revised:

Page 1 of 2

In accordance with the requirements of the Federal Child Internet Protection Act (CIPA), and as a school district that receives discounts offered by the E-rate program, the following constitutes the Internet Safety Policy of this district.

The Board of Education shall provide technology protection measures with respect to any of its computers with Internet access that protect against access through such computers to visual depictions that are obscene, child pornography, or harmful to minors.

For the purposes of this policy, “harmful to minors” shall be defined as, “any picture, image, graphic image file, or other visual depiction that:

- Appeals to a prurient interest in nudity, sex, or excretion, taken as a whole and with respect to minors;
- Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and,
- Lacks serious literary, artistic, political, or scientific value as to minors, taken as a whole.”

These protection measures may be disabled during use by an adult, to enable access for *bona fide* research or other lawful purpose.

In addition, this district may monitor the online activities of minors and adults using district computers and/or district equipment that provide Internet and/or Intranet access.

The Superintendent of Schools/designee shall develop and implement curricula to address the security and safety of minors, including, but not limited to:

- Appropriate online behavior, including interacting with other individuals on social networking sites;
- Using chat rooms, email, instant messaging and/or other types of online communication;
- Cyberbullying awareness and response;
- Unauthorized disclosure of a student’s personal information;
- Unauthorized access, such as hacking by students.

Before adopting this Internet safety policy, schools and libraries must provide reasonable notice and hold at least one public hearing or meeting to address the proposal.

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Program  
Internet Safety**

**Series 6000  
Policy 6142.15**

Page 2 of 2

## Legal References

- NJSA 2A:38A-1 et seq. Computer System  
2C:20-25 Computer Related Theft  
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills  
18A:36-35 School Internet websites; disclosure of certain student information prohibited
- NJAC 6A:10A-1.1 et seq Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts  
6A:10A, Appendix A  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 17 U.S.C. 101 United States Copyright Law  
47 U.S.C. 254(h) Children's Internet Protection Act  
N.J. v. T.L.O. 469 U.S. 325 (1985)  
O'Connor v. Ortega 480 U.S. 709 (1987)  
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

## Possible Cross References

1111, 3514, 4118.2, 4218.2, 5114, 5124, 5131, 5131.5, 5142, 6142.10, 6144, 6145.3, 6161



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **Anti-Big Brother Act – Student Use of District-Owned Electronic Devices**

**Policy 6142.16**

Date Adopted: September 9, 2013

Date Revised:

Page 1 of 1

The Board of Education directs the Chief School Administrator/designee to comply with the provisions of NJSA 18A:36-39 (P.L. 2013, c. 44), otherwise known as the “Anti-Big Brother Act.”

The district may supply or furnish a student or students with an electronic device as described in this policy that may be used outside of the school environment, in connection with the district’s academic program.

The Chief School Administration/designee shall direct the appropriate staff members or administrators to provide any student who has been supplied with a district-owned and/or supplied laptop computer cellular telephone, or other electronic device, with written or electronic notification that the electronic device may record or collect information regarding the student’s activity or use of the electronic device if that electronic device is equipped with a camera, global positioning system, or other feature capable of recording or collecting information on the student’s activity or use of the device.

The notification shall include a statement that the school district shall not use any of the capabilities in a manner that would violate the privacy rights of the student or any individual residing with the student. The parent(s)/guardian(s) of the student shall be required to acknowledge receipt of this notification before the student is issued the electronic device.

It shall be understood that this policy does not include limiting or restricting the use of electronic devices in school environments.

The school district shall retain the acknowledgement as long as the student retains the use of the electronic device.

Additionally, all staff members shall be advised of this policy on an annual basis.

#### Legal References

NJSA 2A:38A-1 et seq. Computer System  
18A:36-35 School Internet websites; disclosure of certain student information prohibited  
18A:36-39 Anti-Big Brother Act

**ELSINBORO TOWNSHIP SCHOOL DISTRICT**

**PARENT/GUARDIAN AGREEMENT REGARDING THE USE OF  
DISTRICT-OWNED ELECTRONIC DEVICES**

I, \_\_\_\_\_,

(Full Name of Parent/Guardian)

as the parent or guardian of \_\_\_\_\_,

(Full Name of Student)

have read the attached Anti-Big Brother Act / Student Use of District Owned Electronic Devices Policy (6142.16). I understand that the Elsinboro Township School District will supply my child with an electronic device that may be able to record or collect information regarding my child's activity or use of the electronic device and that the electronic device may be equipped with a camera, global positioning system, or other feature capable of recording or collecting information on my child's activity or use of the device.

I also understand that the school district will not use any of the capabilities in a manner that would violate the privacy rights of my child or any individual residing with him/her.

I have read, understand and agree to allow the Elsinboro Township School District to furnish my child (named above) with an electronic device that may be able to record or collect information regarding my child's activity or use of the electronic device and that the electronic device may be equipped with a camera, global positioning system, or other feature capable of recording or collecting information on my child's activity or use of this device.

Additionally, my child has also read, understands and agrees to the information contained in this agreement and has signed his/her name below indicating his/her agreement to the terms of this document.

Please sign below and return to your child's school:

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **ADA Compliant Website**

**Policy 6142.19**

Date Adopted: May 7, 2018

Date Revised:

Page 1 of 2

It is the goal of the Board of Education that the information on the district website shall be accessible to individuals with disabilities, and in compliance with the requirements of Section 504 of the Rehabilitation Act of 1973 and that statute's implementing regulations at 34 C.F.R. Part 104; as well as Title II of the Americans with Disabilities Act of 1990 (ADA) and that statute's implementing regulations at 28 C.F.R. Part 35.

Individuals who have difficulty accessing information on the district's website due to a disability are encouraged to contact the district's Affirmative Action Officer or the Superintendent of Schools and provide the URL (web address) of the material that was difficult to access, the problem experienced and the individual's contact information, including, but not limited to the individual's name, email address and phone number so that information may be provided in another format. The Superintendent of Schools/designee shall then conduct an investigation and ensure that future compliance is assured.

Individuals who may have recommendations to enhance the district's website accessibility are asked to contact the Superintendent of Schools.

It is the goal of the Board of Education to make the district's website as accessible as possible to parents/guardians, students, employees and the community at large. To that end, the Board of Education invites all stakeholders to provide feedback regarding the website's accessibility.

The district is required by law to ensure that its website is accessible to the disabled and if the website does not meet the ADA compliance standards, the district might be the target of an investigation by the Office of Civil Rights (OCR). Additionally, if the OCR receives a complaint from anyone (disabled or not), it could result in a disability complaint being filed against the district. The OCR has the right to force compliance, and this forced compliance may result in the loss of funding (federal or state).

Therefore, the Board of Education directs the Superintendent of Schools/designee to ensure the district website is ADA compliant and to identify barriers to accessibility based on current guidelines and to make all new website content and functionality accessible to individuals with disabilities. Additionally, the Superintendent of Schools /designee shall create an action plan to correct any existing barriers,

that will include a timeline for compliance. The Superintendent of Schools shall also provide website accessibility training to all personnel who provide updates or create content for the district website and conduct scheduled, ongoing audits to ensure that the website remains accessible to all individuals.

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Program  
ADA Compliant Website**

**Series 6000  
Policy 6142.19**

Page 2 of 2

A copy of this policy and a notice to persons with disabilities about how to request access to online information or functionality that is currently inaccessible shall be posted prominently in the district school(s).

## **Legal References**

- NJSA 2A:38A-1 et seq. Computer System
- 18A:36-35 School Internet websites; disclosure of certain student information prohibited
  
- NJAC 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 17 U.S.C. 101 United States Copyright Law
- 47 U.S.C. 254(h) Children's Internet Protection Act
- 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)
- New Jersey Quality Single Accountability Continuum (NJQSAC)

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Curriculum Guides**

**Policy 6143**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Chief School Administrator shall oversee development of curriculum guides for every course and area of study for every grade level. Each guide shall contain objectives for concepts and skills to be taught and attitudes to be developed; necessary study skills; suggested materials and activities designed to achieve all of these; and evaluation criteria intended to test the extent to which learning objectives have been met.

Teachers shall use the guides as the core of their instructional planning. It shall be the responsibility of the Chief School Administrator to ensure that curriculum guides are being followed.

A copy of each guide in use shall be kept on file in each school office. Such guides shall be available for public inspection.

Because curriculum guides are the means of implementing instruction in courses adopted by the Board as the curriculum of the district, the Board shall approve any new curriculum guides or any revision to an existing guide before they are put into effect.

### Legal References:

NJAC 6A:8-1.3, 6A:8-2.1 et seq., 6A:8-3.1 et seq., 6A:8-5.1, 6A:30-1.1 et seq.,

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

6122, 6140, 6141, 6142, 6142.2, 6147

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Lesson Plans**

**Policy 6143.1**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

All teachers are required to maintain and use an updated curriculum guide for preparation of lesson plans for each subject taught. Lesson plans must include objectives that specify what pupils should know, or be able to do, at the completion of that lesson. Lesson plans should be prepared in enough detail with enough clarity to enable a substitute teacher to carry on the program during the absence of a teacher.

When the teacher plans to use materials not included in the curriculum guide, he/she should list these materials in the lesson plan.

The Chief School Administrator shall check lesson plans on a weekly basis.

### Legal References:

NJSA 18A:11-1,

NJAC 6A:8-2.1 et seq., 6A:8-3.1 et seq., 6A:30-1.1 et seq.

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

4115, 4116, 4121, 6010, 6142, 6143

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Controversial Issues**

**Policy 6144**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

Free discussion of controversial issues-political, economic, social – shall be encouraged in the classroom whenever appropriate for the level of the group.

Issues may be considered controversial which arouse strong reactions, based either on personal conviction or allegiance to a group. School treatment of controversial issues shall be designed to instruct pupils in fair and objective study techniques. The decision on whether a particular controversial issue shall become a matter for school study shall be based on the timelines of the question, the maturity and needs of the pupils and the purposes of the school. Classroom discussions on controversial questions that arise unexpectedly shall be the responsibility of the teacher, who shall provide relevant information on both sides of the question. Such discussions shall be kept free from the assumption that there is one correct answer that should emerge from the discussion and be taught authoritatively to the pupils.

Pupils shall be taught to recognize each other's right to form an opinion on controversial issues, and shall be assured of their own right to do so without jeopardizing their relationship with the teacher or the school.

The Chief School Administrator shall have the authority to limit or suspend discussion of controversial issues pending a review of the issue/materials. Instructional materials not previously approved must be reviewed by the Chief School Administrator before being introduced into the classroom.

### Legal References:

NJSA 18A:11-1, 18A:36-34

NJAC 6:8-1.1(a)4i

Pupil Protection Rights Amendment – 20 U.S.C. 1232h

Tenure Hearing of William Lee Johnson, Clearview Regional School District, 79

S.L.D. 267; 79 S.L.D. 273 aff'd with deletion of paragraph

### Possible Cross References:

1312, 5145, 6141.2, 6145.3, 6161.1, 6161.2

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Extracurricular Activities**

**Policy 6145**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 2

First Reading: June 8, 2009

The Board believes that the educational goals and objectives of the district are best achieved by a diversity of learning experiences, some of which are more appropriately conducted outside the regular classroom program.

The purpose of extracurricular activities shall be:

- A. To develop useful new capabilities in pupils that can lead to extension of career opportunities;
- B. To develop pupil initiative and provide for the exercise of responsibility;
- C. To develop leadership capabilities and good organizational skills;
- D. To aid pupils in the social skills;
- E. To enable pupils to explore a wider range of individual interests than might be available in the regular program.

For purposes of this policy, “extracurricular activities” shall be those activities that are sponsored or approved by the Board but are not offered for credit toward graduation. Such activities may be conducted outside the regular school day, available to pupils who voluntarily elect to participate, marked by pupil participation in the processes of initiation, planning, organizing and execution and shall ordinarily include band, clubs, dramatic or musical presentations, and intramural and interscholastic sports.

Equal access to school facilities shall be granted to all activities that meet this definition. The Chief School Administrator shall prepare procedures to implement an extracurricular program that shall:

- A. Assess the needs and interests of the pupils of this district;
- B. Ensure the provision of competent guidance and supervision by staff;
- C. Guard against the exploitation of pupils;
- D. Provide for a variety of experiences and a diversity of organizational models;
- E. Provide for the continuing evaluation of the extracurricular program and staff;
- F. Ensure that all extracurricular activities are open to all eligible pupils and that all pupils are fully informed of the opportunities open to them.

The guidance goal for each pupil shall be a balanced program of appropriate academic studies and activities to be determined by the school, the parents/guardians and the pupil. Guidance is necessary to encourage non-participants, and to prevent the over-enthusiastic from emphasizing activities at the cost of their academic performance.

Only persons in the employ of the Board of Education shall be permitted to organize district pupils during school time or during any recess in the school day for purposes of instruction or coaching or for conducting games, events, or contests in physical education or athletics.



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Extracurricular Activities**

**Series 6000  
Policy 6145**

Page 2 of 2

No activity shall be considered to be under the sponsorship of this Board unless it has been approved by the Board on recommendation of the Chief School Administrator. The Board must approve fund-raising activities of extracurricular groups.

All pupils in good behavior and academic standing shall have equal access to all extracurricular activities regardless of race, color, creed, religion, sex, national origin, ancestry, social or economic status, or non-applicable handicap.

Good disciplinary standing shall mean that a pupil is not eligible to participate while serving a detention or suspension. Pupils who serve more than four detentions, suspensions or a combination of the two during one term may be found not eligible to participate the following term.

When a pupil already participating in an extracurricular activity is reported for an infraction of the rules for pupil conduct, the Chief School Administrator shall consider whether the pupils shall be removed from any or all extracurricular activities.

### Attendance

The district's attendance policy shall also apply.

### Implementation

The Chief School Administrator shall develop regulations to ensure equitable implementation of this policy. Particular care shall be taken to ensure that all extra-curricular programs and their operation comply with district affirmative action requirements. Participation in academically related coaching or tutoring groups may be exempt from the eligibility requirement at the Chief School Administrator's discretion.

### Legal References:

NJSA 10:5-1 et seq., 18A:11-3, 18A:19-14, 18A:35-20, 18A:42-5, -6

34:13A-1 et seq.

NJAC 6:3-8.1 et seq., 6:8-4.1, 6:11-3.24, 6A:7-1.1 et seq., 6A:8-3.2, 6A:16-2.2, 6A:30-1.1 et seq.

20 U.S.C.A. 4071-4074 – Equal Access Act

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

Krupp v. Bd. of Ed. of Union County Reg. H.S. Dist. #1, 278 N.J. Super. 31 (App. Div. 1994) cert. den. 140 N.J. 277 (1994)

Good News Club v. Milford Central School, 121 U.S. 2093 (2001)

NJSIAA Constitution, Bylaws, Rules and Regulations

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

5118.3, 6145.1/6145.2

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Intramural / Interscholastic Competition**

**Policy 6145.1**

Date Adopted: August 10, 2009

Date Revised: September 12, 2011

Page 1 of 5

First Reading: June 8, 2009

The Board considers all competitive extracurricular activities (academic, artistic, and athletic) an integral part of the total educational program. Competitive activities shall be under the same administration and control as the rest of the school program and closely articulated with it.

Competitive activities can provide pupils with valuable experiences and opportunities. In this District, the emphasis in any competition (intramural or interscholastic) shall be providing such experiences and opportunities rather than on producing winning teams or providing entertainment. Practice for or performance in any competitive event shall not interfere with the regular educational program.

The Board shall approve all proposed interscholastic competition, either as a schedule or as a didactic event, whichever is appropriate. The Board must approve membership in any leagues, associations and conferences.

The Board shall appoint coaches, advisors, physicians and other necessary supervisory personnel upon recommendation of the Superintendent of Schools. The Superintendent of Schools shall also ensure that all physical facilities involved in any competition in which the District School takes part shall be adequate, safe and sanitary.

Public recognition shall be given to participants in academic or artistic competitions in the same measure as to athletic competitors.

### Parent Consent

No pupil may participate in a school-sponsored physical activity outside the regular physical education curriculum without a signed form from a parent/guardian naming the activity and acknowledging that the activity may be hazardous.

### Disciplinary Requirements

All pupils in good behavior and academic standing shall have equal access to all extracurricular activities regardless of race, color, creed, religion, sex, national origin, ancestry, social or economic status, or non-applicable handicap.

Good disciplinary standing shall mean that a pupil is not eligible to participate while serving a detention or suspension. Pupils who serve more than four detentions, suspensions or a combination of the two during one term may be found not eligible to participate the following term.

When a pupil already participating in an extracurricular activity is reported for an infraction of the rules for pupil conduct, the Superintendent shall consider whether the pupils shall be removed from any or all extracurricular activities.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Intramural / Interscholastic Competition**

**Series 6000**

**Policy 6145.1**

Page 2 of 5

#### Attendance

The district's attendance policy shall also apply.

#### Attendance Standards

Attendance standards shall be those set in Policy 5113 – Absences and Excuses. In particular, a pupil shall not participate in a performance, exhibition, practice or athletic event unless he/she has been present in school that day or has been absent for an excused reason other than for sickness.

#### Special Education Pupils

To participate, Special Education pupils must meet the same requirements listed above in conformity with I.E.P's.

#### Physical Eligibility

All pupils in grades 5 through 8 participating in intramural or interscholastic athletics must be given a medical examination no more than 60 days prior to the first practice session of the first sport participated in, but not before July 21<sup>st</sup> of the year in which participation will take place,. The medical examination shall be conducted by the District's Medical Officer or designated Team Doctor. If requested by the parent/guardian, the medical examination may be performed by another licensed physician, but must be reported to the District Medical Officer or designated Team Doctor on a form furnished by the District and, as a minimum, include the consent on a form furnished by the District and, as a minimum, include the content adopted by the Board. In the event a private physician is used, the medical examination shall not be at the expense of the Board of Education.

The parents/guardians shall be sent written notification signed by the examining physician testifying to the pupil's physical fitness to participate in athletics. The reason(s) for the physician's disapproval of the pupil's participation shall be included in the notification. The health findings of the medical examination for participation in athletics shall be made part of the general health examination record.

The Superintendent of Schools shall present to the Board for adoption, procedures for the administration of required medical examinations. The procedures for medical examinations to determine the fitness of pupils to participate in athletics shall include a form for a medical history to be completed and returned by the parent/guardian and a form to be completed by the examining physician.

The medical examination to determine the fitness of pupils to participate in athletics shall include, as a minimum, the following:

- A. A medical history questionnaire, completed by the parent/guardian of the pupil, to determine if the pupil:

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Intramural / Interscholastic Competition**

**Series 6000**

**Policy 6145.1**

Page 3 of 5

1. Has been medically advised not to participate in any sport and the reason(s) for such advice;
  2. Is under a physician's care and the reason(s) for such care;
  3. Has experienced loss of consciousness after an injury;
  4. Has experienced a fracture or dislocation;
  5. Has undergone any surgery;
  6. Takes any medication on a regular basis, the names of such medication and the reason(s) for such medication;
  7. Has allergies including hives, asthma and reaction to bee stings;
  8. Has experienced frequent chest pains or palpitations;
  9. Has a recent history of fatigue and undue tiredness;
  10. Has a history of fainting with exercise;
  11. Has a history of family members dying suddenly.
- B. A physical examination that shall include, as a minimum, no less than the following:
1. Measurement of weight, height and blood pressure;
  2. Examination of the skin to determine the presence of infection, scars of previous surgery or trauma, jaundice and purpura;
  3. Examination of the eyes to determine visual acuity, use of eyeglasses or contact lenses, and examination of the sclera for the presence of jaundice;
  4. Examination of the ears to determine the presence of acute or chronic infection, perforation of the eardrum and gross hearing loss;
  5. Examination of the nose to assess the presence of deformity that may affect endurance;
  6. Assessment of the neck to determine range of motion and the presence of pain associate with such motion;
  7. Examination of chest contour;
  8. Auscultation and percussion of the lungs;
  9. Assessment of the heart with attention to the presence of murmurs, noting rhythm and rate before and after exercise;
  10. Assessment of the abdomen with attention to possible presence of hepatomegaly, splenomegaly, or abnormal masses;
  11. Assessment of the back to determine range of motion and abnormal curvature of the spine;
  12. Examination of extremities to determine abnormal mobility or immobility, deformity, instability, muscle weakness or atrophy, surgical scars and varicosities;
  13. Examination of the testes to determine the presence and descent of both testes, abnormal masses or configuration, or hernia;
  14. Assessment of physiological maturation;
  15. Neurological examination to assess balance and coordination and the presence of abnormal reflexes.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Intramural / Interscholastic Competition**

**Series 6000**

**Policy 6145.1**

Page 4 of 5

#### Pamphlet on Sudden Cardiac Arrest

In accordance with the provisions of NJSA 18A:40-41, once each school year, the Superintendent of Schools/designee shall distribute to parents/guardians of students participating in school sports, the New Jersey Department of Education's pamphlet on sudden cardiac death. The pamphlet includes a description of early warning signs and privately available screening options.

#### Good Sportsmanship

The Board of Education believes that instilling habits of good sportsmanship should be one of the primary goals of athletic endeavors and that all district employees should model good behaviors in this area.

It is especially important that the athletic director and coaches accept the responsibility for encouraging young athletes to handle themselves in a sportsmanlike way and be models of self-control and dignity for players and spectators. Coaches/advisors shall include discussions on courtesy and sportsmanlike behavior as part of pre-game activities. Student fans shall be reminded that their conduct reflects on the schools of this district and that poor sportsmanship will be disciplined.

Parents/guardians and other adult spectators shall also be encouraged to act as models for young people by demonstrating self-control and dignity at all athletic events.

Unsportsmanlike behavior as exhibited through verbal abuse, rude gestures, taunts, obscenities, thrown objects, etc., shall not be tolerated in students, staff or any persons in attendance at district athletic competitions. Discipline may include, but not be limited to, eviction from the competition and prevention from attending further competitions.

#### Insurance

The Board will cover each participant in interscholastic or intramural activities with insurance recommended by the current insurance carrier and approved by the Board of Education.

Parents/guardians shall be encouraged to participate in the supplemental pupil accident insurance offered by the Board.

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Program**

**Series 6000**

**Intramural / Interscholastic Competition**

**Policy 6145.1**

Page 5 of 5

## Legal References:

NJSA 5:17-1 et seq., 18A:11-3, 18A:26-2.1 et al., 18A:36-20, 18A:40A-1 et seq., 18A:40A-9, -10, -11, 18A:42-2, 18A:43-1,  
NJAC 6:3-8.1 et seq., 6:3-8.1(c), -8.1(d), -8.1(f), 6:8-4.1, 6A:7-1.4, 6A:7-1.7,  
6A:16-1.4(a)6, 6A:16-2.1 et seq., 6A:16-2.2, 6A:30-1.1 et seq.

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

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

Krupp v. Bd. of Ed. of Union County Reg. H.S. Dist. #1, 278 N.J. Super. 31 (App. Div. 1994) cert. den. 140 N.J. 277 (1994)

NJSIAA Constitution, Bylaws, Rules and Regulations

Manual for the Evaluation of Local School Districts (September 2002)

Multi-year Equity Plan for the Academic Years 2000-2001 through 2002-2003,  
New Jersey State Department of Education Division of Student Services  
Office of Bilingual Education and Equity Issues

## Possible Cross References:

1322, 1500, 3250, 3453, 3530, 3541.31, 4143, 5121, 5125, 5126, 5141.1, 5141.3,  
5143, 5144, 5145.4, 6121, 6142.4, 6145, 6145.4, 6146

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **Precautions for Heat & Humidity During Athletics & Other Extracurricular Activities**

**Policy 6145.25**

Date Adopted: October 15, 2018

Date Revised:

Page 1 of 3

The Board of Education understands and realizes that athletics and other extracurricular activities are an important part of the curriculum of the district. However, it is most important that the health, safety and well-being of all students is ensured at all times. The Board hereby directs the administration of the district to be aware of heat and humidity during athletic practices as well as other extracurricular activities students may be involved in. Administrators as well as teachers and staff members are directed to take any and all necessary precautions on behalf of the students.

During outdoor practices and contests in all sports, district employees, including administrators and other staff members, shall follow the following guidelines: noted below:

Wet Bulb Globe Temperature (WBGT) levels must be utilized at each practice. WBGT readings should be taken on the practice site a minimum of every hour, beginning 30 minutes before the beginning of practice or contest. All readings should be recorded or data logged.

#### Hydration and Rest Breaks Guidelines

- Rest time should involve unrestricted access to fluids (examples: water or electrolyte beverages).
- Sports requiring helmets (e.g. football, lacrosse, field hockey) should be removed during rest time.
- The site of the rest time should be in a shaded area.
- Ice towels, spray bottles filled with ice water or equivalent should be available to aid in the cooling process within the shaded area.

The above noted requirements shall be carried out by the coach or designated staff member overseeing the activity and who is responsible for overseeing the students. This may include administrators.

The following Wet Bulb Globe Temperature (WBGT) Chart shall be used as general guidelines by staff members, including coaches and administrators when determining the necessity for outdoor activities and practices.

Administrators shall have the responsibility to determine if and when it is necessary to implement this policy.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **Precautions for Heat & Humidity During Athletics & Other Extracurricular Activities**

**Policy 6145.25**

Page 2 of 3

## **Wet Bulb Globe Temperature (WBGT) Chart**

| <b>WBGT Reading</b> | <b>Heat Illness Risk</b> | <b>Activity &amp; Rest Guidelines</b>   |
|---------------------|--------------------------|---|
| Under 80.0°F        | Very Low Risk            | Normal activities – Provide at least three separate rest breaks each hour of minimum duration of 3 minutes each during workout.   |
| 80.0°F – 85.0°F     | Low Risk                 | Use discretion for intense or prolonged exercise; watch at-risk players carefully; Provide at least three separate rest breaks each hour with a minimum duration of 4 minutes each.   |
| 85.1°F – 88.0°F     | Moderate Risk            | Maximum practice time is 2 hours, For Football: no protective equipment may be worn during practice. All protective equipment must be removed for conditioning activities. If the WBGT rises to this level during practice, players may continue to work out wearing football pants without changing into shorts. For Field Hockey Goalies: All protective equipment must be removed for conditioning activities. For All Sports: provide at least four separate rest breaks each hour with a minimum duration of 4 minutes each. |
| 88.1°F – 90.0°F     | High Risk                | Maximum length of practice is 1 hour. For Football: no protective equipment may be worn during practice and there may be no conditioning activities. For All Sports: there must be 20 minutes of rest breaks distributed throughout the hour of practice.   |
| Over 90.0°F         | Very High Risk           | No outdoor workouts. Delay practice until a cooler WBGT level is reached  |



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **Precautions for Heat & Humidity During Athletics & Other Extracurricular Activities**

**Policy 6145.25**

Page 3 of 3

#### Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination  
18A:11-3 Voluntary associations regulating conduct of student activities; membership; rules and regulations; appeals  
18A:35-20 Participation in courses in which verbalization unessential to understanding of subject matter; location of and children in bilingual programs  
18A:42-5, -6 Certain student organizations declared harmful
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education  
6A:9-5.19 Athletics personnel  
6A:16-2.2 Required health services  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-9.1 et seq. Athletics Procedures  
6A:32-14.1 Review of mandated programs and services

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Student Publications**

**Policy 6145.3**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board of Education sponsors pupil publications as important elements of the instructional program. Pupils are encouraged to develop skills of written and verbal communication and to exercise the right to express their opinions freely and responsibly.

The rights of free speech, and free expression of pupils in public school pursuant to the First Amendment of the Constitution of the United States of America, are not automatically coextensive with the rights of adults in other settings and shall be applied in light of the special characteristics of the school environment. The Board of Education reserves the right to exercise pre-publication control over school-sponsored publications through administrative staff and faculty. Pupils shall have the right to appeal the exercise of censorship by school district staff to the Board of Education.

Pupil expression may be restricted if it can be determined that such expression is inconsistent with the basic educational mission of the school district and when censorship action is reasonably related to legitimate educational concerns.

Pupils who violate this policy by expression, publication or distribution of any materials which are biased or prejudiced, vulgar or profane, unsuitable for immature audiences, or which do not meet the school districts high standards of learning and propriety consistent with its educational goals and objectives may be subject to appropriate discipline.

This policy shall be implemented in accordance with regulations to be developed by the Chief School Administrator. The regulations shall:

- A. Identify school district staff responsible for pupil publications;
- B. Establish procedures for publication review which will include consideration by the faculty of the maturity levels of students and of appropriate standards of journalistic taste; and,
- C. Specify procedures for appeal by pupils to the Board of Education with provisions for prompt decisions to be made at each level.

### Legal References:

NJSA 18A:11-1, 18A:36-35

NJAC 6A:8-3.1 et seq.

Tinker v. Des Moines Independent School District, 393 U.S. 503 (1969)

Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

Desilets v. Clearview Regional Board of Education, 137 N.J. 585 (1994)

Possible Cross References: 1111, 5145, 5145.2, 6142.10

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Sports-Related Concussions & Head Injuries**

**Policy 6145.4**

Date Adopted: September 12, 2011

Date Revised:

Page 1 of 7

The Board of Education recognizes that head injuries pose a serious health risk to the students of this district and in particular to student athletes who participate in Interscholastic Athletics.

### General Statements

A concussion is caused by a blow or motion to the head or body that disrupts the normal functioning of the brain and can cause significant and sustained neuropsychological impairment, including, but limited to problem solving planning, memory and behavioral problems.

In order to ensure the safety of student athletes, it is imperative that athletes, coaches and parents/guardians are education about the nature and treatment of concussions and other sports-related brain injuries and that all measures are taken to prevent a student athlete from experiencing second-impact syndrome.

In response to this serious health and safety issue, the Commissioner of Education shall annually distribute a brain injury fact sheet to this school district and copies of this fact sheet shall be distributed annually by this district to all student athletes, parents/guardians of student athletes, coaches, athletic directors, school nurses and athletic trainers. The student athlete and his/her parents/guardians both must sign an acknowledgement form indicating the receipt of this fact sheet and that they have read and understood the information provided in it. The district shall keep all such acknowledgements on file for future reference.

Failure to return the signed fact sheet shall disqualify the student athlete from any participation until such time as the signed acknowledgement has been received by the administration.

Any student athlete who sustains or is suspected of have sustained a concussion or other brain injury while engaged in a sports competition or practice shall be immediately removed from the sports competition or practice. A student athlete who is removed from competition or practice shall not participate in further sports activity until he/she is evaluated by a physician trained in the evaluation and management of concussions and received written clearance from the physician to return to competition or practice and provides a written copy of the physician's clearance to the district administration.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Sports-Related Concussions & Head Injuries**

**Series 6000**

**Policy 6145.4**

Page 2 of 7

#### Regulations / Procedures

Any student athlete who sustains or is suspected of have sustained a concussion or other brain injury while engaged in a sports competition or practice shall be immediately removed from the sports competition or practice. A student athlete who is removed from competition or practice shall not participate in further sports activity until he/she is evaluated by a physician trained in the evaluation and management of concussions and received written clearance from the physician to return to competition or practice and provides a written copy of the physician's clearance to the district administration.

All coaches, assistant coaches, school nurses, school / team physicians , athletic directors and licensed athletic trainers must complete an Interscholastic Head Injury Training Program.

The Athletic Head Injury Training Program must include, but not be limited to:

- The recognition of the symptoms of head and neck injuries, concussions, risk of secondary injury, including the risk of second impact syndrome; and,
- Description of the appropriate criteria to delay the return to sports competition or practice of a student –athlete who has sustained a concussion or other head injury.

An Athletic Head Injury Training program such as the National Federation of State High Schools Association online “Concussion in Sports” training program or a comparable program that meets mandated criteria shall be completed by the above named staff. Additional head injury training programs that meet the mandated criteria may be completed by professionals of different levels of medical knowledge and training.

#### General Information Regarding Sports-Related Concussions & Head Injuries

##### Prevention

1. Pre-season baseline testing of student athletes.
2. Review of educational information for student athletes on prevention of concussions.
3. Reinforcement of the importance of early identification and treatment of concussions to improve recovery.

Student athletes who are exhibiting the signs or symptoms of a sports-related concussion or other head injuries during practice or competition shall be immediately removed from play and may not return to play that day.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Sports-Related Concussions & Head Injuries**

**Series 6000**

**Policy 6145.4**

Page 3 of 7

#### Possible Signs of Concussion

1. Appears dazed, stunned, or disoriented.
2. Forgets plays, or demonstrates short-term memory difficulty.
3. Exhibits difficulties with balance or coordination.
4. Answers questions slowly or inaccurately.
5. Loses consciousness.

#### Possible Symptoms of Concussion

1. Headache
2. Nausea/Vomiting
3. Balance problems or dizziness.
4. Double vision or changes in vision.
5. Sensitivity to light or sound/noise.
6. Feeling sluggish or foggy.
7. Difficulty with concentration and short term memory.
8. Sleep disturbance.
9. Irritability

Student athletes must be evaluated by a physician or licensed health care provider trained in the evaluation and management of concussion to determine the presence or absence of a sports-related concussion or head injuries.

To return to practice and competition the student athlete must follow the protocol:

1. Immediate removal from competition or practice. 911 should be called if there is a deterioration of symptoms, loss of consciousness, or direct neck pain associated with the injury.
2. When available the student athlete should be evaluated by the school's licensed healthcare provider who is trained in the evaluation and management of concussions.
3. School personnel (Athletic Director/Building Administrator, Licensed Athletic Trainer, School Nurse, Coach, etc.) should make contact with the student athlete's parent/guardian and inform him/her of the suspected sports-related concussion or head injury.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Sports-Related Concussions & Head Injuries**

**Series 6000**

**Policy 6145.4**

Page 4 of 7

4. School personnel coaches, assistant coaches, school nurses, school / team physicians, athletic directors and licensed athletic trainers, building administrators etc.) shall provide the student athlete with Board of Education approved suggestions for management/ medical checklist to provide their parent/guardian and physician or other licensed healthcare professional trained in the evaluation and management of sports related concussions and other head injuries.
5. The student athlete must receive written clearance from a physician, trained in the evaluation and management of concussions that states the student athlete is asymptomatic at rest and may begin the local districts' graduated return-to-play protocol. Medical clearance that is inconsistent with district, policy may not be accepted and such matters will be referred to the school/team physician.

#### Graduated Return to Competition & Practice Protocol

1. Complete physical, cognitive, emotional, and social rest is advised while the student athlete is experiencing symptoms and signs of a sports-related concussion or other head injury. (Minimize mental exertion, limiting overstimulation, multi-tasking etc.)
2. After written medical clearance is given by a physician trained in the evaluation and management of concussions stating that the student athlete is asymptomatic at rest, the student athlete may begin a graduated individualized return-to-play protocol supervised by a licensed athletic trainer, school/team physician or in cases where the aforementioned are not available a physician or licensed health care provider trained in the evaluation and management of sports-related concussions. The following steps should be followed:
  - A. Completion of a full day of normal cognitive activities (school day, studying for tests, watching practice, interacting with peers) without re-emergence of any signs or symptoms. If no return of symptoms, next day advance to:
  - B. Light aerobic exercise, which includes walking, swimming, or stationary cycling, keeping the intensity < 70% maximum percentage heart rate: no resistance training. The objective of this step is increased heart rate. If no return of symptoms, next day advance to:
  - C. Sport-specific exercise including skating, and/or running; no head impact activities. The objective of this step is to add movement and continue to increase heart rate. If no return of symptoms, next day advance to:

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Sports-Related Concussions & Head Injuries**

**Series 6000**

**Policy 6145.4**

Page 5 of 7

- D. Non-contact training drills (e.g., passing drills). The student athlete may initiate progressive resistance training. If no return of symptoms, next day advance to:
- E. Following medical clearance (consultation between school health care personnel, i.e., licensed athletic trainer, school / team physician, school nurse and student athlete's physician), participation in normal training activities. The objective of this step is to restore confidence and to assess functional skills by the coaching staff. If no return of symptoms, next day advance to the return to play involving normal exertion or game activity.
- In the absence of daily testing by knowledgeable school district staff (i.e. licensed athletic trainer, school / team physician) to clear a student athlete to begin the graduated return-to-play protocol a student –athlete should observe a 7 day rest/recovery period before commencing the protocol. Younger students (K-8) should observe the 7-day rest/recovery period (after they are symptom free at rest) prior to initiating the graduated-return-to play protocol. A physician trained in the evaluation and management of concussion as well as the parents/guardians of the student athlete shall monitor the student athlete in the absence of knowledgeable school district staff (i.e., athletic trainer, school / team physician). School nurses may serve as an advocate for student athletes in communicating signs and symptoms to physicians and parents/guardians.
  - Utilization of available tools such as symptom checklists, baseline and balance testing are suggested.
  - If the student athlete exhibits a re-emergence of any concussion signs or symptoms once they return to physical activity, he/she will be removed from further exertional activities and returned to his/her school/team physician or primary care physician.
  - If concussion symptoms reoccur during the graduated return-to-play protocol, the student athlete will return to the previous level of activity that caused no symptoms.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Sports-Related Concussions & Head Injuries**

**Series 6000**

**Policy 6145.4**

Page 6 of 7

#### Temporary Accommodations for Student athletes with Sports-Related Head Injuries

1. Rest is the best “medicine” for healing concussions or other head injuries. The concussed brain is affected in many functional aspects as a result of the injury. Memory, attention span, concentration and speed of processing significantly impacts learning. Further, exposing the concussed student athlete to the stimulating school environment may delay the resolution of symptoms needed for recovery.
2. Accordingly, consideration of the cognitive effects in returning to the classroom is also an important part of the treatment of sports-related concussions and head injuries.
3. Mental exertion increases the symptoms from concussions and affects recovery. To recover, cognitive rest is just as important as physical rest. Reading, studying, computer usage, testing, texting – even watching movies if a student is sensitive to light/sound – can slow a student's recovery. In accordance with the Centers for Disease Control's toolkit on managing concussions boards of education may look to address the student's cognitive needs in the following ways.
4. Students who return to school after a concussion may need to:
  - Take rest breaks as needed.
  - Spend fewer hours at school.
  - Be given more time to take tests or complete assignments. (All courses should be considered)
  - Receive help with schoolwork.
  - Reduce time spent on the computer, reading, and writing.
  - Be granted early dismissal to avoid crowded hallways.



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Sports-Related Concussions & Head Injuries**

**Series 6000**

**Policy 6145.4**

Page 7 of 7

#### Legal References

- NJSA** 18A:11-3 Voluntary associations regulating conduct of student activities; membership; rules and regulations; appeals  
18A:19-14 Funds derived from student activities  
18A:35-20 Participation in courses in which verbalization unessential to understanding of subject matter; location of and children in bilingual programs  
18A: 40-41.2 et seq Student Athlete brain injuries  
18A:42-5, -6 Certain student organizations declared harmful  
34:13A-1 et seq. New Jersey Employer-Employee Relations
- NJAC** 6A:7-1.1 et seq. Managing for Equality and Equity in Education  
6A:8-3.2 Career education and counseling  
6A:9-5.19 Athletics personnel  
6A:16-2.2 Required health services  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-9.1 et seq. Athletics Procedures  
6A:32-14.1 Review of mandated programs and services
- 20 U.S.C.A. 4071-4074 - Equal Access Act  
20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972  
Krupp v. Bd. of Ed. of Union County Reg. H.S. Dist. #1, 278 N.J. Super. 31 (App. Div. 1994)  
Good News Club v. Milford Central School, 121 U.S. 2093 (2001)  
NJSIAA Constitution, Bylaws, Rules and Regulations

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Graduation Requirements**

**Policy 6146**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 2

First Reading: June 8, 2009

In order to be graduated from the elementary district, and receive a state-endorsed, Board of Education diploma, a pupil must:

- A. Meet both state and district proficiency standards in reading, writing, and mathematics;
- B. Complete successfully the course requirements stated in the administrative code, unless those of the district are greater, in which case the districts standard must be met. The proficiencies required must include the core course proficiencies approved by the State Board of Education.

Successful completion means that the pupil has demonstrated the degree of proficiency required by the district to indicate achievement of the district goals for the particular course, and has attended the required number of course sessions.

A pupil shall not be deemed to have successfully mastered the objectives assigned to a course of study when he/she has been absent more than 20 days in any school year.

Transfer pupils must meet all state and local requirements in order to receive an elementary school diploma.

The Chief School Administrator shall put into effect the procedures necessary to assess each pupil upon entry into the system, and, annually thereafter, to identify those pupils not meeting the state or district proficiency requirements in reading, writing and mathematics. He/she shall develop the programs necessary to remedy these deficiencies at the lowest possible grade level.

### Basic Skills

Pupils who do not pass the eighth-grade test shall be provided appropriate remediation.

### Pupils with Limited English Proficiency

Pupils with limited English proficiency must be provided with the program opportunities required by law, and must fulfill the regular state and district requirements for graduation.

### Special Education Pupils

A disabled pupil must meet all state and local graduation requirements in order to receive a diploma unless exempted in his/her IEP with the written approval of the Chief School Administrator. An exemption shall be granted if a pupil would be adversely affected by taking the test; an exemption from the proficiencies shall be granted if the pupil's IEP does not include the proficiencies measured by the test.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Graduation Requirements**

**Series 6000  
Policy 6146**

Page 2 of 2

By June 30<sup>th</sup> of a disabled pupils' last year in the elementary program, the pupils case manager, parent/guardian and teacher(s) shall meet to review the instructional guide and basic plan of the pupils IEP in view of the transition to the secondary program. Input by appropriate staff from the secondary school shall be part of the review.

The basic plan of the IEP for the pupil exiting the elementary program will address all the elements required in the administrative code. The description of the educational program will include exemptions, if any, from regular education program options or state and local graduation requirements including HSPT, along with the rationale for the exemptions. The Chief School Administrator must approve the exemptions in writing.

### Proficiency

In consultation with appropriate professional staff, the Chief School Administrator shall develop and present to the Board of Education, indicators of achievement and standards of proficiency and attendance.

This policy will be made available to students and parents and be reviewed by the Board, which shall adopt all regulations required by law.

### Legal References:

NJSA 18A:4-25, 18A:7C-1, 18A:7C-2, 18A:7C-4.1, 18A:7C-5.1, 18A:7F-4, 18A:7F-29, 18A:33-1, 18A:35-1 et seq., 18A:36-17, NJAC 6:8-1.1 et seq., 6:30-3.7, 6A:8-1.1 et seq., 6A:8-1.2,-2.1,-3.1, -3.3,-4.1, -4.2, -4.3, -5.1, -5.2, 6A:14-3.7, 6A:14-4.12, 6A:15-1.11, 6A:23-8.3, 6A:30-1.1 et seq.

No Child Left Behind Act of 2001, Pub. L. 107-110

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

1120, 5113, 5120, 5127, 6000, 6140, 6141.4, 6142, 6142.2, 6142.6, 6145, 6147, 6154, 6171.4, 6200

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Student Progress / Report to Parents**

**Policy 6146.1**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: August 10, 2009 | Date Revised: | Page 1 of 1 |
| First Reading: June 8, 2009   |               |             |

The Board directs the Chief School Administrator to develop procedures whereby parents/guardians of pupils will be notified regularly of their child's progress toward achievement of individual and district goals and objectives.

These procedures must include, but not be limited to:

- A. Provision for a translator if a parent/guardian's primary language is other than English;
- B. A District-wide grading system for comparable grade levels. The system shall be both diagnostic and objective;
- C. Scheduling of individual parent-teacher conferences on a regular basis;
- D. Timely notice of possible failure.

### Legal References:

NJSA 18A:4-24, 18A:7C-2, 18A:35-4.9,  
NJAC 6:8-4.1, 6A:8-4.1, 6A:8-4.2, 6A:8-5.1, 6A:30-1.1 et seq.

Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851  
No Child Left Behind Act of 2001, Pub. L. 107-110  
Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

5113, 5120, 5124, 6142, 6142.2, 6143, 6145, 6146, 6146.3, 6147, 6171.1, 6171.3

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Promotion / Retention**

## **Series 6000 Policy 6146.3**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: August 10, 2009 | Date Revised: | Page 1 of 1 |
| First Reading: June 8, 2009   |               |             |

The Board recognizes that personal, social, physical and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

The Chief School Administrator shall direct development of and the Board shall adopt detailed regulations to govern progress of pupils through all grade levels. The regulations shall include:

- A. Standards of proficiency related to district goals and objectives;
- B. Standards of attendance, and provision for review of mastery;
- C. Timely efforts to help all pupils achieve acceptable levels of proficiency;
- D. Timely notification of parents/guardians when there is a possibility of failure and immediate consultation with the parent/guardian if the pupils progress is not sufficient to meet promotion and remediation standards;
- E. Procedures for parents/guardians and adult pupils to appeal promotion/retention decisions;
- F. Procedures for involving parents/guardians in the design of the remedial program.

Parents/guardians will be notified whenever exceptions are contemplated in a pupil's normal progression from level to level. The final decision in all cases will rest with school authorities.

### Legal References:

NJSA 18A:4-24, 18A:7C-2, 18A:35-4.9,  
NJAC 6:8-4.1, 6A:8-4.1, 6A:8-4.2, 6A:8-5.1, 6A:30-1.1 et seq.

Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851  
No Child Left Behind Act of 2001, Pub. L. 107-110  
Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

5113, 5120, 5124, 6142, 6142.2, 6143, 6145, 6146, 6146.2, 6147, 6171.1, 6171.3

# Elsinboro Township Board of Education District Policy Manual

## Instructional Program Standards of Proficiency

## Series 6000 Policy 6147

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Chief School Administrator, in consultation with teaching staff, shall develop criteria for evaluation, indicators of achievement of the criteria, and acceptable standards of achievement for all grade levels, courses and programs offered by the district. The criteria, indicators and standards must be related to district goals and objectives. Parents/guardians shall be informed in a timely manner whenever their child appears in danger of failing to meet required proficiency levels. Parents/guardians shall be strongly encouraged to participate in designing remedial plans for their children.

These standards of proficiency shall include but not be limited to those of the Core Curriculum Content Standards identified by the State Department of Education and shall form the basis for the district's grading system. The specific indicators of achievement and standards of proficiency developed for all courses and programs accepted for credit toward high school graduation shall be given to pupils and parents/guardians, in writing, at the time the pupil registers for the course.

By the date required by law, the Chief School Administrator shall annually report to the Board and the community at a regularly scheduled meeting an evaluation of pupil achievement toward meeting district and school goals and objectives.

Low pupil achievement shall be regarded by the Board as an indication that revisions are needed in education programming, general strategy, staff resource use, staff evaluation, and/or other aspects of the learning program.

### Legal References:

NJSA 18A:7C-2, 18A:7E-2 through -5, 18A:7F-4, 18A:7F-29,  
18A:35-4.9

NJAC 6:8-1.1 et seq., 6:8-2.2, 6A:8-1.1 et seq., 6A:8-1.1, -1.3, -2.1, -4.1, -  
4.4, -5.1, 6A:14-4.11, 6A:15-1.1 et seq., 6A:15-1.11, 6A:23-8.3,  
6A:24-1.1 et seq., 6A:24-1.5, 2.2, 4.1, 4.2, 6A:30-1.1 et seq.

