

0141 BOARD MEMBER NUMBER AND TERM

The Board of Education shall consist of nine (9) members.

The term of a Board member shall be three (3) years.

The term of a Board member appointed to fill a vacancy shall be from the member's appointment to the organizational meeting following the next annual election. Any vacancy for the remainder of the term shall be filled at the next annual school election, except that

1. A Board member appointed to fill a vacancy occurring after the third Monday in July for an annual election occurring in November, to fill a term extending beyond the next election, shall serve until the organizational meeting following the second annual election next succeeding the occurrence of the vacancy.

Any vacancy for the remainder of a term shall be filled at the annual election or the second annual election next succeeding the occurrence of a vacancy, as the case may be.

N.J.S.A. 18A:12-6; 18A:12-9; 18A:12-11; 18A:12-15

Adopted: 23 August 2010, 22 September 2014



0143 BOARD MEMBER ELECTION AND APPOINTMENT

The election and appointment of Board of Education members will be conducted in strict compliance with law.

A vacancy in the membership of a Board of Education will be filled in accordance with N.J.S.A. 18 A: 13-11

1. The Executive County Superintendent, if a vacancy is caused in accordance with NJ S 1 18A;
 - a. The absence of candidates for election to the school Board, or
 - b. The removal of a member because of lack of qualifications, or
 - c. The failure of the Board to appoint a person to a vacancy within sixty-five days following its occurrence, or
 - d. A tie for election between two or more candidates in a special runoff election. Two or more candidates qualified by law for membership on the Board receiving an equal number of votes in a special runoff election for membership on the Board.
2. By the Executive County Superintendent, to a number sufficient to make up a quorum of the Board if, by reason of vacancies, a quorum is lacking;
3. Special election within sixty days of the annual school election, if;
 - a. Two or more qualified candidates **receive an equal number of votes.**
 - b. The annual election is disqualified due to improper election procedures.
4. By Commissioner of Education if there is a failure to elect a member at the annual school election due to improper campaign practices; or
5. By a majority vote of the remaining members of the Board of Education after the vacancy occurs in all other cases.



The Board Secretary shall promptly notify the President of a vacancy to be filled by the Board; the President shall inform all other Board members. The Board will give public notice of the vacancy and invite any qualified person to submit a written request for consideration of his/her candidacy for the vacancy. The Board may also require candidates submit a resume with their written request.

In considering candidates who have expressed an interest in a vacancy, the Board of Education **shall** interview candidates in public. The Board **shall** vote to appoint a candidate to a vacancy in public session and there shall be no decisions made in executive session. **The** Board members, in the public session nomination and voting process, shall express their opinion in support of their vote **so the public can witness any deliberations, policy formulation, and the decision making process of the Board.**

A roll call vote will be conducted on candidates in the order the candidates were nominated with a second. If there are two or more vacancies, each vacancy will be filled by a separate election process. The first candidate who receives the votes of a majority of the remaining Board members will be elected to the vacancy. In the event no candidate receives a majority vote of the remaining Board members, another **roll call vote** shall be conducted between the two candidates receiving the highest number of votes.

N.J.S.A. 18A:12-11; 18A:12-15

Adopted: 23 August 2010, 22 September 2014



1581 VICTIM OF DOMESTIC OR SEXUAL VIOLENCE LEAVE

In accordance with the provisions of N.J.S.A. 34:11C-1 et seq., an employee who was a victim of an incident of domestic violence as defined in Section 3 of P.L.1991, c.261 (C.2C:25-19) or a sexually violent offense as defined in Section 3 of P.L.1998, c.71 (C.30:4-27.26), or whose child, parent, spouse, domestic partner, or civil union partner was a victim shall be entitled to unpaid leave of no more than twenty days in one twelve-month period, to be used in the twelve-month period following any incident of domestic violence or any sexually violent offense as provided in N.J.S.A. 34:11C-1 et seq.

For the purposes of N.J.S.A. 34:11C-1 et seq. and this Policy, an "employee" means a person who is employed for at least twelve months by the Board of Education, with respect to whom benefits are sought under N.J.S.A. 34:11C-1 et seq. – "NJ SAFE Act" for not less than 1,000 hours during the immediately preceding twelve-month period.