Abbott v. Burke, 149 N.J. 145 (1997) (Abbott IV)

Abbott v. Burke, 153 N.J. 480 (1998) (Abbott V)

Abbott v. Burke, 163 N.J. 95 (2000) (Abbott VI)

No Child Left Behind Act of 2001, Pub. L. 107-110

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

1120, 5113, 5120.1, 5121, 5123, 5124, 5125, 6000, 6140, 6141, 6146,  
6171.1, 6171.3, 6300

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Evaluation of Individual Student Progress**

**Policy 6147.1**

Date Adopted: August 10, 2009

Date Revised: November 11, 2014, November 14, 2017

Page 1 of 2

The Chief School Administrator, in consultation with the teaching staff, shall develop a marking system to be used uniformly in the same grade level throughout the schools. The system should be clear, easily understood by parents/guardians and pupils, and able to be applied with consistency of interpretation. Computation of grade point average and rank in class shall be uniform throughout the district. Evaluation and grading symbols shall be intended to appraise the pupil's progress toward established goals, and shall be a factor in promotion/graduation decisions.

The Board of Education encourages the certified staff, under the direction of the Chief School Administrator, to employ a comprehensive approach to the use of appraisal and evaluative techniques in monitoring pupil progress, including, but not limited to, recognized standardized achievement testing programs, written and oral teacher-made tests, performance observation, parent/guardian interviews, formal and informal evaluation techniques, use of cumulative pupil records, and medical examinations.

The Chief School Administrator shall have the right to review disputed grades and with the Board approval to adjust them.

### Testing / State Required Assessments

In addition to testing procedures established in policy 5120 Assessment of Individual Needs, the school district shall establish and maintain a general testing program to:

- A. Improve the instructional program to assist pupils in achieving the Core Curriculum Content Standards;
- B. Measure the needs and progress of individual pupils;
- C. Measure the achievement of grade levels;
- D. Allow comparison of district pupils with national or other norms;
- E. Aid in evaluation of programs.

The district-testing program shall embody at least the tests required by state law. The administration shall continually scrutinize the applicability and effectiveness of tests being used in the district.

School personnel shall not use tests, procedures or other guidance and counseling materials which are differentiated or stereotyped on the basis of race, color, creed, religion, sex, ancestry, national origin or social or economic status.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Evaluation of Individual Student Progress**

**Series 6000**

**Policy 6147.1**

Page 2 of 2

In February, 2014, the State Board passed a resolution confirming that the district Board of Education are obligated to implement the CCCS and to “ensure students meet the expectations and proficiency standards as measured by current and future State and local assessments.”

There are no provisions for students or their parents/guardians to “opt-out” of any state-mandated assessments.

Any requests for surveys, pupil observations, or pupil questionnaires must be forwarded through the office of the Chief School Administrator for approval before any survey or observation can be conducted.

Individual results of standardized tests, including intelligence tests, shall be made available to parents/guardians upon their request, but shall be considered confidential information to be available only to authorized personnel. School and district test results shall be discussed in a public meeting.

#### Legal References

- NJSA 18A:7C-3, -4, -6, -6.2 Remedial instruction for students not meeting graduation standards
- 18A:11-1 General mandatory powers and duties
- 18A:35-4.9 Pupil promotion and remediation, policies and Procedures
- 18A:36-34 Written approval required prior to acquisition of certain survey information from students
  
- NJAC 6A:7-1.7 Equality in school and classroom practice
- 6A:8-1.1 et seq. Standards and Assessments
- 6A:10A-3.1 et seq School districts-led standards-based instruction
- 6A:16-1.4(c) District policies and procedures
- 6A:30-1.4 Evaluation process for the annual review
- 6A:32-2.1 Definitions
- 6A:32-7.1 Student Records
- 6A:32-12.2 School-level planning
  
- 34 CFR 98 Protection of Pupil Rights
- Talarsky v. Edison Township Board of Education, 1977 S.L.D. 862
- Manual for the Evaluation of Local School Districts
- New Jersey Quality Single Accountability Continuum (NJQSAC)

#### Possible Cross References

1000/1010, 1120, 5113, 5120, 5124, 5125, 5141.3, 6142.6, 6146, 6146.2, 6147



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **New Jersey Interdistrict Public School Choice Program**

**Policy 6147.2**

Date Adopted: September 8, 2014

Date Revised:

Page 1 of 5

The New Jersey Interdistrict Public School Choice Program was created by the New Jersey Legislature in January 2000 and made permanent in June 2010. This program was designed to increase educational opportunities for students and their families by providing students with the option of attending a public school outside their district of residence without tuition.

Beginning in the 2011-2012 school year, students will be able to choose to go to a school outside of this district if the selected school is participating in the choice program. Transportation of up to 20 miles or aid in lieu will be provided to a student going to a choice school. If the school is outside of the 20-mile radius, transportation will be the responsibility of the student or his/her parents/guardians.

The choice school will set the number of openings per grade level and if there are more students requesting admission to the school than there are available openings, the choice school will choose the students using a lottery system.

The Elsinboro Township School District has been designated as a Choice School, and as such will be a receiving district for students wishing to attend a school in the Elsinboro Township School District.

### Receiving District (Choice School Destination) Procedures

As a Choice School, the Elsinboro Township School District will follow the regulations and procedures as stipulated in the New Jersey Interdistrict Public School Choice Program legislation.

The Elsinboro Township School District will admit choice students on a space available basis and may limit admissions to a particular grade level or to areas of concentration.

The district may establish reasonable criteria to evaluate prospective choice students, including the student interest in the program(s) offered. However, the district will not impose admission criteria upon prospective choice program students other than those used to determine admission of resident students to the program(s) for which the prospective choice students are applying. The district may give preference for the enrollment to siblings of students already enrolled in the program.

If more applications from prospective students are received than there are spaces available, a public lottery will be held to determine the selection of students for participation in the choice program.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **New Jersey Interdistrict Public School Choice Program**

**Policy 6147.2**

Page 2 of 5

Pursuant to NJAC 6A:12-4.3(g), a waiting list will be developed based on the results of the lottery. Preference for enrollment shall be given in both application cycles to those students on the waiting list in accordance with NJAC 6A:12-4.3(e)1 & (g). Parents/guardians of every student who has submitted an application to participate in the choice program shall be notified of the date and time of the lottery. Each student participating in the lottery shall be assigned a number and the parents/guardians of the students shall be advised of that number.

Before conducting the lottery, the district may give preference for the enrollment to siblings of students already enrolled in the program. If preference is given to siblings of students already enrolled in the program, and there are no spaces available after granting permission to participate in the choice program to such siblings, a lottery shall be held for the remaining applicants in order to assign them a place on the waiting list. If preference is given to siblings of students already enrolled in the program, and there are more sibling applicants than there are available spaces, a lottery shall be held for siblings only in order to determine the selection of students for participation and for placement on the sibling waiting list.

No applicant to become a choice student shall be discriminated against on the basis of intellectual or athletic ability, measures of achievement or aptitude, status as a student with disabilities, proficiency in the English language or any other basis prohibited by State or Federal law. In addition, enrollment shall not be denied based upon a determination that the additional cost of educating that student would exceed the amount of additional State aid received as a result of the student's enrollment. Enrollment may be denied for a student who has been classified as eligible for special education services pursuant to Chapter 46 of the Title 18A of the New Jersey Statutes if that student's individualized education program could not be implemented in the district, or if the enrollment of that student would require the district to fundamentally alter the nature of its educational program, or would create an undue financial or administrative burden on the district.

#### Application Procedures

All applicable procedures stipulated in NJAC 6A:12-4.3 shall be followed by the district and parents/guardians of students wishing to enroll in the choice program in this district.

#### Enrolled Students

Once enrolled in the choice program of this district, the choice student may remain enrolled and is required to submit annual or periodic applications.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **New Jersey Interdistrict Public School Choice Program**

**Series 6000**

**Policy 6147.2**

Page 3 of 5

#### Resident Students Transferring Out of District

Resident students who transfer to another school district will not be automatically accepted into the Choice Program. These students may apply to become choice students in the next application cycle.

Upon acceptance of a choice student, he/she shall be enrolled in this district until the student graduates or until the student voluntarily withdraws, except as limited by NJAC 6A:12-4.3(f)1 & 2. In the event that the choice program is terminated in the district or statewide, any student already enrolled in the choice program of this district shall be entitled to remain enrolled in the district until graduation.

A choice student may transfer back to the sending district except as limited by NJAC 6A:12-4.3(f)1 and may apply to attend a different choice district by following the choice student application procedures as set forth in NJAC 6A:12-4.3.

#### General Provisions

All credits toward graduation that were awarded by another district Board of Education shall be accepted by this district for students attending the choice program.

A diploma will be awarded to all choice students who participate in the program if those students meet the established graduation requirements of this district and the requirements of the State of New Jersey.

A public information program shall be established to inform the public about the New Jersey Interdistrict Public School Choice Program as offered by this district, and directed to all communities from which the district can anticipate attracting students. Specific communities shall not be targeted, as the public information program shall be regionwide in scope. The public information program shall include, but not be limited to:

- Notification that the district is a choice district;
- A description of the choice program(s) offered;
- Information regarding application procedures;
- Information regarding the district, its schools, its programs, its policies and procedures; and,
- Any other information deemed to be appropriate.

#### Transportation

Transportation shall be provided to eligible students for transportation services to and from the district. Transportation or aid in lieu of transportation shall be provided in accordance with NJAC 18A:36A:13 and NJAC 6A:27-4.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **New Jersey Interdistrict Public School Choice Program**

**Policy 6147.2**

Page 4 of 5

### Appeals

Appeals may be filed on behalf of the district in accordance with the provisions of NJAC 6A:4 and appeals of denial of student applicants may be filed with the Commissioner in accordance with the provisions of NJAC 6A:24.

### Sending District Procedures

The Elsinboro Township School District shall not prevent or discourage its students from participating in the School Choice Program.

Pursuant to NJSA 18A:36B-7b(1) & (2) and NJAC 6A:12-3.1(a)1, the Board of Education limits the number of its district students permitted to participate in the choice program to a maximum of 10 percent of the number of students per grade level per year and 15 percent of the total number of students enrolled in the Elsinboro Township School.

The calculation of the enrollment of this district will be based on the October Application for State School Aid (ASSA) in accordance with NJSA 18A:36B-8b(4) & (5) and NJAC 6A:12-3.1(a)3.

### Procedures

In accordance with NJAC 6A:12-4.3(c)1, upon receipt of a Notification of Intent to Enroll in a Choice District from a student residing in this district, the Superintendent of Schools/designee shall verify that the student is enrolled in a school of the district and that the student has been counted as a student in the district in the October ASSA of the current school year.

Pursuant to NJAC 6A:12-3.1(a)4i, in the event that student requests for participation exceed the enrollment percentages listed above, the district will conduct a lottery. The lottery must be held in enough time to meet the deadline established by law for notification to the parent/guardian of the student.

As stipulated in NJAC 6A:12-3.1(a)4i and 4ii, in the first application cycle, the results of the lottery must be used to determine which students will be eligible to participate in the School Choice Program and to develop a waiting list of the remaining students to be used in the second application cycle. Each participant in the lottery must be assigned a number reflecting the student's place on the list of eligible students or on the waiting list.

In the event that some or all of the students in this district who received permission to apply to a choice school district in the first application process do not enroll in a choice school district, this district will first go to its waiting list to ascertain which student will

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **New Jersey Interdistrict Public School Choice Program**

**Series 6000**

### **Policy 6147.2**

Page 5 of 5

be eligible to apply to a choice school district in the second application cycle. Should it become evident that there are more openings than may be filled by the students on the waiting list, this district will allow additional students who express an interest in applying to a choice school district to do so. If there are more interested students than would be permitted by this district's enrollment limitation percentage as noted above, this district must conduct a lottery of all newly interested students to determine which students may apply to a choice school district. This lottery should not include students on the first application cycle waiting list who must be offered the opportunity to apply to a choice school district before the newly interested students.

During the second application cycle, it is not necessary to develop a waiting list.

In accordance with NJAC 6A:12-4.39(c), parents/guardians of all students who have submitted a notice of intent to enroll in a choice district by the due date, shall be provided written notification that the student may or may not participate in the School Choice Program.

In cases where the parent/guardian is notified that that student may not participate in the School Choice Program, such notification shall include an explanation as to the reason(s) for not being permitted to participate. In the first application cycle, if the student has been placed on the waiting list, the notification will include that information and provide the waiting list number assigned to the student.

#### **Legal References**

NJSA 18A:7A-10 Evaluation of performance of each school  
18A:7C-2 Boards of education; establishment of standards  
18A:7F-1 through -34 Comprehensive Education Improvement and Financing Act  
18A:33-1 District to furnish suitable facilities; adoption of courses of study  
18A:35-1 et seq. Curriculum and Courses  
18A:36B-7b(1) & (2) Limits of participation in School Choice Program

NJAC 6A:12-1 et seq Interdistrict School Choice Program  
6A:8-1.1 et seq. Standards and Assessment  
6A:12-3.1(a)1 Limits for participation in School Choice Program  
6A:23-1.1 et seq. Finance and Business Services  
6A:26-1.1 et seq. Educational Facilities  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts

No Child Left Behind Act of 2001, Pub. L. 107-110

New Jersey Quality Single Accountability Continuum (NJQSAC)

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Instructional Arrangements / Class Size**

**Policy 6150/6151**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board of Education recognizes its responsibility to ensure that arrangements be tailored to suit the changing needs of the student body. As a result the Board welcomes recommendations from faculty, students, staff or community as to ways by which it may improve instructional arrangements. These might include:

- A. Providing classroom or other instructional space
- B. Revising class size ranges and limits
- C. Permitting scheduling innovations based on individual pupil needs
- D. Arranging team teaching or other means for emphasizing the inter-disciplinary nature of knowledge and the interrelatedness of learning
- E. Involving pupils in directed and self-selected activities
- F. Adapting instruction to diverse pupil learning styles

The Board of Education, however, reserves the right to make the final determination on all matters affecting instructional arrangements.

The Chief School Administrator shall recommend for Board approval the number of class sections for each course or grade level. He/she shall take into consideration such factors as student needs, curriculum requirements, types of instructional setting, district finances and space or equipment limitations. Particular attention shall be paid to space-per-pupil requirements of the State Department of Education.

### Legal References:

NJSA 18A:11-1

NJAC 6:3-1.6, 6:3-9.2, 6:3-9.3, 6:19-2.3, 6A:14-4.7, 6A:24-4.1,  
6A:24-4.2, 6A:26-2.1

### Possible Cross References:

3240, 5118, 5120, 5145.4, 6150, 6171.4, 7110

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Student Field Trips**

**Policy 6153**

Date Adopted: August 10, 2009

Date Revised: December 12, 2011

Page 1 of 7

First Reading: June 8, 2009

The Board of Education recognizes that field trips, used as a device for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the school.

For purposes of this policy, a field trip shall be defined as any journey by a group of pupils away from the school premises, under the supervision of a teacher, which is an integral part of an approved course of study and conducted for the purpose of affording a firsthand educational experience not available in the classroom.

The Board may authorize field trips for which all or part of the costs are borne by the pupils' parents or legal guardians, except that no pupil in a special education class or pupil unable to pay the cost assessed shall be prohibited for attending a field trip. The determination of a pupil's inability to pay will be based upon the pupil's eligibility for free and reduced meals or as determined by the Chief School Administrator/designee.

Parents/guardians shall be made aware of the costs of field trips in writing in advance of the trip.

Pupils on field trips remain under the supervision the Board of Education and are subject to its rules and regulations.

A pupil who violates rules or disregards the authority of supervisors on a field trip significantly endangers the safety of other pupils and may be summarily dismissed from the trip.

Times and locations of field trips shall not be posted on any district web sites.

Educational field trips shall be planned and conducted in accordance with the following guidelines:

1. All trips and the arrangements/specific itineraries for them must have advance approval. The Chief School Administrator shall review and approve all trips prior to submitting the request to the Board of Education for final approval.
2. If students would miss a beneficial educational opportunity due to the late emergence of a field trip opportunity or there was no scheduled Board meeting prior to the date of the trip, the Chief School Administrator may poll the Board Members by telephone or email and if a majority of the full Board gives approval when polled, the Chief School Administrator may grant approval for the field trip. A field trip approved in this manner

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Student Field Trips**

## **Series 6000 Policy 6153**

Page 2 of 7

will be memorialized by the Board of Education at the next Board meeting. In no case will this method of approval be used to approve field trips for which adequate time was available to obtain Board approval at a regularly scheduled meeting.

3. A parental permission slip is required for each child participating in the field trip, including walking excursions. Permission slips shall be sent home to parents at least one (1) month prior to the trip and all completed permission slips shall be forward to the school office, along with a list of chaperones at least one (1) week prior to the field trip.
4. The teacher will provide the parents with information concerning the purpose and destination of the trip, transportation and eating arrangements, date and time of departure, estimated time of return and if the trip will extend beyond the school day, a detailed itinerary, as well as the appropriate attire for the trip. A brief description of the appropriate attire shall be included with the permission slip that is to be sent home with the student.. The permission slip shall be in duplicate and the parent/guardian shall retain one copy and return a signed copy to the school prior to the trip
5. The Board of Education, at its sole discretion, may assume transportation costs for the field trip. Participating students shall provide the cost of admission, fees, etc., subject to the protective limitations for special education and financial hardship students, pursuant to NJSA 18A:36-21 and NJSA 18A36-23.
6. One or more adults in addition to the teacher will accompany each class on field trips unless otherwise approved by the Chief School Administrator. Teachers are responsible for informing accompanying adults of their duties and responsibilities. (See Guidelines for Chaperones on Student Field Trips – Policy 6153.1)
7. The teacher will review acceptable standards of conduct with the students in advance of the trip. The teacher has primary responsibility for the conduct of the children. Children who cannot be self-controlled or teacher controlled may be excluded from the trip.
8. The teacher planning the trip will be responsible for arranging an appropriate educational experience and supervision for the students who do not participate in the field trip.
9. Student safety will be a primary consideration. First-aid kits will be provide by the school nurse for all field trips.
10. The buddy system, or partners, is recommended to assure constant awareness of each child's whereabouts, needs and participation.
11. Should an emergency situation occur, the teacher is responsible for notifying the Chief School Administrator or designee by telephone as soon as possible. A school issued cell phone will be provided for this purpose.



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Student Field Trips**

**Series 6000  
Policy 6153**

Page 3 of 7

12. Commercial carriers such as charter buses are to be used at the discretion of the Board of Education.
13. Arrangements for buses are to be made through the school office at least 1 month in advance of the trip. Should commercial carriers be used, 2 months prior notice will be required.
14. If children return to the school from a trip after school hours, the teacher and administrator shall make arrangements for their safe departure home, taking into account the age of the students and the hour.

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

### General Requirements for Board of Education Approval

The Board of Education requires the following in order to receive approval for field trips:

1. The cost of any trip shall not exceed \$100 per student. If the cost per student exceeds \$100 per student, a detailed itinerary of all field trips, including a breakdown of costs will be provided to the Board of Education no later than April 30<sup>th</sup> for trips planned for the following school year.
2. The Board of Education may, at its sole discretion require written parental consent for fundraising activities that will help defray the costs of the trip and/or Graduation if the cost exceeds \$100.
3. A detailed itinerary of each trip is to be submitted to the Board of Education for approval.
4. Free time during field trips shall be limited to a maximum of 2 hours during the trip.
5. No student shall be denied participation in a required field trip due to his/her inability to pay the required costs.
6. Under most cases, field trips shall begin at 8:00AM and end no later than 8:00 PM, excluding travel time. Field trips anticipated to start earlier or end later than these times, must be approved in advance by the Board of Education.

The Chief School Administrator shall develop procedures and regulations for overnight field trips and incorporate the following guidelines in the development of those procedures and regulations:

1. The safety of the students, including appropriate supervision;
2. Accounting of finances;
3. Obtaining permission of parents/guardians to participate in the field trip, including but not limited to written, notarized medical release forms;

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Student Field Trips**

**Series 6000  
Policy 6153**

Page 4 of 7

4. Means of evaluating the field trip experience by the students, teachers and the administration;
5. Provision for students, during regular school hours, who are unable to attend, to have a suitable educational program in the school;
6. The itinerary must delineate any leisure/free time and it is expected that free time will be minimized so as to enhance the educational value of the trip;
7. Field trips must not conflict with major school events, programs or religious holidays;
8. Adult supervisors/chaperones shall be of the highest moral character and shall be able to impress upon the participating pupils they represent the school district and their behavior as observed by others, will form an impression of the school district;
9. The supervisor of the field trip is properly qualified to lead the trip, is familiar with the planned activities and is knowledgeable with respect to requirements of this field trip policy and implementation of the school district's behavior policy;
10. Chaperones shall not be accompanied by family members unless the family member is also designated as a chaperone or is an eligible student participant;
11. No student is to be denied participation in a required field trip because of the inability to contribute the required monies or because of medical or physical condition without first attempting to make reasonable accommodations;
12. The use and/or possession of alcoholic beverages, illegal drug, including, but not limited to tobacco and tobacco products are strictly forbidden;
13. Any violation occurring prior to the trip shall result in the student being subject to the provisions of the student discipline code of the district;
14. Clothing appropriate for the activities scheduled for the trip shall be required and teachers shall be responsible for advising students of what is appropriate attire prior to the trip;
15. Permission slips for all trips shall be in duplicate that shall be sent home with the student. Parents/guardians shall keep one copy of the permission slip and return the signed copy to the teacher;
16. The teacher in charge of the trip will sign out the school cell phone and/or provide the chaperone's personal cell phone number and/or emergency contact during the trip.

### Regulations

The Chief School Administrator shall prepare regulations for the operation of field trips that ensure that the safety and well-being of pupils shall be protected at all times, including but not limited to:

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Student Field Trips**

**Series 6000  
Policy 6153**

Page 5 of 7

1. Parental permission is sought and obtained before any pupil may be removed from the school for a field trip;
2. Each field trip is properly planned, integrated with the curriculum, and followed up by appropriate activities that enhance its usefulness;
3. The effectiveness of field trip activities are monitored and continually evaluated;
4. Teachers are allowed flexibility and innovation in planning field trips;
5. No field trip will be approved unless it contributes to the achievement of specified instructional objectives; and,
6. Teachers are not permitted to make on-site alterations to a trip itinerary, except where the health, safety or welfare of pupils is imperiled or where changes or substitutions beyond the control of the teacher have frustrated the purpose of the trip.

### Overnight Field Trips

The Board of Education must approve, in concept, all overnight field trips prior to any planning for the event. No employee may solicit students for such trips. The Board does not endorse, support or assume liability for any employee who solicits participation of takes students on trips that have not been approved by the Board. The Board shall not entertain requests for overnight field trips scheduled during vacation periods or after May 15<sup>th</sup> unless the Board is satisfied that the purpose of the trip is to participate in a recognized academic program or competition that is not available during other periods of the school year.

Approval of overnight field trips will be based on the Board's determination of the degree of education benefit to be derived from the proposed field trip. The Chief School Administrator shall develop procedures and regulations for overnight field trips and incorporate the following guidelines in the development of those procedures and regulations:

1. The safety of the students, including appropriate supervision;
2. Accounting of finances;
3. Obtaining permission of parents/guardians to participate in the field trip, including but not limited to written, notarized medical release forms;
4. Means of evaluating the field trip experience by the students, teachers and the administration;
5. Provision for students, during regular school hours, who are unable to attend, to have a suitable educational program in the school;
6. The itinerary must delineate any leisure/free time and it is expected that free time will be minimized so as to enhance the educational value of the trip;
7. Field trips must not conflict with major school events, programs or religious holidays;

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Student Field Trips**

**Series 6000  
Policy 6153**

Page 6 of 7

8. Adult supervisors/chaperones shall be of the highest moral character and shall be able to impress upon the participating pupils they represent the school district and their behavior as observed by others, will form an impression of the school district;
9. The supervisor of the field trip is properly qualified to lead the trip, is familiar with the planned activities and is knowledgeable with respect to requirements of this field trip policy and implementation of the school district's behavior policy;
10. Chaperones shall not be accompanied by family members unless the family member is also designated as a chaperone or is an eligible student participant;
11. No student is to be denied participation in a required field trip because of the inability to contribute the required monies or because of medical or physical condition without first attempting to make reasonable accommodations;
12. The use and/or possession of alcoholic beverages, illegal drug, including, but not limited to tobacco and tobacco products are strictly forbidden;
13. Any violation occurring prior to the trip shall result in the student being subject to the provisions of the student discipline code of the district;
14. Clothing appropriate for the activities scheduled for the trip shall be required and teachers shall be responsible for advising students of what is appropriate attire prior to the trip;
15. Permission slips for all trips shall be in duplicate that shall be sent home with the student. Parents/guardians shall keep one copy of the permission slip and return the signed copy to the teacher;
16. The teacher in charge of the trip will sign out the school cell phone and/or provide the chaperone's personal cell phone number and/or emergency contact during the trip.

### Pupil Self-Administration of Medication

The Board shall permit self-administration of medication on field trips for asthma or other potentially life-threatening illnesses by pupils, provided that the Board has received:

1. Written authorization from the pupil's parent(s)/guardian(s) for self-administration;
2. Written certification from the pupil's doctor that the pupil has a such a medical condition and can self-administer medication(s);
3. Written waiver of liability from the parent(s)/guardian(s) for injury from self-administration of medication(s); and
4. Letter from the parent(s)/guardian(s) indicating that the parent(s)/guardian(s) will indemnify and hold harmless the district and its employees from any claim(s) arising out of the self-administration of medication(s).

Epinephrine shall be administered via epi-pen to pupils in emergencies on field trips by the school nurse, his/her designee(s), the student's parent/guardian or the student himself/herself as provided by law.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Student Field Trips**

**Series 6000  
Policy 6153**

Page 7 of 7

In addition,

1. The nurse's designee must be properly trained by the nurse pursuant to Department of Education / Department of Health protocols.
2. Parents/guardians must consent in writing to the administration of medicine(s) by the designated individual.
3. There shall be no liability for the district if the Chief School Administrator informs the parents/guardians that said procedures are followed.

### Legal References

NJSA 18A:25-2 Authority over pupils  
18A:36-21 through -23 Field trips; costs to be borne by parents or guardians ...  
18A:36-35 School Internet web sites; disclosure of certain student information prohibited  
18A:39-20.1 Transportation to and from related school activities in private vehicle  
18A:40-12.3 through -12.4 Self-administration of medication by pupils; conditions ...  
18A:40-12.5 Policy for emergency administration of epinephrine to public school pupils  
18A:40-12.6 Administration of epinephrine; primary responsibility; parental consent

NJAC 6A:27-1.1 et seq. Student transportation

Rhodes v. Caldwell Board of Education, 1981 S.L.D. 140

### Possible Cross References

1210, 1230, 3450, 3541.31, 5020, 5136, 5141.21, 6145, 6153.1, 6154

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **Guidelines for Chaperones on Student Field Trips**

**Policy 6153.1**

Date Adopted: August 10, 2009

Date Revised: December 12, 2011

Page 1 of 2

First Reading: June 8, 2009

Although teachers and chaperones are responsible for supervising and controlling the behavior of students in their charge, no discipline should be administered to any student by anyone other than the teachers or teachers in charge of the field trip. Any misbehavior observed by a chaperone should be controlled to the extent safely possible, and then reported to the teacher as soon as possible.

Expenses for chaperones are not usually included in the cost of the trip, so chaperones must pay their own way. Chaperones are to provide their own lunches. If space on a particular trip is limited, chaperones are to be selected by a lottery system.

In addition, all chaperones will agree to the following guidelines:

1. Chaperones shall not bring other children, other family member or friends who are not members of the group taking the trip, nor are they permitted to arrange to meet anyone at the destination of the field trip.
2. Chaperones may travel in their own cars with prior approval from the Chief School Administrator. Chaperones may not transport students in their own cars. Unless there is an emergency, i.e., sick child, and administration approval has been granted. Any vehicle used to transport pupils shall be properly insured as required by law. In the event that the Chief School Administrator/designee cannot be reached in a timely manner, the teacher in charge may grant this approval and inform the school Chief School Administrator as soon as possible of the situation.
3. Chaperones who use their own vehicles during field trips shall provide written proof of insurance as well as a copy of their valid New Jersey Auto Driver License and Automobile Registration to the school district prior to the trip, so that in the event of an emergency, and their vehicle is used to transport students, proper insurance is assured. Students who will be transported by parent/guardian must supply written authorization in advance of the field trip.
4. Chaperones shall not smoke in front of students and shall not smoke in the vehicle used to transport pupils during the time that the vehicle is being used for the field trip, regardless if whether pupils are present in the vehicle or not.
5. The use of alcoholic beverages, tobacco and tobacco products and illegal drugs by chaperones is strictly forbidden.
6. Chaperones shall stay with their assigned group of students at all times.

## **Elsinboro Township Board of Education District Policy Manual**

**Instructional Program**

**Series 6000**

7. Chaperones who desire to take their children home before a field trip ends must submit his/her request in writing to the teacher in advance of the trip. The Chief School Administrator will determine if the request will be honored or denied. The Board assumes no liability for students who are “dismissed early” from the field trip and transported by his/her parents/guardians in private cars.
8. Chaperones are to remain at the school upon return until all students have safely departed the premises unless released by the supervising teacher.
9. Chaperones must follow a standard of ethics regarding the confidentiality of information that might be learned while supervising children.
10. Chaperones must comply with all requests and directions of the teachers and professional staff.
11. Chaperones may use cell phones and pagers in emergencies only.
12. The teacher in charge of the field trip will sign out the school cell phone and/or provide the chaperone’s personal cell phone number and/or emergency contact during the trip.

**Legal References**

NJSA 18A:25-2 Authority over pupils  
18A:36-21 through -23 Field trips; costs to be borne by parents or guardians ...  
18A:36-35 School Internet web sites; disclosure of certain student information prohibited  
18A:39-20.1 Transportation to and from related school activities in private vehicle 18A:40-12.3 through -12.4 Self-administration of medication by pupils; conditions ...  
18A:40-12.5 Policy for emergency administration of epinephrine to public school pupils  
18A:40-12.6 Administration of epinephrine; primary responsibility; parental consent

NJAC 6A:27-1.1 et seq. Student transportation

Rhodes v. Caldwell Board of Education, 1981 S.L.D. 140

**Possible Cross References**

1210, 1230, 3450, 3541.31, 5020, 5136, 5141.21, 6145, 6153.1, 6154

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Homework / Makeup Work**

**Policy 6154**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board of Education believes that homework relevant to material presented in class provides an opportunity to broaden, deepen or reinforce the pupil's knowledge. Teachers must use discretion in deciding the number and length of assignments. The Board encourages the use of interrelated major homework assignments such as term papers, themes and, creative art projects.

Homework shall not be used for punitive reasons.

Pupils absent for any reason must make up assignments, class-work and tests within a reasonable length of time. In most cases, a reasonable length of time shall be the same number of school days as the days missed.

Pupils being excused for any reason must make arrangements with the teacher of the missed classes in order to make up the work missed. This must be done before the absence from class.

### Incompletes

When a pupil does not complete work missed for absence or other reasons, he/she will receive an "incomplete" for the marking period. Pupils will be given seven school days following the end of the marking period to make up the missed work.

If work critical to the pupil's understanding of the subject is not made up by the end of the next marking period, the grade for that subject area may be an "F".

If work is missing during the final marking period of the school year, the grade will be left to the discretion of the teacher. The teacher who has given an incomplete is responsible for reporting to the pupil the work he/she has missed and citing the consequences mentioned above.

The Board recognizes the desirability of homework assignments and encourages teachers to assign homework as an aid in their development.

The type, frequency and quantity of homework assignments should be determined by the needs of the individual student and should not require additional instruction beyond class period, thereby requiring parents to supplement instruction. Homework should be an application, interpretation or adaptation of a classroom experience. It should be assented for constructional purposes and not excessive in quantity.

### Legal References:

NJSA 18A:11-1, 18A:36-14

NJAC 6:3-1.8

### Possible Cross References:

1320, 1322, 5020, 5113, 5121, 5124, 6145, 6153, 6174



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Instructional Planning / Scheduling**

**Policy 6156**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Chief School administrator and staff shall keep abreast of developing technologies and teaching methodologies, investigating those likely to be of benefit to district pupils, and recommending them for Board consideration.

The Board recognizes that district pupils vary in learning styles and in ability. Therefore, the Chief School Administrator shall ensure that teaching staff adapts their instructional methods and arrangements to meet identified pupil needs and encourage maximum individual progress.

The Chief School Administrator shall ensure that district personnel, time and facilities are used in such a way as to provide the most favorable learning environment for all pupils, thus fostering achievement of district goals, objectives and standards.

Because the Board believes that pupils can learn better and faster when the skills learned in one discipline are integrated into another, programs, projects and units of study shall be encouraged which require the use of reading, writing and mathematics skills in conjunction with other areas of study, such as music, art, science, etc. The Board also encourages programs that call on various skill levels of several grades in one discipline, such as musical presentations, science fairs, and other similar efforts.

Every effort should be made to further district affirmative action/equity goals in developing instructional arrangements.

The Board directs that instruction be planned and scheduled in such a way that there is minimum disruption of the school day, including movement between classes and conflicting activities.

### Nonpublic School Pupils

Required instructional services shall be delivered to nonpublic school pupils in facilities that are acceptable and convenient to staff and students.

### Legal References:

NJSA 18A:33-1, 18A:46-19.5, 18A:46A-5

NJAC 6A:8-6.1, et seq, 6A:14-1.1 et seq, 6A:15-1.1 et seq, 6A:26-12.1 et sea

### Possible Cross References:

2224, 4113/4511.4, 5200, 6010, 6130, 6141.4, 6142.2, 6151, 6171.2, 6171.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **Instructional Assignments Prior to the Beginning of the School Year**

**Policy 6157**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board of Education recognizes that there is a benefit to the education of the students of this district when teachers assign or recommend certain reading materials or other projects over the summer in preparation for the school year.

When such assignments or recommendations are made, parents/guardians are urged to cooperate and support the efforts of the teachers making the assignment or recommendation, as these assignments or recommendations are made for the benefit of the students of the district.

In all cases, when students do complete any assignments given prior to the beginning of the school year, the student may be given academic credit or extra credit for any work completed. The Chief School Administrator/designee shall be responsible for reviewing any assignments made prior to the school year and ensuring that proper academic credit is given to students who complete them.

#### Legal References:

NJSA 18A:33-1, 11-1, 18A:54-20

NJAC 6:3-1.6, 6:3-9.2, 6:3-9.3, 6A:8-2.1, 6A:14-4.7, 6A:23-8.3, 6A:24-4.1, 6A:24-4.2, 6A:26-2.1 et seq.

Manual for the Evaluation of Local School Districts (September 2002)

Hawkins-Stafford Elementary and Secondary Schools Improvement Amendments  
of 1988 (P.L. 100-297

No Child Left Behind Act of 2001, Pub. L. 107-11

#### Possible Cross References:

3240, 5118, 5120, 5145.4, 6150, 6171.4, 7110

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Instructional Services & Resources**

**Policy 6160**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 2

First Reading: June 8, 2009

The Board believes that personnel and materials appropriate to the needs of the school program must be available to each pupil and teacher.

To be in compliance with the requirements of federal law, the Board of Education directs the Chief School Administrator to distribute curriculum materials and instructional supplies to the school in such a way that equivalence of such materials is ensured among the grade levels. Staff assignments shall comply with this directive.

When a school fails to achieve adequate yearly progress as defined by the state for two consecutive years, all provisions in federal law shall be followed.

The Board will endeavor to provide the supportive resources and personnel necessary for teachers to implement the approved curriculum in their classrooms and work effectively with children.

It will be the administration's responsibility to set up and maintain such central services for curriculum materials, including audiovisual materials, as are needed and appropriate channels through which teachers and pupils will be supplied with these resources.

The instructional materials selected for the School district shall be in accordance with the following resources:

1. Instructional materials (print or software, including videos) shall be chosen for the values of interest and enlightenment of all students in the community. Instructional materials shall not be excluded because of the race nationality, or the political or religious views of the writer.
2. Every effort will be made to provide materials that present all points of view concerning the problems and issues of our time, international, national, and local. Current and proposed curriculum guides, textbooks and materials will be reviewed to detect any bias based on race, sex, religion, national origin, ancestry, or culture. It must also be ascertained whether instructional materials, singly or taken as a whole, fairly depict the contributions of both sexes and the various races, ethnic groups, and the like towards the development of human society. (Books or other reading material of sound factual authority shall not be prescribed or removed from library shelves or classrooms because of partisan doctrinal approval or disapproval.)
3. Censorship of instructional materials may be challenged in order to maintain the school responsibility to provide information and enlightenment.

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Program  
Instructional Services & Resources**

**Series 6000  
Policy 6160**

Page 2 of 2

## Legal References:

NJSA 18A:34-1

NJAC 6:4-1.3 et. seq., 6:8-4.1, 6A:8-2.1, 6A:30-1.1 et seq.,

No Child Left Behind Act of 2001, Pub. L. 107-110

Manual for the Evaluation of Local School Districts (August 2000)

## Possible Cross References:

3220/3230, 4113/4114, 5145.4, 6121, 6141, 6142.2, 6161.1, 6171.3, 6171.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Copyright Policy**

**Policy 6160.1**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: August 10, 2009 | Date Revised: | Page 1 of 1 |
| First Reading: June 8, 2009   |               |             |

It is the policy of the Board of Education to adhere to provisions of the United States Copyright Law (Public Law 94-553). The following procedures represent a sincere effort to operate legally and to discourage violation of this law:

- A. Administrators with responsibility for the equipment such as audio and video recorders, computers and any other technology capable of reproducing copyrighted materials will take responsible steps to inform staff of the appropriate and legal application of their use.
- B. Information about Public Law 94-553 will be available to all employees. Ignorance of the law is not excuse for violation.
- C. No Board of Education facility or equipment may be used to violate copyright laws, regulations or guidelines.
- D. Willful infringement of the law by employees may result in disciplinary action.
- E. Legal and insurance protection will not be extended to employees who willfully violate copyright law and policies.

The Board of Education directs all school personnel to comply with Public Law 94-553, otherwise known as the Copyright Law, which was enacted by the Senate and the House of Representatives of the United States and became law on October 19, 1976. Copying of all copyrighted software and videotaping material is prohibited by law. Furthermore, all videotaping of broadcast television programs must comply with the guidelines for the Congressional Record, October 14, 1984. The Board directs the Chief School Administrator to enforce this copyright policy.

### Legal References:

United States Copyright Law, Public Law 94-553

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Comparability of Materials & Supplies**

**Policy 6161**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

To be in compliance with the requirements of P.L. 103-382, as amended, Section 1120A of Title I, Part A, the Board of Education directs the Chief School Administrator to distribute curriculum materials and instructional supplies to the schools in such a way that equivalence of such materials is ensured among the grade levels within the school.

### Legal References:

NJSA 18A:4-25, 18A:33-1, 18A:34-1, 18A:35-1 et seq.

NJAC 6:8-4.1, 6A:7-1.4, 6A:23-6.1 et seq.

Manual for the Evaluation of Local School Districts (September 2002)

Multi-year Equity Plan for 1996-97 through 1998-99, SDOE Bureau of Equal Educational Opportunity, Doc. #MISM260040699

### Possible Cross References:

1312, 2224, 5145.4, 6000, 6010, 6121, 6140, 6141, 6142.1, 6144, 6161.2, 6163.1

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Instructional Materials**

**Policy 6161.1**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board of Education believes that instructional materials should support and enrich the curriculum and make possible the achievement of the district's instructional goals. To ensure that the materials used in this district are up-to-date in the factual matter they present and also reflect the district's underlying philosophy of education, the Chief School Administrator shall develop procedures for continual review of new materials being offered and evaluation of those materials already in use. Materials should be judged against the following criteria:

1. Does the instructional material reflect the district's Affirmative Action policy that prohibits the teaching or encouragement of racial, sexual, religious, ethnic or age bias?
2. Does it stimulate growth in actual knowledge, literary appreciation, aesthetic values and ethical standards?
3. Does it help students develop abilities in critical reading and thinking?
4. Does it provide effective basic or advanced education for the students for whom it is intended?

The list of instructional materials presented for approval should be sufficient in scope to meet the needs of every student in the district.

The review process shall include:

1. Review and recommendation for selection by teaching staff members, particularly those teachers who will be using the materials as an integral part of the instructional program.
2. Review and recommendation for selection by the Chief School Administrator.

The Board, by law, reserves the right to make the final instructional materials selection decision. However, prior to final adoption, the recommendations resulting from each review will be given through consideration.

### Legal References:

NJSA 18A:4-25, 18A:33-1, 18A:34-1, 18A:35-1 et seq.

NJAC 6:8-4.1, 6A:7-1.4, 6A:23-6.1 et seq.

Manual for the Evaluation of Local School Districts (September 2002)

Multi-year Equity Plan for 1996-97 through 1998-99, SDOE Bureau of Equal Educational Opportunity, Doc. #MISM260040699

### Possible Cross References:

1312, 2224, 5145.4, 6000, 6010, 6121, 6140, 6141, 6142.1, 6144, 6161.2, 6163.1

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Complaints Regarding Instructional Materials**

**Policy 6161.2**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: August 10, 2009 | Date Revised: | Page 1 of 2 |
| First Reading: June 8, 2009   |               |             |

It is recognized that opinions may differ on the appropriateness of any given instructional materials and equipment. Occasionally, an individual or group may find instructional materials used in the school that conflict with their views. Any resident of this district shall have the right to present a request, suggestion, or complaint in reference to subject matter or instructional materials.

The Chief School Administrator shall develop procedures to give careful consideration to such requests, suggestions or complaints. These procedures must provide that:

- A. All such requests, suggestions or complaints shall be in writing;
- B. Whenever possible, the process be initiated and solved at the lowest effective level;
- C. The District response shall be courteous and prompt;
- D. Successive steps of appeal and mechanisms for review are available when necessary.

The use of challenged materials or equipment by class or school shall not be restricted until a final decision has been reached.

The final decision on controversial reading matter shall rest with the Board after careful examination and discussion of the book or reading matter with school officials or others the Board may wish to involve.

### Procedures

The mechanism for the review, appeal and repeal of decisions of the Instructional Council, the Administration and the Board will be as follows:

Any person who questions the presence of any instructional materials being used in the District shall first discuss the challenged material with the Chief School Administrator. The challenged material shall remain in use unless and until the Chief School Administrator directs its removal. If the complainant is not satisfied with the results of the discussion, the complainant must be advised to the following procedures:

1. All questions regarding materials shall be submitted to the Chief School Administrator in writing. The Chief School Administrator shall send copies of the statement to the Business Administrator, who will forward copies to the President of the Board of Education.
2. The author, title and publisher, if known, of the challenged material shall be stated in the complaint. The complainant must state whether he/she objects to only part of the material or all of the material. He/she must also state why he/she objects to the indicated inclusions.
3. The complainant's signature and local address and telephone number must appear on the communication. If the complainant is representing an organization, the entire name of



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Complaints Regarding Instructional Materials**

**Policy 6161.2**

Page 2 of 2

the organization along with the local address and telephone number of the organization must be listed.

The Chief School Administrator and other designated staff members shall constitute a committee of review. The challenged material shall immediately be objectively reviewed. After a thorough consideration, the committee of review shall submit a recommendation to the Board of Education. This recommendation should include a solution and supporting information. The Board will then consider the material, the committee's report and any other factors they deem pertinent and reach a decision on the challenge. That decision shall be made in writing and will be communicated to the complainant and made a part of the Board's minutes.

### Legal References:

NJSA 18A:11-1

Board of Education Island Trees UFSD v. Pico 457 US 853(1982)

### Possible Cross References:

1312, 2220, 6144, 6161.1

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **Child Study Team**

**Policy 6161.4**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 2

First Reading: June 8, 2009

The Board of Education shall provide the services of Child Study Team personnel in numbers sufficient to ensure implementation of pertinent law and regulation. The Chief School Administrator shall present to the Board for approval, job descriptions, qualifications and evaluation criteria for positions required, and shall present to the Board for hiring the best-qualified applicant.

When complete evaluations of pupils are necessary, the Chief School Administrator shall secure the services of qualified persons or agencies to supplement the district team. Appropriate staff members, such as the nurse and teachers assigned to the pupil, shall also be involved.

Pupils who have been identified by any professional staff member, the parents/guardians of the child, a child welfare agency or by the health services staff as possibly educationally handicapped shall be considered for evaluation.

Teachers and administrators shall provide intervention resources (e.g. adaptive teaching methods and materials, schedule changes, modified workloads, corrective or remedial instruction, etc.) in order to discover whether an observed difficulty is the result of problems within the educational delivery system. Parents/guardians shall be notified of such interventions. The members of the Child Study Team shall be available to discuss problems informally with teachers and parents/guardians.

If the problems persist despite these intervention techniques, a formal referral, requiring due process procedures, shall be initiated. The examination of each such pupil shall proceed promptly in strict accordance with law. The Board shall review and adopt the regulations governing the referral process.

Examination of each identified child shall consist of a physical examination, a psychological examination, an educational examination, a social case study, and such other examinations as may be deemed necessary by the Child Study Team.

#### Disaffected Pupils:

In addition to the educationally handicapped, the Child Study Team shall consider and recommend appropriate remedies and/or programs for pupils exhibiting disaffected behavior patterns. A survey of needs shall be conducted for each such pupil. If the survey indicates the advisability of a complete evaluation, a referral shall be initiated and due process followed. If the survey indicates a change in program, the Child Study Team shall cooperate with the teaching staff in developing an appropriate program, including, if necessary, alternative programs.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Child Study Team**

## **Series 6000 Policy 6161.4**

Page 2 of 2

### Disruptive Pupils:

All staff members shall be familiar with and implement the discipline policies and procedures adopted by this Board. This implementation will identify the pupil who is disruptive. Staff members shall report the names of pupils who disrupt the educational program to the appropriate administrator who shall initiate actions which will ensure the involvement of the pupil's family and the provision of counseling and assessment services, so as to determine the causes of the pupil's disruptive behavior. A request for pre-referral intervention or for referral for evaluation may be made to the Child Study Team. Throughout this process, administrators, support staff, teachers, parents/guardians, and if prudent, the pupil are to be involved. If all strategies prove unsuccessful, referral to the appropriate outside agency may be made.

In accordance with state law and Board policy, disruptive pupils whose continuing attendance interrupts the educational program and/or threatens harm to themselves and others may be suspended and considered for expulsion.

### Legal References:

NJSA 18A:46-3.1, 18A:46-5.1, 18A:46-5.2  
NJAC 6:8-4.1, 6:11-11.8, 6:11-11.9, 6:11-11.10, 6:11-11.11, 6:11-11.12,  
6:11-11.13, 6:11-11.14, 6A:14-1.1 et seq

### Possible Cross References:

4111, 5114, 5120, 5131, 5200, 6010, 6146.2, 6164.4, 6171.4, 6172

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Consultants to the Staff**

**Policy 6162.2**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board of Education encourages the use of consultants when it is clear that they can provide valuable and necessary specialized services.

Funds for necessary consultant help shall be provided for in planning specific projects or programs and will be charged to that particular budget category. The Board must approve the program, or project, as well as consultant fees before entering into any contractual obligation or encumbering any expenditure.

### Legal References:

NJSA 18A:11-1, 18A:40A-3, 34:5A-13

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Community Resources**

**Policy 6162.4**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board will draw on the knowledge and opinions of the community in developing mandated policies and programs in compliance with statute and administrative code, and to aid in meeting the district's identified needs.

The Board of Education encourages local businesses and individual residents who are especially qualified because of training, experience or interest to take an active part in the district's educational programs. Those persons and representatives of businesses identified by the Chief School Administrator and the staff and approved by the Board may be invited to act as advisors in groups or individually in appropriate circumstances and situations.

The district shall also take advantage of the physical and financial resources of the community and of organizations including business when such facilities or locations provide learning and enrichment opportunities not otherwise available to our pupils. Pupil safety shall be a primary concern in making use of such resources.

In accordance with law, the administration shall identify and establish working relationships with community agencies that are involved in evaluation and treatment of drug/alcohol problems.

### Legal References:

NJSA 18A:11-1

NJAC 6:8-2.1, 6A:16-1.1 et seq, 6A:30-1.4

Board of Education Island Trees U.F.S.D. v. Pico, 457 U.S. 853 (1982)

### Possible Cross References:

1000/1010, 1210, 1220, 1410, 1600, 3280, 4222, 5131.6, 6142.1, 6142.2, 6153, 6164.6, 6171.2, 6171.3, 6171.4, 9420

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Research (Student Surveys)**

**Policy 6162.5**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: August 10, 2009 | Date Revised: | Page 1 of 2 |
| First Reading: June 8, 2009   |               |             |

The Board of Education recognizes that educational research can be a valuable tool in identifying and applying strategies to enhance student achievement and in identifying factors that could prevent students from becoming contributing members of society. Surveys among student populations can be an important part of this research.

Students and parents/guardians retain certain rights, however, in the administration of surveys. The Board shall ensure that prior written consent is obtained from parents/guardians or emancipated students before any survey is administered that is funded in whole or in part by any program administered by the United States Department of Education, if the survey (analysis or evaluation) is designed to reveal information on any of the following:

- A. Political affiliations or beliefs of the student or the student's parents/guardians;
- B. Mental and psychological problems of the student or the student's family;
- C. Sex behavior or attitudes;
- D. Illegal, anti-social, self-incriminating, or demeaning behavior;
- E. Critical appraisals of other individuals with whom respondents have close family relationships;
- F. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, or ministers;
- G. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian; or,
- H. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Written informed consent shall also be obtained from parents/guardians or emancipated students prior to the administration of any academic or nonacademic survey, assessment, analysis or evaluation that would reveal the student's social security number.

Parents/guardians shall be given the opportunity to inspect any survey, analysis or evaluation that solicits information in any of the above areas. If parents/guardians object to their child(ren)'s participation in the survey, the child(ren) shall be allowed to opt out.

Prior approval of the Chief School Administrator is required for all other surveys on topics not listed. Anyone seeking approval of a proposed survey must provide the Chief School Administrator with details of the survey methodology, its specific educational purpose and a description of how results will be disseminated and applied.

For all surveys the identity of the respondent shall remain confidential.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Research (Student Surveys)**

**Series 6000  
Policy 6161.5**

Page 2 of 2

The Chief School Administrator shall develop regulations to implement this policy that include reasonable timelines for parents/guardians to access and review surveys as prescribed by law, and arrangements to protect student privacy in the administration of a survey.

This policy and the regulations shall be made available to the public at least annually at the beginning of the school year, especially to parents/guardians and to district staff. The public shall be informed within a reasonable period of time if substantial change is made to policy and regulations. The public shall also be informed of specific or approximate dates, if known, when surveys may be administered.

### Legal References:

NJSA 18A:36-34  
NJAC 6A:16-1.4

No Child Left Behind Act of 2001, Pub. L. 107-110, USCA 6301 et seq.

Manual for the Evaluation of Local School Districts (September 2002)

20 USCA 1232g – Family Educational Rights & Privacy Act

20 USCA 1232h – Protection of Pupil Rights Amendment

In re: Application of Charles V. Reilly, Robert A. Hutton and Sean Reilly to  
Contest the Validity of the Enactment of Assembly Bill 3359 (P.L. 2001,  
c.364), Superior Court of NJ, Appellate Division, Docket No. A-0163-  
02T2, 2003 NJ Super. Lexis 376

### Possible Cross References:

1140, 1315, 4132, 5020, 5124, 5141.3, 6147.1

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Audio-Visual Materials**

**Policy 6163.1**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The school system shall be a participant of the County Audio-Visual Aids Commission. The Elsinboro Township Board of Education recognizes the value audio visual materials can provide by expanding and enhancing its curriculum as well as keeping them current.

Therefore, in an effort to provide the widest possible use of educational materials in its curriculum the Elsinboro Township Board of Education directs the Chief School Administrator to develop procedures for the classroom use of audio-visual materials including slides, filmstrips, records, audio-cassettes, movies, video disks, and video tapes.

All audio-visual materials for use in classroom shall meet the following guidelines:

1. Be used to expand, enhance, meet a need, or reinforce a skill or concept presented as part of the district's curriculum.
2. Be identified in the teacher's lesson plans prior to its use.
3. Be previewed by the teacher to insure that the subject, language, and content is appropriate for the grade level it will be used in.
4. Video disk, tapes, and films from sources other than the Salem County AVA Commission film library must have a G (General Audience) or LDA1 rating.
5. If a film or video disk or tape is to be used as a reward for good work or behavior by a class, the teacher must inform the CSA of his/her behavior/work plan for the class in advance of its implementation.



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **Intervention & Referral Services for General Education Pupils**

**Policy 6164.1**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: August 10, 2009 | Date Revised: | Page 1 of 1 |
| First Reading: June 8, 2009   |               |             |

The Board of Education shall provide a program of intervention and referral services for general education pupils who are experiencing personal, interpersonal or academic difficulties to help them function productively and develop positively in the classroom environment.

The Chief School Administrator shall prepare procedures to:

- Identify pupils in need, and plan and provide for appropriate intervention or referral services and/or referral to school and community resources;
- Identify the roles and responsibilities of the building staff members who participate in planning and providing intervention and referral services;
- Provide support, guidance and professional development to school staff who identify and refer pupils and to school staff who participate in planning and providing intervention and referral services;
- Actively involve parents/guardians in the development and implementation of intervention and referral plans;
- Coordinate the access to and delivery of school services for identified pupils;
- Coordinate the services of community-based social and health provider agencies; and
- Review and assess the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral plan.

The Board shall review and adopt these procedures, and the Chief School Administrator shall report to the Board on their implementation.

#### Legal References:

NJAC 6A:16-7.1 et seq

#### Possible Cross References:

6164.4, 6172

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Guidance Services**

**Policy 6164.2**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

A guidance program shall be incorporated into the district's educational program to aid pupils in making informed and responsible decisions and in using effective decision-making processes. The guidance program shall be developed and coordinated by the Chief School Administrator in consultation with teaching staff members he/she had identified as possessing necessary skills and abilities, to help pupils acquire the insights and knowledge they need to become autonomous, mature members of adult society in a democratic nation.

The purpose of the guidance program shall be to help pupils in learning to make their own decisions concerning life's many choices-personal, educational, and career/vocational. The guidance program shall provide, as fully as possible, the information needed to make the best decisions concerning the pupil's educational program. Such information shall include facts such as test scores, grades and educational history. Pupil records may also include anecdotes, but shall not carry judgments, opinions and other advice.

Guidance services shall include establishment of a referral system that guards the privacy of the pupil and monitors the efficacy of such referrals, when district resources are not sufficient, as in drug or alcohol counseling.

### Legal References:

NJSA 18A:35-4.2, 18A:36-19, 18A:36-19.1, 18A:46-5.1  
NJAC 6:3-6.1, 6:4-1.5(g),(h), 6:8-3.3, 6:11-11.5, 6:11-11.10, 6:11-11.11,  
6A:8-1.1 et seq, 6A:14-3.4, 6A:16-4.1, 6A:24-1.4, 6A:24-6.1,  
6A:30-1.1 et seq

### Possible Cross References:

5000, 5010, 5020, 5113, 5114, 5120, 5124, 5125, 5131.6, 6142.12, 6145,  
6146, 6164.4, 6171.1, 6171.2, 6171.4, 6172, 6173

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Referral to Intervention Team**

**Policy 6164.3**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: August 10, 2009 | Date Revised: | Page 1 of 1 |
| First Reading: June 8, 2009   |               |             |

The Board of Education directs the establishment of an Intervention & Referral Services Team. The purpose of this committee is to assist general education pupils experiencing personal, interpersonal or academic difficulties and to function productively and to develop positively in the classroom and school environment.

The Chief School Administrator shall develop and the Board shall approve procedures for determining membership of this committee. Training shall be provided for all new Intervention & Referral Services Team members.

The Chief School Administrator shall submit an annual report to the County Superintendent of Schools concerning the functions of the Intervention & Referral Services Team. This shall include, but be limited to, a summary of the components listed in the NJ Administrative Code.

### Legal References:

NJAC 6:8-6.1, 6:26-1.1 et seq.

### Possible Cross Reference:

6164.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Special Educational Programs**

**Policy 6171**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2008

The regular curriculum of the district's schools is designed to accomplish the district's educational goals and objectives for a thorough and efficient system of education for all pupils.

When necessary, the regular program shall be altered or supplemented or other means used to provide for the identified need of the following pupils:

- A. The classifiable educationally disabled
- B. The gifted and talented
- C. Those requiring compensatory or remedial programs
- D. The disaffected and alienated
- E. Pregnant pupils
- F. Pupils requiring home instruction
- G. The physically handicapped
- H. Those with limited English proficiency
- I. The disruptive

### Legal References:

NJSA 10:5-1 et seq., 18A:35-4.9, 18A:35-15 through -26, 18A:46-1 et seq.,  
18A:46A-1 et seq.,  
NJAC 6:8-4.1, 6A:8-3.1 et seq., 6A:14-1.1 et seq., 6A:15-1.1 et seq.

No Child Left Behind Act of 2001, Pub. L. 107-110  
Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

6142.2, 6171.1, 6171.2, 6171.3, 6171.4, 6172, 6173, 6174, 6178

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Remedial Instruction**

**Policy 6171.1**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

Pupils whose proficiency in subjects assessed through the Core Curriculum Standards Process is below acceptable levels of performance, shall be required to participate in a remedial/skill maintenance program. Proficiency shall be evaluated through a multi-skills assessment, standardized tests, diagnostic instruments, teacher observation and pupil progress reports.

The programs shall include procedures to evaluate pupil achievement related to the remedial program objectives and standards. The Chief School Administrator shall coordinate continuous communication between teaching staff members and parents/guardians of pupils participating in remedial educational programs. These programs shall be supplemental to the regular program and designed to assist students who have academic, social, economic or environmental needs that prevent them from succeeding in regular school programs.

An individual pupil improvement plan (IPIP) shall be developed for each pupil who performs below state minimum levels of proficiency after completion of three academic years of instruction beyond kindergarten. Procedures for development, implementation and evaluation of the IPIP's shall include designation of responsible staff and notification of the pupil and his/her parents/guardians of the need for and content of the IPIP in the language and mode of communication understood by them.

All parents/guardians shall be notified in writing of a pupil's needs for a remedial/skill maintenance program and shall be encouraged to participate in its design. Regulations governing these programs and procedures shall be reviewed and adopted by the Board as required by law.

The Chief School Administrator shall evaluate the remedial education programs each school year and report to the Board of Education as to their effectiveness in achieving and maintaining acceptable levels of pupil proficiency.

### Legal References:

NJSA 18A:7C-1 et seq., 18A:7C-2, -3, -4, -6, 18A:35-4.9

NJAC 6A:8-4.3, 6A:8-4.4, 6A:8-5.1, 6A:30-1.1 et seq.

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

4138.2, 5120, 6141, 6142, 6142.6, 6147, 6171.3

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Gifted & Talented Program**

**Policy 6171.2**

Date Adopted: August 10, 2009

Date Revised: October 19, 2020

Page 1 of 6

The district shall provide a program of study for exceptionally able (gifted and/or talented) students in grades Kindergarten through 8 who display outstanding intellectual abilities, academic aptitudes, unique creativity, productive thinking, leadership traits or exceptional talent in the visual and performing arts and in psychomotor skills. Students will have opportunities to enhance/expand their basic education and gain further knowledge and proficiency in areas of special interest and ability. The Board of Education recognizes its responsibility to provide continuous, differentiated, and appropriate educational programs for those exceptionally able students, from the standpoint of sound educational practice and in terms of the intent of State and Federal Law.

Programs will be developed to respond to the range of needs and abilities among gifted and talented students. A variety of instructional methods, grouping and schedules shall be used to provide programs designed to encourage creative thinking, problem solving, and research skills in an effort to further develop higher order thinking skills, abilities, interests, and independent learning.

Acknowledging that special abilities and skills appear at different times in the development of many children the district will carry out a broad-based screening of all students at all grade levels (K-8). Recognizing there is a range of abilities among these identified students, this screening will identify exceptionally able students using multiple indicators of academic and creative potential, including but not limited to tests of academic achievement, aptitude and creativity, samples of student work, nominations obtained from teachers, parents, community members and the students themselves. The screening process will take place each spring in preparation for the following academic year.

Students moving into the district during the year will be reviewed for participation based on the program criteria from their previous district. As with all Elsinboro students, students new to the district may be recommended to participate in the spring for the following school year.

The Chief School Administrator shall coordinate development of criteria to identify gifted and /or talented students and present them to the Board for approval.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Gifted & Talented Program**

**Policy 6171.2**

Page 2 of 6

### Gifted and Talented Criteria

Below 235 is not eligible.

Total in LAL and Math must be 495 or above in grades 3 and 4.

Total in LAL and Math must be 500 or above in grades 5 through 8.

Advanced proficient in at least one area.

92% or below are not eligible, but if average is 95% or above then okay.

Minorities and males get five extra points in standardized areas.

He/she shall devise indicators of achievement to evaluate success of each program and present them to the Board for adoption.

The Board directs the Chief School Administrator to develop educational programs for the gifted and talented that both discover and develop special skills but also provide the opportunity for all students to express their special skills and talents. Such programs shall be developed in consultation with the teaching staff members and involve, whenever possible, parents and the students. All programs shall conform to the guidelines developed by the NJ Department of Education.

### Regulations

The Board of Education shall:

- ensure that appropriate instructional adaptations are designed for students who are gifted and talented;
- make provisions for an ongoing kindergarten through grade 12 identification process for gifted and talented students that includes multiple measures in order to identify student strengths in various intellectual ability, creativity, or specific academic areas. A student shall not be required to meet all considered measures in order to be identified as gifted and talented.

The district shall ensure equal access to a continuum of Gifted and Talented education services the identification process shall include consideration of all students, including those who are English language learners and those with Individualized Education Plans or 504 plans; maintain a list of students identified as gifted and talented in each grade for each school in the school district; develop and document appropriate curricular and instructional modifications used for gifted and talented students indicating content, process,

## **Elsinboro Township Board of Education District Policy Manual**

### **Instructional Program**

**Series 6000**

### **Gifted & Talented Program**

**Policy 6171.2**

Page 3 of 6

products, and learning environment, and including but not be limited to additional education activities such as academic competitions, guest speakers, and/or lessons with a specialist. Any modifications shall be identified in staff and student schedules, lesson and unit plans, and budgets for educational materials take into consideration the Pre-K-Grade 12 Gifted Programming Standards, Position Statements, and White Papers of the National Association for Gifted Children in developing programs for identifying and serving gifted and talented students; provide the time and resources to develop, review, and enhance instructional tools with modifications for helping gifted and talented students acquire and demonstrate mastery of the required knowledge and skills specified by the standards at the instructional level of the student; and actively assist and support professional development for teachers, educational services staff, and school leaders in the area of Gifted and Talented instruction.

The Commissioner of Education shall appoint a coordinator for Gifted and Talented services. The coordinator shall have teaching experience and specialized knowledge in gifted and talented education. The coordinator shall be responsible for providing support by identifying and sharing research and resources to school districts as they develop, implement, and review their local gifted and talented services.

The coordinator shall be responsible for reviewing the information about gifted and talented programs implemented in services provided by the district to ensure compliance with support implementation.



## **Elsinboro Township Board of Education District Policy Manual**

### **Instructional Program**

**Series 6000**

### **Gifted & Talented Program**

**Policy 6171.2**

Page 4 of 6

The district shall file with the coordinator a report within the first full school year following the date of enactment and every three years by October 1, 2020 and thereafter on a schedule that coincides with the school district's New Jersey Quality Single Accountability Continuum review pursuant to section 11 of P.L.1975, c.212 (C.18A:7A-11).

The report shall include, but shall not be limited to:

- the Gifted and Talented continuum of services, policies, and procedures implemented in the district;
- the total number of students receiving gifted and talented services in each grade level and the total number of students who have applied for acceptance into the program.
- The data shall also be disaggregated by race, gender, special education designation, and English language learner designation, with an individual student being counted only once;
- the professional development opportunities provided for teachers, educational services staff, and school leaders about gifted and talented students, their needs, and educational development; and,
- the number of staff employed by the school district whose job responsibilities include identification of and providing services to gifted and talented students.

The Commissioner of Education shall develop a protocol pursuant to which an individual may submit a complaint alleging that a school district is not in compliance with the provisions of this act, and the Executive County Superintendent shall investigate the complaint. The protocol shall also include procedures for remediating gifted and talented programs in school districts found to be in noncompliance.

## **Elsinboro Township Board of Education District Policy Manual**

### **Instructional Program Gifted & Talented Program**

### **Series 6000 Policy 6171.2**

Page 5 of 6

A complaint submitted to the Executive Superintendent may only allege noncompliance that has occurred within one year prior to the date that the complaint is submitted. The complaint shall include:

- a statement that the identified district is not in compliance with the provisions of this act, and the specific facts on which the allegation of noncompliance is based; and
- the name, address, and contact information of the complainant.

The Executive County Superintendent shall complete the investigation within 60 calendar days after receipt of the complaint and issue a written decision with proposed remediation, if necessary, to the complainant and the district. An individual who believes that a school district has not complied with the provisions of this act may file a complaint with the Board of Education.

The right to file a complaint shall be set forth in the Board's policy on Gifted and Talented Education. The policy shall be linked to the homepage of the Board shall issue a decision, in writing, to affirm, reject, or modify the district's action in the matter.

The individual may then file a petition of appeal of the Board's written decision to the Commissioner of Education through the Office of Controversies and Disputes in accordance with N.J.S.18A:6-9 and the procedures set forth in State Board of Education regulations.

The district shall make detailed information available on its website regarding the policies and procedures used to identify students as gifted and talented and the continuum of services offered to gifted and talented students. The information shall include the criteria used for consideration for eligibility for the Gifted and Talented services, including the multiple measures used in the identification process to match a student's needs with services, and any applicable timelines in the identification process.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Gifted & Talented Program**

**Policy 6171.2**

Page 6 of 6

A student record shall document that the student has been identified by the school district as a gifted and talented student.

An individual who believes that the school district has not complied with the provisions of this act may file a complaint with the Education. The right to file a complaint shall be set forth in the Board's policy on gifted and talented education. The policy shall be linked to the homepage of the Board of Education, linked to the homepage of the Board's Internet website. The Board shall issue a decision, in writing, to affirm, reject, or modify the district's action in the matter.

### Legal References

NJSA 18A:35-4.15 through -4.16 Legislative findings and declarations; chess instruction for second-grade pupils in gifted and talented and special education programs ...  
18A:61C-1 Program promoting cooperation between high schools and institutions of higher education; establishment; objective; increased availability of college-level instruction; scope  
18A:61C-4 Program providing college credit courses for high school students on high school campuses; establishment

NJAC 6A:8-1.3 Definitions  
6A:8-3.1 Curriculum and instruction  
6A:8-3.3 Enrollment in college courses  
6A:30-1.4 Evaluation process for the annual review  
6A:32-14.1 Review of mandated programs and services

Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

### Possible Cross References

1600, 6010, 6121, 6171

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **At-Risk & Title I**

**Policy 6171.3**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: August 10, 2009 | Date Revised: | Page 1 of 2 |
| First Reading: June 8, 2009   |               |             |

The district shall comply with all state and federal requirements in developing, implementing, administering and evaluating funded compensatory education programs for pupils determined to be at risk.

Such instructional services and activities shall be designed to improve the level of proficiency in reading, writing, mathematics and other skills of pupils whose academic, social or environmental needs prevent them from succeeding in regular school programs, and to prevent their regression in such skills when regular programs are not in session. Parents/guardians shall be kept informed of their children's progress and shall be invited to consult with staff on ways to give their children the maximum benefits of such programs.

At least once annually, a public meeting shall be held for the express purpose of informing parents/guardians of the programs and activities provided with the Title I funds. The agenda shall include:

- A. Informing parents/guardians of their right to consult in the design and implementation of the Title I project;
- B. Providing parents/guardians with information about the Title I law, regulations and instructional programs;
- C. Soliciting parents/guardians' input about basic skills improvement programs and related activities;
- D. Providing parents/guardians an opportunity to establish mechanisms for maintaining ongoing communication among parents/guardians, staff and the Board.

The parents/guardians of all eligible children shall be invited to attend.

### Mandated Policy Statements in Addition to Parent Consultation

- A. Comparability of personnel  
To be in compliance with the requirements of 20U.S.C. 3807, Section 558(2)(B) (Title1), the Board of Education directs the Chief School Administrator to assign teachers, administrators, and auxiliary personnel to the school in such a way that equivalence of personnel is ensured.
- B. Comparability of materials and supplies  
To be in compliance with the requirements of 20U.S.C. 3807, Section 558(2) (B) (Title1), the Board of Education directs the Chief School Administrator to distribute curriculum materials and instructional supplies to the school in such a way that equivalence is ensured.
- C. Supplement not supplant  
The district shall use Title I and/or state compensatory education funds only to supplement and to the extent practical increase the level of funds that would, in the absence of Title I and/or state compensatory education funds, be made

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program At-Risk & Title I**

## **Series 6000 Policy 6171.3**

Page 2 of 2

available for the education of pupils participating in Title I or state compensatory education projects. In no case shall Title I and/or state compensatory education funds be used to supplant those non-Title I or non-state compensatory education funds.

### Eligibility for State and Federal Funds

The Chief School Administrator shall ensure that all requirements for receiving state and federal funds shall be fulfilled in an accurate and timely manner.

Control of such funds and title to equipment and supplies purchased with such funds shall remain with the Board of Education. Procurement, control, use and disposition of equipment and supplies purchased with state/federal funds shall be in full compliance with the law.

### General

The Chief School Administrator shall direct appropriate administrative personnel to pursue vigorously all possible sources of funding, either state or federal, that support such compensatory services, and shall keep abreast of all changes in the law that restrict or expand the district's use of state or federal funds.

Programs especially designed for migrant children shall be provided as necessary.

### Maintenance of Effort

The Elsinboro Board of Education will maintain a combined fiscal effort per student, or aggregate expenditures of state and local funds with respect to the provision of free public education for the preceding fiscal year that is not less than 90 percent of the combined fiscal effort per student, or the aggregate expenditures for the second preceding fiscal year.

### Legal References:

NJSA 18A:35-4.9, 18A:59-1, through -3  
NJAC 6:8-4.1

### Possible Cross References:

3220/3230, 3514, 5120, 5200, 6122, 6141, 6142.2, 6142.6, 6171.1, 6171.4

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Program**

**Series 6000**

**Education Stability / Transportation**

**Policy 6171.35**

Date Adopted: September 21, 2020

Date Revised:

Page 1 of 5

The Federal Every Student Succeeds Act (ESSA), which reauthorized the Elementary and Secondary Education Act (ESEA), initiated protections for children in foster care that further enhanced the requirements of the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act). These provisions require school districts to work with child welfare agencies to ensure the educational stability of children in foster care. New Jersey statutes support and implement Federal legislation and require New Jersey's child welfare agencies and school districts to collaborate and to keep children placed in foster care in the same school when their living placements change if remaining in that school is in the child's best interest. The educational stability of children in foster care is the joint responsibility of both the educational and child welfare systems.

The Chief School Administrator/designee shall designate a Point of Contact person as the Board of Education's point of contact person for all matters related to the educational stability for children in foster care. The point of contact person for the school district shall not be the same person designated as the school district liaison for the education of homeless children.

For the purpose of this Policy, "child welfare agency" shall be the New Jersey Department of Children and Families.

For the purpose of this policy, "foster care" means twenty-four-hour substitute care for children placed away from their parents and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.

For the purpose of this Policy, "school of origin" is the school district in which the child is enrolled at the time of placement in foster care or the school district of residence as per N.J.S.A. 30:4C-26 and N.J.S.A. 18A:7B-12.

A child in foster care shall remain in his/her school of origin if it is determined to be in the best interest of the child for the duration of time in foster care.

If a student attending the school district in accordance with the provisions of N.J.S.A. 18A:38-1 et seq. is placed in foster care, the school district contact person will collaborate with child welfare agencies to determine whether it is in the child's best interest to remain in the school district taking into consideration all factors relating to the child's best interest.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Education Stability / Transportation**

**Policy 6171.35**

Page 2 of 5

These factors shall include the appropriateness of the current educational setting and proximity of placement (ESEA Section 1111(g)(1)(E)(i)). These factors may include, but are not limited to:

1. Preferences of the child;
2. Preferences of the child's parent(s) or educational decision maker(s);
3. The child's attachment to the school, including meaningful relationships with staff and peers;
4. The proximity of the resource family home to the child's present school;
5. The age and grade level of the child as it relates to the other best-interest factors;
6. The needs of the child, including social adjustment and well-being;
7. The child's performance, continuity of education, and engagement in the school the child presently attends;
8. The child's special education programming if the child is classified;
9. The point of time in the school year;
10. The child's permanency goal and likelihood of reunification;
11. The anticipated duration of the placement;
12. Placement of the child's sibling(s);
13. Influence of the school climate on the child, including safety;
14. The availability and quality of the services in the school to meet the child's educational and socioemotional needs;
15. History of school transfers and how they have impacted the child;
16. How the length of the commute would impact the child, based on the child's developmental stage;
17. Whether the child is a student with a disability under the Individuals with Disabilities Act (IDEA) who is receiving special education and related services or a student with a disability under Section 504 who is receiving special education or related aids and services and, if so, the availability of those required services in a school other than the school of origin; and,  
Whether the child is an English language learner (ELL) and is receiving language services, and, if so, the availability of those required services in a school other than the school of origin, consistent with Title VI and the Equal Educational Opportunities Act of 1974 (EEOA).

The school district's point of contact person will discuss these factors and will make every effort to gather meaningful input and participation from the relevant parties, including appropriate school personnel, in the best-interest determination.

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Program**

**Series 6000**

**Education Stability / Transportation**

**Policy 6171.35**

Page 3 of 5

Eligible students with disabilities retain their right to receive a free appropriate public education in the least restrictive environment. When making a best-interest determination regarding the

educational placement of a student with a disability under IDEA and Section 504, the Board must ensure that all required special education and related services are provided in the least restrictive placement where the child's unique needs, as described in the student's Individualized Education Program (IEP) or Section 504 Plan, can be met. The school district will identify and assess all potential ELL students and provide all ELL students, including ELL students in foster care, with a language assistance program that is educationally sound and proven successful. When a best-interest determination is made for an ELL student in foster care, the Board of Education will comply with its obligations under Title VI and the EEOA.

To the extent feasible, a child shall remain in his/her school of origin until a final best-interest determination is made. The child welfare agency will notify the school district of origin of the child's school placement after collaboration with the Board of Education's point of contact person and after the child's best-interest determination has been made. If a change of school is recommended by the child welfare agency, the new school shall immediately contact the school of origin to obtain relevant academic and other records of the foster care child. The financial responsibility for the payment of tuition for a foster care child placed outside the school district of origin and attending school outside the school district of origin shall be determined by the Commissioner of Education in accordance with N.J.S.A. 18A:7B-12 – Determination of District of Residence.

A foster care child who has been placed in this district and exits foster care during the school year will not be permitted to continue in this school district for the remainder of the school year.

In the event that there is a disagreement regarding school placement for a child in foster care, the school district will comply with the legal requirements for resolving the dispute. A parent can appeal a best-interest determination whenever the child changes schools.

Children placed in foster care outside the school district of origin, attending a school in that district, will be provided transportation to and from school in accordance with the provisions of N.J.A.C. 6A:27-6.1 et seq. and the transportation policies of that district. The district of origin is financially responsible for transportation costs to and from school.

Children placed in foster care outside the school district of origin, but remaining in a school within the school district of origin, shall receive transportation to and from school on a "cost-efficient" manner and in accordance with Section 475(4)(A) of the Social Security Act for the



# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Program**

**Series 6000**

**Education Stability / Transportation**

**Policy 6171.35**

Page 4 of 5

duration of the time the child is in foster care. The district of origin is financially responsible for transportation costs to and from school.

The cost of transportation shall not be considered when determining the best interest of the child.

Section 475(4)(A) of the Social Security Act provides guidance on “cost-effective” transportation as it relates to the cost of reasonable travel for foster care children placed outside the school district of origin to their school of origin indicating: the child may be dropped off at a bus stop just within the school district of origin to be transported to a school in the district of origin; the school district may offer a public transportation option; the foster care parents or other families may be willing to drive the child to school in the school district of origin; the school district may utilize pre-existing bus routes or stops close to the out-of-district foster care placement that cross school district boundaries; or the foster care child may be eligible for transportation under other Federal or State requirements.

In the event that there is a disagreement regarding transportation for a child in foster care, the school district will comply with the New Jersey Department of Education requirements for resolving the dispute. The Board of Education shall provide or arrange for adequate and appropriate transportation for foster care children while any disputes are being resolved.

In all cases regarding student data and records, the Board of Education will comply with all statutory requirements to protect student privacy, including Family Education Rights and Privacy Act (FERPA), and all other privacy requirements under Federal laws, State statutes, and administrative codes.

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Program**

**Series 6000**

**Education Stability / Transportation**

**Policy 6171.35**

Page 5 of 5

## Legal References

- NJSA 18A:7F-25 Transportation aid  
18A:22-8.6 Transportation (budget line item)  
18A:39-1 et seq. Transportation To and From Schools  
18A:46-19.6 Transportation to location or maintenance of vehicular classrooms to obtain services; payment of cost  
18A:46-23 Transportation of pupils; special classes; handicapped children; state aid  
39:3-27 Free registration of certain vehicles; transfer to other motor vehicles
- NJAC 6A:27-1.1 et seq. Student Transportation  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- Parents for Student Safety, Inc., v. Morris Bd. of Ed., 1986 S.L.D. (February 5), St. Bd. rev'g 1984 S.L.D. (August 24), aff'd App. Div., unreported decision (docket no. A-3257- 85-T7, decided February 17, 1987) certif. den. 108 N.J. 180 (1987)  
Wayne Board of Education v. Kraft et al., 139 NJ 597 (1995)  
Policies and Procedure Manual for Pupil Transportation NJ State Department of Education  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Special Education**

**Policy 6171.4**

Date Adopted: August 10, 2009

Date Revised: March 13, 2017

Page 1 of 26

In compliance with state department of education interpretation of the administrative code on special education, the Board adopts the following revision/amendment of its existing policies on providing educational and related services to pupils identified as having educationally disabling conditions as defined in federal and state law.

- A. Exemption of educationally disabled pupils from the high school graduation requirements according to NJAC 6A:14-4.11.

A disabled pupil must meet all state and local high school graduation requirements in order to receive a state-endorsed high school diploma unless exempted in his/her IEP. When a pupil has been exempted from any graduation requirement, his/her IEP shall address alternate requirements to be met. By the year specified in code, the Board shall ensure that all pupils with disabilities participate in statewide assessments with appropriate accommodations or modifications, as determined by the pupil's IEP. If the nature of the pupil's disability is so severe that the pupil is not receiving instruction in any of the knowledge and skills measured by the statewide assessment and the pupil cannot complete any of the questions on the assessment in a subject area with or without accommodations, the pupil shall participate in a locally determined assessment of pupil progress.

By June 30<sup>th</sup> of a disabled pupil's last year in the elementary program, the pupil's case manager, parent/guardian and teacher(s) shall meet to review the pupil's IEP in view of the transition to the secondary program. Input from appropriate staff from the secondary school shall be part of the review.

The transition plan of the IEP for the pupil entering the secondary program will address all the elements required in the administrative code, including specifically addressing graduation requirements.

A disabled pupil who has not been exempted from the proficiencies or has performed below the state minimum level of pupil proficiency on one or more areas of the state-mandated high school proficiency test may participate in the special review assessment (SRA).

Educationally disabled pupils meeting the standards for graduation according to NJAC 6A:14-4.11 shall have the opportunity to participate in graduation exercises and related activities on a nondiscriminatory basis.

# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Program  
Special Education**

**Series 6000  
Policy 6171.4**

Page 2 of 26

## **B. Prevention of needless public labeling of educationally disabled pupils**

The Board directs that the names and other personally identifiable data concerning educationally disabled children shall be kept confidential and shall not be included in the public acts and public records of this district. Such names and data shall be reduced to code for inclusion in the public record. A special confidential file shall be maintained listing the names of educationally disabled pupils on whose behalf the Board of Education must take public action. Motions concerning disabled pupils made at public meetings shall be anonymous and referred to this confidential file. This file shall be maintained in accordance with NJAC 6A:32-7.1.

Further, the Board, administrators, faculty and other personnel shall avoid unnecessary and needless public labeling of such pupils. This shall include the avoidance of public address announcements so designating pupils, any open identification of classrooms with signs so designating, or any item of open or general circulation, such as photographs, audio/videotapes, etc., that so designates an individual pupil or class. Pupil records shall be maintained in accordance with NJAC 6A:32-7.4.

## **C. Compilation, maintenance, access to and confidentiality of pupil records according to NJAC 6A:32-7.4 through -7.6.**

To ensure proper accessibility and confidentiality, the records of educationally disabled pupils shall be gathered, updated, maintained, stored, transferred, made accessible and finally disposed of in accordance with the district policy 5125 on pupil records in general. To assure the security of special education records:

1. Provision shall be made for access and security of computer-stored records of educationally disabled pupils;
2. Clerical and secretarial tasks related to such records shall be performed only under the supervision of appropriately certified staff.

As with all pupil records, access shall be guaranteed to persons authorized according to NJAC 6A:32-7.5 within 10 days of the request, but prior to any review or hearing conducted in accordance with state Board of Education regulations.

For the district's general policy and regulation on pupil records see 5125, which deals with all requirements common to disabled and general pupil records including enumeration and description of records, provisions for access, notice to parents/guardians of their rights in regard to the child's records, etc.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 3 of 26

- D. Identification, location and evaluation of potentially educationally disabled pupils, according to NJAC 6A:14-3.3

The Superintendent of Schools shall prepare written procedures for identifying those pupils ages three through 21, including pupils attending nonpublic schools, within the district and may be educationally disabled, regardless of their district of residence. Procedures shall include provision for the referral of pupils who may be experiencing physical, sensory, emotional, communication, cognitive or social difficulties. In order to ensure program placement by a disabled child's third birthday, a written request for initial evaluation shall be forwarded to the district at least 120 days prior to the preschooler attaining age three.

The Board shall ensure that all preschool pupils with disabilities shall have their IEPs implemented no later than their third birthdays. To provide a smooth transition between a child's preschool program and his/her school age program (public or private), particular attention shall be paid to articulation between those programs.

These procedures and arrangements shall be adopted by the Board after review and possible revision. The procedures shall include criteria by which to identify the potentially disabled, and require the participation of staff, parents/guardians and appropriate agencies.

### Evaluation and Determination of Eligibility

The evaluation process to determine a pupil's eligibility for educational and related services beyond those available within the regular public school program shall be conducted in strict compliance with the provisions of NJAC 6A:14-2.3, 2.5, 3.4 and 3.5 dealing with:

- Parental notice, notification, consent and involvement, including determination of the parents/guardians' dominant language and necessary accommodations if the language is other than English or if the parents/guardians are deaf;
- An initial evaluation that consists of a multi-disciplinary assessment in all areas of suspected disability and a written report of the results of each assessment;
- Determination that a pupil is eligible for special education and related services when he/she has been identified as having one or more of the fourteen categories of disability described in the administrative code, and the disability adversely affects the pupil's educational performance.

## **Elsinboro Township Board of Education District Policy Manual**

### **Instructional Program Special Education**

### **Series 6000 Policy 6171.4**

Page 4 of 26

The Superintendent of Schools shall oversee development of detailed procedures to govern the evaluation process, and shall implement them after they have been reviewed and adopted by the Board.

The Board shall ensure that a variety of assessment tools and strategies shall be applied to gather information to develop and monitor the IEP, including cooperation and input from the parents/guardians. Relevant information shall also be related to enabling the pupil to be involved in and progress in the general education curriculum or, for preschool children with disabilities to participate in appropriate activities.

- E. Provision of full educational opportunity to educationally disabled pupils  
The Board of Education is responsible for providing education for all children resident in the district. All reasonable efforts will be made to resolve an enrolled child's learning and adjustment difficulties prior to his/her referral to the child study team for screening and/or evaluation. When a pupil is found eligible for special education and related services and the Board of Education cannot provide required instruction and related services from its own resources and facilities, the Board will seek appropriate placement outside the district, and will assume such costs of that placement as are required by law.

The goal of the Board's special education program is to provide full educational opportunity to all educationally disabled resident pupils ages three through 21, as those terms are defined in federal and state law. The Board will make available to parents/guardians of educationally disabled children below the age of three information regarding services available through other state, county and local agencies.

- F. Participation of and consultation with the parents of educationally disabled pupils toward the goal of providing full educational opportunity to all educationally disabled pupils ages 3 through 21.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 5 of 26

In order to achieve the district's goal of providing full educational opportunity to all educationally disabled pupils in accordance with the administrative code, parent/guardian participation shall be sought in every successive stage of the special education decisional process, pursuant to NJAC 6A:14-2.3 and 2.4. All notifications shall be made and all necessary conferences conducted in the language used for communication by the parent/guardian and the pupil unless it is not feasible to do so, in which case the provisions of administrative code shall be followed.

Written notice to parents/guardians and/or adult pupils shall be provided as follows:

- The Board shall provide written notice no later than 15 calendar days after making a determination;
- The Board shall provide written notice at least 15 calendar days prior to the implementation of a proposed action so that the parents/guardians and/or adult pupil may consider the proposal.

The Superintendent of Schools shall develop and present to the Board for review and adoption procedures for:

1. NJAC 6A 14:2.3 through 2.5 will be followed regarding written notice, consent, provision of information and evaluation.
2. Particularly, parental consent shall be obtained prior to implementation of the initial IEP resulting from evaluation; prior to reevaluation except in the circumstances outlined in code; and prior to the release of pupil records according to NJAC 6:3-6.

Procedures set out in the administrative code shall be followed when parent/guardian cooperation and/or participation cannot be obtained. When necessary, a surrogate parent shall be appointed to ensure the protection of a pupil's rights when the parents/guardians cannot be identified or located or the child is a ward of the State of New Jersey. The district shall select and train such surrogate parents in compliance with the administrative code.

No more than 90 calendar days after parental consent has been received shall be allowed for the evaluation, determination of eligibility and, if the pupil is eligible, the development and implementation of the IEP.

- G. Provision of special services to enable educationally disabled pupils to participate in regular educational programs to the maximum extent appropriate.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 6 of 26

When instruction in health, industrial arts, fine arts, music, home economics, and other education programs is provided to groups consisting solely of pupils with disabilities, the size of the groups and age range shall conform to the requirements for special class programs described in the administrative code.

When pupils with disabilities participate in physical education, intramural and interscholastic sports, on-academic and extracurricular activities in groups consisting solely of pupils with disabilities, the age range and group size shall be based on the nature of the activity, needs of the pupils participating in the activity and the level of supervision required.

The evaluation process to determine a pupil's eligibility for educational and related services beyond those available within the regular public school program shall be conducted in strict compliance with the provisions of the administrative code.

### **H. Determination of eligibility according to NJAC 6A:14-2.3(i)1 and 3.5 through -3.6**

Eligibility for special education and related services shall be determined collaboratively by the parents/guardians; a teacher who is knowledgeable about the pupil's educational performance or district's programs; the pupil, where appropriate; at least one child study team member who participated in the evaluation; the case manager; other appropriate individuals at the discretion of the parent or district; and for an initial eligibility meeting, certified school personnel referring the pupil as potentially disabled, or the school principal or designee if they choose to participate.

A pupil shall be determined eligible and classified for special education and related services when it is determined that the pupil has one or more of the disabilities defined in the administrative code. A pupil shall be determined eligible for speech-language services when he/she exhibits a speech or language disorder as outlined in the administrative code.

### **I. The individualized education program for each educationally disabled pupil shall be developed in accordance with the provisions of the administrative code, at NJAC\_6A:14-3.7.**

The Board shall ensure that an IEP is in effect for every pupil in the district who is receiving special education and related services.



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 7 of 26

A written individualized education program shall be developed and implemented for each classified pupil and, in accordance with New Jersey law, a review shall be conducted by the appropriate staff members annually or more often, if necessary, to evaluate the disabled pupil's progress and to revise the individualized education program.

Meetings shall be conducted to determine eligibility and to develop, review and revise a pupil's individualized education program. Such meetings shall be scheduled at a mutually agreed upon time and place, and notice of the meetings shall indicate the purpose, time, location and participants. If the parents/guardians cannot attend the meetings, the Superintendent of Schools/designee shall attempt to ensure parental participation, including the use of individual or conference telephone calls.

Documentation shall be maintained of all attempts to secure parent/guardian participation.

Parents/guardians shall receive a copy of the pupil's IEP and of any revisions made to it.

All communication with parents/guardians, including written notice, notifications and required meetings, shall be conducted in the language used for communication by the parent/guardian and pupil unless it is not feasible to do so. This shall include providing foreign language interpreters or translators and sign language interpreters for the deaf at no cost to the parents.

The IEP shall be developed and monitored with the cooperation and input of parents/guardians. In addition to educational programming, the IEP shall provide for necessary disciplinary action and specify graduation requirements when appropriate. Any accommodations and/or modifications for the administration of statewide assessments shall be specified in the IEP.

1. No more than 90 calendar days after parental consent has been received shall be allowed for the evaluation, determination of eligibility and, if the pupil is eligible, the development and implementation of the IEP. The IEP shall be implemented as soon as possible following the IEP meeting.
2. The Board of Education will provide those special education-related services prescribed in the IEP to enable educationally disabled pupils to participate in general educational programs to the maximum extent appropriate. Such education-related services may include transportation, ensuring that hearing aids worn by deaf and/or hard of hearing children in school are functioning properly, etc.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 8 of 26

- J. Protection of pupils' rights in regard to evaluation and reevaluation procedures according to NJAC 6A:14-3.4 and 3.8.

Procedures shall provide all due process protection for the rights of the pupil and his/her parents/guardians whether the pupil is already enrolled in the schools or has been located through the process for identification in the section D of this policy.

In order to achieve the district's goal of providing full educational opportunity to all educationally disabled pupils in accordance with the administrative code, parent/guardian participation shall be sought in every successive stage of the special education decisional process. All notifications shall be made and all necessary conferences conducted in the language used for communication by the parent/guardian and the pupil unless it is not feasible to do so, in which case the provisions of administrative code shall be followed. The Superintendent of Schools shall develop and present to the Board for review and adoption procedures for:

1. Giving notice to parents/guardians and adult pupils in accordance with NJAC 6A:14-2.3 when an initial request is being made for consent to evaluate or when a proposal has been made to initiate or change a classification, evaluation or educational placement of the pupil, or the provision of a free, appropriate education. For each instance, all required information and documentation shall be supplied to the parents/guardians within the timelines set by the administrative code. Particular care must be taken to inform parents/guardians and adult pupils of their right to review all educational records with respect to the identification, evaluation and educational placement of the pupil; to appeal these by requesting a due process hearing; and their rights in regard to free and low cost legal services and legal fees;
2. An independent evaluation at the request of the parent/guardian or adult pupil. In no case, shall the district limit the parents'/guardians' rights to an independent educational evaluation by first conducting an assessment in an area not already assessed by the initial evaluation or reevaluation before the parents'/guardians' request is granted. Such independent evaluation shall be at no cost to the parent/guardian if it is conducted in compliance with administrative code, unless the district Board of Education initiates a due process hearing to show that its evaluation is appropriate and a final determination to that effect is made following the hearing. The IEP team shall consider any independent evaluation submitted to it when making decisions regarding special education and/or related services;
3. Mediation when disputes arise during any stage of the special education process which cannot be settled between the original parties. A due process hearing may be initiated by the Board of Education, a parent/guardian or adult pupil;

## **Elsinboro Township Board of Education District Policy Manual**

**Instructional Program  
Special Education**

**Series 6000  
Policy 6171.4**

Page 9 of 26

4. Ensuring what all evaluation procedures, including but not limited to observations, tests and interviews used to determine eligibility and placement of disabled pupils, shall comply with the requirements of NJAC 6A:14-3.4, 3.5 and 3.7.

- K. Placement of educationally disabled pupils in the least restrictive environment according to NJAC 6A:14-4.2.

Educational placement decisions made for each disabled pupil shall always be, insofar as possible, in the least restrictive environment commensurate with the pupil's educational needs. This means that to the maximum extent appropriate, educationally disabled pupils shall be educated with children who are not educationally disabled. These decisions should be designed to produce a positive effect on the pupil and to ensure the quality of services which he/she requires.

The Superintendent of Schools shall encourage positive attitudes toward the educationally disabled in all district pupils and personnel.

Special classes, separate schooling or other removal of educationally disabled pupils from the regular educational environment shall occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

In order to ensure a continuum of alternative placements, when the Board cannot provide required instruction and related services from its own resources and facilities, it will seek appropriate placement outside the district and will assume such costs of that placement as are required by law.

Placement of a disabled pupil in the least restrictive environment shall be determined annually. Placement shall be provided in appropriate educational settings as close to home as possible. When the IEP does not describe specific restrictions, the pupil shall be educated in the school he/she would attend if not disabled.