For the purposes of N.J.S.A. 34:11C-3 and this Policy, each incident of domestic violence or any sexually violent offense shall constitute a separate offense for which an employee is entitled to unpaid leave, provided the employee has not exhausted the allotted twenty days for the twelve-month period. The unpaid leave may be taken intermittently in intervals of no less than one day, as needed for the purpose of engaging in any of the following activities as they relate to the incident of domestic violence or a sexually violent offense:

1. Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's child, parent, spouse, domestic partner, or civil union partner;
2. Obtaining services from a victim services organization for the employee or the employee's child, parent, spouse, domestic partner, or civil union partner;
3. Obtaining psychological or other counseling for the employee or the employee's child, parent, spouse, domestic partner, or civil union partner;



4. Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's child, parent, spouse, domestic partner, or civil union partner from future domestic or sexual violence or to ensure economic security;
5. Seeking 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 or sexual violence; or
6. Attending, participating in, or preparing for a criminal or civil 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.

An eligible employee may elect, or the Board of Education may require the employee, to use any of the accrued paid vacation leave, personal leave, or medical or sick leave (in accordance with the provisions of N.J.S.A. 18A:30-1) during any part of the twenty-day period of unpaid leave provided under N.J.S.A. 34:11C-1 et seq. In such case, any paid leave provided by the Board, and accrued pursuant to established policies of the Board, shall run concurrently with the unpaid leave provided under N.J.S.A. 34:11C-1 et seq. and, accordingly, the employee shall receive pay pursuant to the Board's applicable paid leave policy during the period of otherwise unpaid leave. If an employee requests leave for a reason covered by both N.J.S.A. 34:11C-1 et seq. and the "Family Leave Act," P.L.1989, c.261 (C.34:11B-1 et seq.) or the Federal "Family and Medical Leave Act of 1993," Pub.L.103-3 (29 U.S.C. § 2601 et seq.), the leave shall count simultaneously against the employee's entitlement under each respective law.

Leave granted under N.J.S.A. 34:11C-1 et seq. and this Policy shall not conflict with any rights pursuant to the "Family Leave Act," P.L.1989, c.261 (C.34:11B-1 et seq.), the "Temporary Disability Benefits Law," P.L.1948, c.110 (C.43:21-25 et seq.), or the Federal "Family and Medical Leave Act of 1993," Pub.L.103-3 (29 U.S.C. § 2601 et seq.).



Prior to taking this leave an employee shall, if the necessity for the leave is foreseeable, provide the Superintendent of Schools with written notice of the need for the leave. The notice shall be provided as far in advance as is reasonable and practical under the circumstances.

Nothing contained in N.J.S.A. 34:11C-1 et seq. and this Policy shall be construed to prohibit the Superintendent from requiring that a period of this leave be supported by the employee with documentation of the domestic violence or a sexually violent offense which is the basis for the leave. If documentation is required, the employee shall be regarded as having provided sufficient documentation if the employee provides one or more of the following:

1. A domestic violence restraining order or other documentation of equitable relief issued by a court of competent jurisdiction;
2. A letter or other written documentation from the county or municipal prosecutor documenting the domestic violence or a sexually violent offense;
3. Documentation of the conviction of a person for the domestic violence or a sexually violent offense;
4. Medical documentation of the domestic violence or a sexually violent offense;
5. Certification from a certified Domestic Violence Specialist or the director of a designated domestic violence agency or Rape Crisis Center, stating that the employee or employee's child, parent, spouse, domestic partner, or civil union partner is a victim of domestic violence or a sexually violent offense; or
6. Other documentation or certification of the domestic violence or a sexually violent offense provided by a social worker, member of the clergy, shelter worker, or other professional who has assisted the employee or employee's child, parent, spouse, domestic partner, or civil union partner in dealing with the domestic violence or a sexually violent offenses.



For the purposes of N.J.S.A. 34:11C-1 et seq. and this Policy, "Certified Domestic Violence Specialist" means a person who has fulfilled the requirements of certification as a Domestic Violence Specialist established by the New Jersey Association of Domestic Violence Professionals; and "designated domestic violence agency" means a county-wide organization with a primary purpose to provide services to victims of domestic violence, and which provides services that conform to the core domestic violence services profile as defined by the Division of Child Protection and Permanency in the Department of Children and Families and is under contract with the division for the express purpose of providing the services.

For the purposes of N.J.S.A. 34:11C-1 et seq. and this Policy, "Rape Crisis Center" means an office, institution, or center offering assistance to victims of sexual offenses through crisis intervention, medical and legal information, and follow-up counseling.

The Board shall display conspicuous notice of its employees' rights and obligations pursuant to the provisions of N.J.S.A. 34:11C-1 et seq., in such form and in such manner as the Commissioner of Labor and Workforce Development shall prescribe, and use other appropriate means to keep its employees so informed.