- L. Establishment and implementation of procedural safeguards according to NJAC 6A:14-2.3 through -2.4 and NJAC 1:6A. The Board of Education directs the Superintendent of Schools to establish and implement the required procedural safeguards.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 10 of 26

Procedural safeguards shall include:

1. Giving notice to parents/guardians per NJAC 6A:14-2.3 when an initial request is being made for consent to evaluate or when a proposal has been made to initiate or change a classification, evaluation or educational placement of the pupil, or the provision of a free, appropriate education. For each instance, all required information and documentation shall be supplied to the parents/guardians within the timelines set by the administrative code. Particular care must be taken to inform parents/guardians of their right to appeal and their rights in regard to legal fees;
2. Seeking consent of parents/guardians to the actions in 1, when such consent is required;
3. Seeking parent/guardian participation in conferences and determinations as specified in 1, and in evaluation of the success of the educational plan for their child. When necessary, conference schedules shall be altered to accommodate working parents/guardians;
4. Mediation when disputes arise during any stage of the special education process which cannot be settled between the original parties.

The Superintendent of Schools shall ensure that the district's special education programs comply with the law in every respect, including fiscal regulations and reports.

These procedures shall provide all due process protection for the rights of the pupil and his/her parents/guardians. Procedures shall be conducted in strict compliance with the provisions of the administrative code dealing with parental notification, consent and involvement, including determination of the parents/guardians' dominant language and necessary accommodations if the language is other than English or if the parents/guardians are deaf.

### Discipline

In general, educationally disabled pupils are subject to the same disciplinary constraints and sanctions as nondisabled pupils. However, before disciplinary action is taken against an educationally disabled pupil, consideration must be given to whether the behavior is caused by the disabling condition, whether the program that is being provided meets the pupil's needs, whether a component of the pupil's IEP covers the behavior, or whether the pupil is an immediate danger to himself/herself or others.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 11 of 26

A disabled pupil may be removed for disciplinary reasons from his/her current educational placement to an interim alternative educational setting, another setting, or a suspension without the provision of educational services for up to 10 consecutive or cumulative school days in a school year. Such suspensions are subject to the same district Board of Education procedures as nondisabled pupils. However, at the time of removal, the principal shall forward written notification and a description of the reasons for such action to the case manager.

Procedures for imposing and implementing disciplinary sanctions on educationally disabled pupils, including removal to an interim alternative educational setting, suspension for more than 10 school days in a school year, or expulsion, shall be in strict compliance with the provisions of state and federal law and the administrative code. (See NJAC 6A:14-2.8, 3.7 and Appendix A)

### Early Intervention

The Superintendent of Schools or designee shall gather and make available to parents/guardians of disabled children below the age of three information regarding ameliorative services and programs provided by other state, county and local agencies. The procedures for such dissemination shall be reviewed and adopted by the Board.

### Preschool Disabled Program

New Jersey code will be followed in regard to providing services to children age 3 to 5 who have disabilities.

### Placement in Nonpublic Schools

The Board shall provide a genuine opportunity for the equitable participation of pupils with disabilities who have been enrolled in nonpublic schools by their parents/guardians, in accordance with federal law and regulations. All special education programs and services shall be provided with the consent of parents/guardians.

Pupils shall receive programs and services as specified in NJAC 6A:14-6.1.

### Limited English Proficient

Pupils with limited English proficiency may have educationally disabling conditions that must be addressed in order to provide them the full educational opportunity that is the goal of the district for every child. Evaluation procedures shall be selected so that the pupil's cultural background and language abilities are taken into consideration unless it is clearly unfeasible to do so; and shall accurately reflect the pupil's ability rather than the

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 12 of 26

implementation of actions under Parent/Guardian Notification, Consent and Participation are to be conducted in the parents/guardians' dominant language, unless that is clearly impossible. In that case, care shall be taken that the facts and procedures are made intelligible to the parents/guardians.

### Cooperation with Other Agencies

The Superintendent of Schools shall investigate the possibilities of working with organizations and agencies providing services for the disabled, and shall present feasible programs and relationships to the Board for consideration.

### Eligibility for State and Federal Funds

The Superintendent of Schools shall ensure that all requirements for receiving, using and accounting for state and federal funds shall be fulfilled in an accurate and timely manner.

Procurement, control, use and disposition of equipment and supplies purchased with state/federal funds shall be in full compliance with law.

### Access

In addition to educational programs, the Board directs that the Superintendent of Schools take into consideration physical access to district facilities for disabled pupils, staff and the community in determining location of programs or planning new facilities per state and federal law.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 13 of 26

### Board of Education Policies & Procedures for Eligibility Under Part B of the IDEA for 2016-2017

#### Part I - Policies

In accordance with Part B of the IDEA and N.J.A.C. 6A:14-1.1, N.J.A.C. 6A:14-1.2(b) and (c), the district Board of Education shall adopt and assure compliance with the following policies:

##### Policy #1

All students with disabilities, who are in need of special education and related services, including students with disabilities attending nonpublic schools, regardless of the severity of their disabilities, are located, identified and evaluated according to N.J.A.C. 6A:14-3.3.

##### Policy #2

Homeless students are located, identified and evaluated according to N.J.A.C. 6A:14-3.3, and are provided special education and related services in accordance with the IDEA, including the appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. §§11431 et seq.

##### Policy #3

Students with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4.

##### Policy #4

An individualized education program is developed, reviewed, and as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7.

##### Policy #5

To the maximum extent appropriate, students with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2.

##### Policy #6

Students with disabilities are included in statewide and district-wide assessment programs, with appropriate accommodations, where necessary according to N.J.A.C. 6A:14- 4.10. All students with disabilities will participate in statewide assessments or the applicable alternate assessment, in grades 3, 4, 5, 6, 7, 8 and high school in the applicable courses.

##### Policy #7

Students with disabilities are afforded the procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent, when appropriate.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 14 of 26

### Policy #8

The rules set forth in N.J.A.C. 6A:14 ensure a free appropriate public education is available to all students with disabilities between the ages of three and 21, including students with disabilities who have been suspended or expelled from school.

1. The obligation to make a free, appropriate public education available to each eligible student begins no later than the student's third birthday and that an individualized education program (IEP) is in effect for the student by that date;
2. If a child's third birthday occurs during the summer, the child's IEP team shall determine the date when services under the IEP will begin;
3. A free, appropriate public education is available to any student with a disability who needs special education and related services, even though the student is advancing from grade to grade;
4. The services and placement needed by each student with a disability to receive a free, appropriate public education are based on the student's unique needs and not on the student's disability; and,
5. The services and placement needed by each student with a disability to receive a free, appropriate public education are provided in appropriate educational settings as close to the student's home as possible, and, when the IEP does not describe specific restrictions, the student is educated in the school he or she would attend if not a student with a disability.

### Policy #9

Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under this chapter will experience a smooth transition and have an individualized education program developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.

### Policy #10

Full educational opportunity to all students with disabilities is provided.

### Policy #11

The compilation, maintenance, access to and confidentiality of student records are in accordance with N.J.A.C. 6A:32-7.

### Policy #12

Provision is made for the participation of students with disabilities who are placed by their parents in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2.



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 15 of 26

### Policy #13

Students with disabilities who are placed in private schools by the district Board of Education, are provided special education and related services at no cost to their parents according to N.J.A.C. 6A:14-1.1 and N.J.A.C. 6A:14-7.5(b)3.

### Policy #14

All personnel serving students with disabilities are highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law, pursuant to N.J.A.C. 6A:14-1.2(b)13.

### Policy #15

Pursuant to N.J.A.C. 6A:14-1.2(b)4, the in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified and that appropriate in-service training is provided. The district Board of Education shall maintain information to demonstrate its efforts to:

1. Prepare general and special education personnel with the content knowledge and collaborative skills needed to meet the needs of children with disabilities;
2. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;
3. Acquire and disseminate to teachers, administrators, school Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;
4. Insure that the in-service training is integrated to the maximum extent possible with other professional development activities; and,
5. Provide for joint training activities of parents and special education, related services and general education personnel.

### Policy #16

Instructional materials will be provided to blind or print-disabled students in a timely manner, consistent with a plan developed by the district.

### Policy #17

For students with disabilities who are potentially eligible to receive services from the Division of Developmental Disabilities in the Department of Human Services, the district will provide, pursuant to the Developmentally Disabled Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., and N.J.A.C. 6A:14-1.2(b)17, the necessary materials to the parent to apply for such services.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 16 of 26

### Policy #18

When the school district utilizes electronic mail, parents are informed as to whether they may use electronic mail to submit requests to school officials regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education. If this is permitted, parents shall be informed of the procedures to access the electronic mail system and that they may not utilize electronic mail to provide written consent when the district provides written notice and seeks parental consent as required by N.J.A.C. 6A:14-1.2(b)18.

### Policy #19

The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each student's IEP pursuant to N.J.A.C. 6A:14-4.5(d).

### Policy # 20

The school district has a plan in effect to establish stability in special education programming. The plan takes into account the consistency of the location, curriculum, and staffing in the provision of the special education services as required by N.J.A.C. 6A:14-3.7 (c) 4.

### Policy #21

The school district screens students who have exhibited one or more potential indicators of dyslexia or other reading disabilities in accordance with N.J.S.A. 18A:40-5.1 et seq.

## Part II – Procedures

In accordance with Part B of the IDEA and N.J.A.C. 6A:14-1.1, N.J.A.C. 6A:14-1.2(b) and (c), the Board of Education shall assure compliance with the following policies and related procedures below:

### Policy #1

All students with disabilities, who are in need of special education and related services, including students with disabilities attending nonpublic schools, regardless of the severity of their disabilities, are located, identified and evaluated according to N.J.A.C. 6A:14-3.3, and

### Policy #2

Homeless students are located, identified and evaluated according to N.J.A.C. 6A:14-3.3, and are provided special education and related services in accordance with the IDEA, including the appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. §§11431 et seq. and

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 17 of 26

### Policy #7

Students with disabilities are afforded the procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq. including appointment of a surrogate parent, when appropriate.

Pursuant to 20 U.S.C. §1412(a)(3), procedures to locate students with disabilities (child find) must ensure that:

1. Person(s) responsible to conduct child find activities are identified.
2. Child find activities are conducted for all children ages three through 21, who reside within the district or attend nonpublic schools within the district.
3. Child find activities are conducted at least annually.
4. Child find activities (meetings, printed materials and/or public service announcements) are conducted in the native language of the population, as appropriate.
5. Child find activities address public and nonpublic students, including highly mobile students such as migrant and homeless students.
6. Child find activities for nonpublic school students are comparable to activities conducted for public school students.
7. Child find activities for nonpublic school children provide for consultation with appropriate representatives of the nonpublic school and parents on how to carry out these activities.
8. Child find activities include outreach to a variety of public and private agencies and individuals concerned with the welfare of students, such as clinics, hospitals, physicians, social service agencies and welfare agencies.

Procedures for interventions in the general education program must ensure that:

1. Criteria/steps for initiating interventions in the general education program are identified.
2. Parents, teachers and other school professionals, as appropriate, are informed of the procedures to initiate interventions in the general education program.
3. Activities are in place to determine whether the interventions are effective.
  - School personnel who are responsible for the implementation/evaluation of the interventions are identified; and,
  - The type, frequency, duration and effectiveness of the interventions are documented.

Procedures for referral must ensure that:

1. Steps are in place to refer students after it has been determined that interventions in the general education program are not effective in alleviating the educational difficulties.
2. Steps are in place to refer students directly to the child study team when warranted.
3. Steps are in place to refer students who have a disability but are advancing from grade to grade.
4. Steps for initiating a referral to the child study team by school personnel identify:

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 18 of 26

- The information/documentation of student performance required in the referral;
  - Forms, if any, that are to be submitted by school personnel;
  - School personnel who are responsible to process referrals; and,
  - Timelines for processing referrals including the date that initiates the 20-day timeline for conducting the referral/identification meeting.
5. Steps for processing written referrals received from parents identify:
- School personnel who are responsible to process referrals from parents; and,
  - Timelines for processing referrals including the date that initiates the 20-day timeline for conducting the referral/identification meeting.
6. School personnel, parents and agencies are informed of referral procedures.

For students with disabilities potentially in need of a surrogate parent, procedures must ensure that:

1. A surrogate parent is provided to a student in accordance with N.J.A.C. 6A:14-2.2 when:
  - The parent of the student cannot be identified or located.
  - An agency of the State has guardianship of the student and that agency has not taken steps to appoint a surrogate parent for the student.
  - The student is a ward of the state and no State agency has taken steps to appoint a surrogate parent for the student.
  - No parent can be identified for the student in accordance with N.J.A.C. 6A:14-1.3 except a foster parent, the foster parent does not agree to serve as the student's parent and no State agency has taken steps to appoint a surrogate parent for the student.
  - The student is an unaccompanied homeless youth and no State agency has taken steps to appoint a surrogate parent for the student.
2. The district will make reasonable efforts to appoint a surrogate parent within 30 days of its determination that a surrogate parent is required for a student.
3. The district will appoint a person who will be responsible for appointing surrogate parents and overseeing the process. The responsible person will:
  - determine whether there is a need for a surrogate parent for a student;
  - contact any State agency that is involved with the student to determine whether the State has had a surrogate parent appointed for the student; and,
  - make reasonable efforts to select and appoint a surrogate parent for the student within 30 days of determining that there is a need for a surrogate parent for the student.
4. The district will establish a method for training surrogate parents that includes provision of information with respect to parental rights and procedural safeguards available to parents and students in accordance with N.J.A.C. 6A:14.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 19 of 26

- The district will appoint a person that will be responsible for training surrogate parents;
  - The training of surrogate parents will ensure that surrogate parents have knowledge and skills that ensure adequate representation of the child with a disability;
  - The training will be designed to make surrogate parents familiar with State and federal requirements for assessment, individualized education program development, and parental rights with respect to the referral and placement process, including their rights with respect to seeking a due process hearing if they disagree with the local procedure or decisions;
  - Surrogate parents will be provided with copies of: The Parental Rights in Special Education booklet; N.J.A.C. 6A:14; the Special Education Process; Code Training Materials from the Department of Education Website; and other relevant materials; and,
  - Surrogate parents will be provided information to enable them to become familiar with the nature of the child's disability.
5. The district will ensure that:
- All persons serving as surrogate parents have no interest that conflicts with those of the student, he or she represents;
  - All persons serving as surrogate parents possess knowledge and skills that ensure adequate representation of the student;
  - All persons serving as surrogate parents are at least 18 years of age;
  - If the school district compensates the surrogate parent for providing such services, a criminal history review of the person in accordance with N.J.S.A. 18A:6-7.1 is completed prior to his or her serving as the surrogate parent; and,
  - No person appointed as a surrogate parent will be an employee of the New Jersey Department of Education, the district Board of Education or a public or nonpublic agency that is involved in the education or case of the child.

### Policy #3

Students with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4.

### Procedures

Due to the specificity of the requirements at N.J.A.C. 6A:14-2.5 and 3.4, no additional written procedures are required.

### Policy #4

An individualized education program is developed, reviewed, and as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 20 of 26

### Procedures

Due to the specificity of the requirements at N.J.A.C. 6A:14-2.6 and 3.7, no additional written procedures are required.

### Policy #5

To the maximum extent appropriate, students with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2.

### Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-4.2, no additional written procedures are required.

### Policy #6

Students with disabilities are included in statewide and districtwide assessment programs, with appropriate accommodations, where necessary according to N.J.A.C. 6A:14- 4.10. All students with disabilities will participate in statewide assessments or the applicable alternate assessment, in grades 3, 4, 5, 6, 7, 8 and high school in the applicable courses-

### Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-4.10, no additional written procedures are required.

### Policy #8

A free, appropriate public education is available to all students with disabilities between the ages of three and 21, including students with disabilities who have been suspended or expelled from school.

Procedures regarding the provision of a free, appropriate public education to students with disabilities who are suspended or expelled must ensure that:

1. School officials responsible for implementing suspensions/expulsions in the district are identified.
2. Each time a student with a disability is removed from his/her current placement for disciplinary reasons, notification of the removal is provided to the case manager.
3. A system is in place to track the number of days a student with disabilities has been removed for disciplinary reasons.
4. Suspension from transportation is counted as a day of removal if the student does not attend school.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 21 of 26

- If transportation is included in the student's IEP as a required related service, the school district shall provide alternate transportation during the period of suspension from the typical means of transportation.
- 5. Removal for at least half of the school day is reported via the Electronic Violence and Vandalism Reporting System.
- 6. If the district has an in-school suspension program, participation in the program is not considered a removal when determining whether a manifestation determination must be conducted if the program provides the following: (For the purpose of documenting all removals, in-school suspension must be reported via the Electronic Violence and Vandalism Reporting System even if services were provided.)
  - Opportunity for the student to participate and progress in the general curriculum;
  - Services and modifications specified in the student's IEP;
  - Interaction with peers who are not disabled to the extent they would have in the current placement; and,
  - The student is counted as present for the time spent in the in-school suspension program.
- 7. When a series of short-term removals will accumulate to more than 10 school days in the year:
  - School officials and the case manager consult to determine whether the removals create a change of placement according to N.J.A.C. 6A:14-2.8(c)2;
  - Written documentation of the consultation between school officials and the case manager is maintained;
  - If it is determined that there is no change in placement, school officials, the case manager and special education teacher consult to determine the extent to which services are necessary to:
    - Enable the student to participate and progress appropriately in the general education curriculum; and,
    - Advance appropriately toward achieving the goals set out in the student's IEP; and,
  - Written documentation of the consultation and services provided is maintained.
- 8. Steps are in place to convene a meeting of the IEP team and, as necessary or required, conduct a functional behavioral assessment and review the behavioral intervention plan according to N.J.A.C. 6A:14 Appendix A, Individuals with Disabilities Education Act Amendments of 2004 20 U.S.C. §1415 et seq.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 22 of 26

Procedures regarding the provision of a free, appropriate public education to preschool age students with disabilities must ensure that eligible preschool age children who are not participating in an early intervention program have an IEP in effect by their third birthday. Steps include:

1. Responding to referrals according to N.J.A.C. 6A:14-3.3(e)
2. Having a program in place no later than 90 calendar days from the date of consent.

Procedures regarding the provision of a free, appropriate public education to students with disabilities who are advancing from grade to grade must ensure that a student with a disability, who is advancing from grade to grade with the support of specially designed services, may continue to be eligible when:

1. As part of a reevaluation, the IEP team determines that the student continues to require specially designed services to progress in the general education curriculum; and,
2. The use of functional assessment information supports the IEP team's determination.

### Policy #9

Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under this chapter will experience a smooth transition and have an individualized education program developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.

1. A child study team member of the district will participate in the preschool transition planning conference arranged by the designated service coordinator from the early intervention system and will:
  - Review the Part C Individualized Family Service Plan for the child;
  - Provide the parent(s) written district registration requirements;
  - Provide the parents written information with respect to available district programs for preschool students, including general education placement options; and,
  - Provide the parent(s) a form to use to request that the Part C service coordinator be invited to the child's initial IEP meeting.
2. The Part C service coordinator will be invited to the initial IEP meeting for a student transitioning from Part C to Part B.

### Policy #10

Full educational opportunity to all students with disabilities is provided, according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3.

Procedures: Due to the specificity of the requirements at N.J.A.C. 6A:14-1.1, no additional written procedures are required.



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 23 of 26

### Policy #11

The compilation, maintenance, access to and confidentiality of student records are in accordance with N.J.A.C. 6A:32-7.

#### Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:32-7, no additional written procedures are required.

### Policy #12

Provision is made for the participation of students with disabilities who are placed by their parents in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2.

#### Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-6.1 and 6.2, no additional written procedures are required.

### Policy #13

Students with disabilities who are placed in private schools by the district Board of Education, are provided special education and related services at no cost to their parents according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3.

#### Procedures

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.1(d) and 7.5(b)3, no additional written procedures are required.

### Policy #14

All personnel serving students with disabilities are highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law.

#### Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.2(b)13, no additional written procedures are required.

### Policy #15

The in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified and that appropriate in-service training is provided. The district Board of Education shall maintain information to demonstrate its efforts to:

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 24 of 26

1. Prepare general and special education personnel with the content knowledge and collaborative skills needed to meet the needs of children with disabilities;
2. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;
3. Acquire and disseminate to teachers, administrators, school Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;
4. Ensure that the in-service training is integrated to the maximum extent possible with other professional development activities; and,
5. Provide for joint training activities of parents and special education, related services and general education personnel.

### Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.2(b)14, no additional Written procedures are required.

### Policy #16

Instructional materials will be provided to blind or print-disabled students in a timely manner.

Instructional materials will be provided to blind or print-disabled students in accordance with a plan developed by the district. The plan will be the Individualized Education Program of each student with a disability, which will set forth the instructional materials needed, how they will be provided, and address any assistive technology needed to permit the student to utilize the materials.

### Policy #17

For students with disabilities who are potentially eligible to receive services from the Division of Developmental Disabilities in the Department of Human Services, the district will provide, pursuant to the Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., the necessary materials to the parent to apply for such services.

### Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.2(b)17, no additional written procedures are required.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

## **Series 6000 Policy 6171.4**

Page 25 of 26

### Policy #18

When the school district utilizes electronic mail, parents are informed as to whether they may use electronic mail to submit requests to school officials regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education. If this is permitted, parents shall be informed of the procedures to access the electronic mail system and that they may not utilize electronic mail to provide written consent when the district provides written notice and seeks parental consent as required by N.J.A.C. 6A:14.

#### Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.2(b)18, no additional Written procedures are required.

### Policy #19

The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each student's IEP.

Procedures: Due to the specificity of the requirements at N.J.A.C. 6A:14-4.5(d), no additional written procedures are required.

### Policy #20

The school district has a plan in effect to establish stability in special education programming. The plan takes into account the consistency of the location, curriculum, and staffing in the provision of special education services.

Procedures: Due to the specificity of the requirements in N.J.A.C. 6A: 14-3.7 (c)4, no additional written procedures are required.

### Policy #21

The school district screens students who have exhibited one or more potential indicators of dyslexia or other reading disabilities is screened for dyslexia or other reading disability in accordance with N.J.A.C. 18A:40-5.1 et seq. The district board of education shall maintain information to demonstrate its efforts to:

1. Select and implement age-appropriate screening instruments for the early diagnosis of dyslexia and other reading disabilities;
2. Ensure that each student enrolled in the district who has exhibited one or more potential indicators of dyslexia or other reading disabilities is screened for dyslexia and other reading disabilities using the selected screening tool no later than the student's completion of the first semester of second grade;
3. Develop a procedure to screen eligible newly-enrolled students in accordance with the legislation;

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Special Education**

**Series 6000  
Policy 6171.4**

Page 26 of 26

4. Ensure the screening is administered by a teacher or other teaching staff member properly trained in the screening process for dyslexia and other reading disabilities; and,
5. Ensure that students who are diagnosed with dyslexia or other reading disability receive appropriate evidence-based interventions.

### Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination  
18A:46-1 et seq. Classes and Facilities for Handicapped Children  
18A:46A-1 et seq. Auxiliary Services
- NJAC 5:23-7 Barrier free subcode of the uniform construction code  
6A:7-1.7 Equality in school and classroom practices  
6A:8-1.2 Scope  
6A:8-3.1 Curriculum and instruction  
6A:8-4.1 et seq. Implementation of the Statewide Assessment System  
6A:8-5.1 et seq. Implementation of Graduation Requirements  
6A:9-1.1 et seq. Professional Licensure and Standards  
6A:14-1.1 et seq. Special Education  
6A:15-1.4 Bilingual programs for limited English proficient students  
6A:23-1.1 et seq. Finance and Business Services  
6A:26-6.1 et seq. Planning and Construction Standards for School Facilities  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-7.1 et seq. Student Records  
6A:32-8.3 School attendance  
6A:32-12.1 Reporting requirements  
6A:32-14.1 Review of mandated programs and services
- No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.  
20 U.S.C.A. 1400 et seq. - 1990 Individuals With Disabilities Education Act,  
P.L. 101-476 (formerly Education for All Handicapped Children Act--Part B)  
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973  
34 CFR 76.1 et seq. - General Administrative Regulation EDGAR  
34 CFR 77.1 et seq. - General Administrative Regulation EDGAR  
34 CFR 300 - Assistance to States for the Education of Children with Disabilities  
Community School District v. Garrett F., 526 U.S. 66 (1999)  
New Jersey Quality Single Accountability Continuum (NJQSAC)

### Possible Cross References

1120, 4112.2, 4131/4131.1, 5125, 6121, 6145, 9322

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Independent Educational Evaluations**

**Policy 6171.45**

Date Adopted: February 9, 2015

Date Revised:

Page 1 of 4

When assessments of a pupil have been conducted by or on behalf of this district to determine initial or continuing eligibility for special education and related services as part of an initial evaluation or reevaluation, the student's parents/guardians are entitled by law to request an Independent Educational Evaluation (IEE) of the student if there is disagreement with any assessment conducted by the district. Upon receipt of a request for an IEE the district has the option of to either provide the IEE at no cost to the parents/guardians or to initiate a due process hearing to demonstrate that its evaluation is appropriate.

Upon receipt of a parental request for an IEE, the district shall either provide the parents(s)/guardian(s) with information about where an IEE may be obtained and the criteria specified below in this policy or not later than 20 calendar days after receipt of the parental request for an IEE, request a due process hearing in accordance with the provisions of NJAC 6A:14-2.7, et seq. to show that its evaluation is appropriate.

### Criteria for Independent Evaluations at District Expense

- A. An IEE paid for with public funds shall:
  - Be conducted in accordance with the provisions of NJAC 6A:14-3.4; and
  - Be obtained for another public school district, educational services commission, jointure commission, a clinic or agency approved in accordance with the provisions of NJAC 6A:14-5, or private practitioner who is certified and/or licensed, where certification or a license is required.
- B. An independent medical evaluation may be obtained in accordance with the provisions of NJAC 6A:14-5.1(c).
- C. The Board of Education will only pay for an IEE that meets the following additional criteria, unless the parent/guardian can demonstrate to the satisfaction of the Board of Education, that unique circumstances warrant deviation from these criteria when the parent/guardian seeks to utilize an evaluator who is not on the list provided by the district. These criteria are the same as those used by the district in selecting evaluators for district-initiated assessments:
  - Where certification or licensure is required, the evaluator must possess the appropriate certification or license issued by an agency or other applicable licensing body of the State of New Jersey. Where certification or licensure is not required, the parents/guardians must provide the Board of Education with documentation demonstrating that the independent evaluator has appropriate education, training and experience to perform the particular evaluation;

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **Independent Educational Evaluations**

**Policy 6171.45**

Page 2 of 4

- The costs of the IEE are reasonable and customary in accordance with item D below;
  - The independent evaluator must be free from any conflict of interest (by way of illustration and not limitation, former employees of this district will not meet this criterion, except where the separation from employment was due to retirement);
  - The parents/guardians must authorize and permit the independent evaluator and members of the Child Study Team to directly communicate and share information with each other. The independent evaluator must also agree to release the assessment information, results and report(s) to this district prior to receipt of payment for services and prior to or contemporaneous with the submission of the report to the parents/guardians;
  - For an independent evaluation, whether paid for with public or private funds, this district will permit the evaluator to observe the pupil in the classroom or other educational setting as applicable. The observation may not exceed 2 hours and a district staff person shall accompany the evaluator for the duration of the observation. The evaluator shall not disrupt the learning process during the observation. The evaluator may clarify following the observation as to whether the day was typical of the student/class. Other questions the evaluator may have as, as a result of the observation may be made to the case manager in writing and the case manager shall follow up and respond as appropriate;
  - The independent evaluator shall communicate at least once with the pupil's case manager for the purpose of obtaining the district's perspective on how the pupil is progressing in his/her current program; and,
  - The evaluator should be located within a 40 mile radius of this district. Evaluators outside of this area will be approved only on an exception basis and the parent/guardian must demonstrate the necessity of using personnel outside of the approved geographic area.
- D. The maximum allowable cost for an IEE will be limited to the reasonable and customary rate within the district or as determined by the Board of Education annually. This rate shall be in the range of what it would cost the Board of Education to provide the same type of assessment through either another public school district, educational services commission, jointure commission, a clinic or agency in accordance with the provisions of NJAC 6A:14-5 or an appropriately certified or licensed private practitioner. The maximum fee shall not be an average of the fees customarily charged in this area, but they shall be established so as to allow parents/guardians to choose from among the qualified professions

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Independent Educational Evaluations**

**Policy 6171.45**

Page 3 of 4

in this area, while eliminating unreasonably excessive fees. The Board-approved rate shall be provided to the parents/guardians with the district's response to the request for an IEE. The Board of Education shall not be responsible for any costs beyond the IEE, such as transportation, lodging, food, etc.

Parents may provide documentation the Board of Education, demonstrating unique circumstances in order to justify an IEE that exceeds the maximum allowable cost established by the Board of Education. If, in the judgment of the Board of Education or the Superintendent of Schools/designee, there is no justification for the excess cost, the Board of Education will fund the IEE up to the district's maximum allowable cost and, if the parents/guardians do not agree to assume the remaining costs, the Board of Education will initiate a due process hearing as soon as possible, in order to demonstrate that the evaluation obtained by the parents/guardians did not meet the Board of Education's cost criteria.

### Additional Considerations

Parents/guardians are entitled to only one (1) IEE paid for by the Board of Education each time the district conducts an evaluation or reevaluation that contains an assessment with which the parents/guardians disagree. One IEE may include multiple assessments, but the parents/guardians must specify all independent assessments sought at the time they request the IEE and the parents/guardians shall not add to the list of desired assessments after the IEE request is submitted.

If the parents/guardians request an IEE, the district may request that the parent explain why they object to the district evaluation. However, the district shall not require such an explanation and shall not delay either provide the IEE or initiating a due process hearing to defend the district evaluation.

Any IEE submitted to the district, including an IEE obtained by the parents/guardians at private expense, shall be considered in making decisions requiring special education and related services.

If an Administrative Law Judge orders that an IEE be conducted, the district, in accordance with the decision or Order of the Administrative Law Judge shall obtain the IEE, and the Board of Education shall pay the cost of the IEE in accordance with the provisions of this policy.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Independent Educational Evaluations**

**Series 6000  
Policy 6171.45**

Page 4 of 4

### Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination  
18A:46-1 et seq. Classes and Facilities for Handicapped Children  
18A:46A-1 et seq. Auxiliary Services
- NJAC 5:23-7 Barrier free sub-code of the uniform construction code  
6A:7-1.7 Equality in school and classroom practices  
6A:8-1.2 Scope  
6A:8-1.3 Definitions  
6A:8-3.1 Curriculum and instruction  
6A:8-4.1 et seq. Implementation of the Statewide Assessment System  
6A:8-5.1 et seq. Implementation of Graduation Requirements  
6A:9-1.1 et seq. Professional Licensure and Standards  
6A:14-1.1 et seq. Special Education  
6A:14-2.5 Protection in evaluation procedures  
6A:14-2.7 Due process hearings  
6A:15-1.4 Bilingual programs for limited English proficient students  
6A:23-1.1 et seq. Finance and Business Services  
6A:26-6.1 et seq. Planning and Construction Standards for School Facilities  
6A:30-1.1 et seq. Evaluation of the Performance of School Districts  
6A:32-7.1 et seq. Student Records  
6A:32-8.3 School attendance  
6A:32-12.1 Reporting requirements  
6A:32-14.1 Review of mandated programs and services
- CFR Section 300.502 Independent educational evaluations  
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.  
20 U.S.C.A. 1400 et seq. - 1990 Individuals With Disabilities Education Act,  
P.L. 101-476 (formerly Education for All Handicapped Children Act--Part B)  
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973  
34 CFR 76.1 et seq. - General Administrative Regulation EDGAR  
34 CFR 77.1 et seq. - General Administrative Regulation EDGAR  
34 CFR 300 - Assistance to States for the Education of Children with Disabilities  
(IDEA Regulations)  
Agostini v. Felton, 521 U.S. 203 (1997), overruling Aguilar v. Felton, 473 U.S. 402  
(1985)  
Honig v. Doe, 484 U.S. 305 (1988)  
Oberti v. Board of Education of Clementon School District, 995 F.2d 1204, 1216-17  
Cedar Rapids Community School District v. Garrett F., 526 U.S. 66 (1999)  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)



# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Special Education Medicaid Initiative Program (SEMI)**

**Policy 6171.6**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 4

First Reading: June 8, 2009

The Board of Education directs the Board Secretary/Business Administrator to oversee and ensure that appropriate steps are taken to maximize its revenue from the Special Education Medicaid Initiative Program (SEMI) by following the policies and procedures as set forth in this policy.

However, the Board of Education also directs that the Board Secretary/Business Administrator may seek, in the prebudget year, a waiver of the requirements of NJAC 6A:23A-5.3 upon demonstration that for the subsequent school year:

- The district projects, based on reliable evidence, that it will have 30 or fewer Medicaid eligible classified students; or
- The district demonstrates that efforts to participate in SEMI would not provide a cost benefit to the district, based on the projection of the district's available SEMI reimbursement for the budget year as set forth in below.

The waiver request must be submitted to the Executive County Superintendent by the date stipulated by law and the Executive County Superintendent shall promptly review the request and render a decision by the date specified by law. If the waiver is not granted, the district shall submit a SEMI action plan to the Executive County Superintendent as required as part of its annual district budget submission or demonstrate to the Executive County Superintendent that the district has achieved maximum participation in the SEMI program in the prebudget year.

As part of the annual budget information, the New Jersey Department of Education shall provide the district with a projection of available SEMI reimbursement for the budget year, as determined by the New Jersey State Department of Treasury's third party administrator for SEMI. The projection shall be based on the following:

- Number of Medicaid eligible students;
- Assumption of 20 services per eligible students per year;
- One IEP meeting per eligible student per year; and,
- Applicable SEMI reimbursement rates.

Beginning with the 2009-10 school year, the district shall recognize as revenue in its annual district budget no less than 90 percent of said projection.

The district may seek approval from the Executive County Superintendent to use its own projection of SEMI reimbursement upon demonstration that the numbers it used in calculating the projection are more accurate than the projection provided.

The district shall strive to achieve maximum participation in the SEMI program. For purposes of this section, "maximum participation" means obtaining a 90 percent return rate of parental/legal guardian consent forms for all SEMI eligible students and the district shall enter all students

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Special Education Medicaid Initiative Program (SEMI)**

**Series 6000**

**Policy 6171.6**

Page 2 of 4

following their evaluations into the third-party system to identify the district's universe of eligible students. This can be done without parental/legal guardian consent.

When participating in the SEMI reimbursement program, the district shall comply with program requirements as follows:

- Any service submitted to Medicaid for reimbursement shall be rendered by a Medicaid qualified practitioner, or rendered by a provider under the supervision of a Medicaid qualified practitioner. The following outlines the required documentation for each related service provider:
  - A. Nurses – copy of license (DOE certification is not required for SEMI)
  - B. Occupational Therapist – copy of license and DOE certification
  - C. Physical Therapist – copy of license and DOE certification
  - D. Psychologist – copy of DOE certification
  - E. Social Worker – copy of DOE certification
  - F. Speech Therapist – copy of license, DOE certification, and ASHA certification or Masters Degree in Speech Pathology on or after January 1, 1993.
- Practitioners who are not Medicaid qualified can deliver services under the direction of Medicaid qualified practitioners. These include certified occupational therapist assistants (COTAs), physical therapist assistants (PTAs) and speech correctionists.
- Any direct therapy or other related service shall be prescribed in the related services section of the student's IEP prior to submitting a claim to Medicaid for reimbursement. Delivery of nursing services and dispensing of medication must be referenced in the IEP and supported by physicians' orders or prescriptions. These documents must be maintained on file. Supporting documentation to be maintained by the district shall be the cover/signature page, related services section of the IEP, therapy logs, and the evaluations and assessments conducted by the Medicaid-qualified practitioners.
- Entities where the district has placed SEMI eligible students shall take steps to enable districts to maximize participation, including either logging the eligible services provided directly through the vendor or the sending district, as mutually agreed upon with the district, and obtaining SEMI provider qualification certifications. Every out-of-district placement must provide copies of SEMI provider qualifications, certifications and licenses. This rule applies to the following out-of-district placement options:
  - A. Approved Private Schools for Students with Disabilities;
  - B. Educational services commissions;
  - C. Jointure commissions;
  - D. Vocational half-time programs;
  - E. Department of Education Regional Day Schools; and,
  - F. Special Service School Districts.
- All supporting documentation for a Medicaid claim shall be maintained on file and available for audit or State review for at least seven years from the date of service. Supporting documentation shall include provider certification (current and historical for

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Special Education Medicaid Initiative Program (SEMI)**

**Series 6000**

**Policy 6171.6**

Page 3 of 4

each provider), provider service logs, licenses and certifications, physician authorizations for nursing services, parental/legal guardian consent forms, attendance records, and copies of the student IEP.

If the district has less than 90 percent participation of SEMI eligible students in the 2007-2008 school year or has failed to comply with all program requirements set forth above, the district shall demonstrate a good faith effort to achieve maximum participation and to maximize available SEMI revenue during the 2008-2009 school year by submitting a SEMI action plan to the Executive County Superintendent for review and approval by September 1, 2008. In subsequent years, each district that has less than 90 percent participation of SEMI eligible students in the prebudget year or that has failed to comply with all program requirements set forth above shall submit a SEMI action plan to the Executive County Superintendent for review and approval as part of the district's proposed budget submission.

The SEMI action plan shall include the following components:

- Procedures for obtaining parental/legal guardian consent forms including the Parental/Legal Guardian Consent Best Practices which are available from the Department.
- Establishment of a benchmark for the 2008-09 school year or for the first year that the district does not have an approved waiver pursuant to the provisions of (b) above, whichever is applicable, for obtaining maximum participation of all SEMI eligible students by the start of the subsequent school year.

The benchmarks for the 2008-09 school year or for the first year that the district does not have an approved waiver, whichever is applicable, for achieving maximum participation shall at a minimum close the gap between current participation and maximum participation by 50 percent by the beginning of the subsequent school year.

The benchmarks shall be based on the percentage of parental/legal guardian consent forms collected from eligible students. The number of parental/legal guardian consent forms shall reflect one parental/legal guardian consent form for each eligible student. This should include: Documentation of parental/legal guardian refusal to give consent.

Procedures to ensure that all IEP meetings are documented in the third-party administrator's system. IEPs are only claimable if a Medicaid qualified practitioner is present.

Procedures to ensure that all SEMI eligible services, including services provided by entities where the district has placed SEMI eligible students, are documented in the third-party administrator's system.

Procedures to ensure that a valid IEP is on file and the IEP date is on file in the third-party administrator's system for each SEMI eligible student for whom parental/legal guardian consent has been obtained.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Special Education Medicaid Initiative Program (SEMI)**

**Series 6000**

**Policy 6171.6**

Page 4 of 4

Procedures to ensure that service providers used by the district and entities where the district has placed SEMI eligible students have valid licenses and certifications documenting SEMI provider qualifications on file in the third-party administrator's system.

If the district did not achieve 90% participation or achieve its approved benchmarks in the SEMI program for a given budget year and cannot demonstrate that they fully implemented their Department approved SEMI action plan required above, the district shall be subject to review for the withholding of State aid by the Commissioner pursuant to NJSA 18A:55-3 in an amount equal to the SEMI revenue projection based on their approved benchmark for the budget year, if applicable, less actual SEMI reimbursements for the budget year. The State aid deduction shall be made in the second subsequent year after the budget year.

#### Legal References:

NJSA 18A:55-3

NJAC 6A:23A-5.3

# **Elsinboro Board of Education District Policy Manual**

**Series 6000**

## **Appeals / Grievances Regarding Section 504 Issues**

**Policy 6171.7**

|                                   |               |             |
|-----------------------------------|---------------|-------------|
| Date Adopted: October 5, 2009     | Date Revised: | Page 1 of 3 |
| First Reading: September 14, 2009 |               |             |

The district does not discriminate on the basis of disability with regard to admission, access to services, treatment or employment in its programs or activities based on the requirements outlined in Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA). The definition of an "individual with a disability" is a person who: has a mental or physical impairment which substantially limits one or more major life activities, such as seeing, hearing, speaking, breathing, learning, or working; or has a record of such impairment; or is regarded as having such an impairment.

The district will evaluate students, identify student eligibility according to 504 law, and provide accommodations so that those eligible receive a free appropriate education. Parents of all students are entitled to and will receive procedural safeguards, including individual notice and an impartial hearing. No discrimination against any person with a disability will be knowingly permitted in any of the programs and practices of the district.

The Board of Education has established the following grievance procedure to resolve complaints of discrimination as mandated by the family education rights and privacy act (FERPA):

### Procedural Safeguards Under Section 504 of the Rehabilitation Act of 1973

Section 504 prohibits discrimination against persons with a disability in any program receiving Federal financial assistance. Each parent or guardian of a child being served under 504 or ADA or considered for such service are guaranteed all of the FERPA. These rights include, but are not limited to:

- The right to file a grievance over alleged violation of Section 504;
- The right to be represented by counsel in the impartial hearing process ;
- To receive information in your native language or primary mode;
- The right to have an evaluation that draws information from a variety of sources;
- The right to be notified of any proposed action related to eligibility or 504 plan;
- The right to periodic reevaluations and an evaluation before any significant change in program or eligibility;
- The right for students to be given an equal opportunity to participate in non-academic and extracurricular activities offered by the district.

### 504 Appeals / Grievance Procedure

Appeals of the recommendations of the multi-disciplinary team regarding 504 services will be resolved via mediation wherever possible. The initial level of local mediation will be provided by the Chief School Administrator.

# **Elsinboro Board of Education District Policy Manual**

## **Instructional Program**

### **Appeals / Grievances Regarding Section 504 Issues**

**Series 6000**

**Policy 6171.7**

Page 2 of 3

Should an impartial due process hearing be required to resolve the dispute, the appeal will be heard by a Board appointed hearing officer. Hearing request must be made in writing to the District Section 504 Compliance Coordinator.

#### Definitions

For the purposes of this Policy / Procedure, the following definitions shall apply:

1. A “grievance” is a claim by a student, an employee or representative(s) of the student or an employee based upon an interpretation and/or application that a violation of Section 504 of the Rehabilitation Act of 1973 has occurred. To be considered under this procedure, a “grievance” must be initiated by the student or employee or their representative(s) within thirty (30) days of the time the student or employee knew or should have known of its occurrence.
2. A “grievant” is the person or persons making the claim.

#### Purpose

The purpose of this procedure is to secure, at the lowest level, equitable solutions to problems that may arise under the provisions of Section 504 of the Rehabilitation Act of 1973.

#### Procedure

##### Step 1

A student or employee grievant and/or their representative(s) shall first discuss the alleged grievance with the Chief School Administrator/immediate supervisor.

##### Step 2

If, after consultation with the Chief School Administrator/immediate supervisor, a satisfactory solution has not been reached within seven (7) calendar days, a written, formal grievance, designating the grievance and all parties to the grievance may be filed with the Chief School Administrator. The grievant shall state the remedy or solution sought in writing.

The grievant will submit any grievance on the form that accompanies this policy/procedure. This form may be secured at any school office as well as the office of the Affirmative Action Officer. If such written formal grievance is not filed within seven (7) calendar days after the initial discussion in Step 1, the grievance shall be considered to be waived.

##### Step 3

If the grievant is not satisfied with the disposition of his/her written grievance as noted in Step 2, or if no decision has been remedied within seven (7) calendar days after presentation of the written grievance, he/she may file the grievance in writing with the Chief School Administrator.

The Chief School Administrator shall render a decision within twenty (20) calendar days.

# **Elsinboro Board of Education District Policy Manual**

## **Instructional Program**

### **Appeals / Grievances Regarding Section 504 Issues**

**Series 6000**

**Policy 6171.7**

Page 3 of 3

#### Step 4

If the grievant is not satisfied with the resolution of the grievance at Step 3, then the grievance shall be submitted in writing to the Board of Education within seven (7) calendar days of receipt of the decision of the Chief School Administrator and the Board of Education shall render a decision in writing within thirty (30) calendar days after the submission of said grievance.

The grievant can request an appearance before the Board of Education. The Board of Education will decide if an appearance is appropriate on a case-by-case basis. The appearance shall be limited to fifteen (15) minutes. When appearance occurs, the Board of Education shall render a decision within thirty (30) calendar days of the appearance.

#### Legal References:

29 USCA 794 et seq – Section 504 of the Rehabilitation Act of 1973  
Americans With Disabilities Act (ADA)

**Elsinboro School District  
Section 504 – Rehabilitation Act of 1973  
Grievance Procedure Form**

Nature of Grievance: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Remedy or Solution Sought: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Step 1**

Grievance Discussed with Superintendent: \_\_\_\_\_

Date

**Step 2**

Grievance Reduced to Writing. Three (3) Copies Filed with the Chief School Administrator.

\_\_\_\_\_

Date

Signed: \_\_\_\_\_

Administrator

Grievant

The Chief School Administrator shall insert the grievance disposition on three (3) copies of the Grievance Form, sign and date same. The Superintendent shall return two (2) copies to the Grievant and one (1) copy will be retained by the Superintendent.

**Superintendent's Disposition**

|           |                          |                |
|-----------|--------------------------|----------------|
| Granted   | <input type="checkbox"/> | Remarks: _____ |
| Rejected  | <input type="checkbox"/> | Remarks: _____ |
| Withdrawn | <input type="checkbox"/> | Remarks: _____ |
| Adjusted  | <input type="checkbox"/> | Remarks: _____ |

Signed: \_\_\_\_\_

Date: \_\_\_\_\_



**Elsinboro School District  
Section 504 – Rehabilitation Act of 1973  
Grievance Procedure Form (continued)**

**Step 3**

Date Filed with the Chief School Administrator: \_\_\_\_\_

**Step 4**

**Disposition of the Chief School Administrator**

|                                    |                          |                |
|------------------------------------|--------------------------|----------------|
| Granted                            | <input type="checkbox"/> | Remarks: _____ |
| Rejected                           | <input type="checkbox"/> | Remarks: _____ |
| Withdrawn                          | <input type="checkbox"/> | Remarks: _____ |
| Adjusted                           | <input type="checkbox"/> | Remarks: _____ |
| Referred to the Board of Education | <input type="checkbox"/> |                |

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**Step 5**

Date Filed with the Board Secretary: \_\_\_\_\_

**Disposition of the Board of Education**

|   |                          |                |
|---|--------------------------|----------------|
| Granted   | <input type="checkbox"/> | Remarks: _____ |
| Rejected  | <input type="checkbox"/> | Remarks: _____ |
| Withdrawn   | <input type="checkbox"/> | Remarks: _____ |
| Adjusted  | <input type="checkbox"/> | Remarks: _____ |
| Date of Appearance of Grievant (if applicable): _____ |                          |                |

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**Elsinboro School District**  
**Section 504 – Rehabilitation Act of 1973**  
**Office of Civil Rights Complaint Procedure**

If a person believes that any aspect of Section 504 of the Rehabilitation Act of 1973 has been violated, he/she may initiate a complaint to the Office of Civil Rights (OCR). The person or organization filing the complaint need not be the victim of the alleged discrimination; but may issue a complaint on behalf of another person or group. A complaint must be filed within 180 calendar days of the date of the alleged discrimination, unless the time for filing is extended by OCR for good cause. The complaint should be in the form of a letter, explaining:

- Who was discriminated against? (Name, Address, Phone Number)
- In what way? (On the basis of being a “handicapped person” as defined in Section 504, describe how the major life activity of learning is being impacted by your child’s disabling condition)
- When the discrimination took place. (On what date did the alleged act of discrimination take place?)
- State in full what occurred to lead you to believe that your child was discriminated against. Provide names, dates and other forms of information which are available to you, such as supporting documents. If you do not already have your child’s complete pupil record, this would be an important time to request it of your school district.
- Define the desired outcome(s).
- Who can be contacted for additional information? (List the names, addresses, and phone numbers, if available, of any persons having knowledge of the discriminatory treatment.)
- If you have filed a complaint with any other federal, state or local civil rights agencies, please list these.
- Writer’s name, address and phone number (daytime).

**Send Letter To:**

**Officer of Civil Rights, Region II**  
**US Department of Education**  
**26 Federal Plaza**  
**Room 33-130, 02-1010**  
**New York, NY 10278-0082**  
**(212) 264-4633**  
**DT (212) 264-9464**

**For Technical Assistance**  
**(Not Enforcement) Contact:**

**Charles Masterton**  
**Equal Opportunity Specialist**  
**(212) 264-6618**

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Alternative Educational Programs**

**Policy 6172**

Date Adopted: August 10, 2009

Date Revised: February 11, 2013

Page 1 of 4

The Board endeavors to provide an educational program adjusted to the needs of the individual child within the financial means of the district. Grouping enables a more efficient use of staff in meeting these needs. Program adaptations provide another means of using staff efficiently and effectively to meet the needs of many children.

When the needs of special individuals or groups cannot be met through adaptation or independent study, the Chief School Administrator shall investigate and propose to the Board for approval alternative programs and facilities.

Each alternative education program shall fulfill the program criteria that are specified in NJAC 6A:16-9.2 including but not limited to:

- A maximum student-teacher ratio of 12:1 for high school programs,
- A maximum student-teacher ratio of 10:1 for middle school programs,
- An Individualized Program Plan (IPP) shall be developed for each general education student enrolled in the program,
- For students with disabilities the alternate education program shall be consistent with the student's Individualized Education Plan (IEP).

### Home Schooling

The Board acknowledges the right of parents/guardians to educate their children at home. The Board is not required by law to allow a resident child educated elsewhere than at school to participate in the regular school curriculum or in extracurricular or sports activities. The Board of Education may allow a child educated elsewhere than at school to participate in curricular and extracurricular activities or sports activities and/or loan books or materials to a child educated elsewhere than at school.

Parents/guardians requesting to educate their children at home as an alternative to sending them to public school must do the following:

1. Meet with the Chief School Administrator to discuss the request and then put this request in writing.
2. Submit in writing on an annual basis prior to September 1:
  - a. List of courses/content to be taught.
  - b. List of books, materials to be used.
  - c. Name of teacher – measure of competency.
  - d. Schedule of program, hours, days.
3. Sign a statement that they are educating their children at home as an alternative to sending them to a public school.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Alternative Educational Programs**

## **Series 6000 Policy 6172**

Page 2 of 4

If the Chief School Administrator is satisfied with the plan presented by the parents/guardians, he/she will recommend that the board adopt a resolution permitting the equivalent education by the parents/guardians.

In the event the Chief School Administrator determines there is credible evidence that the parent/guardian is not causing the child to receive equivalent instruction elsewhere than at school, the Chief School Administrator may request a letter of intent from the parent/guardian confirming the child is receiving equivalent instruction elsewhere than at school. The Chief School Administrator may report to the appropriate municipal authorities children whom he/she has reason to believe are not receiving an education in accordance with NJSA 18A:38-25. The New Jersey Department of Education encourages the parent/guardian of school-aged children to notify the Chief School Administrator of the intent to educate said school-aged children elsewhere than at school to avoid questions with respect to compliance with the compulsory education laws of this state.

### Required Services to Home Schooled Students

When a student of this district is home schooled, the district shall:

- Provide payment for tuition when a student is enrolled in a shared-time vocational school program. Once a resident student is enrolled in a shared-time vocational school program the student becomes a public school student;
- Review any written request for a special education evaluation and if warranted conduct an evaluation as described in Policy 6171.4 Special Education and in accordance with the federal special education law, Individuals with Disabilities Education Act (P.L. 108-446 §612).

If the student is eligible for special education and related services, the district shall make a free, appropriate public education available only if the student enrolls in the district. If the student does not enroll in the district, but the district chooses to provide services, the district will develop a plan for the services to be provided.

### Re-entry to Elsinboro School Following Home Schooling

Unless registering for kindergarten or first grade, parents/guardians wishing to have their children enrolled in Elsinboro School following home schooling will present to the Chief School Administrator evidence, in the form of tests, writing samples, and other examples of the student's work, demonstrating competency at the grade level the student is registering for. In addition, the Chief School Administrator/designee may administer such assessments he/she deems appropriate to determine the grade level attained by the pupil who is entering the school system. After a review of this material by the Chief School Administrator, students will be placed in the grade level appropriate with their age and social and academic development.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

### **Alternative Educational Programs**

**Series 6000**

**Policy 6172**

Page 3 of 4

#### Disruptive/Disaffected Children

The Board of Education recognizes that the active engagement of each pupil is a primary requisite for sound teaching and learning to take place. When a child is unable to benefit from the educational program because he/she is either disruptive or disaffected, then the educational goals of the district for that child will not be realized and the efforts of other pupils may be impeded. In an effort to optimize the educational experience for each child, the Chief School Administrator shall develop procedures to identify and work with disruptive/disaffected pupils.

When it is determined by the Child Study Team that a disruptive/disaffected pupil is not classifiable, the Board shall consider some other program as an alternative to regular classroom attendance. When the district does not have a suitable alternative program available, the Chief School Administrator shall recommend to the Board placement in a program of another district, or home instruction.

In accordance with state law and Board policy, disruptive pupils whose continuing attendance interrupts the educational program and/or threatens harm to themselves and others may be suspended and considered for expulsion. (See Policy 5114).

#### Removal for Weapons Offenses or Assault

Any pupil who is convicted or found to be delinquent for the following offenses shall be immediately removed by the Chief School Administrator from the district's regular education program for a period of not less than one calendar year and placed in an alternative education school or program pending a hearing before the Board of Education to remove the pupil:

- Possessing a firearm on any school property, on a school bus, or at a school sponsored function; or
- Committing a crime while possessing a firearm.

The Chief School Administrator shall determine at the end of the year whether the pupil is to return to the district's regular education program, in accordance with procedures established by the Commissioner of Education.

Any pupil who assaults a pupil, teacher, administrator, Board member, or other district employee with a weapon other than a firearm on school property, on a school bus, or at a school-sponsored function must be immediately removed from the school's regular education program and placed in an alternative school or program, pending a hearing before the Board. The Chief School Administrator shall determine when the child shall return to the regular education program.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program Alternative Educational Programs**

**Series 6000  
Policy 6172**

Page 4 of 4

### Potential Dropouts

While statute requires attendance of each pupil only until 16 years of age, it is in the best interests of both pupils and the community that they complete the educational program that will equip them with skills and increase their chances for a successful and fulfilling life beyond the schools.

The Board directs that whenever a pupil wishes to withdraw, or has been identified as a potential withdrawal, effort should be made to determine the underlying reason and the resources of the district should be used to assist the pupil in reaching his/her career goals. No pupil under the age of 18 will be permitted to withdraw without the written consent of a parent/guardian.

The Chief School Administrator shall develop procedures for withdrawal from school that:

- A. Make counseling services available to any pupil who wishes to withdraw;
- B. Make every effort to satisfy the pupils' future educational needs;
- C. Help the pupil define his/her own educational life goals and help plan the realization of those goals;
- D. Inform the pupil of the high school equivalency program;
- E. Point out to the pupil the opportunities available in the armed forces.

### Legal References

- NJSA 18A:11-1 General mandatory powers and duties  
18A:37-1 et seq. Discipline of pupils  
18A:38-1, -25 Attendance at school free of charge
- NJAC 6A:8-5.1 Graduation requirements  
6A:8-5.2 High school diplomas  
6A:10A-3.1 et seq School district-led standards-based instruction  
6A:10A-4.1 et seq Role of Abbott district board of education  
6A:14-1.1 et seq. Special Education  
6A:16-5.5 Removal of students from general education for firearms offense  
6A:16-5.6 Removal of students from general education for assaults with weapons  
6A:16-9.1 et seq. Alternative Education Programs  
6A:16-10.1 et seq. Home or Out-of-School Instruction for General Education Students  
6A:30-1.4 Evaluation process for the annual review  
6A:32-13.1 et seq. Student Behavior
- State v. Vaughn, 44 N.J. 142, 1965  
State v. Massa, 95 N.J. Super. 382, 1967  
20 USCA Section 8921 Gun Free Schools Act  
New Jersey Quality Single Accountability Continuum (NJQSAC)

### Possible Cross References

6142.2, 6142.12, 6164.2, 6164.4, 6171.4, 6173

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Home Instruction**

**Policy 6173**

Date Adopted: August 10, 2009

Date Revised: January 11, 2010

Page 1 of 3

First Reading: June 8, 2009

To provide uninterrupted education for pupils unable to attend their regular classes because of illness, disability, court order or administrative action, the Board of Education shall provide away-from-school instruction when proper application has been made and subject to the following restrictions:

- A. The period of absence must be expected to be longer than two weeks except in special circumstances.
- B. A parent/guardian or appropriate adult authority must be within calling distance during the period of instruction.
- C. In cases of illness or disability, medical certification is required both of the necessity for the pupil's absence and his/her fitness to benefit from the instruction.

Each case must be approved by Board action; all requirements for receipt of state aid must be fulfilled.

The Board of Education shall provide home or out-of-school instructional services no later than five (5) days after the student has left the general education program.

### Temporary or Chronic Health Condition

The Board of Education is committed to providing home instruction to students who cannot participate in the regular education program due to temporary or chronic health conditions or treatment needs which preclude participation. The Chief School Administrator and/or designee shall select the instructors and oversee coordination between the home instructor and the regular classroom teacher in determining the pupil's instructional program. The home or out-of-school instructional services shall meet the minimum standards that are specified in NJAC 6A:16-10.1 (c) including but not limited to:

- A. For general education students whose projected confinement will exceed 30 days, the school district shall develop an Individualized Program Plan (IPP) for delivery of instruction. The district shall maintain a record of delivery of instructional services and student progress,
- B. For general education students, the instruction shall meet the Core Curriculum Content Standards. Home instruction shall meet requirements of the Board of Education for promotion at the grade level. When the provision of home instruction will exceed 60 calendar days, the school physician shall refer the student to the child study team for evaluation;
- C. For special education students, the home instruction shall be consistent with the student's Individualized Education Plan (IEP) to the extent appropriate. The home instruction shall meet the Core Curriculum Content Standards. When the provision of home instruction will exceed 30 consecutive school days in a school year, the IEP team shall convene a meeting to review and, if appropriate, revise the student's IEP.
- D. Teachers providing home instruction shall be appropriately certified for subject, grade level and special needs of the student;

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Home Instruction**

**Policy 6173**

Page 2 of 3

E. The teacher shall provide one-on-one instruction for no fewer than five hours per week on three separate days of the week. If the student is physically able, the instruction shall also include no fewer than five hours per week of additional guided learning experiences. This may include the use of technology to provide audio and visual connections to the student's classroom.

### Reasons Other Than a Temporary or Chronic Health Condition

The district shall provide home or out-of-school instruction for a general education student for reasons other than a temporary or chronic health condition when:

- A. The student is mandated by State law and rule for placement in an alternative education program for firearms offenses and/or assault with weapons offenses but placement is not immediately available;
- B. The student is placed on short-term or long-term suspension;
- C. A court order requires that the student receive instructional services in the home or other out-of-school setting.

The Chief School Administrator and/or designee shall select the instructors and oversee coordination between the home instructor and the regular classroom teacher in determining the pupil's instructional program. The home or out-of-school instructional services for reasons other than a temporary or chronic health condition shall meet the minimum standards that are specified in NJAC 6A:16-10.2 (d) including but not limited to:

- A. The school district shall develop an Individualized Program Plan (IPP) for delivery of instruction and maintain a record of delivery of instructional services and student progress (the IPP is not required for student's on short-term suspension). The IPP shall be developed in accordance with law;
- B. The teacher providing instruction shall be appropriately certified for subject, grade level and special needs of the student;
- C. The teacher shall provide one-on-one instruction with no fewer than ten hours each week on three separate days. The instruction shall also include no fewer than ten additional hours per week of guided learning experience;
- D. The instruction shall meet the Core Curriculum Content Standards and Board of Education requirements for promotion and graduation.

A pupil receiving home instruction is not considered absent.



# **Elsinboro Township Board of Education District Policy Manual**

**Instructional Program**

**Series 6000**

**Home Instruction**

**Policy 6173**

Page 3 of 3

## Legal References:

NJAC 6A:14-1.1 et seq. Special Education

6A:16-4.3 Reporting, notification and examination procedures for students suspected of being under the influence of alcohol or other drugs

6A:16-5.5 Removal of students from general education for firearms offenses

6A:16-5.6 Removal of students from general education for assaults with weapons offenses

6A:16-10.1 et seq. Home or Out-of-School Instruction

8:61-1.1 Attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV)

H.A. v. Board of Education Warren Hills Regional, 1976 S.L.D. 336

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

Somerset County Educational Services Commission v. North Plainfield Board of Education 1999 S.L.D. Sept. 7 State in re G.S. 330 N.J. Super. 338 (Ch. Div. 2000)

## Possible Cross References:

4112.2, 5113, 5114, 5131, 5131.6, 5131.7, 5134, 5141.2, 6146, 6164.2, 6164.4, 6172

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Early Childhood Education / Preschool Pilot Program**

**Policy 6178**

Date Adopted: September 12, 2016

Date Revised:

Page 1 of 2

The Board of Education believes that preschool education experiences contribute to later academic success for all children. Therefore, within the limits of the budget and as required by law, the Superintendent of Schools shall recommend to the Board for approval programs designed for district children under the age required for regular admission. Programs shall address the needs of children who have been identified as requiring Special Education, as well as those who have not been so identified.

The Superintendent of Schools shall direct development approved preschool programs. He/she shall ensure adherence to all applicable laws and regulation in pursuing funding at the federal and state levels, as well as from private sources.

Implementing procedures shall address the following:

- The preschool curriculum shall consist of developmentally appropriate experiences that provide each child with individual opportunities to develop positive self-esteem, social/emotional growth, language skills, motor development and conceptual skill development.
- All preschool programs sponsored by the Board shall be consistent with the overall philosophy of the school district and aligned with the Core Curriculum Content Standards. They shall be coordinated with other relevant district programs such as Special Education and Title I and articulated with the K-8 curriculum.
- Each preschool classroom shall be assigned at least one certificated teacher with required training or experience with young children, as described in administrative code. Class sizes shall not exceed the limits defined in the code.
- Admission shall be in accordance with state and federal guidelines and students may be accepted in to the program provided that the child will have attained the age of five years for pre-kindergarten on or before February 1<sup>st</sup> of that school year, provided the student has successfully completed readiness testing to the satisfaction of the Superintendent of Schools;
- Proof of immunizations against communicable diseases and examinations shall be in accordance with requirements for kindergarten and first grade admission.
- Programs shall be designed to include parents/guardians as active participants and provide them with meaningful opportunities to be involved in the educational experiences of their children.
- Preschool classes may serve as laboratories for training teachers in cooperative agreements with colleges or universities.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Early Childhood Education / Preschool Pilot Program**

**Policy 6178**

Page 2 of 2

### Legal References

- NJSA 18A:7B-12 District of residence; determination  
18A:7B-12.1 Homeless child; responsibility for education; determination of placement; payment of costs  
18A:7C High School Graduation Standards  
18A:36-19a Newly enrolled students; records and identification  
18A:36-25.1 Proof of child's identity required for enrollment; transfer of record  
18A:38-1 Attendance at school free of charge  
18A:38-2 Free attendance at school by nonresidents placed under court order  
18A:38-3 Attendance at school by nonresidents  
18A:38-4 Free attendance to persons over age  
18A:38-5 Admission of pupils under age  
18A:38-5.1 No child to be excluded from school because of race, etc.  
18A:38-6 Time of admission of pupils; first school year  
18A:38-7.7 Legislative findings and declarations  
18A:38-8 Duty to receive pupils from other districts  
18A:38-25 Attendance required of children between six and 16; exceptions  
18A:40-20 Immunization at public expense  
18A:44-1 Establishment of nursery schools or departments; eligibility for admission  
18A:44-2 Establishment of kindergarten; eligibility for admission  
26:1A-9.1 Exemption of pupils from mandatory immunization
- NJAC 6A:8-2.1 Authority for educational goals and standards  
6A:8-3.4 Requirements for Early Childhood Education  
6A:10A-2.1 et seq Preschool program general provision  
6A:12-3.1 Choice district application procedures  
6A:14-1.1 et seq. Special Education  
6A:16-2.2 Required health services  
6A:16-2.4 Required student health records  
6A:17-1.1 et seq. Students at Risk of Not Receiving a Public Education  
6A:22-1.1 et seq. Entitlement to Attend School Based on Domicile or  
6A:22-3.4 Proof of Eligibility  
6A:23-5.2, -5.3 Method of determining the district of residence  
6A:32-8.2 School enrollment  
8:57 Communicable diseases  
8:61-1.1 Attendance at school by pupils or adults infected by Human Immuno-Deficiency Virus (HIV)  
P.L. 2005, c. 265 students returning to public schools from county detention  
Tepper v. Board of Education of the Township Hackensack, Bergen County,  
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.  
Plyler v. Doe, 457 U.S. 202 (1982)  
Warren Board of Education v. Cooperman, 105 NJ 587 (1987)  
J.A. v. Board of Education of South Orange/Maplewood, 318 N.J. Super. 512

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Adult / Community Education**

**Policy 6200**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board of Education believes that education is for all residents of all ages and persuasions and seeks to provide those educational experiences that the community desires and that are consistent with the goals of the District. All citizens are encouraged to make their needs known to the Chief School Administrator. The Board will adopt curricula and extensions to the Community Education Program where such changes appear of significant benefit to the community.

### Legal References:

NJSA 18A:7C-8, 18A:7F-28, 18A:48-1 et seq., 18A:50-1 et seq.  
NJAC 6:30-1.1 et seq., 6:30-2.1, -3.3, -3.6, -3.7, -3.8, 6A:8-1.1 et seq.,  
6A:8-5.1(a)5 and 6, 6A:30-1.1 et seq.,

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

3240, 3250, 4112.2, 4141, 5111, 5124, 5127, 5131, 6142, 6174

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

## **Evaluation of the Instructional Program**

**Policy 6300**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 1

First Reading: June 8, 2009

The Board directs the Chief School Administrator to develop and implement a systematic short-range and long-range plan for the continuing assessment of the progress of the educational program toward the goals established by the district. To this end, he/she shall recommend tests and methods indicated by his/her best professional judgment.

The Board reserves the right to review each test and to approve those that serve a legitimate purpose without infringing upon the personal rights' of the pupils or their parents/guardians. The Chief School Administrator using district-wide data may release the results of any evaluation. Parents/guardians may obtain an explanation of the results of their child's test from qualified school personnel.

The Chief School Administrator shall annually recommend improvements in the program and staff based upon the evaluation of the district's program.

The Board will cooperate with the commissioner in the conduct of such statewide assessment programs as are required by the state Board of Education and shall use the data gained thereby toward the improvement of the schools of this district.

### Legal References:

NJSA 18A:7A-10, 18A:7E-2 through -5,  
NJAC 6:8-1.1, 6A:7-1.4, 6A:8-1.1 et seq., 6A:8-3.1, -4.3, -4.4, -4.5, 6A:14-4.1(i),  
6A:23-8.3, 6A:30-1.1 et seq.

No Child Left Behind Act of 2001, Pub. L. 107-110  
Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

1000/1010, 1120, 5120, 6000, 6010, 6011, 6141, 6147, 6171.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **Determining Eligibility for Pupils to be Classified**

**Policy 6310.1**

Date Adopted: August 10, 2009

Date Revised:

Page 1 of 2

First Reading: June 8, 2009

The Board of Education supports its Child Study Team in using the following procedures for determining a “significant discrepancy analysis formula” for classifying district pupils under the criteria of: “Specific Learning Disability.” This is being done to be in compliance with the New Jersey state statute, i.e. Title 6A, Chapter 14, Section 3.5-11, i., ii, iii “Determination of Eligibility for Special Education and Related Services.” This policy is a required part of the current New Jersey Special Education Code, which mandates that each local district adopt these procedures.

#### Procedures:

Pupils who are being considered as Eligible for Special Education and Related Services under the criteria of “specific learning disability” will have a minimum of two evaluations conducted to assess a pupil’s current cognitive functioning (psychological evaluation) and academic/achievement levels (learning evaluation). Input from a social history, speech/language assessment or any other completed evaluation reports will also be considered.

A computer generated statistical analysis will be conducted prior to the eligibility conference. A learning specialist, psychologist, Director of Special Education or other team member familiar with the aforementioned test findings will interpret the results. The specialists will compare the current achievement scores in reading, math, and written language. Additionally, the learning specialist’s or speech and language pathologists’ report(s) will provide information regarding a student’s current listening, comprehension, and oral expression skills.

In order for a discrepancy to be significant it should be 1.5 standard deviations of difference, e.g. F.S.I.Q. =100, standard score in reading/math/written language = 78 for pupils in the 3<sup>rd</sup> through 8<sup>th</sup> grades. For students in Kindergarten through the 2<sup>nd</sup> grade, the significant difference will be 1.25 standard deviations or 19 points of difference. This is a simple difference method and is in accordance with current professional standards.

The district also supports the position of using multiple measures of data, i.e. standardized test scores, report card grades, portfolio assessments, and other standardized and achievement test data to determine current academic achievement. Additionally, professional judgment of the evaluators will also be incorporated into the determination regarding eligibility criteria as delineated in NJAC: 6A:14-3.5 i, ii, iii.

The Eligibility Team comprised of the Child Study Team members, regular and Special Education teachers, the Chief School Administrator or the Special Education Director (optional) and the parent(s)/guardian(s) will then review all of the evaluation findings. The team will jointly make the decision regarding determination of Eligibility for Special Education and Related Services under the criteria of “specific learning disability”.

# **Elsinboro Township Board of Education District Policy Manual**

## **Instructional Program**

**Series 6000**

### **Determining Eligibility for Pupils to be Classified**

**Policy 6310.1**

Page 2 of 2

The “specific learning disability” will be characterized by the measured severe discrepancy as defined in this policy between the pupil’s current achievement and intellectual ability in one or more of the following areas:

- Basic Reading Skills
- Reading Comprehension
- Oral Expression
- Listening Comprehension
- Mathematical Computation
- Mathematical Reasoning
- Written Expression

The term “specific learning disability” will not apply to pupils who have learning problems which are primarily the result of visual, hearing, or motor disabilities, general cognitive deficits, emotional disturbance, or environmental, cultural, or economic disadvantage.

#### Legal Reference:

NJAC: 6A:14-3.5 i, ii, iii.

**Elsinboro Township  
Board of Education**

**District Policy Manual**



**Property & Facilities**

**Series 7000**





**Elsinboro Township  
Board of Education  
District Policy Manual  
TABLE OF CONTENTS**

**Property & Facilities – Series 7000**

|   |               |
|---|---------------|
|   |               |
| <b>Goals &amp; Objectives in Alterations &amp; New Construction</b> | <b>7010</b>   |
| <b>Educational Adequacy of Capital Projects</b>                     | <b>7101</b>   |
| <b>Site Selection</b>   | <b>7102</b>   |
| <b>Long-Range Facilities Planning</b>                               | <b>7110</b>   |
| <b>School Safety &amp; Hygienic Management</b>                      | <b>7112</b>   |
| <b>Annual Building Review</b>                                       | <b>7113</b>   |
| <b>Retirement of Buildings</b>                                      | <b>7113.1</b> |
| <b>Alterations, Additions, Repairs &amp; Change of Use</b>          | <b>7114.1</b> |
| <b>Developing Educational Specifications</b>                        | <b>7115</b>   |
| <b>Indoor Air Quality</b>   | <b>7116</b>   |
| <b>Lactation Room</b>   | <b>7117</b>   |
| <b>Public Participation</b>   | <b>7120</b>   |
| <b>Designing / Architectural / Engineering Services</b>             | <b>7200</b>   |
| <b>Gifts, Grants &amp; Donations</b>                                | <b>7230</b>   |
| <b>Disposition of Property</b>                                      | <b>7300</b>   |
| <b>Bids</b>   | <b>7400</b>   |
| <b>Contracts</b>  | <b>7420</b>   |
| <b>Change Orders</b>  | <b>7430</b>   |
| <b>Protection &amp; Guarantees</b>                                  | <b>7440</b>   |
| <b>Insurance During Construction</b>                                | <b>7443</b>   |
| <b>Security of School Property &amp; Facilities</b>                 | <b>7445</b>   |
| <b>Construction Supervision / Clerk of the Works</b>                | <b>7450</b>   |
| <b>Naming of Facilities</b>   | <b>7550</b>   |

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Goals & Objectives in Alterations & New Construction**

**Policy 7010**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board of Education recognizes the importance of planning, developing, and maintaining a physical plant appropriate to the personal and educational needs of the pupils and the educational program needs of the district and the school.

It is the Board's intention to ensure that:

- A. Any new school facilities shall be planned, pursuant to law and regulations, and shall be prepared by a registered architect or professional engineer to reflect current research and recommendations on the relationship of school design and size of educational program to a positive learning environment;
- B. The school buildings and site shall provide, pursuant to law and regulation, suitable accommodations to carry out the educational program of the school including provision for the handicapped;
- C. The school buildings shall be safe, clean, attractive and in good repair.

Educational specifications shall be prepared in writing under the direction of the Chief School Administrator and approved by the Board of Education.

The submission of schematic through final plans for school facilities shall be to the Department of Education Bureau of Facility Planning Services in accordance with law.

### Legal References:

NJSA 18A:7G-1 et seq, 18A:11-1, 18A:18A-15; 18A:18A-16; 18A: 18A-20

NJAC 6A:26-1 through 6A:26-6.2, 6A:26-12.1 et seq

### Possible Cross References:

3510

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Educational Adequacy of Capital Projects**

**Policy 7101**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 2

First Reading: March 16, 2009

Capital projects that affect any of the criteria for educational adequacy must be reviewed and approved by the Division of Facilities and Transportation. The criteria are the number, configuration, size, location or use of educational spaces within a school facility. The review for educational adequacy will take into consideration the suitability of the number, configuration, size, location, and use of educational spaces; built-in furniture and equipment; and provisions for the disabled.

Projects requiring approval for educational adequacy, as defined in N.J.A.C. 6A:26-5.1 are: new school facilities including pre-fabricated facilities; additions to existing school facilities; alterations to the total number, dimension in volume and/or area, configuration or location of educational spaces or the number of any one kind of educational space; change-of-use that requires certain alterations, or that requires mechanical or electrical changes pursuant to N.J.A.C. 5:23 or these regulations; installation of temporary facilities; and any site or school facility change or alteration for the purpose of making the site and school barrier free and accessible to disabled persons pursuant to N.J.A.C. 5:23 and Section 504 of the Federal Rehabilitation Act of 1973, 29 U.S.C. §794 and the Americans with Disabilities Act, 42 U.S.C. §12101 et seq.

New Jersey Economic Development Authority and non-authority school facilities projects, along with other capital projects, are subject to educational adequacy reviews pursuant to N.J.A.C. 6A:26-5.1(b). The district will submit any plan to change of use of instructional space that is not a capital project to the County Superintendent of Schools for approval.

Educational specifications for educational adequacy reviews will be prepared and submitted in accordance with N.J.A.C. 6A:26-5.2. Educational specifications will be prepared in writing describing in detail the educational program activities and requirements for each space proposed in the capital project, and will refer to the Core Curriculum Content Standards wherever appropriate. The educational specifications will include an itemized list of furniture, equipment, and support spaces required to conduct the educational program specified for each space will be included, together with their estimated areas in square feet, as well as an estimate of the total room area required for each space. The educational specifications will also include specific technical and environmental criteria, adjacencies and other requirements for the educational program will be noted and a building space program that indicates the number and area in square feet of each instructional, specialized instructional, administrative and support space in each existing or proposed building included in the capital project.

Schematic plans and other related project documents will be prepared and submitted in accordance with N.J.A.C. 6A:26-5.3.

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Educational Adequacy of Capital Projects**

**Policy 7101**

Page 2 of 2

A project cost estimate on a form provided by the Commissioner of Education, a project schedule, a copy of the dated transmittal letter indicating project document submission to the County Superintendent and a copy of the transmittal letter indicating the date of plan submission to the local planning board (whenever the building footprint, volume, pedestrian or vehicular access are altered by the project) must be submitted to the Division of Facilities and Transportation.

The Director of the Office of Bilingual Education and Equity Issues must receive a completed OEEQ questionnaire, in accordance with Title 6 of the Civil Rights Act of 1964 (42 U.S.C. § 2000a et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) and Title 2 of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.), from the district and must make a positive recommendation in writing to the Division before schematic plans can be approved for any project that affects the capacity of individual buildings or their sending areas in the district.

In the case of an authority school facilities project, upon completion of detailed plans and specifications, the authority on behalf of the district will apply for final approval of the educational adequacy of the project in accordance with N.J.A.C.6A:26-5.4(a). In the case of a non-authority school facilities project or another capital project, upon the completion of final plans and specifications, the district will apply for final approval of the educational adequacy of the project in accordance with N.J.A.C. 6A:26-5.4(b).

The Division of Facilities and Transportation will collect fees for its reviews according to N.J.A.C. 6A:26-5.5.

### Legal References:

NJAC 6A:26-5.1 et seq.

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Site Selection**

**Policy 7102**

|                               |                |             |
|-------------------------------|----------------|-------------|
| Date Adopted: March 30, 2009  | Dates Revised: | Page 1 of 1 |
| First Reading: March 16, 2009 |                |             |

In selecting new sites for district facilities, the Board will consider:

- A. Location in relationship to hazards and nuisances.
- B. Size and appropriateness for proposed purpose.
- C. Fairness of price.
- D. A pupil distribution map showing the distribution of residences.
- E. Any existing buildings on the property.
- F. Statements from architects and engineers that the land to be acquired is suitable for the proposed use including environmental suitability.
- G. Recommendations of the County Superintendent of Schools and/or the New Jersey Department of Education - Bureau of Facilities Planning.
- H. Recommendations of the local planning board and appropriate state agencies e.g. CAFRA, Pinelands, etc.
- I. The local Master Plan, including the voluntary transfer of development rights program.

The Chief School Administrator, professional architects and engineers shall ensure that sites are developed in such a way as to enhance the educational program most effectively at the least cost.

The Board shall seek and acquire the review by the New Jersey Department of Education prior to acquiring any site for Board of Education purposes.

### Legal References:

NJSA 18A:20-4.2  
NJAC 6:22.1 et seq

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Long-Range Facilities Planning**

**Policy 7110**

Date Adopted: March 30, 2009

Dates Revised:

Page 1 of 2

First Reading: March 16, 2009

The Board of Education recognizes that sound planning based on accurate information is essential to the provision of suitable educational facilities. In order to ensure that future district construction is planned on the basis of need, the Board, in accordance with rules of the State Board of Education, will maintain a five-year long range facilities plan and revise it any time construction plans are sent to the Bureau of Facility Planning Services of the New Jersey Department of Education.

The plan will include a thorough description and analysis of local and regional demographic factors that influence general population growth and public school enrollments. The plan will detail substandard spaces in district facilities and the Board's intent to eliminate their use or to bring such spaces into compliance with rules of the State Board of Education.

In order to apprise the Board of facilities needs, the Chief School Administrator shall cause the development of the long-range facilities plan, which shall include but not be limited to:

- A. Demographic information and enrollment projections
- B. Changes to the education program including but not limited to:
  - Grade organization;
  - Program revision.
- C. A determination of facilities needs based on:
  - Projected enrollment;
  - Educational program needs;
  - Current school capacity;
  - Physical conditions;
  - Accessibility of facilities to the disabled;
  - Compliance with local, state and federal statutes and codes.
- D. A facilities program plan including but not limited to:
  - Description of any new facilities proposed;
  - Description of any additions to facilities which are proposed;
  - Description of any renovations or modifications to facilities which are proposed;
  - Any additional sites or additions to sites to be acquired;
  - Any improvements to a site;
  - The construction of structures or special facilities on site including athletic fields, playgrounds, parking lots and any other special facilities;
  - Additions of infrastructure for technology to sites or buildings;
  - Additions to built-in equipment or other furniture and equipment acquired through capital outlay funds;
  - Cost estimates for any item included in the plan;
  - A schedule for any item included in the plan.

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

### **Long-Range Facilities Planning**

**Policy 7110**

Page 2 of 2

In planning for the enlargement or modification of its facilities, the Board shall consider not only the number of children whose educational needs must be met, but also the physical requirements of the program it deems best suited to meet those needs. Each school building and site will provide suitable, barrier-free accommodations to carry out the educational program of the school, including provision for the disabled, pursuant to federal and state law and rules of the State Board of Education.

#### Substandard Facilities

All existing school facilities will be evaluated annually for their suitability to current district needs. Any facilities found to be substandard according to the administrative code shall be corrected as quickly as possible in compliance with law.

All substandard facilities must be initially approved by the County Superintendent of Schools.

#### Legal References:

NJSA 18A: 11-1, 18A:7F-7, 18A:7F-26, 18A:7G-1 through -44 et al.,  
18A:11-2, 18A:33, 18A:33-1,  
NJAC 5:23-1.1, et seq., see particularly 5:23-1.1, 5:23-3.1, 5:23-3.11B, 5:23-7.1 et seq.,  
6:3-9.1 et seq., 6:8-2.1, 6:8-2.2, 6:8-4.1, 6A:23-8.1 et seq.

Manual for the Evaluation of Local School Districts (September 2002)

#### Possible Cross References:

2240, 2255, 3100, 3260/3270

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **School Safety & Hygienic Management**

**Policy 7112**

Date Adopted: March 30, 2009

Date Revised: December 12, 2011

Page 1 of 4

First Reading: March 16, 2009

The Board of Education recognizes that the safety, health and physical well-being of the pupils and staff of the district depend, in large measure, upon the cleanliness and sanitary management of the school facilities.

### Safety

The Board will provide, publish, and post rules for safety and the prevention of accidents; instruct pupils in safety and accident prevention; provide protective devices, where they are required by law for the safety of pupils and employees; and provide suitable and safe equipment where such equipment is necessary for the operation of the school.

The Chief School Administrator shall prepare regulations governing school safety and the prevention of accidents and fire that include, as a minimum, the requirements of law and the applicable rules of various departments of state government. Such regulations shall provide procedures and precautions for the safety of pupils in school, employees in the performance of their duties, users of school vehicles, pupils in transit to and from school, injured pupils and employees, and visitors to the school. Safety regulations shall be promulgated to all school employees and shall be reviewed and evaluated annually. The Chief School Administrator is directed to instruct teaching staff members in property safety precautions.

### Hygienic Management

The Board directs that a program of hygienic management be instituted in the school facilities and explained annually to all staff members. All facilities shall be inspected for cleanliness and sanitation by the County Board of Health not less than twice each year.

In consultation with the school medical inspector, the Chief School Administrator shall prepare procedures to be followed in the handling and disposal of blood and body fluids, whether or not pupils or staff members with HIV infection are present. School staff members and volunteers shall be provided the supplies for implementing the procedures. In particular, school nurses, custodians, and teachers shall be trained in proper handling procedures.

The Board recognizes that school employees may, in the performance of their duties, reasonably anticipate contact with human blood or other potentially infectious body fluids that may expose them to bloodborne pathogens such as hepatitis B virus (HBV)



# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

### **School Safety & Hygienic Management**

**Series 7000**

**Policy 7112**

Page 2 of 4

and human immunodeficiency virus (HIV). In accordance with federal OSHA regulations, the Board will establish a written Exposure Control Plan designed to eliminate or minimize employee exposure to such infection. The plan shall list all job classifications to tasks in which exposure occurs; describe and require the implementation of workplace controls to eliminate or minimize exposure; require the provision of hepatitis B vaccination to employees who have occupational exposure; and require the provision of a training program for employees who have occupational exposure. The plan shall be updated annually and as required to include new or revised employees' positions with occupational exposure. A copy of the plan shall be made accessible to employees.

The Chief School Administrator shall develop and supervise a program for the cleanliness and sanitary management of the school, school grounds and equipment pursuant statute, rules of the New Jersey State Board of Education and the regulations of the Board of Health.

The day-to-day cleanliness of the school facilities shall be the responsibility of the Chief School Administrator/designee.

#### Indoor Air Quality Standards

The Board of Education will provide for air quality in the school building that meet the standards established by the New Jersey Department of Labor pursuant to NJAC 12:100-13.

The Board designates that Board Secretary/Business Administrator as the individual who is responsible to ensure compliance with New Jersey Department of Labor standards. The Board Secretary/Business Administrator will ensure that preventative maintenance programs for heating, ventilation, and air-conditioning (HVAC) systems are implemented and documented and that general and local exhaust ventilation is used for employees working with equipment or hazardous chemicals or particulate exposure. He/she shall ensure that HVAC systems are working properly when the building temperatures are outside of the range of 68° to 79° Fahrenheit and make sure that buildings without mechanical ventilation have operable windows, doors, vents, stacks and other portals designated or used for natural ventilation are operational. He/she will also promptly investigate all employee complaints of signs or symptoms that may be associated with building-related illnesses.

Air quality will be maintained at acceptable standards during renovation and remodeling that result in the diffusion of dust, stone and other small particles, toxic gases or other harmful substances in quantities hazardous to health. The Board Secretary/Business Administrator will notify employees at least 24 hours in advance or promptly in emergency situations of work to be performed in the building that may induce air contaminants into their work areas.

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

### **School Safety & Hygienic Management**

**Series 7000**

**Policy 7112**

Page 3 of 4

The Board Secretary/Business Administrator will respond to a complaint received by the Department of Labor within 15 working days of the receipt of the complaint.

#### Hazardous Substances

The Board of Education will comply with laws governing hazardous substances in the school district. Employees shall be informed of the hazards associated with the handling of certain substances and trained to work safely with hazardous substances

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

- A. Any article containing a hazardous substance if the hazardous substance is present in a solid form that does not pose any acute or chronic health hazard to any person exposed to it;
- B. Any hazardous substance constituting less than 1% of a mixture unless the hazardous substance is present in an aggregate amount of 500 pounds or more in a container;
- C. Any hazardous substance that is a special health hazardous substance constituting less than the threshold percentage established by the Department of Health and Senior Services for that special health hazardous substance when present in a mixture;
- D. Any hazardous substance present in the same form and concentration as a product packaged for distribution and use by consumers and which is not a product intended for commercial use;
- E. Any fuel in a motor vehicle;
- F. Tobacco or tobacco products;
- G. Wood or wood products;
- H. Foods, drugs or cosmetics;
- I. Hazardous substances that are an integral part of a building’s structure or furnishings;
- J. Products that are personal property and are intended for personal use; and,
- K. Any substance used in the routine maintenance, including the heating or cooling of the facilities.

No person shall use or allow the use of any hazardous substance in or on the facilities when children are expected to be present.

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

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

### **School Safety & Hygienic Management**

**Series 7000**

**Policy 7112**

Page 4 of 4

The Board Secretary/Business Administrator shall conduct periodic audits of hazardous substances in use in the district, ensure that substances are being handled in accordance with appropriate safety requirements, and determine that the employees who are required to handle hazardous substances are properly equipped to do so.

The Board Secretary/Business Administrator shall inform the Chief School Administrator of all hazardous substances in use in the district, the purpose of each, and the precautions required for each. The Chief School Administrator shall take such action as may be necessary and feasible to minimize the use of hazardous substances in the district.

The Chief School Administrator shall report periodically to the Board of Education on hazardous substances in district use and the purpose of each.

#### Legal References

- NJSA 18A:6-2 Instruction in accident and fire prevention
- 18A:11-1 General mandatory powers and duties
- 18A:33-1 et seq District to furnish suitable facilities
- 18A:40-12.1 Eye protection
- 18A:40-12.2 Protective devices
- NJAC 5:23-1.1 et seq. Uniform Construction Code
- 6A:25-1.1 et seq. Qualified Zone Academy Bond Program
- 6A:26-1.1 et seq. Educational Facilities
- 29CFR 1910.1030
- Manual for the Evaluation of Local School Districts
- New Jersey Quality Single Accountability Continuum (NJQSAC)

#### Possible Cross References

2240, 2255, 3100, 3260/3270

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Annual Building Review**

**Policy 7113**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 16, 2009 |               |             |

Existing facilities of the school district shall be evaluated annually for safety and structural soundness as required by law, and for suitability to the goals and objectives of the goals and objectives of the educational program.

The Chief School Administrator and Board of Education Facilities Committee shall include in the report to the Board an itemization of all necessary repairs and alterations with their estimated cost, and suggestions for improved utilization of available space.

After the Board has acted on the annual building review report, the Chief School Administrator shall be responsible for making the necessary additions to the school district's Master Plan.

### Legal Reference:

NJSA 18A:11-1, 18A:33-1 et seq

NJAC 6A:26-12 et seq

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Retirement of Buildings**

**Policy 7113.1**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board recognizes that efficient administration of the district requires the disposition of property no longer necessary for the maintenance of the educational program or the operation of the district. The Board also recognizes its responsibility to provide a thorough and efficient program of free public education and appropriate facilities to house that program. The Board further recognizes that declining enrollments, diminished resources, district reorganization, or other good cause may require that the use of one or more district facilities for educational purposes be retired.

The Board will not commit itself to the closing of any school facility without first having collected and considered appropriate information regarding pupil enrollments, the educational adequacy of school facilities, relevant safety and traffic factors, district revenues, and alternative district organizational plans. The Board will invite citizen participation in the analysis of that information and the formulation of recommendations. Information on any proposed district reorganization will be disseminated to the public, and public response will be invited by all appropriate means.

Real estate property shall be disposed of by sale or otherwise, in accordance with law. To dispose of an operational school building and all or part of the total acreage the Board will submit a written report for approval to the Department of Education, Bureau of Facility Planning Services with a copy to the County Superintendent of Schools who shall make a recommendation to the Bureau.

Ultimately the Board alone is responsible for the organization of the school district and the establishment and retirement of school facilities. Formal action to accomplish those ends shall be taken only by the Board duly convened.

Upon written approval by the Bureau, the Board shall dispose of the school building and/or acreage according to law.

### Legal References:

NJSA 18A:11-1, 18A:20-5; 18A:20-6; 18A:20-7, 18A:20-36, 18A:33-1

NJAC 6:22-3.2, 6A:26-7.4, 6A:26-7.5

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Alterations, Additions, Repairs & Change of Use**

**Policy 7114.1**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

In considering proposals for alterations, additions or major repairs to the district's existing facilities, the Board may employ the services of a licensed architect as a consultant to help determine:

1. Necessity for the project;
2. Probable cost;
3. Alternatives.

The Chief School Administrator shall be consulted on all plans and specifications for any remodeling or additions to the schools and make recommendations concerning repairs and alterations to buildings, grounds and equipment. All changes of use will be applied for via the New Jersey Department of Education.

All requests for change of use will be applied for to the Department of Education, Bureau of Facility Planning Services via the County Superintendent of Schools who shall make a recommendation to the Bureau.

### Legal References:

NJSA 18A:7G et seq, 18A:11-1, 18A:18A-7, 18A:18A-15 through 18A:18A-20, 18A:20-5; 18A:20-6; 18A:20-7  
NJAC 6A:26, 6A:26-2.1 et seq, 6A:26-3.1, 6A:26-3.16, 6A:26-3.2, 6A:26-3.3, 6A:26-5.1 et seq, 6A:26-6.1 et seq

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Developing Educational Specifications**

**Policy 7115**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: March 16, 2009 |               |             |

The Chief School Administrator shall develop comprehensive educational specifications for new or renovated facilities to be considered by the Board and a licensed architect before plans are drawn. Educational specifications shall include but not be limited to:

A. Identification of facilities needed

1. Statement of need;
2. Enrollment projection by cohort or percent of population method when construction is to accommodate increasing enrollments. Projections must be at least a five-year projection.

B. Identification of solution

1. Statement of proposed new construction;
2. Statement of proposed additions;
3. Statement of proposed renovations.

C. Description of activities, physical and environmental features and spatial relationships

1. Physical aspects – general

- a. General recommendations
- b. Special features
  - Educational environment
  - Athletic environment
  - Structural environment
  - Electronic and mechanical environment
  - Thermal environment
  - Visual environment
  - Sonic environment
  - Safety and health environment

2. Physical aspects - specific

For each administrative, educational and auxiliary space there shall be a specification which includes but is not limited to the:

- a. Number of students housed
- b. Number of teachers, aides or other staff housed
- c. Approximate square feet
- d. Number of similar spaces
- e. Spatial relationship to other spaces
- f. Description of instructional activities
- g. Special features
  - Architectural
  - Electronic/electrical
  - Mechanical
  - Specialized equipment

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Developing Educational Specifications**

**Policy 7115**

Page 2 of 2

There shall also be a summary chart listing all spaces showing net square feet and a total showing gross square feet.

### Legal References:

NJSA 18A:11-1, 18A:18A-16, 18A:18A-16.1, 18A:18A-17; 18A:18A-18,  
18A:33-1; 18A:46-13; 18A:46-14; 18A:46-15, 18A:7G-1 through -44 et al.,  
18A:46-13, 18A:46-14, 18A:46-15,  
NJAC 5:23-7.1 et seq., 6A:26-1.1 et seq. 6A:26-5.1 et seq., -6.1 et seq.

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

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

Manual for the Evaluation of Local School Districts (September 2002)

### Possible Cross References:

2240, 7100



# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Indoor Air Quality**

**Policy 7116**

Date Adopted: April 29, 2019

Date Revised:

Page 1 of 6

The Board of Education will provide air quality for school employees in school buildings that meet the standards established by the New Jersey Department of Labor in accordance with the provisions of NJAC 12:100-13.