No provision of N.J.S.A. 34:11C-1 et seq. and this Policy shall be construed as requiring or permitting the Board to reduce employment benefits provided by the Board or required by a collective bargaining agreement which are in excess of those required by N.J.S.A. 34:11C-1 et seq. Nor shall any provision of N.J.S.A. 34:11C-1 et seq. be construed to prohibit the negotiation and provision through collective bargaining agreements of leave policies or benefit programs which provide benefits in excess of those required by N.J.S.A. 34:11C-1 et seq. This provision shall apply irrespective of the date that a collective bargaining agreement takes effect.

Nothing contained in N.J.S.A. 34:11C-1 et seq. and this Policy shall be construed as permitting the Board to:

1. Rescind or reduce any employment benefit accrued prior to the date on which the leave taken pursuant to N.J.S.A. 34:11C-1 et seq. commenced; or



2. Rescind or reduce any employment benefit, unless the rescission or reduction of the benefit is based on changes that would have occurred if an employee continued to work without taking the leave provided pursuant to N.J.S.A. 34:11C-1 et seq.

All information and/or documentation provided to the Board or Superintendent of Schools pursuant to N.J.S.A. 34:11C-1 et seq., any information regarding a leave taken pursuant to N.J.S.A. 34:11C-1 et seq., and any failure of an employee to return to work, shall be retained in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is required by a Federal or State law, rule, or regulation.

The Board of Education shall not discharge, harass or otherwise discriminate or retaliate or threaten to discharge, harass or otherwise discriminate or retaliate 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 to which the employee was entitled pursuant to N.J.S.A. 34:11C-3 or on the basis that the employee refused to authorize the release of information deemed confidential pursuant to N.J.S.A. 34:11C-3.f.

N.J.S.A. 34:11C-1 et seq.

Adopted: 22 September 2014



3125 EMPLOYMENT OF TEACHING STAFF MEMBERS (M)

The Board of Education believes it is vital to the successful operation of the district that teaching staff member positions be filled with highly qualified and competent teaching staff members.

The Superintendent shall recruit, screen, and recommend to the Board suitable candidates for district employment. In accordance with the provisions of N.J.S.A. 18A:27-4.1, the Board shall appoint, transfer, remove, or renew a certificated or non-certificated officer or employee only upon the recommendation of the Superintendent of Schools and by a recorded roll call majority vote of the full membership of the Board. The Board shall not withhold its approval for arbitrary and capricious reasons. The Board shall approve the employment, fix the compensation, and establish the term of employment for every staff member employed by this district recommended by the Superintendent.

The superintendent may appoint a person to fill a sudden vacancy, subject to ratification of that action by the Board at the next Board meeting, and may appointment substitute teachers in accordance with this policy.

No teaching staff member shall be employed unless he/she is a holder of a valid certificate in accordance with the New Jersey Department of Education and applicable statutes and administrative codes.

The Superintendent shall require proof of any candidate's certification or pending application for certification.

No person shall be employed in a position involving regular contact with pupils unless the Board has notice that no criminal history record information exists on file in the Federal Bureau of Investigation, Identification Division, or the State Bureau of Identification which would disqualify the individual from being employed or utilized in such capacity or position.

Criminal history record checks will be required pursuant to New Jersey Department of Education regulations and procedures. Any person to be employed by the district, other than a school bus driver, must undergo a criminal history background check. School bus drivers are subject to criminal history record checks in accordance with New Jersey and Federal licensing requirements. All contracted employees having regular pupil contact must undergo a criminal record history check. Approval letters will be valid only for the district or contract service provider through which the person to be employed made application for employment.



A permanent employee hired prior to October 8, 1986, who applies for and is selected for a different position in the district is "grandfathered" and not required to undergo a criminal history background check. An employee hired after October 8, 1986 for a position without regular pupil contact and later receives a position with pupil contact, must undergo a criminal history background check at the time of transfer to the new position.

Individuals approved by the Board who provide volunteer services are subject to this criminal history record information requirement at the Board's expense. Student teachers are not subject to this criminal history record information requirement. An individual shall be permanently disqualified from employment or service in the school district if the criminal history record check reveals a record of conviction for crimes as defined in N.J.S.A. 18A:6-7.1 et seq.