### Definitions

In accordance with the provisions of NJAC 12:100-13, the following definitions may apply to this policy:

- "Air contaminants" refers to substances contained in the vapors from paint, cleaning chemicals, pesticides, solvents, particulates, outdoor air pollutants and other airborne substances which together may cause material impairment to employees working within the enclosed workplace.
- "Building-related illness" describes specific medical conditions of known etiology which can be documented by physical signs and laboratory findings. Such illnesses include sensory irritation when caused by known agents, respiratory allergies, asthma, nosocomial infections, humidifier fever, Legionnaires' disease, and the signs and symptoms characteristic of exposure to chemical or biologic substances such as carbon monoxide, formaldehyde, pesticides, endotoxins, or mycotoxins.
- "Building systems" includes the heating, ventilation and air-conditioning (HVAC) system, the energy management system and all other systems in a facility which may impact indoor air quality.
- "Department" means the Department of Health and Senior Services.
- "Designated person" means a person who has been given the responsibility by the employer to take necessary measures to assure compliance with this subchapter.
- "Employee" and/or employer" means the term as defined in NJAC 12:100-2.1.
- "HVAC system" means the collective components of the heating, ventilation and air-conditioning system including, but not limited to, filters and frames, cooling coil condensate drip pans and drainage piping, outside air dampers and actuators, humidifiers, air distribution ductwork, automatic temperature controls, and cooling towers.
- "HVAC System Commissioning Report" means a document normally prepared by an architect or engineer that provides verification that the HVAC system is operating in conformity with the design intent.
- "Office building" means a building in which administrative, clerical or educational activities are conducted. Examples of facilities and/or operations, which are not office buildings, include repair shops, garages, print shops and warehouses.

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

### **Indoor Air Quality**

**Policy 7116**

Page 2 of 6

- "Renovation and remodeling" means building modification involving activities that include but are not limited to: removal or replacement of walls, roofing, ceilings, floors, carpet, and components such as moldings, cabinets, doors, and windows; painting; decorating; demolition; surface refinishing; and removal or cleaning of ventilation ducts.
- "Sick Building Syndrome" describes a situation in which a workplace is characterized by a substantial number of building occupants experiencing health and comfort problems that can be related to working indoors. Additionally, the reported symptoms do not fit the pattern of any particular illness, are difficult to trace to any specific source and relief from these symptoms occurs upon leaving the building. It is important to distinguish Sick Building Syndrome from problems of building-related illness. The latter term is reserved for situations in which signs and symptoms of diagnosable illness are identified and can be attributed directly to specific airborne contaminants.

The Board of Education, through the Chief School Administrator will designate the Maintenance Supervisor as the individual, who is responsible to assure compliance with New Jersey Department of Labor standards. The designated person under the auspicious of the Board of Education, shall ensure that preventative maintenance programs for heating, ventilating and air conditioning (HVAC) systems are implemented and documented and that general and local exhaust ventilation is used for employees working with equipment or products that could reasonably be expected to result in hazardous chemicals or particulate exposure. The designated person shall check to make sure HVAC systems are working properly when the building temperatures are outside of the range of 68 to 79 degrees Fahrenheit and make sure buildings without mechanical ventilation have operable windows, doors, vents, stacks and other portals designated or used for natural ventilation are operational. The designated person will also promptly investigate all employee complaints of signs or symptoms that may be associated with building-related illnesses.

The Board of Education and/or the Chief School Administrator shall assure that the designated person is familiar with the requirements of this policy. The designated person shall assure that at least the following actions are implemented and documented:

- A. Establishing and following a preventive maintenance schedule in accordance with the manufacturer's recommendations or with accepted practice for the HVAC system. Scheduled maintenance of the HVAC system shall include checking and/or changing air filters, checking and/or changing belts, lubrication of equipment parts, checking the functioning of motors and confirming that all equipment is in operating order. Damaged or inoperable components shall be replaced or repaired as appropriate. Additionally, any parts of this system with standing water shall be checked visually for microbial growth;

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

### **Indoor Air Quality**

**Policy 7116**

Page 3 of 6

- B. Implementing the use of general or local exhaust ventilation where housekeeping and maintenance activities involve use of equipment or products that could reasonably be expected to result in hazardous chemical or particulate exposures, above the applicable Permissible Exposure Limit (PEL), in accordance with the provisions of NJAC 12:100-4.2, to employees working in other areas of the building or facility;
- C. When the carbon dioxide level exceeds 1,000 parts per million (ppm), the employer shall check to make sure the HVAC system is operating as it should. If it is not, the employer shall take necessary steps as outlined above;
- D. When temperatures in the buildings of this district are outside of the range of 68 to 79 degrees Fahrenheit, the designated employee shall check to make sure the HVAC system is in proper operating order. If it is not, he/she shall take necessary steps as outlined above;
- E. If contamination of the make-up air supply is identified and documented, then the make-up inlets and/or exhaust air outlets shall be relocated or the source of the contamination eliminated. Sources of make-up air contamination may include contaminants from sources such as, but not limited to, cooling towers, vents, and vehicle exhaust;
- F. Assuring that building without mechanical ventilation are maintained so that windows, doors, vents, stacks and other portals designed or used for natural ventilation are in operable condition;
- G. Promptly investigating all employee complaints of signs or symptoms that may be associated with building-related illness or sick building syndrome;
- H. The district shall have a written plan describing how it will achieve compliance with this subchapter, which plan shall list the identity and responsibilities of the designated person and which shall include procedures which, at a minimum, address the following issues:
  - Employees' Occupational Safety and Health Act, (NJSA 34:6A-25 et seq.);
  - Notifying employees of work that may introduce air contaminants; vii. Controlling microbial contamination;
  - Controlling air contaminants;
  - Responding to temperature and/or carbon dioxide exceedances;
  - Maintaining air quality during renovations and remodeling;
  - Obtaining permits and performing work as required by the New Jersey Uniform Construction Code, NJAC 5:23; and,
  - Maintaining natural ventilation in buildings without mechanical ventilation.

The Board of Education and/or the Chief School Administrator shall review and update the written compliance plan referred at least annually, and whenever necessary to reflect new or modified tasks and procedures and to reflect new or revised employee positions.

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

### **Indoor Air Quality**

**Policy 7116**

Page 4 of 6

- Regarding other indoor air contaminants, when general ventilation is inadequate to control air contaminants emitted from point sources within work spaces to below the applicable PEL, and in accordance with the provisions of NJAC 12:100-4.2, the employer shall implement other control measures such as local source capture exhaust ventilation or substitution.
- The Board of Education, through the Chief School Administrator shall control microbial contamination in the building by promptly repairing water intrusion that can promote growth of biologic agents.
- The Board of Education through the Chief School Administrator shall remediate damp or wet materials by drying, replacing, removing or cleaning same within 48 (forty-eight) hours of discovery and shall continue such remediation until the water intrusion is eliminated.
- The Board of Education or the Chief School Administrator shall take measures to remove visible microbial contamination in areas such as ductwork, humidifiers, dehumidifiers, condensate drip pans, heat exchange components, other HVAC and building system components, or on building surfaces, such as carpeting and ceiling tiles, when found during regular or emergency maintenance activities or during visual inspection.

#### Air Quality During Renovation & Remodeling

- Renovation work and/or new construction that results in the diffusion of dust, stone and other small particles, toxic gases or other harmful substances in quantities hazardous to health shall be safeguarded by means of local ventilation or other protective devices to ensure the safety of employees. Renovation and/or new construction work in occupied buildings shall be isolated and air contaminants, dust and debris shall be confined to the renovation or construction area by use of measures such as, but not limited to, physical barriers, pressure differentials, and/or performing the work during periods of minimal occupancy.
- Before re-occupancy, work areas shall be cleaned and aired out as necessary.
- Hazard information shall be used to select products and to determine necessary measures to be taken to comply with this policy.
- Before selection and use of paints, adhesives, sealants, solvents, or installation of insulation, particle board, plywood, floor coverings, carpet, textiles, or other materials in the course of renovation or construction, the employer shall check product labels and Material Safety Data Sheets or seek and obtain information from the manufacturers of those products on whether or not they contain volatile organic compounds such as solvents, formaldehyde or isocyanates that could be emitted during regular use.

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

### **Indoor Air Quality**

**Policy 7116**

Page 5 of 6

- The Board of Education, through the Chief School Administrator shall notify employees at least 24 hours in advance, or promptly in emergency situations, of work to be performed on the building that may introduce air contaminants into their work area.

#### Recordkeeping

The maintenance schedule shall be updated to show all maintenance performed on the building systems. The schedule shall include the date that such maintenance was performed and the name of the person or company performing the work.

These records required to be maintained by this section shall be retained for at least 3 (three) years. The records required to be maintained shall be available on request to Department representatives for examination and copying.

The records required to be maintained shall be made available to employees and employee representatives for examination and copying upon written request as soon as possible after receipt by the employer of the written request, but no later than 10 (ten) working days from the date upon which the employer has received the request.

#### District Response to a Signed PEOSH Complaint

Within 15 (fifteen) working days of receipt by the employer of notification from the Department that a complaint has been filed against the employer under the Public Employees' Occupational Safety and Health Act, NJSA 34:6A-25 et seq., the Board of Education and/or Chief School Administrator shall respond in writing to the Department. The response may include any combination of the following:

- A statement that the complaint is unfounded;
- A description of any remedial action already taken;
- An outline of any remedial measures planned but not yet taken with a timetable for completion; and/or
- A statement that a study of the problem, with a timetable for completion of the study, has been initiated.

Where remedial measures are planned or a study initiated, they shall be completed as soon as feasible. The Board of Education and/or the Chief School Administrator shall submit, to the Department, a written report describing the remedial measures implemented and/or a copy of a study's report within 15 (fifteen) working days of completion.

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Indoor Air Quality**

**Policy 7116**

Page 6 of 6

Permits for remedial work shall be obtained as required and in accordance with the provisions of NJAC 5:23 (the New Jersey Uniform Construction Code). All work requiring a permit shall be performed in compliance and in accordance with the provisions of NJAC 5:23 23 (the New Jersey Uniform Construction Code).

### Indoor Air Quality (IAQ) Compliance Documents

In response to an employee complaint to the Department, the employer shall provide any of the following documents, if available, and requested by the Department:

- As-built construction documents;
- HVAC system commissioning reports;
- HVAC systems testing, adjusting and balancing reports;
- Operations and maintenance manuals;
- Water treatment logs; and
- Operator training materials.

### Legal References

- NJSA 18A:6-2 Instruction in accident and fire prevention  
18A:11-1 General mandatory powers and duties  
18A:17-42 et seq. Public School Safety Law  
18A:40-12.1, -12.2 Protective eye devices required for teachers, pupils and visitors in certain cases  
18A:41-1 et seq. Fire Drills and Fire Protection  
34:5A-1 et seq. Worker and Community Right to Know Act  
34:6A-25 et seq. Public Employee's Occupational Safety and Health Act
- NJAC 5:23 The uniform construction code  
6A:16-1.4 District policies and procedures  
6A:19-10.1 et seq. Safety and Health Standards  
6A:26-1.1 et seq. Educational Facilities  
12:100-13.0 et seq. Indoor Air Quality  
Manual for the Evaluation of Local School Districts  
New Jersey Quality Single Accountability Continuum (NJQSAC)

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

### **Lactation Room**

**Policy 7117**

Date Adopted: April 27, 2020

Date Revised:

Page 1 of 1

In accordance with the provisions of P.L.2019, C.26:4C-3, the Board of Education requires the Chief School Administrator to provide a “lactation room” when one is requested for any and all staff members, students and/or visitors or contractors who may be nursing a child while on the campus.

#### Definition

For the purposes of this policy, “Lactation room” means a sanitary room, other than a restroom, that can be used by a mother to breast feed her baby or express milk in private, and which includes an electrical outlet, a chair, and nearby access to running water. The presence of such a “lactation room in no way requires the district to establish a permanent facility, but one that may be used as conditions warrant.

The presence of any such lactation room shall not abrogate or otherwise limit the mother’s right to breast feed her baby in public, as provided by section 2 of P.L.1997, c.101 (C.26:4B-4).

Should the Department of Health create signage that contains information about breast feeding; affirms a mother’s right to nurse in public, as provided by section 2 of P.L.1997, c.101 (C.26:4B-4); and (3) indicates that lactation rooms are being made available for the privacy and comfort of nursing mothers, and such signage is distributed directly to the district, the Chief School Administrator shall post said signage in a conspicuous location.

#### Notice

The Chief School Administrator shall ensure that the public is made aware of this policy in his/her sole discretion and the location of said lactation room(s).

#### Legal References

- NJSA 18A:7F-7 Appropriation by school district of undesignated fund balance; amounts allowable
- 18A:7F-26 Distribution of state aid for facilities
- 18A:7G-1 through -44 et al. Educational Facilities Construction and Financing Act
- 18A:11-2 Power to sue and be sued; report; census of school children
- 18A:33-1 District to furnish suitable facilities; adoption of courses of study
- 18A:33-1.1 Substandard facility; approval; inspection; abandonment

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Public Participation**

**Policy 7120**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board of Education wishes to have input from all parties interested in planning and construction of new facilities and major alterations. Therefore, the Chief School Administrator shall develop procedures for encouraging parents, staff and community members to participate in all four stages of school construction:

1. Identifying school building needs;
2. Planning the school plant;
3. Constructing the buildings;
4. Accepting and using the plant.

### Legal References:

NJSA 18A:11-1

NJAC 6A:26

### Possible Cross References:

7115



# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Designing / Architectural / Engineering Services**

**Policy 7200**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board of Education's criteria for the selection of architects and engineers shall be such as to ensure a high degree of competency. Selection of architects for each project will be made from a Board of Education approved, limited listing developed by applying the criteria referred to below.

The Chief School Administrator shall, through appropriate delegation, be responsible for:

1. Developing criteria applicable to the selection of architects and similar professionals for the Board of Education approval;
2. Recommending a limited list of architects and similar professionals to be approved by the Board of Education;
3. Providing the information necessary to facilitate review and reappraisal of the limited list of architects and similar professionals;
4. Recommending specific firms from the approved list for each project.

### Legal References:

NJSA 18A:11-1, 18A:18A-5(a)(1), 45:4B-1 et seq.  
NJAC 6A:26

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Gifts, Grants & Donations**

**Policy 7230**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board of Education accepts its responsibility to provide from public funds sufficient supplies and equipment for an effective instructional program. The Board recognizes, however, that from time to time individuals or organizations in the community may wish to contribute additional supplies or equipment to enhance or extend the instructional program.

The Board may accept by resolution duly passed at a public meeting any gift or grant of land, with or without improvement, and of money or other personal property, except that the Chief School Administrator may accept on behalf of the Board any such gift less than \$1,000.00 in value. Grants of land are subject to the appropriate legal limitations and approvals.

The Board reserves the right to refuse to accept any gift that does not contribute toward the achievement of the goals of this district or any gift the ownership of which would tend to deplete the resources of the district. The Board shall not provide public moneys for the purchase of any school property on a matching fund basis.

Any gift accepted by the Board shall become the property of the Board, may not be returned without the approval of the Board, and shall be subject to the same controls and regulations as are other properties of the Board. The Board shall be responsible for the maintenance of any gift it accepts, subject to any joint agreement with another governmental body.

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

The Chief School Administrator shall:

1. Counsel potential donors on the appropriateness of contemplated gifts and encourage such donors to choose as gifts supplies or equipment not likely to be purchased with public funds;
2. Encourage individuals and organizations considering a contribution to the schools to consult with him/her or before appropriating funds to that end;
3. Report to the Board all gifts that have been accepted on behalf of the Board;
4. Acknowledge the receipt of any gift accepted by the Board; and
5. Prepare fitting means for recognizing or memorializing gifts to the school district.

### Legal References:

NJSA 18A:20-4; 18A:20-11 et seq.

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Disposition of Property**

**Policy 7300**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board of Education directs the periodic review of all district property and authorizes the disposition by sale, donation, or discard of any property no longer required for the maintenance of the educational program or the efficient management of the school district. The disposition of any school property will occur in accordance with this policy and applicable laws.

The Board, by a recorded roll call majority vote, may dispose, by sale or otherwise, in the manner described by law, of any lands or any rights or interest therein, owned by it, which cease to be suitable or convenient for the use for which they were acquired or which are no longer needed for school purposes. If an approved site is to be altered or disposed of through sale, transfer or exchange of all or part of the total acreage, including facilities, if applicable, a written request for approval of the disposal will be made to the NJ Department of Education in accordance with the requirements of NJSA 6A:26-7.4 et seq.

The Department of Education will notify the district of its approval or disapproval. Property, the value of which exceeds the threshold established in accordance with law in any one sale, and is neither livestock nor perishable nor is to be sold to the United States, the State of New Jersey or to any body politic in the State of New Jersey shall be sold at public sale to the highest bidder when and how required by law. Any district property designated for donation or unsold after public offer shall be offered without cost to school-related community organizations or charitable and nonprofit organizations located in this district.

Notwithstanding anything to the contrary in this policy, property acquired with federal funds for use in a federally funded program will be disposed of in accordance with applicable law and guidelines.

The Chief School Administrator or his/her designee shall develop regulations for the disposition of district property that provide for the review of the continued usefulness of all property in conjunction with the periodic inventory of property; the recommendation for Board designation of property for sale, donation, or discard; and the disposition of property in a fair and open manner consistent with the public interest.

### Legal References:

NJSA 18A:18A-5, 18A:18A-45; 18A:20-6 et seq.

NJAC 6A:26-7.4

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Bids**

**Policy 7400**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 16, 2009 |               |             |

The Business Administrator/Board Secretary shall be responsible for performing or supervising all the steps of the bid solicitation process in accordance with the law. The steps include:

1. Advertisement and solicitation;
2. Provision of plans and specifications;
3. Notification of time for preparation of bids;
4. Receiving deposits from bidders when required;
5. Determining qualifications of bidders;
6. Receiving and opening bids;
7. Notifying bidders of awarding of contract.

The Board reserves the right to refuse all bids.

### Legal References:

NJSA 18A:11-1, 18A:18A-1 et seq (specifically 18A:18A-21 et seq)  
NJAC 6A:26, 6A:27-9.1 et seq

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Maintenance & Repair**

**Policy 7410**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Board of Education recognizes that the fixed assets of this district represent a significant investment of this community; their maintenance is, therefore, of prime concern to the Board.

The Board will develop, approve, and implement a comprehensive five-year maintenance plan.

The Chief School Administrator shall develop and implement a maintenance program that includes the annual inspection of buildings to ensure adherence to health and safety laws, a regular summer program of facilities repair and conditioning, the maintenance of a critical spare parts inventory, an equipment replacement program, and a long-range program of building modernization. Any substandard classrooms will be upgraded in accordance with law and rules of the State Board of Education, or eliminated.

The maintenance program shall provide for the continuing upkeep of the physical plant and for the expeditious repair of those conditions that threaten the safety of the occupants or the integrity of the plant. Wherever possible and feasible, maintenance will be preventive. The Chief School Administrator will establish priorities among the requests for repairs received from personnel.

The Board shall review all plans for special summer maintenance programs and approve and make available funds for their execution.

### Legal References:

NJSA 18A:18A-43; 18A:21-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Contracts**

**Policy 7420**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The Solicitor shall be responsible for reviewing all construction contracts to be entered into by the Board. In general, all contracts or agreements, which require public advertisement for bids, shall be awarded to the lowest responsible bidder. However, the Board of Education reserves the right to reject all bids.

Only the Board can approve such contracts.

### Legal References:

NJSA 18A:11-1, 18A:18A-21 et seq, 18A:18A-36, 37  
NJAC 6A:26, 6A:27-9 et seq

### Possible Cross References:

3323, 7400

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Change Orders**

**Policy 7430**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 16, 2009 |               |             |

After the contract has been signed, only the Board of Education can issue a change order. This holds true whether or not the change would add to the cost of the project.

Contract change orders may be approved by the Board of Education in an amount up to and including 20 percent of the award amount, which includes the amount encumbered pursuant to NJAC 6A:26-4.8©, but for no more than the approved referendum amount for a capital project funded in whole or in part by bond proceeds, when necessitated by one of the following:

- A. Emergencies consistent with NJSA 18A:18A-7;
- B. Unforeseeable physical conditions; or
- C. Minor modifications to the scope of the project that achieve cost savings, improve service or resolve construction conditions.

All other change orders shall be approved by the NJ Department of Community Affairs, Division of Codes and Standards in accordance with NJAC 6A:26-4.9.

In cases of emergency or when deemed necessary for the timely and orderly completion of a project, in which delays caused by obtaining Board approval, Board Members may be polled for their approval. At a minimum, the Board President, Vice President and members of the Buildings and Grounds Committee will be polled for their approval of emergency change orders. In all cases, the full Board will approve change orders at the next regular Board meeting, including those approved by polling the Board.

The Board directs the Chief School Administrator to report any significant changes in the scope of the project to the public. The Chief School Administrator may elect to make such reports at a regularly scheduled meeting of the Board of Education or by other appropriate means.

### Legal References:

NJSA 18A:11-1, 18A:18A-7

NJAC 6A:23-7.1, 6A:26-4.9, 6A:4.10

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Protection & Guarantees**

**Policy 7440**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 16, 2009 |               |             |

Included in the contract shall be provisions to protect the district from monetary loss or from loss due to the project not being completed according to the terms of the contract. Such provisions should include:

- A. Surety bonds;
- B. Guarantee of safe working conditions during construction;
- C. Contractor's insurance during construction;
- D. Guarantees for adjustments and corrections after completion;
- E. Guaranteed completion date.

### Legal References:

NJSA 18A:18A-40 et seq  
NJAC 6A:23-7.2, 6A:27-9.5, 6A:27-9.6



# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Insurance During Construction**

**Policy 7443**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 16, 2009 |               |             |

Contractors who submit a quote or bid to the Board of Education must also submit a copy of their Certificate of Insurance with the bid or quote.

The successful bidder's Certificate of Insurance will be filed in the Board Secretary/Business Administrator's Office for a period of one year following the completion of the work.

The minimum accepted Certificate of Insurance will be \$100,000 - \$300,000 Bodily Injury and \$50,000 Property Damage.

### Legal Reference:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Security of School Property & Facilities**

**Policy 7445**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 16, 2009 |               |             |

The Board of Education believes that the buildings and facilities of this district represent a substantial community investment. The Board directs the development and implementation of a plan for district security to protect that investment.

The district security program will include the maintenance of facilities secure against unwelcome intrusion; protection against fire hazards and faulty equipment; and the observation of safe practices in the use of electrical, plumbing, and heating equipment. The Board directs close cooperation of district officials with local law enforcement officers, fire fighters, the sheriff's office, and insurance company inspectors.

Personal access to school buildings and grounds outside the hours school is in session shall be limited to personnel whose employment requires their presence in the facility. An adequate key control system will be established to limit building access to authorized personnel and guard against the potential of intrusion by unauthorized persons who have obtained keys improperly.

Building records and funds shall be kept in a safe place and under lock and key as appropriate and necessary.

Protective devices, including those designated for electronic devices, designed to be used as safeguards against illegal entry and vandalism may be installed when appropriate. The Board may approve the employment of security guards in situations in which special risks are involved.

### Legal Reference:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Construction Supervision / Clerk of the Works**

**Policy 7450**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: March 30, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: March 16, 2009 |               |             |

The Board of Education may, at its discretion name a Project Manager, Construction Management Firm or Clerk of the Works to oversee construction or renovation projects within the district.

When the need for a Clerk of the Works is indicated and advisable, the Board will seek and hire a qualified individual who will:

- A. Oversee all aspects of construction or renovation;
- B. Ensure that the goals and interests of the Board are satisfied;
- C. Enforce the policies and regulations pertaining to construction and renovation projects are complied with;
- D. Verify that all aspects of the construction contract and bid specifications are fully met by the contractor(s) involved, including, but not limited to time lines, materials specified, and quality of construction;
- E. Report to the Chief School Administrator and/or the Business Administrator/Board Secretary regarding any suggested change orders;
- F. Be responsible for timely and accurate reports to the Board of Education regarding the completion of the project; and
- G. Ensure that all laws pertaining to construction and renovation projects are followed by the contractor(s) involved.

The Board of Education directs the Chief School Administrator and/or the Business Administrator/Board Secretary to establish guidelines for the responsibilities and the review of the performance of the Clerk of the Works.

No employee of the Board or Board Member shall be considered to fill the role of Clerk of the Works. No Board Member shall be empowered to take unilateral control of any such project.

While the Clerk of the Works may oversee the construction or renovation project, under normal circumstances, he/she shall not be empowered to approve change orders without approval of the Board of Education. However, in cases of emergency or when deemed necessary for the timely and orderly completion of a project, in which delays caused by obtaining Board approval, Board Members may be polled for their approval. At a minimum, the Board President, Vice President and members of the Buildings and Grounds Committee will be polled for their approval of emergency change orders. In all cases, the full Board will approve change orders at the next regular Board meeting, including those approved by polling the Board.

The Board of Education shall not delegate any of its legal authority to the Clerk of the Works or any other individual without the provision of appropriate reporting to the Board when the delegated authority is exercised.

# **Elsinboro Township Board of Education District Policy Manual**

**Property & Facilities**

**Series 7000**

**Construction Supervision / Clerk of the Works**

**Policy 7450**

Page 2 of 2

## **Legal References:**

NJSA 18A:11-1, 18:12-21 et seq, 18A:12-24, et seq 18A:18A-18

NJAC 6A:4.7, 6A:-4.9, 6A:4.10, 6A:26.12

## **Possible Cross References:**

7120, 7200, 7400, 7420, 7430, 7443

# **Elsinboro Township Board of Education District Policy Manual**

## **Property & Facilities**

**Series 7000**

## **Naming of School Facilities**

**Policy 7550**

Date Adopted: March 30, 2009

Date Revised:

Page 1 of 1

First Reading: March 16, 2009

The right to name schools, rooms, facilities, offices, athletic fields, special purpose areas and/or other district property rests with the Board of Education. Buildings, rooms, facilities and/or other district property may or may not be named at the Board's sole discretion.

Names proposed shall be free from biases, prejudices and political and religious connotations. In selecting a name, the Board shall not discriminate because of gender, race, sexual orientation, creed or national origin.

If named for a person, that person should have been a former school district educator or administrator, local resident, Board Member, county resident, or an employee of the school district who has had significant beneficial effect on the school system and its students. However, names of inspiring national or international persons are also allowable.

Names may be submitted by individuals, organizations, committees or the Board itself. For the purposes of this policy, these individuals or groups shall be referred to as the "sponsor." In order to be considered, the sponsor must identify the importance and relevancy of the name submitted for consideration.

Sponsors shall present their proposal to the Chief School Administrator, who in turn will present it to the Board of Education for consideration. The Board will consider all names submitted. By majority vote of the full Board of Education at a regularly scheduled meeting, the Board may accept or reject the proposed name.

Once the Board has approved a name submitted for a school, room, facility, office, athletic field, special purpose areas and/or other district property, the Board will determine the advisability of conducting an appropriate public ceremony and/or if a plaque, monument, painting, sign, or engraving of the name selected should be placed on the facility.

The expenses incurred for any plaque, monument, painting, sign, or engraving of the name selected and/or its installation may be borne by the Board of Education or the sponsor, at the sole discretion of the Board.

### Legal Reference:

NJSA 18A:11-1

**Elsinboro Township  
Board of Education  
District Policy Manual**



**Bylaws of the  
Board of Education  
Series 9000**



**Elsinboro Township  
Board of Education  
District Policy Manual**

**TABLE OF CONTENTS**

**Bylaws of the Board of Education – Series 9000**

|  |               |
|--|---------------|
| <b>Role of the Board of Education</b>                  | <b>9000</b>   |
| <b>Board of Education Legal Status</b>                 | <b>9000.1</b> |
| <b>Role of the Board of Education Member</b>           | <b>9010</b>   |
| <b>Limits of Authority</b>                             | <b>9011</b>   |
| <b>Public Statements by Board of Education Members</b> | <b>9020</b>   |
| <b>Organization of the Board of Education</b>          | <b>9100</b>   |
| <b>Membership &amp; Terms of Office</b>                | <b>9110</b>   |
| <b>Qualifications of Board of Education Members</b>    | <b>9111</b>   |
| <b>Elections</b>                                       | <b>9112</b>   |
| <b>Filling Vacancies</b>                               | <b>9113</b>   |
| <b>Resignation From Office</b>                         | <b>9114</b>   |
| <b>Removal From Office</b>                             | <b>9114.5</b> |
| <b>Oath of Office</b>                                  | <b>9115</b>   |
| <b>Election &amp; Appointment of Officers</b>          | <b>9120</b>   |
| <b>President</b>                                       | <b>9121</b>   |
| <b>Vice-President</b>                                  | <b>9122</b>   |
| <b>Board Secretary</b>                                 | <b>9123</b>   |
| <b>Treasurer of School Moneys</b>                      | <b>9125</b>   |
| <b>Attorney – Legal Services</b>                       | <b>9126</b>   |
| <b>Auditor</b>   | <b>9127</b>   |
| <b>Committees</b>                                      | <b>9130</b>   |
| <b>Board Representatives (Pupils, E.S.A.)</b>          | <b>9140</b>   |
| <b>Consultants to the Board of Education</b>           | <b>9150</b>   |
| <b>Negotiations / Consultation</b>                     | <b>9150.1</b> |
| <b>Public Relations Initiatives &amp; Services</b>     | <b>9160</b>   |
| <b>Orientation &amp; Training of Board Members</b>     | <b>9200</b>   |
| <b>Expenses</b>  | <b>9250</b>   |
| <b>Reservation Commitments</b>                         | <b>9250.1</b> |
| <b>Protection</b>                                      | <b>9260</b>   |

|   |                  |
|---|------------------|
| <b>Conflict of Interest</b>   | <b>9270</b>      |
| <b>Code of Ethics for Board of Education Members</b>                          | <b>9271</b>      |
| <b>Prohibition of "Pay-To-Play"</b>   | <b>9272</b>      |
| <b>Governance</b>   | <b>9300</b>      |
| <b>Development, Distribution &amp; Maintenance of Policy Manual</b>           | <b>9310</b>      |
| <b>Formulation, Adoption, Amendment of Policies</b>                           | <b>9311</b>      |
| <b>Formulation, Adoption, Amendment of Bylaws</b>                             | <b>9312</b>      |
| <b>Prohibited Election Practices</b>  | <b>9312.5</b>    |
| <b>Formulation, Adoption, Amendment of Administrative Regulations (Rules)</b> | <b>9313</b>      |
| <b>Adoption &amp; Amendment of Administrative Regulations</b>                 | <b>9313.1</b>    |
| <b>Suspension of Policies, Bylaws, &amp; Regulations</b>                      | <b>9314</b>      |
| <b>Meetings</b>   | <b>9320</b>      |
| <b>Meeting Attendance by Teleconference or Other Electronic Means</b>         | <b>9320.5</b>    |
| <b>Time, Place, Notification of Meetings</b>                                  | <b>9321</b>      |
| <b>Public &amp; Executive Sessions</b>  | <b>9322</b>      |
| <b>Electronic Communications Among Board Members</b>                          | <b>9322.1</b>    |
| <b>Reorganization Meeting</b>   | <b>9322.3</b>    |
| <b>Agenda Preparation / Advance Delivery of Meeting Materials</b>             | <b>9323/9324</b> |
| <b>Advance Notification &amp; Agenda Requests / Fees</b>                      | <b>9324.1</b>    |
| <b>Meeting Conduct</b>  | <b>9325</b>      |
| <b>Quorum</b>   | <b>9325.1</b>    |
| <b>Regular Meeting / Order of Business</b>                                    | <b>9325.2</b>    |
| <b>Parliamentary Procedure</b>  | <b>9325.3</b>    |
| <b>Voting Methods</b>   | <b>9325.4</b>    |
| <b>Persons Addressing the Board of Education</b>                              | <b>9325.5</b>    |
| <b>Adjournment</b>  | <b>9325.6</b>    |
| <b>Minutes</b>  | <b>9326</b>      |
| <b>Public Access to Minutes</b>   | <b>9326.1</b>    |
| <b>Taping of Meetings</b>   | <b>9326.2</b>    |
| <b>Staff Members Addressing the Board of Education</b>                        | <b>9326.4</b>    |
| <b>Public Statements at Board of Education Meetings</b>                       | <b>9326.5</b>    |
| <b>Challenge</b>  | <b>9327</b>      |
| <b>Public Access to Board of Education Records</b>                            | <b>9330</b>      |
| <b>Membership in Organizations</b>  | <b>9340</b>      |
| <b>Legislative Program</b>  | <b>9360</b>      |
| <b>Monitoring Products &amp; Processes of School District</b>                 | <b>9370</b>      |
| <b>Board of Education Self-Evaluation</b>                                     | <b>9400</b>      |
| <b>Evaluation &amp; Public Announcement of District Accomplishments</b>       | <b>9410</b>      |
| <b>Recognition of Retired Employees &amp; Board of Education Members</b>      | <b>9420</b>      |
| <b>Evaluation of District Accomplishments</b>                                 | <b>9430</b>      |



# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Elsinboro Township Board of Education**

**Series 9000**

## **Role of the Board of Education**

**Policy 9000**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: March 30, 2009 |               |             |

The Constitution requires the Legislature to “provide for the maintenance and support of a thorough and efficient system of free public schools”. The Legislature, therefore, has sought to maintain in the management of schools an appropriate balance between local authority and initiative on the one hand, and State control and supervision on the other hand.

The State Department of Education, consisting of the State Board of Education and the Commissioner of Education, with his/her staff, has been created by the Legislature to exercise general control and supervision of public education. The school district has similarly been created as a unit for the exercise of local authority and initiative as defined in Title 18A of New Jersey statutes. Other sections of the statutes state or imply that a local Board of Education or school district have full power to operate the public school program in its charge as it deems fit in compliance with state and federal mandates and pertinent laws of the governing entity.

The Board of Education shall be a body corporate and shall be known as the Board of Education.

The Board of Education shall organize and operate in the manner provided by law and shall have all the powers as are now or may hereafter be provided by law.

In the interpretation of the powers and duties of the Board, it is understood that the Board shall act as a governing body in the determination of general policies for the control, operation, maintenance and expansion of the school district. The details of the administration of these policies shall be the responsibility of the Chief School Administrator and his/her administrative staff. The Board functions only when it is in session.

The Board of Education sees these as its required functions:

A. Legislative or policy-making

The Board is responsible for the development of policy and for the employment of a Chief School Administrator who shall carry out its policies through the development and implementation of regulations/procedures.

B. Appraisal

The Board is responsible for evaluating the effectiveness of its policies and their implementation.

C. Educational Planning

The Board is responsible for requiring and acquiring reliable information from responsible sources that will enable it and the staff to work toward the continuing improvement of the educational program.

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Role of the Board of Education**

**Series 9000  
Policy 9000**

Page 2 of 2

### **D. Provision of financial resources**

The Board has major responsibilities for the adoption of a budget that will provide the wherewithal in terms of buildings, staff, materials, and equipment to enable the school system to carry out its functions.

### **E. Interpretation**

The Board is responsible for providing adequate and direct means for keeping the local community informed about the school and for keeping itself and the school staff informed about the concerns and opinions of the public.

The Board believes that, by diligently exercising these functions, it will be able to provide, within the financial limitations set by the community, the best educational opportunities available for our children.

The Board shall exercise its powers through the legislation of bylaws and policies for the organization and operation of the school district.

The Board shall be responsible for the operation of the school but shall delegate the administration to the Chief School Administrator, who shall be appointed by a recorded roll call majority vote of the full Board.

The Board may hear appeals and complaints in grievance and disciplinary actions as defined in their policies and by the law.

### **Legal References:**

NJSA 18A:10-1, 18A:11-1, 18A:12-21 et seq, 18A:17-15, 18A:33-1, 18A:34-1, 18A:36-2, 18A:54-11 through -37, 18A:12-21 et seq.  
NJAC 6:2, 6:8, 6:3-13, 6:8-1.1 et seq., 6A:4-1.1 et seq., 6A:8-1.1 et seq., 6A:28-1.1 et seq., 6A:30-1.1 et seq.

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Board of Education Legal Status**

**Policy 9000.1**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Dated Adopted: April 27, 2009 | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The schools of each school district shall be conducted by and under the supervision of a Board of Education, which shall be a body corporate and shall be consulted and governed by this title for a Type II school district.

The Board of Education of Elsinboro Township is therefore an agent of the state deriving its powers from the New Jersey State Legislature.

Although the Board is responsible to the New Jersey State Board of Education, by custom and tradition, it also has responsibilities to the local citizens it serves and represents and who provide the district with most of its financial support. It therefore becomes the duty of the Board to carry out the will of the community in matters of public education within the framework of the laws and regulations established by the State of New Jersey.

All powers of the Board lie in its action as a body. Board Members acting as individuals have no authority over personnel or school affairs.

### Legal References:

NJSA 18A:10-1, 18A:11-1

### Possible Cross References:

2121, 9310, 9311, 9311.2, 9312, 9313, 9314

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Role of the Board of Education Member**

**Policy 9010**

Date Adopted: April 27, 2009

Date Revised:

Page 1 of 1

First Reading: March 30, 2009

It is understood that the members of the Board have authority only when acting as a Board legally in session. The Board shall not be bound in any way by any action or statement on the part of any individual Board Member except when such statement or action is in pursuance of specific instructions from the Board.

No Board Member, by virtue of his/her office, shall exercise any administrative responsibility with respect to the daily operation of the school or school district or command the services of any school employee.

Board Members visiting the schools for any reason shall observe district regulations for all visitors.

### Legal Reference:

NJSA 18A:11-1, 18A:12-21 et seq

### Possible Cross Reference:

9011

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Limits of Authority**

**Policy 9011**

Date Adopted: April 27, 2009

Date Revised:

Page 1 of 1

First Reading: March 30, 2009

All powers of the Board of Education lie in its actions as a duly constituted quorum acting at a legal meeting of the Board. Individual Board Members lack authority over district affairs.

The Board shall make its members, the district staff, and the public aware that only the Board, acting as a duly constituted quorum at a legal meeting, has authority to take official actions. All other actions, whether individual or collective, have no legal basis.

The Board shall be responsible for the operation of the schools but shall delegate the administrative function to the Chief School Administrator, who shall be appointed by a recorded roll call majority vote of the full Board. All policies of the Board will be enforced by the Chief School Administrator who will be accountable to the Board of Education.

No Board Member, by virtue of his/her office, shall exercise any administrative responsibility with respect to the daily operation of the school or school district or command the services of any school employee.

Board Members visiting the schools for any reason shall observe district regulations for all visitors.

The Board may hear appeals in complaints, grievance and disciplinary actions as defined in these policies and in the statutes.

### Legal References:

NJSA 18A:11-1, 18A:12-21 et seq

### Possible Cross Reference:

9010

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Public Statements Made by Board of Education Members**

**Policy 9020**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The Board of Education recognizes that arbitrary or independent actions of Board Members can produce serious consequences for the effectiveness of school operations. An essential quality of a good Board Member is a deep sense of loyalty to associates and to group decisions cooperatively reached.

All public statements in the name of the Board of Education shall be issued by the Board President, or if appropriate, by the Chief School Administrator at the direction of the Board President. No individual Board Member shall make public statements in the name of the Board.

No Board Member shall make public statements that contradict the policies and actions of the Board, or that may jeopardize the ability of the Board to act effectively.

Board Members should emphasize to the media, public officials or individual citizens that Board Members may only speak as private citizens unless empowered by the Board to speak for it.

### Legal References:

NJSA 18A:11-1, 18A:42-4, 18A:12-21 et seq

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Organization of the Board of Education**

**Policy 9100**

Date Adopted: April 27, 2009

Date Revised: December 10, 2012

Page 1 of 1

First Reading: March 30, 2009

The organization meeting of the Board of Education shall be held during the first week of January following the November election, and no later than 8:00 p.m. but if no quorum is present at the time the meeting is called, the meeting may be recessed until 9:00 p.m. If a quorum is not present by 9:00 p.m., the members present may adjourn the meeting to reconvene no later than 8:00 p.m. of another day, but not later than 3 days after the originally scheduled meeting.

### Legal References

NJSA 18A:7A-10 First regular meeting of the Board  
18A:10-3(c) Organization deadline  
10A:10-5 Organization meeting as business meeting

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Membership & Terms of Office**

**Policy 9110**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The Board of Education shall be comprised of seven (7) members who are qualified voters and residents of the school district, and who are elected by the voters of the district, at the annual School Board election.

The term of a Board Member shall be three years, except that a member appointed to fill a vacancy shall serve until the organization meeting following the next annual election, unless he/she has been appointed to fill a vacancy occurring within 60 days immediately preceding such election to fill a term extending beyond such election, in which case he/she shall serve until the organization meeting following the second annual election next succeeding the occurrence of the vacancy. All members shall serve after the expiration of their respective terms until the appointment and qualification of their successors.

The term of a newly elected Board Member shall begin at the annual Reorganization meeting following the school election.

### Legal References:

NJSA 18A:11-1, 18A:12-11, 18A:12-15



# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Qualifications of Board of Education Members**

**Policy 9111**

Date Adopted: April 27, 2009

Date Revised: January 6, 2014

Page 1 of 2

In order to qualify as a member of the Elsinboro Township Board of Education, he/she must satisfy the following qualifications as stipulated by New Jersey state law. The candidate must:

1. Be at least 18 years of age;
2. Have the ability to read and write;
3. Be a citizen of the United States;
4. Have resided in the district for at least one (1) year immediately preceding appointment or election to the Board;
5. Have no interest, directly or indirectly, in any contract with or claim against the Board of Education;
6. Shall not have any legal claim against the Board of Education;
7. May not have been convicted of a felony;
8. Be registered and eligible to vote in Elsinboro Township and must not be disqualified from voting pursuant to the provisions of NJSA 19:4-1;
9. Not hold offices as Mayor or as a member of the Township Committee or as a member of the Salem County Board of Chosen Freeholders.

In addition, the Board considers it highly desirable that all members appointed to the Board have a genuine interest in, and devotion to, public education, a willingness to give time and effort to the work, a capacity for understanding people, and the willingness to work cooperatively with others.

### **Criminal Background Check**

Within 30 days of his/her election or appointment to the Board of Education, each Board Member shall undergo a criminal background check investigation for the purpose of ensuring that the member is not disqualified for membership due to a conviction of a crime or offense pursuant to NJSA 18A-12-1. Individuals who do not complete the process or whose background checks reveal conviction(s) for any of the offenses listed in the statute are ineligible to serve.

Any newly elected/appointed Board Member who can truthfully swear or affirm that he/she possesses the qualifications of membership prescribed by law, including a specific declaration that he/she is not disqualified as a voter pursuant to R.S.19:4-1 and a specific declaration that he/she is not disqualified due to a conviction of a crime or offense listed in NJSA 18A:12-1, may take the oath of office notwithstanding that results of the criminal history background investigation required by NJSA 18A:12-1.2 are not yet available.

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Qualifications of Board of Education Members**

**Policy 9111**

Page 2 of 2

Board Members who have not submitted fingerprints to the Commissioner should be reminded of their statutory obligation to do so.

The Board of Education may, at its sole discretion, reimburse the member for the cost of the criminal history check, including all costs for administering and processing it.

### Legal References

|               |                                     |
|---------------|-------------------------------------|
| NJSA 18A:11-1 | General mandatory powers and duties |
| 18A:12-1      | Qualifying Oaths of Board Members   |
| 18A:21 et seq | School Ethics Act                   |
| 19:4-1        | Qualifications                      |

### Possible Cross References

9270

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Elections**

## **Series 9000 Policy 9112**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

Elections of Board Members shall be in accordance with law. Three members of the Board shall be duly chosen each for a full term. Other members, as may be necessary to replace members who will vacate un-expired terms, shall be duly chosen at an annual election on the date prescribed by law.

### Legal References:

NJSA 18A:11-1, 18A:12-11, 18A:12-15

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Prohibited Election Practices**

**Policy 9112.5**

Date Adopted: April 27, 2009

Date Revised:

Page 1 of 1

First Reading: March 30, 2009

All elections involving the Board of Education shall be conducted in a manner that is in full and complete compliance with all applicable laws of the State of New Jersey, the United States and all other applicable rules and regulations of any and all administrative agencies with jurisdiction over such matters. Furthermore, with respect to all such election matters, all decisions of the courts or administrative agencies with jurisdiction over such matters shall be complied with by the Board, its members and all employees of the Elsinboro Township School District.

Specifically, without limiting the general application of the preceding provision in any manner, no activities shall be engaged in by the Board, Board Members or employees of the Elsinboro Township School District that are in violation of the requirements concerning the following matters:

1. Preparation of written materials concerning elections, candidates or public questions;
2. Identification of producer, financier and printer where required for all written election or campaign materials;
3. Distribution of written election or campaign materials;
4. Prohibitions on the use of students for the distribution of written election or campaign materials that advocate a specific position, result or candidate in any election;
5. Restrictions on the use of public resources for the advocacy of a specific position, result or candidate in any election;
6. Requirements concerning compliance with campaign financing and campaigning contributions and expenditures reporting;
7. Conduct of the voting process and vote tabulation.

### Legal References:

NJSA 18A:14-1 et seq, 18A:42-4, 19:1-1 et seq

Citizens to Protect Public Funds v. Parsippany-Troy Hills Board of Education  
13 NJ 172 (19593)

Robert Morris Ed. Association et al US Dist Court D NJ Docket No. 83-2365  
Decided Nov. 23, 1983

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Filling Vacancies**

**Policy 9113**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The Board shall fill vacancies created by the resignation, removal by the Board for cause or death of a serving member, or when a member ceases to be a qualified resident of the district. The vacancy shall be filled within 65 days prescribed by law.

Procedures by which to select the persons to fill such vacancies may include advertisement of the vacancy in suitable local media, and interviews with interested parties conducted in public by the Board acting as a committee of the whole.

The person appointed shall serve until the next organizational meeting of the Board of Education, following the next annual School Board Election unless he/she is appointed to fill a vacancy occurring within 60 days immediately preceding such election to fill a term extending beyond such election, in which case he/she shall serve until the organizational meeting following the second School Board Election as outlined in NJSA 18A:12-15.

The County Superintendent of Schools is empowered to fill any vacancies that the Board fails to fill within 65 days, and those caused by the voters' failure to elect a member, or by the removal of a member because of lack of qualification, some flaw in the election, or when a recount or contested election fails to elect a member. The County Superintendent of Schools may also appoint enough members to make up a quorum.

Vacancies filled by special election or the Commissioner of Education are covered under NJSA 18A:12-15.

In case the office of President or Vice President shall become vacant, the Board shall, within 30 days thereafter, fill the vacancy for the un-expired term. If the Board fails to fill such vacancy within said time, the County Superintendent of Schools shall fill the vacancy for the un-expired term.

### Legal References:

NJSA 18A:6-56, 18A:12-1, 18A:12-3, 18A:12-15, 18:15-1, 18A:15-2

### Possible Cross References:

9111, 9114

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Resignation from Office**

## **Series 9000 Policy 9114**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The resignation of a member of the Board shall become effective upon official Board motion and the affirmative vote of a plurality of the Board at a legally convened meeting. The resignation of an officer of the Board from his/her office shall become effective by official Board motion and the affirmative vote of a majority of the total Board Membership at a legally convened meeting.