The Board may use a private contractor to secure a substitute teacher in accordance with N.J.A.C. 6A:9 et seq. Substitute employees, who are rehired annually by the Board, are required to undergo a criminal history record check upon initial employment, provided the substitute continues in the employ of at least one of the districts at which the substitute was employed within one year of the approval of the criminal history record check. A substitute employee later selected for a permanent position within the district does not need to undergo a new criminal history background check provided there is no break in service in the substitute employment. A break in service is when the employee is no longer approved by the employing Board of Education. An employee who has been laid off (dismissed because of employee reduction) and is asked to be re-employed by the district and/or contractor must submit to a new criminal history background check.

The Board or contracted service provider may employ an applicant on an emergent basis for a period not to exceed three months, pending completion of a criminal history records check if the Board or contractor demonstrates to the Commissioner of Education that special circumstances exist which justify the emergent employment as prescribed in N.J.S.A. 18A:6-7.1c. In the event the criminal background check is not completed for an emergent hired employee within three months, the Board or contractor may petition the Commissioner for an extension of time, not to exceed two months, in order to retain the employee.

No criminal history record check shall be furnished unless the applicant provided written consent to the check. The applicant shall bear the cost for the check, including all costs for administering and processing the check. The district will deny employment to an applicant if the applicant is required and refuses to submit to a criminal history background check.



All new employees will be required, within three days of the first day of hire, to complete the federal Form I-9 and supply the documentation necessary to demonstrate the employee's identity and employment eligibility under the Immigration Reform and Control Act of 1986. Completed Forms I-9 will be retained for three years or until one year after the end of the employee's separation, whichever is longer.

Recruitment, selection, and hiring procedures shall be monitored in this manner:

1. There shall be no discrimination of any sort in recruitment, selection, and hiring.
 - a. The Affirmative Action Officer shall prepare copies of affirmative and non-discriminatory notices and advertisements of employment opportunities. Copies will be available on request.
 - b. The Affirmative Action Officer will monitor recording systems to identify discriminatory practice or policies and evaluate progress towards equal employment opportunity.
 - c. Application forms requiring only information related to job performance will be available.
 - d. Interview personnel sheets will comply with Federal and State requirements and ensure that all questions are job-related.
2. The Superintendent or designee shall thoroughly check references on all candidates considered for employment prior to presenting them to the Board.
3. No staff member shall recommend or discuss the qualifications of a family member.
4. All new hires shall present evidence of all State and Federal requirements including the initiation of a criminal history background check and proof of citizenship or eligible alien status.

Classroom instructional aides are hereby defined as persons who work directly under supervision of teachers.



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The Superintendent is directed to develop job descriptions including standards for appointment and qualifications to be met. He/she will arrange for adequate supervision and evaluation of performance.

All aide job descriptions must be approved by the County Superintendent. All aides shall be required to comply with the provisions of the law regarding health examinations and criminal history checks.

Classroom instructional aides are assigned to regular classrooms at the discretion of the Superintendent. The Superintendent shall present candidates for such positions to the Board for approval.

Classroom instructional aides are employed to assist the teacher reach teaching objectives by working with individual pupils or small groups to help them improve their skill levels. The primary benefit must be to the pupils. Teachers shall orient the classroom **aide** to the basic classroom objectives and ultimate classroom goals.

In accordance with Federal law, the Superintendent shall establish procedures to release information, upon request, regarding the qualifications of classroom aides (paraprofessionals) to parent(s) or legal guardian(s) for any classroom aide (paraprofessional) who is employed by a school receiving Title 1 funds and who provides instructional assistance to their children.

Qualification of Classroom Instructional Aides in Title I Schools in accordance with NCLB (*No Child Left Behind Act 2001*).

All classroom aides (paraprofessionals) hired in the schools that receive Title I funds shall be qualified in accord with Federal law. All such paraprofessional (classroom) must have a high school diploma or its equivalent. All such classroom aides (paraprofessionals) hired after January 8, 2002, except those working as translators or solely in conducting parent involvement activities, also must meet one of the following criteria:

1. Completed at least two years of study at an institution of higher education;
2. Obtained an associate's (or higher) degree; or
3. 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.



Substitute Teachers

The Board will employ substitutes for absent teachers in order to insure continuity in the instructional program, will annually approve a list of substitutes and the positions in which each is permitted to serve and may approve additional substitutes during the school year.

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

The Board shall approve potential substitute personnel and the positions in which they may substitute. The Superintendent may select substitutes from the list approved by the Board to serve in the place of an absent teacher who retains an entitlement to a regular position. The Superintendent may employ, subject to ratification by the Board at the next meeting of the Board, substitutes who have not received the prior approval of the Board when no approved substitute is available.