If the Board fails to fill the office of President or Vice President within 30 days thereafter, the County Superintendent of Schools shall fill the vacancy for the un-expired term.

### Legal References:

NJSA 18A:11-1, 18A:15-1, 18A:15-2

### Possible Cross Reference:

9113

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Removal from Office**

**Policy 9114.5**

Date Adopted: April 27, 2009

Date Revised:

Page 1 of 1

First Reading: March 30, 2009

A President or Vice President who shall refuse to perform a duty imposed upon him/her by this title may be removed by the majority vote of all the members of the Board. This action requires a recorded roll-call majority vote of the full membership of the Board of Education.

The Board may remove a fellow member who shall fail to attend three consecutive regular meetings, without good cause by the affirmative vote of a majority of the full Board provided that such action shall have been proposed at the preceding meeting of the Board and provided that notice of such action has been given to the absent member in advance of the meeting for which such action has been proposed. This action requires a recorded roll-call majority vote of the full membership of the Board of Education.

### Legal References:

NJSA 18A:11-1, 18A:12-3, 18A:15-2

### Possible Cross Reference:

9114

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Oath of Office**

**Policy 9115**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

Before entering the duties of his/her office the Board Member shall take and subscribe the oaths prescribed by the statute and file the same with the Board Secretary.

### Legal References:

NJSA 18A:11-1, 18A:12-2.1



# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Election & Appointment of Officers**

**Policy 9120**

Date Adopted: April 27, 2009

Date Revised:

Page 1 of 1

First Reading: March 30, 2009

Election of officers shall be by plurality vote of the Board. Officers shall serve for one year and until their respective successors are elected and shall qualify. Appointees may be appointed at the organization meeting, but if the Board shall fail to hold said election as prescribed by law, the County Superintendent of Schools shall appoint from among the members of the Board a President and Vice President.

Officers shall serve for one year and/or until their respective successors are elected and may be removed by a majority vote of the full membership of the Board, should either officer refuse to perform the duties of his/her office. This action requires a recorded roll-call majority vote of the full membership of the Board of Education.

In case the office of President or Vice President shall become vacant, the Board shall, within 30 days thereafter, fill the vacancy for the un-expired term. If the Board fails to fill such vacancy within said time, the County Superintendent of Schools shall fill the vacancy for the un-expired term.

If the Board President or Vice President resigns his/her seat as a member of the Board of Education, the newly appointed Board Member shall not assume the role of the President or Vice President, unless elected to do so by the Board. In all cases, upon the resignation or removal of the President or Vice President, an election will be held at the next regularly scheduled meeting of the Board of Education to elect a President or Vice President.

### Legal References:

NJSA 18A:11-1, 18A:15-1, 18A:15-2

### Possible Cross References:

9121, 9122

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **President**

**Policy 9121**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

A President shall be elected by a roll call majority vote of the full Board at the annual organization meeting.

The President shall preside at all meetings of the Board and shall perform other duties as directed by statute, State Department of Education regulations, and the Board of Education. In carrying out these responsibilities, the President shall:

- Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the Board of Education;
- Consult with the Chief School Administrator on the Boards' agendas;
- Appoint Board committees and chairpersons;
- Call such meetings of the Board as he/she may deem necessary upon at least two day's notice (in accordance with law - NJAC 6:3-1.2);
- Be an ex officio member of all Board committees;
- Confer with the Chief School Administrator on crucial matters that may occur between Board meetings;
- Approve all bills for expenses or charges incurred with the authority of the Board including expenses of individual Board Members;

As presiding officer at all meetings of the Board the President shall:

- Call the meeting to order at the appointed time;
- Be responsible for the orderly conduct of all Board meetings;
- Announce the business to come before the Board in its proper order;
- Enforce the Board's policies relating to the order of business and the conduct of meetings;
- Recognize persons who desire to speak and protect the speaker who has the floor from disturbance or interference;
- Explain what the effect of a motion would be if it is not clear to every member;
- Restrict discussion to the question when a motion is before the Board;
- Answer all parliamentary inquiries, referring questions of law to the Board Attorney.

The President shall have the right, as other Board Members have, to offer resolutions, discuss questions and vote.

#### Legal References:

NJSA 18A:6-20, 18A:13-12, 18A:15-1, 18A:15-2, 18A:19-1, -9  
NJAC 6:3-1.2

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Vice President**

**Policy 9122**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

A Vice-President shall be elected by a roll call majority vote of the full Board at the organizational meeting.

In case of the absence or disability of the President, the Vice President shall perform the duties of the President. In case of absence or disability of both the President and Vice President, the Board shall choose a President pro-tempore, who shall perform all the duties of the President.

In case of the resignation or removal of the President, the Vice President shall perform the duties of the President until such time as the Board conducts a special election to name a new President. This election should take place at the next regularly scheduled meeting of the Board.

#### Legal References:

NJSA 18A:6-20, 18A:13-12, 18A:15-2, 18A:19-1, -9  
NJAC 6:3-1.2

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Board Secretary**

**Policy 9123**

Date Adopted: April 27, 2009

Date Revised:

Page 1 of 1

First Reading: March 30, 2009

A Secretary shall be appointed by a recorded roll call majority vote for a term to expire not later than the following June 30<sup>th</sup>, except as subject to the tenure laws, but he/she shall continue to serve after the expiration of his/her term until his/her successor is appointed and qualified. The Board Secretary shall:

- Provide adequate notice of all public meetings (including the organization meeting) of the Board to the members and those requesting notice in accordance with law.
- Record the minutes of all proceedings of the Board and the results of annual or special school elections.
- Post and give notice of annual and special elections.
- Post and maintain a schedule of the regular meetings of the Board.
- Be responsible for all duties concerning school Board elections as specified in NJSA 19:60-1 et seq.
- Collect tuition fees and other monies due to the Board and transmit them to the Treasurer.
- Examine and audit all accounts and demands against the Board, present them to the Board at its meetings, indicate the Board's approval and send them to the Treasurer for payment.
- Keep accounts of the school district's financial transactions including a correct detailed account of all expenditures.
- Report to the Board at each regular meeting the amount of the total appropriations and cash receipts for each account, and the amounts of warrants drawn against each account, and the amounts of orders or contractual obligations incurred and chargeable against each account.
- Keep all contracts, records and documents belonging to the Board.
- Give the Board a detailed report of its financial transactions at the close of each fiscal year and file a copy with the County Superintendent of Schools.
- Report to the Commissioner annually the amount of unpaid school debt, the interest rate payable, the dates of issue and the due dates of bonds or of the indebtedness.
- Prepare a summary of the annual audit and recommendations prior to the meeting of the Board to act thereon and supply copies of the summary to interested persons.
- Under the direction of the Chief School Administrator and Board President, prepare agendas for all meetings.
- Perform such other duties as may be required by the Board.

### Legal References:

NJSA 18A:11-1, 18A:17-5, 19:60-1 et seq.

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Treasurer of School Monies**

**Policy 9125**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: March 30, 2009 |               |             |

There must be a Treasurer of School Monies in every school district who shall receive, hold in trust, and disburse all school monies.

The Treasurer of School Monies of each school district shall be the Treasurer of the monies of the municipality unless the Board of Education shall designate the tax collector of the municipality as such Treasurer provided, however, that if both the Treasurer of the municipality and the tax collector of the municipality submit written notifications to the Board that they do not want to serve as Treasurer of school monies, the Board shall appoint any other suitable person except a member or employee of the Board, with a term of office fixed by the Board as such Treasurer.

The municipality has no control over the monies belonging to the school district and in the hands of the Treasurer.

The Board of Education shall provide a surety bond in the amount prescribed in NJAC 6A:23-2.5 for the Treasurer. The auditor shall verify the adequacy of the Treasurer's surety bond which is required by NJSA 18A:17-32, and shall include appropriate comment, and a recommendation, if needed, in the annual school report.

The Treasurer shall receive from the Board of Education such compensation as the Board shall determine.

The money or funds of the Board in the custody of its Treasurer of School Monies shall be expended by such Treasurer by, and only by, warrants, each made payable to the order of the person entitled to receive the amount thereof and specifying the object for which it is issued, signed by the President and Secretary of the Board, and the Treasurer of School Monies:

1. After audit of the account or demand to be paid, by the secretary after approval by the Board, or
2. In accordance with payrolls duly certified as provided by this title, or
3. For debt service.

Payment of the compensation of teachers and other employees may be made on the basis of payrolls certified by the President and Secretary of the Board, slating the names and amounts to be paid to each, and delivered to the Treasurer of School Monies.

Deposit is made by the Board Secretary into the payroll and agency account.

The Treasurer shall keep records of sums received and paid on books provided for that purpose.

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Treasurer of School Monies**

**Series 9000  
Policy 9125**

Page 2 of 2

The Treasurer shall render to the Board monthly, and at such other times as shall be requested by the Board, reports giving a detailed account of all receipts, the amounts of all warrants signed by him/her since the date of his/her last report and the accounts against which, and the purposes for which, the warrants were drawn and the balance to the credit of each account, and at the close of the school year and not later than August 1 of each year he/she shall render an annual report showing the amounts received and disbursed by him/her for school purposes during said year, a duplicate whereof shall be filed with the County Superintendent of Schools, and shall also report to the County Superintendent in the manner and form prescribed by the Commissioner.

### Legal References:

NJSA 18A:16-1, 18A:17-31 et seq., -32, -33, -34, -35, -36, 18A:19-1, -9, -10, -11, -12, 18A:24-59  
NJAC 6:3-1.3, 6A:23-2.5

### Possible Cross Reference:

9126

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Attorney – Legal Services**

**Policy 9126**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: March 30, 2009 |               |             |

The School Board Attorney (Solicitor) shall be selected by the Board of Education and employed at will.

The Attorney should advise the Board as to proper legal and contractual procedures in which the Board must take action and/or make a decision.

The Attorney shall be accessible for consultation by the Chief School Administrator, Board President and members and Board Secretary concerning legal matters. Legal inquiries of administrative staff shall be directed through the Chief School Administrator.

The Attorney shall act as counsel for the Board in prosecuting and defending any action or suit in which the Board is involved and perform such other legal services as the Board may from time to time subscribe.

The Attorney or representative shall attend Board meetings upon request.

The Board of Education recognizes that the use of legal services is an integral part of the governance of the school district it serves and that these legal services must be used prudently and ethically.

#### Procedures and Recordkeeping

The Board of Education hereby establishes procedures and recordkeeping of the use of those legal services. The Chief School Administrator shall establish and the Board of Education shall approve procedures that shall include:

- A. A limited number of contact persons with the authority to request services or advice from contracted legal counsel;
- B. The criteria or guidance to prevent the use of legal counsel unnecessarily for management decisions or readily available information contained in district materials such as policies, administrative regulations or guidance available through professional source materials;
- C. A provision that requests for legal advice shall be made in writing and shall be maintained on file in the district offices and a process to determine whether the request warrants legal advice or if legal advice is necessary;
- D. A provision to maintain a log of all legal counsel contact including name of legal counsel contacted, date of contact, issue discussed and length of contact. Legal bills shall be compared to the contract log and any variances shall be investigated and resolved.

Contracts for legal services comply with payment requirements and restrictions pursuant to NJSA 18A:19-1 et seq., and as follows:

# **Elsinboro Township Board of Education District Policy Manual**

**Bylaws of the Board of Education**

**Series 9000**

**Attorney – Legal Services**

**Policy 9126**

Page 2 of 2

- A. Advance payments shall be prohibited;
- B. Services to be provided shall be described in detail in the contract;
- C. Invoices for payment shall itemize the services provided for the billing period; and,
- D. Payment shall only be for services actually provided.

Professional services contracts for legal services shall be issued in a deliberative and efficient manner such as through a Request For Proposal (RFP) based on cost and other specified factors or other comparable process that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement.

Professional services contracts for legal services shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct.

District employees and Board Members are prohibited from contracting with legal counsel or using in-house legal counsel to pursue any affirmative claim or cause of action on behalf of district employees, administrators and/or Board Members for any claim or cause of action in which the damages to be awarded would benefit an individual rather than the district as a whole.

## Legal References:

NJSA 18A:11-1, 18A:23-13.1



# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Auditor**

**Policy 9127**

Date Adopted: April 27, 2009

Date Revised:

Page 1 of 1

First Reading: March 30, 2009

The Auditor shall conduct the necessary investigation, accounting and checking of those accounts, bills, revenues, etc., essential to the public statement of the financial status of the Board for the school year as demanded by State Department of Education rules of audit, which audit shall be completed not later than three months after the end of the school fiscal year.

Each annual audit shall include an audit of the books, accounts and monies, and a verification of all cash and bank balances, of the Board and of any officer or employee thereof and of monies derived from the activities of any organization of public school pupils conducted under the auspices of the Board, from the date of the last annual audit to the date of the audit in question.

The report of each annual audit shall be filed by the public school accountant making the same, with his/her recommendations to the Board of Education of the district, and such Auditor shall within five days thereafter file two duplicate copies thereof certified under his/her signature in the office of the County Superintendent of Schools.

The Secretary of the Board shall prepare or have prepared a synopsis or summary of the annual audit and recommendations, prior to the holding of the meeting of the Board of Education to take action thereon; a copy of which shall be available for distribution to interested parties at the meeting.

Within 30 days following receipt of the report of the annual audit the Board of Education of the district shall, at a regularly scheduled public meeting, cause the recommendations of the Auditor to be read and to be discussed. The discussion shall be duly noted in the official minutes of said meeting.

In the event of the resignation or dismissal of the Board Secretary/Business Administrator or the Treasurer, or any other individual charged with the responsibility of handling school funds, the Auditor shall be asked to review the appropriate books within a thirty (30) day period.

### Legal References:

NJSA 18A:11-1, 18A:23-1 through -7

### Possible Cross References:

9123, 9125

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Committees**

## **Series 9000 Policy 9130**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 3 |
| First Reading: March 30, 2009 |               |             |

In order to use the time, effort and expertise of the members of the Board effectively, the Board shall operate under a committee system.

### Standing Committees

The Board may authorize the establishment of such standing committees from among its membership as it finds necessary to study operations in specific areas and to make recommendations for Board action. The following rules will govern the appointment and function of such committees:

- A. The committee shall be established through action of the Board.
- B. The committee chairperson and members shall be appointed by the Board President.
- C. The committee may make recommendations for Board action, but it may not act for the Board.
- D. The Board President and Chief School Administrator shall be ex officio members of all standing committees.
- E. The committee chairman, with the option of assistance from the office of the Chief School Administrator, shall schedule all meetings.
- F. In emergency situations pertaining to specific committee affairs, the Chief School Administrator will advise the Board President and committee chair of action anticipated or taken.

The standing committees shall include:

- A. Personnel & Finance
  - Responsible for all areas of personnel and finance. Rationale being that these two areas are so closely intertwined, especially at budget formulation time, as well as during negotiations.
  - Serve on the Negotiations Committee and Personnel Committee to be present in the screening process of applicants.
  - Review annually Board Policy on district financial and purchasing procedures, cost reports and controls.
  - Members who have a conflict of interest shall not be appointed to this committee.
- B. Program & Curriculum
  - Responsible for all aspects of curriculum. Included in this area will be any extra curricular activity, such as field trips and safety patrol, etc.
- C. Policy
  - Responsible for keeping the Board informed about legislative actions pending and passed. In addition, review and formulate policy with the Chief School Administrator and make recommendations to the Board. Associated closely with legislative happenings in the area of affirmative action and, as such, is included under this committee.

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Committees**

**Series 9000  
Policy 9130**

Page 2 of 3

- Maintain records on all policy matters under discussion, being reviewed or in the process of being updated. Prepare the changes and schedule for Board approval.
- Plan and initiate the annual policy manual review and update.
- D. Facilities
  - Review annually Board policy on district maintenance, repair and general housekeeping.
  - Make periodic inspections of the district facilities and grounds with the Chief School Administrator/designee to ensure that the district's investment is being adequately maintained.
- E. Technology
  - Responsible to ensure that the district is availing itself of current technology in its operations and classrooms within the financial constraints of the budget.
- F. Negotiations
  - Represents the Board during negotiations with employees, labor unions, and representative groups.

Committee chairpersons are responsible for ensuring that a report is provided of all committee meetings at a regular monthly Board meeting if possible.

### Special Committees

Special committees may be created for special assignments. The same rules shall apply to special committees as apply to standing committees, except that they shall be dissolved upon completion of their assignment.

### Ad Hoc Committees

Ad Hoc committees shall be appointed by the President to research specific problems before deliberation by the full Board. The same rules shall apply to Ad Hoc committees as apply to standing committees, except that they shall be dissolved upon completion of their assignment.

### Other Representative Assignments

The Board may authorize other assignments for Board Members to act as representatives and alternates to various other organizations. These assignments may include, but not be limited to:

- A. New Jersey School Boards Association Representative
- B. Salem School Boards Association Representative
- C. Salem High School Representative
- D. Elsinboro Planning Board Representative

### Committee of the Whole

The Board reserves the right to meet and work as a committee of the whole in informational, discussion, and exploratory sessions. No official action shall be taken at these meetings, unless so advertised.

All meetings shall be held in accordance with the provisions of the Open Public Meetings Act.

# **Elsinboro Township Board of Education District Policy Manual**

**Bylaws of the Board of Education  
Committees**

**Series 9000  
Policy 9130**

Page 3 of 3

## Legal References:

NJSA 10:4-6 et seq, 18A:10-6, 18A:11-1, 18A:12-21 et seq.  
NJAC 6A:28-1.1 et seq

## Possible Cross References:

1220, 9121, 9320

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Board Representatives (E.S.A.)**

**Series 9000  
Policy 9140**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

Board Members and the Chief School Administrator and/or designee are encouraged to participate in meetings of the “Elsinboro School Association” (E.S.A.) or other school organizations and student functions.

### Legal References:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Consultants to the Board of Education – Professional Services**

**Policy 9150**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

In order to pursue its educational mission and to protect the public's financial investment in the schools, the Board may, from time to time, engage the services of qualified professional consultants to provide new insights and ideas for dealing with especially difficult problems and/or to provide special services that the staff is unable to provide.

The Board will not contract for vague services such as undefined "management studies," and all proposals will be submitted to the school solicitor for review before a contract for consulting services is signed. The Chief School Administrator will establish procedures necessary for an efficient working relationship between the consultant and the Board and/or staff members.

Professional services contracts shall be issued in a deliberative and efficient manner such as through a Request For Proposal (RFP) based on cost and other specified factors or other comparable process that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement.

Professional services contracts shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct.

District employees and individual Board members are prohibited from contracting with consultants without the written approval of the Board of Education.

The Board shall fix compensation for consultant services.

### Legal References:

NJSA 18A:11-1, 18A:18A-5(a)(1)

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Negotiations / Consultation**

**Policy 9150.1**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: March 30, 2009 |               |             |

The Board of Education recognizes its duty to negotiate in good faith regarding terms and conditions of employment with the majority representatives of its unionized employees. To effectuate this responsibility, the Board shall appoint a Negotiations Committee(s) to represent it in negotiations with employee organizations, but the entire Board retains the authority to review and to accept or reject any tentative agreement(s) reached by its Negotiations Committee(s).

The Board's Negotiations Committee(s) may include Board Members, administrators, and such outside negotiations experts as designated by the Board; however, the number of Board Members assigned to any such committee shall not constitute a majority of the Board. Whenever possible, the Negotiations Committee(s) shall include Board Members who are in the first and second year of their elected/appointed term. The Board, at its discretion, shall appoint one member of the committee to serve as the Board's chief spokesperson.

The Board, in consultation with administrators and the Negotiations Committee(s) shall set bargaining goals and parameters for any settlement. The committee(s) shall have the authority to negotiate within the parameters determined by the Board; the committee(s) shall not have the authority to make proposals, or to agree to union proposals that are not in accord with the Board's parameters.

Members of the committee(s), other Board Members and administrators shall not have the authority to negotiate with any employees or representatives of employees regarding any matters currently the subject of negotiations without the express consent of the committee.

The committee(s) shall regularly report to the Board in executive session, the progress of negotiations and may seek additional direction or advice from the full Board, the administrative staff, or any outside negotiations expert designated by the Board.

The Board shall provide committee members and other interested Board Members with the opportunity to attend labor relations training programs. To keep the full Board informed of the process, members attending such programs will report to the Board at the first Board meeting following the program.

The Board President shall act as spokesperson for contacts with the public and the press regarding negotiations. Board Members and administrators shall refer all inquiries concerning negotiations to the Board President. No Board member or administrator other than the Board President has the authority to discuss any aspect of negotiations without the express consent of the Board.

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Negotiations / Consultation**

**Series 9000  
Policy 9150.1**

Page 2 of 2

The Board of Education shall direct the Chief School Administrator to establish, in consultation with the Board, the administration staff and any labor relations consultants designated by the Board, procedures for administrative involvement in the negotiations process and for the administration of the negotiated agreement(s).

### Legal References:

NJSA 18A:11-1, 18A:18A-5(a)(1)

### Possible Cross References:

2121



# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Public Relations Initiatives & Services**

**Series 9000  
Policy 9160**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: March 30, 2009 |               |             |

The Board of Education recognizes that the use of public relations initiatives is an integral part of the governance of the school district it serves and those public relations activities must be used prudently, ethically and to only further the educational program of the district.

The Board of Education shall annually approve a maximum dollar limit to be used for public relations activities of the district as defined in NJAC 23A-9.3 (c)14, and each type of professional service, with appropriate notification to the Board of Education if it becomes necessary to exceed the established maximum dollar limit. Upon such notification, the Board of Education may adopt a specified dollar amount of increase to the amount established. Such increase shall be approved by formal action of the Board of Education.

### Professional Public Relations Services

Professional services contracts for public relations services shall be issued in a deliberative and efficient manner such as through a Request For Proposal (RFP) based on cost and other specified factors or other comparable process that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement.

Professional services contracts for public relations services shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct.

District employees and Board Members are prohibited from contracting with professional public relations firms or using in-house resources for personal gain or promotion.

### Publications

District publications shall be produced and distributed in the most cost-efficient manner possible that will enable the district to inform and educate the targeted community. The use of expensive materials or production techniques where lower cost methods are available, such as the use of multi-color glossy publications instead of suitable, less expensive alternatives, is prohibited.

The Board of Education prohibits the distribution, via mass mailings or other means to the district Community at large, publications that include the picture(s) of any members of the Board of Education within 90 days before any election in which any Board Member is seeking any elective office or any election relating to district operations held in the district.

Any publication(s) distributed by the Board of Education via mass mailings or other means to the district community at large within 60 days before any election in which any Board Member is seeking any elective office or any election relating to district operations held in the district must be submitted to the Executive County Superintendent for review prior to distribution to ensure that the public funds are being expended in a reasonable and cost-effective manner.

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Public Relations Initiatives & Services**

**Series 9000  
Policy 9160**

Page 2 of 2

Public relations activities, such as booths at statewide conferences, marketing activities and celebrations for opening schools and community events and TV productions that are not part of the instructional program or do not provide, in a cost-effective way, information about district or Board operations to the public, that are excessive in nature are prohibited.

All activities involving promotional efforts to advance a particular position on school elections or any referendums are prohibited.

Nothing herein shall preclude the Board of Education from accepting donations or volunteer services from community members, local provide education foundations and local business owners to conduct or assist in public relations services. Examples include, but are not limited to:

- A. Providing district flyers, newsletters or other materials containing district related information of public concern to local businesses, public meeting places or other local organizations to display or make available for dissemination;
- B. Making district related information of public concern available to local newspapers to publish related articles; and,
- C. Utilizing volunteered services of local community members, district employees, members of parent organizations or local business with expertise in related areas such as printing, advertising, publishing or journalism.

### Legal References:

NJAC 23A-9.3 (c)14

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Orientation & Training of Board Members**

**Series 9000  
Policy 9200**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: March 30, 2009 |               |             |

### Orientation of Board Members

The Chief School Administrator shall prepare materials to introduce new Board Members to the operating procedures of the district and the details of the curriculum.

As required and stipulated by law, all newly elected and reelected Board Members shall attend New Jersey School Boards Association (NJSBA) training within the timeframes established by law.

Sufficient funds shall be allocated to reimburse new board members for attending NJSBA training.

### Code of Ethics Training

The Board shall ensure that all Board Members receive and review a copy of the Code of Ethics for School Board Members. Each Board Member shall sign an acknowledgement that he/she has received and read it. Training as required by the administrative code shall be scheduled to familiarize Board Members with the contents and requirements of the Code of Ethics.

Annually, at a public Board Meeting, all Board Members will review and discuss the Code of Ethic in accordance with the School Ethics Act, C. 178, P.L. 2001.

### Inservice Development

State, regional and national workshops, conventions, conferences and seminars developed by associations such as the New Jersey School Boards Association, the National School Boards Association, the New Jersey Association of School Administrators, etc., provide unique opportunities for Board Members to broaden their understanding of their responsibilities, learn new tools and techniques for coping with them, and keep up to date on educational trends.

Therefore, the board recommends that, in addition to sending the mandated delegate to the New Jersey School Boards Association's Delegate Assemblies, the Board send representatives to such educational conferences, workshops, conventions and seminars as it shall decide upon each year.

The same regulations regarding travel arrangements and reimbursement developed for other district-paid attendance at such events shall apply.

District representatives, who attend such events, shall prepare reports for the Board and the district as a whole. The report shall be presented at a regular meeting of the Board within a month of the delegation's return.

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Orientation & Training of Board Members**

**Series 9000  
Policy 9200**

Page 2 of 2

### Legal References:

NJSA.18A:6-45 through -50, 18A:11-1, 18A:12-21 et seq  
NJAC 6:3-1.3, 6A:28-1.2, 6A:28-1.6

School Ethics Act, C. 178, P.L. 2001

### Possible Cross References:

1500, 2131, 3335, 9250

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Expenses**

## **Series 9000 Policy 9250**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

Board Members may not receive payment for their services. With Board approval, they may be reimbursed for out-of-pocket expenses incurred on Board business.

Sufficient money will be allocated to reimburse Board Members for expenses incurred attending required orientation sessions.

Such expenses must be approved by a motion of the Board in advance of the expenditure in accordance with law and Policy 3335 – Travel Expenses. Such expenses shall be for the Board Member only, and shall be itemized and documented.

Prior to each trip, the Board Secretary/Business Administrator will review legally allowable expenses with the Board.

Reimbursements shall not exceed legally established limits.

### Legal References:

NJSA 18A:2-1, 18A:4-23, 18A:4-24, 18A:11-1, 18A:12-4, 18A:12-24,  
18A:12-24.1, 18A:54-20, 52:14B  
NJAC 6A:10A-8.3, 6A:23B, 6A:23B-1.1 et seq, 6A:23B-1.2, 6A:23B-1.2(i)

P.L. 2005 c.132 (A4400; FY 2006 Appropriations Act  
NJ Department of Treasury NJOMB Circular A-87  
In the Matter of Anthony Esgro, Luis Perez, Clifford Meeks and Frank Speziali,  
Glassboro Board of Education, CO7-97, March 30, 1998

### Possible Cross References:

3300, 3330, 3335, 3571, 4131/4131.1, 4133, 4231/4231.1, 4233, 9200, 9270

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Reservation Commitments**

**Policy 9250.1**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

In the event that unusual circumstances make it impossible for a Board Member to attend a Board-related function for which reservations have been obtained or financial commitments made, it shall be the responsibility of that member to notify the appropriate administrative office of the change in plans in order that a refund be obtained or so that a substitute member may have the opportunity to attend the function.

### Legal References:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Protection**

**Series 9000  
Policy 9260**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

### Indemnification

Whenever a civil or criminal action has been brought against any person for any act or omission arising out of and in the course of the performance of his/her duties as a member of a Board of Education, and in the case of a criminal action such action results in final disposition in favor of such person, the cost of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any, shall be borne by the Board of Education.

### Legal References:

NJSA 18A:11-1, 18A:12-20

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Conflict of Interest**

**Policy 9270**

Date Adopted: April 27, 2009

Date Revised:

Page 1 of 2

First Reading: March 30, 2009

The Board of Education accepts the responsibility of governing the operation of the district in the best interests of the total community. Individual members shall all subscribe to the philosophy and guidelines for action outlined by Policy #9271 (Code of Ethics for School Board Members). The Board as a body, and the members individually, wish at all times to avoid attitudes and actions that might give rise to public questioning of the integrity of any Board decision.

Therefore:

- A. No Board Member shall hold any form of paid employment with the district while he/she is serving, nor for six months after leaving office;
- B. No spouse, sibling, parent, child, or grandchild of a serving Board Member shall be considered for any paid employment in the district. Pre-existing employment shall not be affected. Where such pre-employment exists, the Board Member shall take no active part in contract negotiations, nor shall he/she discuss the vote on the resulting contract, or any other agreement entered into between the Board and the relative;
- C. When a relative of a Board Member is employed by the Board, that Board Member shall take no active part in contract negotiations, nor any other agreement entered into between the Board and the relative, nor any action concerning that specific employee, unless a majority of the remaining Board Members present requests that he/she vote;
- D. No Board Member will accept gratuities or favors for himself/herself or on behalf of relatives that are offered by a vendor or contractor to the district. Should a Board Member learn that such a situation exists between a relative and a vendor or contractor to the district, he shall recognize that the Board deems this to represent the appearance of conflict of interest. The Board Member shall refrain from voting on matters pertaining to that vendor/contractor, and enter the reason for his/her abstention in the minutes;
- E. No Board Member shall be a contractor for goods or services to the district during the Board Member's term or for six months after leaving office;
- F. In the event a Board Member is employed by a corporation or business or has secondary interest in a corporation or business which furnishes goods or services to the school district, the Board Member shall declare that interest and refrain from debating or voting upon the question of contracting with the company;
- G. Employees of the school district are precluded from serving on the Board by statute which makes it unlawful for a Board member to receive compensation or reward for services to the district;
- H. No Board Member having immediate family members employed by the district shall participate in decisions affecting the terms and/or conditions of employment, salary, benefits, appointment, dismissal, etc., of the Chief School Administrator.



# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Conflict of Interest**

**Series 9000  
Policy 9270**

Page 2 of 2

It is not the intent of this policy to prevent the district from contracting with corporations or businesses because a Board Member is an employee of the firm. The policy is designed to prevent placing a Board Member in a position whereby his/her interest in the public schools and his/her interest in his/her place of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even when no such conflict may exist.

### Legal References:

NJSA 18A:6-8, 18A:12-1.1, 18A:12-2, 18A:12-21 et seq.  
NJAC 6:3-1.3

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Code of Ethics for Board of Education Members**

**Policy 9271**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: March 30, 2009 |               |             |

The members of the Board of Education recognize that they hold authority not as individuals but as members of the Board. In order to make a clear public statement of its philosophy of service to the pupils of the district, the Board adopts this Code of Ethics:

- A. I will uphold and enforce all laws, state Board rules and regulations, and court orders pertaining to schools. Desired changes should be brought about only through legal and ethical procedures.
- B. I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools which meet the individual needs of all children regardless of their ability, race, creed, sex or social standing.
- C. I will confine my Board action to policymaking, planning and appraisal and I will help to frame policies and plans only after the Board has consulted those who will be affected by them.
- D. I will behave toward my fellow Board Members with the respect due their office—demonstrating courtesy, decorum and fair play at all public meetings and in all public statements.
- E. I will refrain from inappropriate conduct in public meetings and in making public statements, refraining from any disparagement of my fellow Board Members or others on a personal, social, racial or religious basis.
- F. I will carry out my responsibility, not to administer the schools, but, together with my fellow Board Members, to see that they are well run.
- G. I will recognize that authority rests with the Board of Education and will make no personal promises nor take any private action which may compromise the Board.
- H. I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
- I. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. But in all other matters, I will provide accurate information and, in concert with my fellow Board Members, interpret to the staff the aspirations of the community for its schools.
- J. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the Chief School Administrator.
- K. I will support and protect school personnel in proper performance of their duties.
- L. I will refer all complaints to the Chief School Administrator and will act on such complaints at public meetings only after failure of an administrative solution.

The Board shall see that all members of the Board receive training in understanding and adhering to this code of ethics and shall discuss it annually at a regularly scheduled public meeting. Each member shall sign documentation that he/she has received a copy of it and has read and understood it.

# **Elsinboro Township Board of Education District Policy Manual**

**Bylaws of the Board of Education**

**Series 9000**

**Code of Ethics for Board of Education Members**

**Policy 9271**

Page 2 of 2

## Legal References:

NJSA 18A:11-1, 18A:12-2, 18A:12-21 et seq.

NJAC 6A:28-1.1 et seq, 6A:32-3.2

Manual for the Evaluation of Local School Districts

## Possible Cross References:

4112.8, 4212.8, 9270

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Prohibition of "Pay-to-Play"**

**Policy 9272**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: March 30, 2009 |               |             |

The Board of Education wishes to maintain honest and ethical relations with vendors and to avoid any appearance of impropriety or favoritism in its contracting practices. Therefore the Board of Education prohibits "pay-to-play."

The Board of Education will not vote upon or otherwise participate in the awarding of any contract in the amount of \$17,500 to any individual, firm, partnership, corporation, association or other business entity which has contributed funds including campaign contributions to that member of the Board of Education within the previous one-year period pursuant to P.L. 1973, c.83(NJSA 19:44A-1 et. seq.).

Contributions to any Board Member from any individual, firm, partnership, corporation, association or other business entity doing business with the school district are prohibited during the term of a contract, pursuant to P.L. 1973, c.83(NJSA 19:44A-1 et. seq.).

When a business entity referred to above is a natural person, a contribution by that person's spouse or child that resides therewith shall be deemed to be a contribution by the business entity. Where a business entity is other than a natural person, a contribution by any person or the business entity having an interest therein shall be deemed to be contribution by the business entity.

The disclosure requirement set forth in section 2 of P.L. 2005, c.271(NJSA 19:44A-20.26) also shall apply when the contract is required by law to be publicly advertised for bids.

Contributions that are prohibited include cash contributions, in-kind contributions, pledges to make contributions of any kind to a candidate for or holder of public office, or any other thing of value pursuant to P.L. 1973, c.83(NJSA 19:44A-1 et. seq.).

Not later than 10 days prior to entering into any contract having an anticipated value in excess of \$17,500, except for a contract that is required by law to be publicly advertised for bids, any business entity bidding thereon or negotiating therefore, shall submit along with its bid or price quote, a list of political contributions made by the corporation, its principals and employees, or others on its behalf, along with the date and amount of each contribution and the name of the recipient of each contribution. If the required list of contributions is missing, incomplete or untimely, the contract is void *ab initio*, as a material defect that invalidates the contract.

In addition, the business entity may be subject to a fine imposed by the New Jersey Election Law Enforcement Commission.

Provisions of this ban on pay-to-play will not apply to a contract when a public emergency requires the immediate delivery of goods or services.

# **Elsinboro Township Board of Education District Policy Manual**

**Bylaws of the Board of Education**

**Series 9000**

**Prohibition of "Pay-to-Play"**

**Policy 9272**

Page 2 of 2

The Board of Elections directs the Board Secretary/Business Administrator to file this policy with the N.J. Secretary of State, Office of Secretary of State, Laws & Commission Section, (P.O. Box 300, Trenton, NJ 08625-0300), to inform vendors of the requirements of this policy, and to keep the Board of Education informed about the implementation of this policy.

This policy shall not apply to a contract when a district emergency requires the immediate delivery of goods or services.

## Legal References:

NJSA 19:44A-1 et. seq., 19:44A-20.26

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Governance**

## **Series 9000 Policy 9300**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

Three functional activities are recognized in respect to policies of the Board:

1. Legislative

Planning is basic to all activity. It is that function which makes policies, selects an executive, and delegates to the executive the placing of plans and policies into operation, and provides the financial means for their execution.

2. Executive

The executive function is that which is concerned with the placing into operation the plans and policies, keeping the Board of Education informed, and furnishing creative leadership to the Board of Education and to the profession.

3. Appraisal – Appraisal is the function which attempts, through careful examination and study of facts and conditions, to determine the efficiency of operation of the general activities, and the worth and value of results of the activities in relation to the efficiency and value of instruction.

The Board of Education reserves to itself the legislative and appraisal functions, and shall make periodically such appraisal. The executive function shall be completely delegated to the Chief School Administrator. The Chief School Administrator shall be completely responsible for devising ways and means for executing efficiently the policies adopted by the Board of Education.

Legal References:

NJSA 18A:11-1, 18A:27-4 et seq

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Development, Distribution & Maintenance of Policy Manual**

**Policy 9310**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The Board of Education desires to make this manual of Bylaws and Policies a useful guide to all members of the Board, and the administration of this district; therefore, copies of this manual shall be given to the following people: Board Members, Chief School Administrator, Board Secretary, and Board Attorney. It shall be accessible on the district website for access by bargaining units and the general public.

The manual of bylaws, policies and procedures shall be considered a public record and shall be open for inspection in the Board offices and in each school building during regular office hours, in accordance with the Open Public Records Laws and regulations.

The Chief School Administrator shall maintain an orderly plan for the promulgation of policies to staff members who are affected by them and shall provide easy accessibility to an up-to-date collection of bylaws and policies for all employees of the school system. In addition, he/she is designated to review existing policies in light of Board actions and in light of revisions to state statutes and procedures, and to recommend such changes as may be desirous to maintain the Board Manual of Bylaws, Policies and Procedures in a current status.

The Chief School Administrator shall maintain a master policy manual that shall be the official record of the bylaws, policies and procedures adopted by the Board.

No copies of individual policies or sections of the manual will be made by any holder of a copy of the manual without the approval of the Chief School Administrator and then, in that case, copies will be made in accordance with the provisions of Policy 9330 Public Access to Board of Education Records.

### Legal References:

NJSA 10:4-6 et seq., 18A:10-6, 18A:17-20, 18A:11-1, 47:1A-1 et seq.,  
New Jersey Department of State, Division of Archives and Records Mgmt.,  
School District Records Retention

Matawan Teachers Assn. v. Board of Education, 223 N.J. Super 504 App Div 1988

### Possible Legal References:

9330

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Formulation, Adoption & Amendment of Policies**

**Policy 9311**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: March 30, 2009 |               |             |

### Introduction

In formulating any policy, the Board of Education has pledged to consider the will and needs of the community within the parameters of New Jersey law. The passage of time and changing circumstances may alter the community's point of view. Changes in the law may alter what is allowable or what is required.

Except for policy actions to be taken on emergency measures, the adoption of Board policies shall follow this sequence that will take place at two consecutive regular meetings of the Board.

1. Proposed new or revised policies shall be placed in their entirety on the agenda, and formally introduced at both meetings. It shall be noted on the agenda and in the minutes whether it is the first "reading" or second "reading" of the proposal(s). During the first and second "readings" of any new or revised policies, a copy of these new or revised policies shall be available for reference, but it shall not be necessary for the entire text of the policies to be read.
2. Discussion and final action by the Board on a policy shall occur after the second "reading."
3. At least two (2) weeks shall elapse between the meeting at which policy proposals are first placed on the agenda and the meeting at which the final vote to adopt or not to adopt occurs.

### Final Action

1. Prior to enactment, all policy proposals shall be titled and coded as appropriate to subject and in conformance with the codification system used in the Board Policy Manual.
2. Insofar as possible, each policy statement shall be limited to one subject.
3. Policies and amendments adopted by the Board shall be part of the minutes of the meeting at which they are adopted and shall also be included in the policy manual of the district as soon as possible.
4. Policies and amendments to policies shall be effective immediately upon adoption unless a specific effective date is provided in the adopted resolution.

### Emergency Procedures

On matters of unusual urgency, the Board may waive the two (2) week limitation and take immediate action to adopt new or revised existing policies. When such immediate action is necessary, the Chief School Administrator shall inform affected groups or individuals of the new or revised policies within three (3) working days after adoption.



# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

### **Formulation, Adoption & Amendment of Policies**

**Series 9000**

**Policy 9311**

Page 2 of 2

In the interest of efficient administration, the Chief School Administrator shall have the power to decide all matters of detail that may arise for which no specific provision is made in the policies adopted by the Board, but no emergency action shall constitute official Board policy. Whenever possible, the Chief School Administrator shall consult with the Board President prior to such emergency action. The Chief School Administrator shall present the matter at the next Board meeting so the Board can consider policy to deal with that situation in the future.

The Board reserves to itself the final determination of what shall be the official policy of the school district.

#### Continual Review of Board Policies

The Board directs the Chief School Administrator to develop procedures for continuous orderly review of the policies in the Board policy manual during the time provided for “policy” on the agenda of the regular Board meeting. Each policy shall be reviewed at least once every five years. Any necessary revisions shall be made in conformity with Board policy #9311 – Formulation, Adoption and Amendment of Policy.

If the terms of the policy are not affected by the changes in law, and the policy still reflects the intent of the Board in the matter, then the policy shall be officially readopted as of that date.

The Board directs the Chief School Administrator to review the rules and regulations implementing any revised or altered policy to ensure that they confirm to the intent of the policy as revised or changed.

The Board of Education shall develop and implement a five year review cycle to ensure that all policies and bylaws of the district are current with present practice and statute.

#### Legal References:

NJSA 10:4-6 et seq., 18A:10-6, 18A:11-1, 18A:17-20, 47:1A-1 et seq.,

New Jersey Department of State, Division of Archives and Records Management,  
School District Records Retention

Matawan Teachers Assn. v. Board of Education, 223 N.J. Super 504 App Div 1988

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Formulation, Adoption & Amendment of Bylaws**

**Policy 9312**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The Board of Education's bylaws are rules designed to organize and control its internal operations. Some bylaws are set by statute. Others may be formulated and adopted at its option by the Board of Education itself as long as they are in harmony with the intent and specifics of the statutes.

In its deliberations leading to the establishment or amendment of its bylaws, the Board's central concern will be for increased efficiency and effectiveness in carrying out its legally mandated tasks.

The Board will formulate and adopt a bylaw safeguarding the right of Board Members to be informed of and to participate fully in the discussion of each proposed new or amended bylaw.

Proposed new bylaws and suggested amendments to or revisions of existing bylaws shall be adopted by a majority vote of all members of the Board during the second of two regularly scheduled meetings of the Board.

#### Legal References:

NJSA 10:4-6 et seq., 18A:10-6, 18A:11-1, 18A:17-20

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Formulation, Adoption & Amendment of Administrative Regulations**

**Policy 9313**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The Board of Education shall delegate to the Chief School Administrator the function of specifying required actions and designing the detailed arrangements under which the schools will be operated. Such rules and detailed arrangements shall constitute the administrative regulations governing the schools.

The administrative regulations must be in every respect consistent with the policies adopted by the Board. The Board itself will formulate and adopt administrative regulations only when specific state laws require Board adoption, and may do so when the Board so desires or when the Chief School Administrator recommends Board adoption.

These administrative rules and regulations must be consistent with Board contracts and policies, the law rulings of the Commissioner of Education, and rules of the State Board of Education.

In the development of rules, regulations, and procedures for the operation of the school system, the Chief School Administrator shall include at the planning stage, whenever appropriate, those employees who will be affected by such provisions.

Such rules and regulations shall be binding on all employees unless or until the Board should vote to change or rescind any such rule or regulation following its presentation at a public meeting of the Board. The Board itself will adopt administrative regulations when specific state laws require Board adoption, and may do so when the Chief School Administrator recommends Board adoption.

The Board reserves the right to review and request revisions of administrative regulations should they, in the Board's judgment, be inconsistent with the policies adopted by the Board.

### Legal References:

NJSA 18A:11-1, 18A:17-20  
NJAC 6:3-1.3 et seq.

### Possible Cross References:

2210, 9130, 9311, 9312, 9314, 9323/9324

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Adoption & Amendment of Administrative Regulations**

**Policy 9313.1**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The Board does not adopt administrative regulations unless specifically required to do so by law, or unless requested to do so by the Chief School Administrator, or as required by negotiated agreements with employee organizations, in which case, any such regulation shall be subject to amendment as provided in any such agreement. Adoption and amendment of such Board adopted regulations shall be by the same procedure as that specified for policies in 9311.

### Legal References:

NJSA 18A:11-1, 18A:17-20  
NJAC 6:3-1.3 et seq.

### Possible Cross References:

2210, 9130, 9311, 9312, 9314, 9323/9324

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Suspension of Policies, Bylaws & Regulations**

**Policy 9314**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The Board of Education has developed a careful and deliberate process of formulating and adopting its policies and bylaws. Requests for suspension of any existing policy or bylaw should receive the same careful consideration.

Therefore:

- A. Any request for a waiver of policy or bylaw shall be considered in light of the policy or bylaw itself, rather than any particular circumstances of the moment.
- B. The Board shall decide whether the policy or bylaw still reflects the considered intent of the Board. If it does, the suspension will be denied and the policy or bylaw reaffirmed in the minutes.
- C. If the policy or bylaw does not reflect the intent of the Board, then the policy shall be waived by a majority vote of the members of the Board present and voting and development of a revised policy or bylaw shall become the Board's prime policy priority.

Development of a new policy shall become the Board's prime policy priority. In the event of an emergency requiring immediate action, the Chief School Administrator shall have the authority to waive policy or regulation in the single instance. In such cases, the Chief School Administrator shall report the instance to the Board President immediately, and request reconsideration of the policy at the next regular meeting.

### Legal References:

NJSA 18A:11-1, 18A:17-20  
NJAC 6:3-1.2

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Meetings**

## **Series 9000 Policy 9320**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The Board of Education shall organize annually at a date and time specified by law at which time newly appointed members shall take office.

During its organization meeting, the Board shall elect one of its members as President and another as Vice President; officially select a depository and Treasurer of school monies; appoint a Secretary to the Board and an auditor; and establish the time and place of Board meetings for the ensuing year.

The Board may conduct such other business as it deems desirable.

### Regular Meetings

The time and place of the regular business meetings of the Board of Education shall be established at the organization meeting.

The Board of Education shall conduct its business in public in accordance with the provisions of the New Jersey Open Public Meetings Act.

The Board of Education will consider and act upon matters within its authority as prescribed by the statutes, the rules and regulations of the State Board of Education, and its own policies.

### Special Meetings

Special meetings of the Board shall be held whenever called by the President or upon the signed petition of a majority of the whole number of members of the Board.

Special meetings of the Board of Education shall be held in public in accordance with the provisions of the New Jersey Open Public Meetings Act. The notice and purpose of all special meetings shall be given to all Board Members and the public. Public discussion shall be limited to those items on the agenda.

### Adjourned Meetings

An adjourned meeting is the continuation of the meeting from which there was an adjournment. At the adjourned meeting the business interrupted by the adjournment motion is the first order of business after the reading of the minutes.

### Legal References:

NJSA 18A:11-1, 18A:10-3, 18A:15-1, 18A:17-5, 18A:23-1 et seq

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Meeting Attendance by Teleconference or Other Electronic Means**

**Policy 9320.5**

Date Adopted: March 19, 2018

Date Revised:

Page 1 of 2

The Board of Education recognizes the significance of the Open Public Meetings Law (NJSA 10:4-6 et seq. P.L.1975, c. 231) as it pertains to its regular, special, emergency and adjourned meetings.

In order to adequately conduct the business of the district and to ensure that a quorum is present at all publicly held meetings, the Board of Education shall permit meetings to be held and business to be conducted by teleconference or other electronic means when the attendance of a quorum of its members cannot be physically present at the meeting location. All requirements of the Open Public Meetings Law shall be strictly adhered to.

For the purposes of this policy, “teleconference or other electronic means” shall be defined as telephones (whether cellular or wired), videoconference equipment, computer link (provided that the Board Member’s or Administrator’s voice and/or live image can be provided to those in attendance) or other similar equipment. In no case, shall a Board Member or an Administrator be permitted to participate if his/her voice or live image cannot be heard or seen by those in attendance at the meeting.

Board Members or Administrators who are not able to physically attend a particular meeting, shall be entitled to request that they be permitted to participate by teleconference or other approved electronic means. Such requests shall be made to the Chief School Administrator, Board Secretary/Business Administrator or Board President in advance of the scheduled meeting time.

In all cases, the meeting shall be open to the public as prescribed by law and at a minimum, the Board Secretary/Business Administrator or the Chief School Administrator shall be present at the meeting location when one or more Board Members or Administrators participates in this manner.

The minutes taken shall reflect the names of Board Members or Administrators who participate using teleconference or other electronic means.

Board Members who participate in this manner shall be afforded the opportunity to discuss, challenge, debate and vote on matters before the Board of Education without restriction. Additionally, Administrators who participate in this manner shall be afforded the same opportunity to provide input on matters before the Board of Education without restriction

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Meeting Attendance by Teleconference or Other Electronic Means**

**Policy 9320.5**

Page 2 of 2

#### Executive or Closed Session Meetings

Since Executive or Closed Session Meetings are not open to the public because these meetings are those that involve matters dealing with personnel and/or litigation, Board Members and/or Administrators are not permitted to participate in Executive or Closed Session Meetings conducted by teleconference or other electronic means.

All votes taken during a meeting in which a Board Member or Administrator participates by teleconference or other electronic means, shall be presented by roll call of the members participating.

#### Legal References

|      |                  |   |
|------|------------------|---|
| NJSA | 10:4-6 et seq    | Open Public Meetings Act                      |
|      | 18A:10-6         | Board Meeting Public; Frequency; etc - Quorum |
|      | 18A:11-1         | General Mandatory Powers and Duties           |
| NJAC | 6A:28-1.1 et seq | School Ethics Commission                      |
|      | 6A:32-3.1        | Special Meetings of the Board                 |

#### Possible Cross References

1220, 9300, 9320, 9322, 9322.1, 9325.1



# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Time, Place & Notification of Meetings**

**Policy 9321**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: March 30, 2009 |               |             |

#### Time/Place of Meetings

The Board of Education shall adopt annually, at its organization meeting, a schedule of meetings for the next ensuing year for the purpose of conducting the regular business of the Board and enabling full discussion of issues before the Board. The schedule shall list the time and date of each meeting, its location, and shall be posted, delivered to the Board's official newspaper, and filed with the clerk of the township. If the schedule so adopted and published is subsequently revised during said year, the Board will publish the revised schedule in the same manner within seven days of its adoption.

#### Notice of Meetings

The Secretary of the Board shall give notice to all Board Members of all meetings. Adequate notice must be given for all meetings of the Board except in the event of an emergency or when dealing with matter exempted from public purview under the law. Adequate notice means written advance notice of at least 48 hours, giving time, date and location, and to the extent known, the agenda of the meeting. The notice must state whether formal action may or may not be taken at the meeting. The notice must be:

- Prominently posted in at least one public place reserved for such announcement.
- Communicated to the designated official newspaper(s).
- Filed with the clerk of the township.
- Sent to those persons requesting that such notice be mailed to them.

#### Annual Notice

Annual notice of the year's regular meeting schedule must be posted publicly, sent to the official newspaper(s), and the clerk of the municipality within 10 days following the annual organization meeting. This notice shall contain the location of each meeting to the extent it is known as well as the time and date. If the schedule is revised at all, notice must be given within 10 days of the revision. This schedule of meetings must be posted and maintained throughout the year.

#### Advance Notice

Any person may request advance written notice of the current school year's regular or special meetings of the Board of Education. The Board reserves the right to assess a fee for providing such notice with the exclusion of fee for the official newspaper for the district that shall receive such notice free of charge. All requests for notice made under this resolution shall terminate at midnight on the current operating year.

#### Emergency Meetings

The Board of Education may hold a meeting without providing adequate notice if:

1. Three-quarters of the members present vote to do so, and
2. The meeting is required to deal with matters of such urgency and importance that delay would be likely to result in substantial harm to the public interest; and

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Time, Place & Notification of Meetings**

**Policy 9321**

Page 2 of 2

3. The meeting will be limited to discussion of an action on these matters; and
4. Notice of such meeting was provided as soon as possible following the calling of the such meeting; and
5. One of the following:
  - a. either the Board could not reasonably have foreseen at a time when adequate notice could have been provided; or
  - b. the need could have been foreseen in time but the Board failed to do so.

#### Statement of Adequate Notice

At the beginning of every meeting, the Board President shall announce that adequate notice of the meeting has been provided and shall specify the time, place and or in which the notice was provided. If adequate notice was not provided, the President shall say so and in addition, shall state:

1. The nature of the matter of urgency or importance for which the meeting without adequate notice was called; and
2. The nature of the substantial harm to the public interest likely to result from a delay in holding the meeting; and
3. That the meeting will be limited to discussion of and action on such matters of urgency and importance; and
4. The time, place and manner in which some notice of the meeting as provided; and
5. Either of the following:
  - a. that the need for such meeting could not reasonably have been foreseen at a time when adequate notice could have been provided and why this was so, or
  - b. that such need could reasonably have been foreseen in time for adequate notice, but nevertheless such notice was not provided, and the reasons why.

Statements concerning the provision of adequate notice, or the lack thereof, shall be entered in the minutes of the meeting.

#### Mailing Lists

A mailing list will be established to send the annual schedule and notice of any additional meetings to persons who apply in writing and submit an annual fee established by the Board. This notice will not include a complete detailed agenda.

#### Legal References:

NJSA 10:4-6 et seq., 18A:10-3(b), 18A:10-4 through -6, 18A10:4-9.1, 18A:17-7  
NJAC 6:3-1.2

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Public & Executive Sessions**

**Policy 9322**

Date Adopted: April 27, 2009

Date Revised: September 12, 2011

Page 1 of 3

First Reading: March 30, 2009

The Board of Education shall officially transact all business at a legal meeting of the Board in accordance with New Jersey law.

All meetings of the Board of Education shall be open to the public with the exception of meetings to discuss:

- A. Any matter which by the express provision of state or federal law or rule of court shall be rendered confidential;
- B. Any matter in which the release of information would impair a right to receive federal funds;
- C. Any material, the disclosure of which constitutes an unwarranted invasion of individual privacy, unless the individual (or all of the individuals) concerned shall request in writing that the same be disclosed publicly. This included information contained in public records, and any reports or recommendations concerning a specific individual (see Policy 1120 for “needless public labeling”);
- D. Any collective bargaining agreement or the terms and conditions that are proposed for inclusion in any collective bargaining agreement, including the actual negotiating sessions with representatives of employee groups;
- E. Any matter involving the purchase, lease or acquisition of real property (land or buildings) with public funds, where it could adversely affect the public interest if discussion of such matters were disclosed;
- F. The tactics and techniques used in protecting the safety and property of the public, provided that their disclosure could impair such protection;
- G. Any investigation of violations or possible violations of law;
- H. Any pending or anticipated litigation or contract negotiations other than collective bargaining, and any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his/her ethical duties as a lawyer;
- I. Any matter involving employment, appointment, termination, terms and conditions of employment, evaluation, promotion or disciplining of any prospective or current public employee or officer unless all the individual employees whose rights could be adversely affected request in writing that the matter be discussed at a public hearing;
- J. Any deliberations occurring after a public hearing that may result in the imposition of a specified civil penalty or loss of license to an individual.

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Public & Executive Sessions**

**Series 9000  
Policy 9322**

Page 2 of 3

Such sessions shall be closed to the public and press, shall be declared so by a formal motion at a public meeting. Minutes taken at such meetings shall remain confidential only so long as their publication would defeat the purpose of the executive session. That such a meeting will be or was held shall be recorded in the minutes of the preceding or subsequent regular meeting. Board Members and other persons attending the session are honor-bound not to disclose the topic or details of any discussions during the executive session.

The Board may invite staff members or others to attend executive sessions at its discretion.

When public employees make statements pursuant to their official duties: in the classroom, at Board meetings, and at other meetings related to educational issues affecting the district, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline.

No official action shall be taken during executive sessions, except such as may be sanctioned by law. To take final action on any matter discussed, the Board shall convene or reconvene in open session.

The minutes of all executive sessions must be approved by a majority vote of the full Board of Education at the following, regularly scheduled meeting of the Board of Education.

### Public Participation

Meetings of the Board are open to the public and all members of the community should feel free to attend. A time for public discussion of agenda items shall be included in the order of business at an appropriate time. The Board President has the discretion to limit the time an individual may speak based upon the available time on the agenda. Where possible, notice of time limits will be given at the beginning of the meeting. At least one week prior to the meeting, a member of the public may request time on the agenda. This will be granted at the discretion of the Board President.

Brief comments on any matter of interest to the district should be reserved for the time provided in the order of business.

Provision may be made for the introduction by a member of the public of business not on the agenda when the matter is of such urgency or wide interest that delaying consideration of it until the next meeting would not be in the public interest.

No member of the public is permitted to present orally or discuss at an open meeting of the Board complaints against individual employees or students of the district.

# **Elsinboro Township Board of Education District Policy Manual**

**Bylaws of the Board of Education  
Public & Executive Sessions**

**Series 9000  
Policy 9322**

Page 3 of 3

Grievances or complaints that have not previously been considered through administrative channels shall not be acted upon by the Board.

## Legal References:

NJSA 2C:33-8, 10:4-6 et seq, 18A:10-6, 18A:11-1, 18A:12-21 et seq,  
47:1A-1 et seq  
NJAC 6:8-2.1

Rice v. Union City Board of Education, 143 NJ Super 64 (1978)  
5 USC Section 552 as amended by Public Law  
No. 104-231, 110 Stat. 3048 Freedom of Information Act  
Garcetti v. Ceballos 2006 US LEXIS 4341 (May 2006)

## Possible Cross References:

1120, 3570, 6142.10, 9121, 9271, 9323/9324, 9326, 9330

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Electronic Communications Among Board Members**

**Policy 9322.1**

Date Adopted: April 27, 2009

Date Revised: April 13, 2015, May 4, 2015

Page 1 of 3

The Board of Education believes that electronic communication among its members and the administration is an efficient and convenient way to exchange information, but must not be misused to deliberate issues that are appropriately discussed only in a public meeting. Therefore, Board Members and administrators shall exercise caution when communicating between and among themselves via electronic messaging services including, but not limited to, Internet Web Forums and Internet Chat Rooms. Board Members should understand at all times that these communications represent permanent school district records that can be subject to public disclosure. Electronic messaging communication shall conform to the same standards of judgment, propriety and ethic as other forms of Board-related communication (committee meetings, telephone calls, etc.). Board Members shall adhere to the following guidelines when communicating electronically:

- A. Board Members shall not use any electronic messaging service as a substitute for deliberations at Board meetings. The Open Public Meetings Act defines a “meeting” as any gathering attended by, or open to the members of a public body, held with the intent to discuss or act as a unit upon the specific public business of that body.
- B. Board Members shall be aware that any attachments received or prepared for use in Board business are likely to be regarded as public records that may be inspected by any person upon request, unless otherwise made confidential by law.
- C. Board Members shall avoid reference to confidential information about employees, students or others in communications because of the risk of improper disclosure.
- D. Board Members shall adhere to the district “acceptable use” policy in all communications and shall refrain from sending inappropriate, profane, harassing or abusive Emails.
- E. Board Members shall not reveal their passwords to others in the network or to anyone outside of it, except to the system administrator. If any Board Member has reason to believe a password has been lost or stolen, or that email is being accessed by someone without authorization, he/she shall notify the Superintendent of Schools immediately.

#### Email Accounts for Board Members

The district shall assign an email account to each Board Member to be used for allowable communications only. This email account shall be used only by the assigned Board Member and only for Board business and communications.

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Electronic Communications Among Board Members**

**Policy 9322.1**

Page 2 of 3

Board Members shall not use personal email accounts to conduct district or school business, but shall use the district assigned email account, instead.

Board Members are urged to review all email communications made to their respective email accounts regularly, in order to be kept fully informed.

Under most instances, Board Members will be excluded from receiving email messages directed to staff members or groups of staff members, unless particular email communications are deemed to be appropriate to be distributed to Board Members by the Superintendent of Schools.

Board Members shall not use their assigned email account to communicate with staff members directly to discuss district business. Conversely, staff members shall not use their assigned email account to communicate with Board Members directly to discuss district business. Board Members or staff members who receive such email communications shall notify the Superintendent of Schools immediately.

Email communications using such email accounts are subject to the provisions of the Open Public Records Act – NJSA 47:2A-1, et. seq.

#### Social Networking Websites

The Board of Education is aware of the importance of maintaining proper decorum in the on-line, digital world as well as in person. Board Members must conduct themselves in ways that do not distract from or disrupt the educational process, and/or the business of the district. Board Members are cautioned against improper fraternization with students or staff members using social networking websites on the Internet. Board Members should not list current students as “friends” on social networking sites.

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Electronic Communications Among Board Members**

**Policy 9322.1**

Page 3 of 3

### Legal References

|      |                  |   |
|------|------------------|---|
| NJSA | 10:4-6 et seq    | Open Public Meetings Act                          |
|      | 18A:10-6         | Board Meetings                                    |
|      | 18A:11-1         | General Mandatory Powers / Duties                 |
|      | 18A:12-21 et seq | School Ethics Act                                 |
|      | 19:44-1 et seq   | Fair & Open Procurement Process                   |
|      | 47:1A-1 et seq   | Public Records                                    |
| NJAC | 6A:28-1.1 et seq | School Ethics Commission                          |
|      | 6A:32-3.2        | Requirements for Code of Ethics for Board Members |

### Possible Cross References

1120, 3570, 6142.10, 9121, 9271, 9323/9324, 9326, 9330



# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Reorganization Meeting**

## **Series 9000 Policy 9322.3**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: March 30, 2009 |               |             |

The annual organizational meeting shall be held at a date and time specified by law.

The suggested Order of Business shall be as follows, unless altered by the chairperson or a majority of those present and voting:

1. Flag Salute
2. Call to Order
3. Reading of Open Public Meetings Act
4. Installation of New Members
5. Roll Call
6. Report of Election Results
7. Nominations and Election of President
8. Nominations and Election of Vice-President
9. Appointment of Board Committees
10. Appointment of Salem City Board Representative
11. Appointments & Designations
  - Board Solicitor/Labor Relations Consultant
  - Auditor
  - Medical Inspector
  - Architects of Record
  - Bond Counsel
  - Brokers of Record
  - Health Insurance
  - Regulatory Services
  - Water Management Service
  - IPM Service
  - Business Administrator/Board Secretary
  - Qualified Purchasing Agent
  - Custodian of Records
  - Treasurer of School Funds
12. Designation of Official Newspaper(s)
13. Establishment of Monthly Meeting Dates, Time and Place
14. Adoption of Rules, Regulations, and Policies
15. Adoption of Curricula and Textbooks
16. Establishment of Depository of School Funds
17. Approve Account Signatories
  - General Fund
  - Payroll
  - Agency
  - School Fund Account
18. District Assignments

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Organization Meeting**

**Series 9000  
Policy 9322.3**

Page 2 of 2

- Affirmative Action Officer
- 504 Handicapped Officer
- Title IX Coordinator
- Health/Safety Compliance Officer
- ADA Coordinator
- Public Agency Compliance Officer
- Licensed Operator
- Attendance/Residency Officer
- Integrated Pest Management Coordinator
- Insurance Safety Committee

### Regular Agenda

1. Presentations
2. Audience Participation
3. Communications
4. Approval of Minutes
5. Financial
  - Budget Summary Report
  - Board Secretary/Treasurer's Reports/Certification
  - Bills to be Paid
  - Line Item Transfers
  - Other
6. Board of Education Business
  - Committee Reports
  - Old Business
  - New Business
  - Other
7. Superintendent's Report
8. For Your Information
9. Recess Into Executive Session (if required)
10. Resumption of Public Portion of the Meeting (if executive session was held)
11. Announcements if Necessary
12. Adjournment

### Legal References:

NJSA 18A:11-1, 18A:10-3, 18A:10-5, 18A:15-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Agenda Preparation / Advance Delivery of Meeting Materials**

**Policy 9323 / 9324**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The Chief School Administrator and the Board President shall prepare the agenda for all meetings of the Board. In doing so, they shall consult the Board Secretary.

Items of business suggested by any Board Member, staff member, or citizen of the district may be included at the discretion of the Chief School Administrator and Board President. The agenda shall allow time for the remarks of citizens, staff members or pupils who wish to speak briefly before the Board.

The Board shall follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present and voting. At a regularly scheduled meeting, notice of which has been provided in the annual schedule of meetings, items of business not on the agenda may be discussed and acted upon if a majority of the Board present and voting agrees to consider them. However, existing Board policies and bylaws may not be revised or new ones adopted unless the proposals are on the written agenda.

The Board of Education will provide an agenda of the topics called upon for any and all special or emergency meetings. The Board will also make note of any action that will be taken but this action is solely at the discretion of the Board.

The agenda, together with supporting materials, shall be distributed to Board Members sufficiently prior to the Board meeting to permit Board Members to give items of business careful consideration. The agenda shall also be made available to the press, representatives of the community, and staff groups, and others upon request.

#### Legal References:

NJSA 18A:11-1, 18A:17-20, 10:4

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Advance Notice & Agenda Requests / Fees**

**Policy 9324.1**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

Any person may request that the Board of Education mail to him/her advance written notice giving the time, date, location and to the extent known the agenda of any regular, special or rescheduled meetings upon prepayment by such person of a reasonable sum to cover the costs of providing such notice. All requests for notice shall terminate at midnight on June 30<sup>th</sup> of each year, but shall be subject to renewal upon a new request to the Board of Education as provided in section 10:4-19 of the Open Public Meetings Act.

Any fees to be charged individuals and organizations requesting notification of Board meetings other than those required by law shall be set by the Board Secretary and approved by the Board.

### Legal References:

NJSA 18A:11-1, 10:4-19, 47:1A-1 et seq

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Meeting Conduct**

## **Series 9000 Policy 9325**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

All actions of the Board of Education shall be taken only in official Board meetings called, scheduled and conducted according to these bylaws and the New Jersey State statutes.

### Orderly Procedure

In order to provide for orderly discussion and careful consideration of questions and to expedite business, it is understood that the following procedures will be followed during meetings of the Board:

1. Members wishing to speak will address the President and be recognized.
2. Any person wishing to address the Board shall be given the opportunity provided his/her remarks are relevant to the subject being considered and provided he/she does not become personal or abusive. It shall be the responsibility of the President to place any restriction on the time that may be allotted to a speaker.
3. Members of the Board and the Chief School Administrator shall address the President and be recognized in their participation in questions being discussed by the Board. The Board, through the President, may call upon other officers of the Board or consultants to participate in the discussion of questions at any time.

### Board Actions

All actions of the Board of Education shall be taken only during official Board meetings called, scheduled and conducted according to these bylaws and New Jersey statutes.

When a question is submitted to vote, every member present shall vote upon it, unless excused by the Board.

### Public Participation

In order to insure full dissemination of its official actions, to apprise the public of the educational program, and to hear the views of the public, the Board of Education shall provide a period of public participation in each of its regular and special meetings, but the Board reserves the right to establish rules for the conduct of such public participation.

### Legal References:

NJSA 10-4.6 through -21, 18A:11-1

### Possible Cross References:

1000/1010, 1100, 1100.1, 1250, 9020, 9271

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Quorum**

**Series 9000  
Policy 9325.1**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

Four (4) members present shall constitute a quorum of the Board of Education. In the event a quorum is not present at the hour of convening, the meeting may be recessed to a time not later than 9:00 PM of the same day. If a quorum is not then present the members may adjourn the meeting to commence on a later day within seven days.

In the event that any meeting of the Board is rescheduled due to lack of a quorum of the Board or for any other reason, the public will be given appropriate notice of the date, time and location of the rescheduled meeting.

### Legal References:

NJSA 18A:11-1, 10:4-8(d), 18A:10-6

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Regular Meeting / Order of Business**

**Policy 9325.2**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The order of business shall be as follows, unless altered by the chairperson or a majority of those present and voting:

1. Flag Salute
2. Call to Order
3. Reading of Open Public Meetings Act
4. Roll Call
5. Presentations
6. Audience Participation
7. Communications
8. Approval of Minutes
9. Financial
  - Budget Summary Report
  - Board Secretary/Treasurer's Reports/Certification
  - Bills to be Paid
  - Line Item Transfers
  - Other
10. Board of Education Business
  - Committee Reports
  - Old Business
  - New Business
  - Other
11. Superintendent's Report
12. For Your Information
13. Recess Into Executive Session (if required)
14. Resumption of Public Portion of the Meeting (if executive session was held)
15. Announcements if Necessary
16. Adjournment

The Board of Education may take action on any subject within the agenda or additional matters that it deems appropriate.

### Legal References:

NJSA 18A:11-1, 18A:10-6

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Parliamentary Procedure**

**Policy 9325.3**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

In the conduct of its business, the procedure of the Board will be governed by the educational laws of the State, by principles and rules set forth in the Board of Education Bylaws, or otherwise by *Robert's Rules of Order*.

### Legal References:

NJSA 18A:11-1



# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Voting Methods**

**Policy 9325.4**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: March 30, 2009 |               |             |

Official actions may be taken only at a regular monthly or specially called meeting at which a quorum is present. All motions shall require for adoption a simple majority vote of those present and voting (minimally, a majority of the quorum), except as provided by statute. Abstentions shall not be counted as votes, but shall be recorded and are deemed to count as no vote at all.

A vote can be conducted by voice, show of hands or roll call, provided that the vote of each member is recorded, except where a recorded roll call majority is required by statute. Proxy voting is prohibited. Any member may request that the Board be polled.

It shall be the responsibility of the President to certify the results of every matter voted upon by the Board. He/she may at his/her discretion poll the members of the Board to be certain of the outcome of the vote.

The Board Secretary will record, by name, the individual votes of Board Members anytime a roll call vote is taken. This record will be made a part of the minutes of the meeting.

A member may abstain from voting. An abstention shall be so recorded and shall not be counted as either an affirmative or a negative vote. Abstentions are to be so recorded, regardless of whether a person speaks for or against a motion prior to stating his/her wish to abstain. The silence of a member on any vote shall be recorded as an abstention.

Actions requiring a two-thirds vote of the full membership of the Board of Education:

- A. Placement of a contract following failure to receive responsible bids on two occasions. [NJSA 18A:18A-5(c)]
- B. Adopting a refunding bond ordinance. [NJSA 18A:24-61.4]
- C. Selling or exchanging refunding bonds. [NJSA:18A24-61.9]
- D. Authorizing to negotiate, award or enter into a contract or agreement after the Board has solicited and received at least three quotations on materials, supplies or equipment for which a state contract has been issued, and the lowest responsible quotation is at least 10% less than the cost charged under the state contract. [NJSA 18A:18A-5(e)]
- E. Determining the necessity to raise funds for capital project(s) in Type II districts having a Board of School Estimate. [NJSA 18A:22-27]
- F. Permitting the private sale of certain bonds if no legally acceptable bid is received by a Type II district. [NJSA 18A:24-45(c)]
- G. Adopting a resolution endorsing approval of the lease purchase concept of acquiring property for building construction/renovation and authorizing the Chief School Administrator and/or Board Secretary to advertise and solicit proposals for the selection of a lessor and underwriter and to request the approval of the Commissioner and Local Finance Board in the Department of Community Affairs of a lease purchase agreement in excess of five years. [NJAC 6A:26-7.1, 6A:26-10.1 et seq]

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Voting Methods**

**Series 9000  
Policy 9325.4**

Page 2 of 2

Actions involving holding a meeting, notwithstanding the failure to provide adequate notice shall require an affirmative vote of three-quarters of the members present. [NJSA 10:4-9(b)]

Actions requiring a recorded roll-call majority vote of the full membership of the Board of Education:

- A. Adopting or altering a course of study. [NJSA 18A:33-1]
- B. Appointment and fixing of the term of Chief School Administrator. [NJSA 18A:17-15, Board Secretary (NJSA 18A:17-5), Assistant or Acting Board Secretary. (NJSA 18A:17-13)]
- C. Appointing or removing an Assistant Superintendent of Schools. [NJSA 18A:17-16]
- D. Appointment or transfer of a teaching staff member. [NJSA 18A:25-1; 18A:27-1]
- E. Approval of employee salary deductions for governmental bonds. [NJSA 18A:16-8]
- F. Disposition or exchange of lands owned by the Board of Education. [NJSA 18A:20-5, 18A:20-8]
- G. Selection of textbooks. [NJSA 18A:34-1]
- H. Restoration or removal following suspension by the Chief School Administrator, Teacher or Instructional Aid. [NJSA 18A:25-6]
- I. Withholding, for inefficiency or other good cause, a prescribed employment or adjustment salary increment. [NJSA 18A:29-14]
- J. Admission after October 1<sup>st</sup> of a pupil who has never attended public or private school. [NJSA 18A:38-6]
- K. Appointing a School Business Administrator. [NJSA 18A:17-14.1]; appointing or removing and fixing the salary of a Business Manager in a Type I District. [NJSA 18A:17-25]
- L. Decision to establish with other school district(s) a county audiovisual educational aids center [NJSA 18A:51-1]; application for membership in an already established county audiovisual educational aids center. [NJSA 18A:51-11]
- M. Determining sufficiency of charges warranting dismissal or reduction in salary of a tenured employee. [NJSA 18A:6-11]
- N. Removal of the President or Vice President of the Board. [NJSA 18A:15-2]
- O. Purchase of bonds or other obligations as securities. [NJSA 18A:20-37]
- P. Sale of bonds or other obligations purchased as securities. [NJSA 18A:20-39]
- Q. Adoption of school budget to be submitted to voters. [NJSA 18A:22-32]
- R. Adoption of school budget in Type II districts with a Board of School Estimate. [NJSA 18A:22-26]
- S. Approval of capital construction projects. [NJSA 18A:7G-1 et seq, NJAC 6A:26-1 et seq]
- T. Authorization of school bonds. [NJSA 18A:24-10]

Legal References in Addition to Those Listed Above:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Persons Addressing the Board of Education**

**Policy 9325.5**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

Prior to addressing the Board, each speaker is requested to state his/her name, address and nature of his/her remarks.

At the discretion of the Board President, and if confirmed by a majority vote of the entire Board of Education, public remarks may be limited to a specific amount of time.

### Legal References:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Adjournment**

**Policy 9325.6**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The Board may at any time recess or adjourn to an adjourned meeting at a specified date and place. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was acted upon.

#### Legal References:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Minutes**

**Policy 9326**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 2 |
| First Reading: March 30, 2009 |               |             |

The minutes of the meetings of the Board of Education shall include:

- A. The classification (regular, adjourned or special), date and place of meeting;
- B. The call to order stating time, person presiding and his/her office;
- C. The record of the roll call of Board Members;
- D. A notation of the presence of the Chief School Administrator, Board Secretary/Business Administrator, administrators and the public;
- E. Announcement of notification listing the newspapers by name;
- F. A record of any corrections to the minutes of the previous meetings and the action approving them;
- G. A record of all communications presented to the Board;
- H. A record of each motion placed before the Board, the result of the vote, and the vote of each member;
- I. Temporary notes written by the Board Secretary/designee as an administrative convenience in the preparation of Board minutes and notes written by a school official or Board Member for his/her personal convenience are not public records and are not open for public inspection.

A copy of the minutes shall be of the previous meeting shall be provided to all Board Members along with agenda materials.

A copy of the minutes shall be filed permanently for reference purposes.

All reports requiring Board action, resolutions, agreements and other written documents shall be placed in the files of the Board Secretary and/or the Chief School Administrator as a permanent record.

### Minutes of Closed Meetings

Minutes of any closed meetings or executive sessions of Board Meetings shall include:

- A. A statement of the reason(s) for the closed meeting or executive session which will be compliant with the most recent rulings of the Department of Education;
- B. A record of all members present;
- C. A description of the reason for entering into an executive session and the exception from the Open Public Meetings Law supporting the decision for the executive session;
- D. All minutes of closed meetings and executive sessions shall be filed securely apart from the minutes of regular meetings of the Board of Education.

The minutes of closed meetings and executive sessions must be made available to the public as soon as the reason(s) for confidentiality no longer applies or has been acted upon. When a closed

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Minutes**

**Series 9000  
Policy 9326**

Page 2 of 2

meeting or executive session deals with more than one privileged matter, the minutes shall be prepared in such a way that each matter can be separated and disclosed in a timely manner. Minutes of closed meetings and executive sessions will be dated to reflect when they were released to the public.

### Legal References:

NJSA 10:4-6 et seq., -10, -14, 18A:11-1, :17-7, 47:1A-1 et seq  
NJAC 6:28-1.4(a)2, 6:3-1.6, 6:8-2.1, 6A:30-1.4,

Executive Order No. 9, September 30, 1963; modified by Executive Order No. 11,  
November 15, 1974

Maurice River Board of Education v. Maurice River Teachers Assn. 193 N.J.  
Super. 488 (App. Div. 1984)

Matawan Ed. Ass'n. v. Matawan-Aberdeen Ed. Bd., 212 N.J. Super. 328

Atlantic City Convention Center Authority v. South Jersey Publishing Co., Inc.,  
135 N.J. 53 (1994)

Manual for the Evaluation of Local School Districts (September 2002)

New Jersey Department of State, Division of Archives and Records Management,  
School District Records Retention Schedule

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Public Access to Minutes**

**Policy 9326.1**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The approved minutes of the Board shall be shown to the public upon request in the presence of the Board Secretary or his/her designee. Requests for single copies of minutes shall be honored at the convenience of the Board Secretary. The Board reserves the right to assess a charge to copy the cost of copying the minutes.

A copy of the approved minutes of Board of Education meetings will be made available to the staff members of the district.

Any other persons may request, in writing, copies of minutes of all meetings of the Board of Education to be mailed to them as soon as conveniently possible. The Board reserves the right to assess a charge to cover the cost of copying and mailing meeting minutes.

Board of Education meeting minutes will be made available to the public on the district website.

### Legal References:

NJSA 18A:11-1, 47:1A-1 et seq, 10:4-12, 10:4-13, 10:4-14

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Taping of Meetings**

**Policy 9326.2**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

At its option, the Board of Education may cause any or all of its public meetings to be tape recorded for the purpose of providing clarification, if needed, during the preparation of the official minutes of that meeting. Should tapes be prepared, they shall be treated and maintained in conformity with N.J.S.A. 47:1A-1 et seq., “The Right to Know Law” (Open Public Records Act) and N.J.S.A. 47:3-15 et seq., “The Destruction of Public Records Law”.

Public access to the contents of meeting tapes that are extant in conformity with the previously cited passages of N.J.S.A. 47 shall be provided exclusively through the Board office. Requests for such access shall be made to the Board Secretary in writing, with an appointment to be set by the Board Secretary. The Board reserves the right to assess a reasonable charge for providing copies of said tapes.

The Board also recognizes that there may be occasions when the use of a tape recording device may be a useful tool for a parent/guardian or citizen. At the same time, the Board recognizes that the indiscriminate use of these devices and the uncontrolled disclosure of recordings have a real potential for abuse, invasion of privacy, a detrimental effect on the educational purpose of the schools. Therefore, no equipment that interferes with the orderly conduct of a meeting of the Board of Education will be permitted.

Anyone wishing to audio or video record a Board of Education meeting shall give notice to the Board Secretary/Business Administrator one day prior to the meeting to be recorded.

#### Guidelines

1. After the citizen session ends, no more than two cameras shall be used at any one time on a first come, first served basis, after the citizen session ends. The Board reserves the right to videotape its proceedings with a third camera.
2. The camera(s) shall be placed in inconspicuous corners of the room towards the rear. The specific location shall be approved by the Board President but shall be in such a place as shall permit unobstructed view of the meeting by the camera(s). The organization conducting the videotaping of the meeting shall take all necessary safety precautions to properly secure the power cable and the actual videotaping equipment to minimize the danger and risk of an accident to the general public and Board Members attending the meeting.
3. Those meetings or portions of meetings that are permitted by law to be closed to the public shall not be videotaped.

#### Legal References:

NJSA 10:4-6 et seq, 18A:11-1, 18A:17-7, 47:1A-1 et seq,  
NJAC 6:-1.4(a)2



# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Staff Members Addressing the Board of Education**

**Policy 9326.4**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

In order to provide for an efficient and orderly method of communication between the official bargaining unit(s), the administration of the school and the Board of Education, the following procedures shall be used in connection with the bargaining unit addressing meetings of the Board:

- Employees are expected to attempt to resolve any complaints or concerns with the administration before presenting them at a Board of Education meeting.
- The established grievance procedure of the district shall be followed prior to being made public at Board of Education meetings.
- Areas of concerns to any individual employee or the bargaining unit should be discussed informally with the administration in an attempt to resolve matters to the mutual satisfaction of all involved.
- When an individual or the bargaining unit is dissatisfied with the outcome of the procedure above and wishes to present the concern to the Board, that individual or the bargaining unit shall submit the concern or question to the Chief School Administrator. This submission shall be in writing and be accompanied by any documentation necessary. An indication that it is desired for this submission to be placed on the agenda of an upcoming Board meeting shall be made as a part of the submission.
- Such submission shall be made no later than the close of school on the Monday preceding the next upcoming Board meeting in order that it is available for distribution to the appropriate individuals.
- The individual or a representative of the bargaining unit shall be present at the Board meeting to present the area of concern to the Board if requested.
- In the event of an extremely heavy agenda, the Chief School Administrator may, after consultation with the President of the Board, defer placing the item on the agenda. The individual and the President of the bargaining unit will be so notified in writing by the Chief School Administrator if time permits. In any case the individual and the President of the bargaining unit shall be notified by the bargaining unit verbally of this situation and the concern will be addressed at the next Board meeting.

### Legal References:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

### **Public Statements at Board of Education Meetings**

**Policy 9326.5**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

It shall be the policy of the Board of Education that a copy of any statement read by a member of the public at a public Board meeting shall be requested of the individual reading such a statement.

Such copy of any statement read shall be filed as a part of the official minutes of the Board meeting and shall so serve as an accurate report of what was, in fact, read.

In the event that a copy of a statement to be read or having been read is not available for any reason, the Board Secretary shall be advised to record simply that the individual, by name, read a prepared statement concerning a particular topic and did not make a copy available to the Board.

In any case where a particular student is discussed, it shall be the procedure that no names or designations that would identify a student or class be used. The Chief School Administrator is directed to devise methods to protect the identity of the student by using other identification means both in public meetings and in executive sessions of the Board of Education.

#### Legal References:

NJSA 18A:11-1, 10:4-12

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Challenge**

**Series 9000  
Policy 9327**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

When any action of the Board is challenged by any person on the grounds it was taken at a meeting in violation of the Open Public Meetings Act, the Board may cure the alleged defect by action taken at a public meeting to which adequate advance notice has been given or, where circumstances warrant, at a duly convened special meeting. Such action shall not be mere ratification of the prior act; the Board shall consider the matter fully and record its action as if for the first time. Absent a declaration of the Superior Court that the initial action is void, however, the action shall be considered to have been taken at the meeting at which it was first acted upon.

### Legal References:

NJSA 18A:11-1, 10:4-6 et seq

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Public Access to Board of Education Records**

**Policy 9330**

Date Adopted: April 27, 2009

Date Revised: September 13, 2010

Page 1 of 4

First Reading: March 30, 2009

In accordance with the provisions of P.L. 2001, c.404, the Board of Education will provide reasonable access, inspection, copying and examination of all public records except those specifically exempted by law.

For the purpose of this policy, Board records shall be defined as, “any paper, written or printed book, document drawing, map, plan, photograph, microfilm, data processed or image processed, stored or maintained electronically or by sound-recording or in a similar device or any copy thereof, that has been made, maintained or kept on file in the course of the Board’s official business and/or that has been received in the course of the Board’s official business.”

### Exemptions

Documents, records and/or information that are exempted from public access include:

1. In general, the portion of any document that discloses the social security number, credit card number, unlisted telephone number or driver license number of any person;
2. Personnel or pension records, except that an individual’s name, title, position, salary, payroll record, length of service, date of separation and the reason therefore, and the amount and type of any pension received are considered government records;
3. Inter-agency or intra-agency advisory consultative or deliberative material;
4. Any record within the attorney-client privilege;
5. Administrative or technical information regarding computer hardware, software or networks that, if disclosed, would jeopardize computer security;
6. Emergency or security information or procedures for any building or facility that, if disclosed, would jeopardize security;
7. Information that, if disclosed would give an advantage to competitors or bidders;
8. Information relating to any sexual harassment complaint;
9. Information relating to any grievance filed by or against an individual in connection with collective negotiations;
10. Information that is a communication between the Board and its insurance carrier, administrative service organization or risk management office; and
11. Information that is to be kept confidential pursuant to a court order.

### Custodian of Board Records

The Custodian of Board Records shall be the Board Secretary/Business Administrator.

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

### **Public Access to Board of Education Records**

**Series 9000**

**Policy 9330**

Page 2 of 4

#### Responsibility of the Custodian of School Records

The Custodian of Board Records must permit Board records to be inspected, examined, and copied during regular business hours. The district position of Board Secretary/Business Administrator is officially designated by this action custodian of Board records. The Board Secretary/Business Administrator is required to keep and maintain all records and documents belonging to the Board except those required by the Treasurer of School Monies.

#### Timely Access

In general, the Custodian of Board Records has a duty to provide access to a Board record immediately. However, there may be instances where the requested record(s) may be archived. In that case, the Custodian of Board Records will attempt to provide the requested record(s) within seven (7) business days after receiving the request. In general, failure to respond within seven (7) business days may be deemed a denial of the request.

#### Redaction of Records

In general, before providing public access, the Custodian of School Records has a duty to redact any information that discloses the social security number, credit card number, unlisted telephone number, driver license number and/or other exempted information.

#### Form for Requesting Records

The custodian shall adopt a form for the public to use to make requests for Board records. The form must provide the following:

1. Space for the name, address and telephone of the requestor;
2. Space for a brief description of the record sought;
3. Space for the custodian to indicate which record will be made available, and fees (if any), to be charged;
4. Specific directions and procedures for requesting the record;
5. A statement as to whether prepayment of fees (if any) are required;
6. An indication that, in general, the custodian has seven (7) business days after receiving the request to respond;
7. A statement of the requestor's right to challenge a decision denying access and the procedure for filing an appeal;
8. Space for the requestor to sign and date the form;
9. Space for the custodian to sign and date the form if the request is fulfilled or denied.

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Public Access to Board of Education Records**

**Policy 9330**

Page 3 of 4

### Fees Charged for Copying Records

The Board of Education may recover the fees as prescribed in the current OPRA Fee Schedule for preparing copies of any and all requested district records and reports from the individual requesting such copies. Such costs shall be consistent with NJSA 47:1A-5b, and the current OPRA Fee Schedule.

### Additional Special Services Charges

The Board may also assess additional services charges for preparing requested copies of district records in accordance with NJSA 47:1A-5c. Such special service charges may be assessed whenever the nature, format, manner of collation, or volume of a record embodied in the form of printed matter to be copied is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the district may charge, in addition to the fees as prescribed in the current OPRA Fee Schedule of duplicating the record, a special service charge that shall be reasonable and shall be based upon the actual direct cost of providing the copy or copies. The requestor shall have the opportunity to review and object to the charge prior to it being incurred.

### Appeal of Denial or Access to Records

A person who is denied access to a Board Record may file suit in Superior Court or may file a complaint with the newly created Government Records Council within the New Jersey Department of Community Affairs.

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

### **Public Access to Board of Education Records**

**Series 9000**

**Policy 9330**

Page 4 of 4

#### Legal References:

NJSA 18A:11-1, 47:1A-1 et. seq, 10:4-6 et seq., 18A:4-14, 18A:7A-11  
18A:11-2, 18A:11-2b, 18A:17-7 through -12, 18A:17-28(e), 18A:17-35,  
18A:17-36, 18A:17-46, 18A:36-19  
NJAC 2:36-1.1 et seq., 6:3-1.6, 6:3-6.1 et seq., 6:3-6.2(g), -6.8, 6:8-2.1, 6:8-2.2,  
6A:16-5.3, 6A:16-5.4, 6A:23-2.1 et seq., 6A:27-7.9, 6A:30-1.1 et seq., 15:3-2

Annual Data Collection Plan, New Jersey State Department of Education  
Records Retention Schedule, New Jersey State Department of Education

Matawan Regional Teachers Association v. Matawan-Aberdeen Bd. of Ed., 212  
N.J. Super. 328 (Law Div. 1986)

Laufgas v. Barnegat Twp. Bd. of Ed., 1987 S.L.D. 2442, aff'd St. Bd. 1988 S.L.D.  
2496

Horner v. Kingsway Regional, 1990 S.L.D. 752

Beatty v. Chester Bd of Ed., 1999 S.L.D. (Sept.)

Manual for the Evaluation of Local School Districts (September 2002)  
P.L. 2001, c 404

#### Possible Cross References:

3570, 4112.6/4212.6, 5125

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Membership in Organizations**

**Policy 9340**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The Board of Education shall be a member of the New Jersey School Boards Association, the County School Boards Association and such other associations as shall be determined by the Board of Education annually.

### Legal References:

NJSA 18A:11-1, 18A:6-16, 18A:6-45, 18A:6-50



# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education Legislative Program**

## **Series 9000 Policy 9360**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

To ensure that the Board has the opportunity to make its views known to the elected representatives of the district at the local, state and national level, the Chief School Administrator is directed to notify the Board of any pending legislation that might affect the district.

### Legal References:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Monitoring Products and Processes of the School District**

**Policy 9370**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The school district's written educational plan shall be sequential and specific. The standards and procedures for assessing and evaluating the plan's long and short-range objectives shall be based on the following major elements:

1. Clear statements of expectations and purposes (i.e. philosophy, goals and objectives) coupled with specifications of how successful achievement will be determined;
2. Provisions for the staff, resources, and support necessary to achieving purposes;
3. Evaluation carefully designed to determine how well expectations and purposes are met;
4. Revisions and modifications as needed for continued improvement.

Every effort shall be made by the Board, Chief School Administrator, and staff to fulfill the responsibilities of providing a thorough and efficient education for the pupils of the school district.

### Legal References:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Board of Education Self-Evaluation**

**Policy 9400**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The members of the Board of Education shall conduct an annual self-evaluation each year to determine the degree to which they are meeting their responsibilities as Members of the Board of Education and the needs of their educational community. This self-evaluation shall be positive, frank and honest, and shall be used to establish priorities for action and specific goals and objectives to strengthen the operation of the Board.

The Board shall use a multifaceted self-evaluation instrument as recommended by the New Jersey School Boards Association. This function shall be the responsibility of the Board President.

### Legal References:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Evaluation & Public Announcement of District Accomplishments**

**Policy 9410**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The Board directs the Chief School Administrator to employ all appropriate means to provide for continuous and candid reports of accomplishments in the pursuit of district goals and objectives and to establish reliable indicators of accomplishment. The purpose of these accomplishment reports shall be to provide the Board with information needed for making continual policy and planning decisions.

The Board of Education, in compliance with the rules of the State Board of Education, shall provide district citizens with an annual report at a public Board meeting. As required by law, the accomplishment report shall include:

1. The implementation of school-level plans, NJAC 6:8-4.4;
2. The achievement of performance objectives, NJAC 6:8-4.4;
3. Each school report card, including pupil performance results and pupil behavior data, NJAC 6:8-4.4;
4. Professional development activities, NJAC 6:8-4.8;
5. The condition of the school facilities, NJAC 6:8-4.9;
6. The status of mandated program reviews, NJAC 6:8-4.10; and
7. Community support data consisting of:
  - a. A review of demographic data,
  - b. A Community survey,
  - c. Identification of available resources and linkages to social service agencies,
  - d. Strategies to overcome any community and environmental conditions that hinder learning,
  - e. Methods to eliminate any barriers to community participation,
  - f. Planned level of community involvement, and
  - g. Strategies for parental involvement, and parent-teacher interaction.

The annual accomplishment report shall be in the form of the Quality Assurance Annual Report (as required by law) and presented in clear and concise language.

Special and/or significant accomplishments of staff, students or the district as a whole shall be announced as they occur at the discretion of the Board.

### Legal References:

NJSA 18A:11-1

NJAC 6:8-4.4, 6:8-4.8, 6:8-4.9, 6:8-4.10, 6:8-6.1(b)(c), 6:8-6.2(e)

### Possible Cross References:

1100, 1120, 2232.1

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Recognition of Retired Employees & Board of Education Members**

**Policy 9420**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

Wishing to recognize the loyalty and service of long-time employees and Board Members with a tangible proof of appreciation, the Board directs the Chief School Administrator to procure appropriate certificates, plaques, or other appropriate symbols of recognition for employees who are retiring from active employment in the district and Board Members who have completed their appointed or elected terms of office. Recognition is to be made on a non-discriminatory basis.

### Legal References:

NJSA 18A:11-1

# **Elsinboro Township Board of Education District Policy Manual**

## **Bylaws of the Board of Education**

**Series 9000**

## **Evaluation of District Accomplishments**

**Policy 9430**

|                               |               |             |
|-------------------------------|---------------|-------------|
| Date Adopted: April 27, 2009  | Date Revised: | Page 1 of 1 |
| First Reading: March 30, 2009 |               |             |

The Board has directed the annual evaluation of all parts of the district operation. The evaluation of the district as a whole must rest on the results of these individual evaluations. Therefore, the Chief School Administrator is directed to coordinate the results of the evaluation of:

- A. Administration
- B. Business and Non-Instructional Operations (including all construction of whatever type)
- C. Personnel (as a whole)
- D. Instructional Programs (including pupil progress and the State evaluation) into a unified report to the Board on the strengths and weaknesses of the district on or before the October meeting of the Board.

This unified report shall state the indicators of achievement used in each area.

### Legal References:

NJSA 18A:11-1