All substitutes shall meet all State and Federal requirements for employment.

Teacher substitutes must have at least a valid substitute teaching certificate issued by the County Superintendent, and preferably hold a degree.

Any substitute teacher shall be entitled only to the wages approved by the Board on a per diem basis, and to no other benefits, except when needed as a long term substitute. Persons needed as long term substitutes may be compensated differently upon the Superintendent's recommendation and the Board's approval.

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

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

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



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The Building Principal shall be responsible for ensuring that effective substitutes are hired and retained. He/she may informally observe the substitute and shall consult with the regular teacher to ensure that the substitute's performance met district standards.

Athletic Coaches

An athletic coach employed by this district who is not a regular employee of this district shall be employed only for the duration of the specific sport season. He/She shall be paid the stipend and no out-of-district athletic coach shall be eligible for tenure or for employment benefits.

The Board authorizes the Superintendent to recommend the employment of qualified coaches for the district interscholastic and intramural athletic programs. The Board will employ as athletic coaches only those persons who have experience in and knowledge of the specific sport, are properly certified, and possess the personal characteristics that qualify them to serve as role models to the pupils they coach.

The Superintendent shall advertise a vacancy in a coaching position by posting notice of the vacancy in this school district and by simultaneously advertising the vacancy by appropriate means throughout the region. The Superintendent may thereafter recommend to the Board the employment of any qualified candidate for the coaching position who possesses an instructional certificate issued by the New Jersey State Board of Examiners.

In the event there is no qualified and certified applicant for a coaching position, the Superintendent may recommend to the Board a candidate who is the holder of a county substitute's certificate, provided the Superintendent demonstrates to the County Superintendent the vacant coaching position has been advertised and no qualified applicant based on the written school district standards for the position has applied. The Superintendent must provide a letter to the County Superintendent attesting to the prospective employee's knowledge and experience in the sport in which he or she will coach. Approval of the County Superintendent shall be obtained prior to such employment by the Board.

An athletic coach employed under a county substitute's certificate shall be employed for a single designated sports season and the 20-day limitation provided in N.J.A.C. 6:11-4.5(c) shall not apply to such coaching situations.

An athletic coach employed by this district who is not a regular employee of this district shall be employed only for the duration of the specific sport season. He/She shall be paid the stipend that would be paid to a district employee in the same position and shall be



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supervised by the Athletic Director. No out-of-district athletic coach shall be eligible for tenure or for employment benefits.

An athletic trainer shall possess an educational services certificate issued by the State Board of Examiners pursuant to N.J.S.A. 18A:26-4 and 18A:26-5.

The Board of Education shall not employ for pay or contract for the paid services of any teaching staff member or any other person serving in a position which involves regular contact with students unless the Board has first determined, consistent with the requirements and standards of N.J.S.A. 18A:6-7.1 et seq., that no criminal history record information exists on file in the Federal Bureau of Investigation, Identification Division, or the State Bureau of Identification which would disqualify the individual from being employed or utilized in such capacity or position.

An individual employed by the Board in any substitute capacity or position shall be required to undergo a criminal history record check in accordance with the provisions of N.J.S.A. 18A:6-7.1b.

An individual, except as provided in N.J.S.A. 18A:6-7.1g, shall be permanently disqualified from employment or service in the school district if the criminal history record check reveals a record of conviction for any crime or offense as defined in N.J.S.A. 18A:6-7.1 et seq.

The Board or contracted service provider may employ an applicant on an emergent basis for a period not to exceed three months, pending completion of a criminal history record check if the Board or contracted service provider demonstrates to the Commissioner of Education that special circumstances exist which justify the emergent employment as prescribed in N.J.S.A. 18A:6-7.1c. In the event the criminal history record check is not completed for an emergent hired employee within three months, the Board or contracted service provider may petition the Commissioner for an extension of time, not to exceed two months, in order to retain the employee.

No criminal history record check shall be performed unless the applicant shall have furnished written consent to such a check. The applicant shall bear the cost for the criminal history record check, including all costs for administering and processing the check. The district will deny employment to an applicant if the applicant is required and refuses to submit to a criminal history record check.

The Board of Education prohibits any relative of a Board member, **administrator** or Superintendent of Schools from being employed in an office or position in the school



district in accordance with the provisions of N.J.A.C. 6A:23A-6.2 and Board Policy 0142.1 – Nepotism.

A teaching staff member's misstatement of fact material to his/her qualifications for employment or the determination of his/her salary will be considered by the Board to constitute grounds for dismissal.

N.J.S.A. 18A:6-5; 18A:6-6; 18A:6-7.1; 18A:6-7.1b; 18A:6-7.1c; 18A:6-7.2;
18A:16-1 et seq.; 18A:26-1 et seq.; 18A:27.1 et seq.; 18A:27-4.1;
18A:27-7; 18A:27-8

N.J.S.A. 18A:54-20 [vocational districts]

N.J.A.C. 6A:9-5.18; 6A:9-5.19

Adopted: 23 August 2010, 22 September 2014



3230 OUTSIDE ACTIVITIES

The Board of Education recognizes that teaching staff members enjoy a private life outside their job responsibilities in the school district. The Board believes the role of the teaching profession is such that teachers exert a continuing influence away from the school district. Accordingly, the Board reserves the right to determine if activities outside the teaching staff member's job responsibilities interfere with their professional performance and the discharge of the member's responsibilities to the students of this district.

All teaching staff members are advised to be governed in the conduct of personal activities by the following guidelines:

1. Teaching staff members shall not devote time during their work day to an outside private enterprise, business, or business organization. They shall not solicit or accept customers for a private enterprise, business, and/or business organization on school grounds during their work day without the express permission of the Superintendent;
2. The Board does not endorse, support, or assume liability in any way for any staff member of this district who takes students on trips not approved by the Board or Superintendent, and shall not be liable for the welfare of students who travel on such trips. Any staff member who takes students of this district on a trip not approved by the Board or Superintendent shall clearly and concisely inform the parent(s) of any student solicited and/or attending such a trip that the trip is not endorsed, supported, approved, or authorized by the Board of Education. A staff member shall not solicit students on school grounds for trips not approved by the Board or Superintendent;
3. The Board does not endorse, support, or assume liability in any way for any teaching staff member of this district who conducts a private activity in which students or employees of this district participate;



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4. Teaching staff members shall not send campaign literature home with students, or request, direct, or have students distribute campaign literature on behalf of any candidate for local, State, or national office or for any bond issue, proposal, or any public question submitted at any general, municipal, or school election. No student shall be requested or directed by any teaching staff member to engage in any activity which tends to promote, favor, or oppose any such candidacy, bond issue, proposal, or public question;
5. Teaching staff members shall not privately tutor students for compensation that are currently enrolled in their classes; and
6. Copyrights and patents to materials or equipment developed, written, prepared, processed, or tested by teaching staff members in the performance of their professional duties reside with and may be claimed by the Board.

N.J.S.A. 18A:42-4
N.J.S.A. 19:1.1 et seq.

Adopted: 23 August 2010, 22 September 2014



3240 PROFESSIONAL DEVELOPMENT FOR TEACHERS AND SCHOOL LEADERS

The Board of Education encourages all teaching staff members to pursue a program of continuing professional development by course work or matriculation in institutions of higher learning, participation in workshops and conferences, membership in professional organizations, and/or independent scholarship.

Teaching staff members may be permitted to: visit other schools and classrooms; attend local, regional, or national conferences; participate in committees, workshops, and panels, both within and outside the district. Requests for participation in such professional development activities must be submitted in writing to the Superintendent or designee for approval. In addition, the Board of Education must approve all travel expenditures in accordance with N.J.S.A. 18A:11-12 and the State of New Jersey Department of the Treasury, Office of Management and Budget Circulars 08-19-OMB and 06-14-OMB (OMB Circulars) and any superseding circulars and any additional requirements set forth in N.J.A.C. 6A:23A-7 et seq.

A teaching staff member who has been granted time off and/or approved to be reimbursed for a professional development activity shall submit to the Superintendent or designee, with a copy to the School Business Administrator/Board Secretary, within thirty working days a brief written report that includes the primary purpose of the travel, the key issues addressed at the event, and their relevance to improving instruction or the operations of the school district.

All active teachers, defined as staff whose positions require possession of the instructional or educational services certificates in accordance with N.J.A.C. 6A:9-8, 10, 11, and 13 and all active school leaders serving on a permanent or interim basis whose positions require possession of the Chief School Administrator, Principal, or Supervisor endorsement in accordance with N.J.A.C. 6A:9-12 shall comply with the professional development requirements as outlined in N.J.A.C. 6A:9-15.1 et seq.

To meet the professional development requirement, each teacher shall be guided by an individual Professional Development Plan (PDP), which shall include at least twenty hours per year of qualifying activities as outlined in N.J.A.C. 6A:9-15.4. The PDP shall be developed by each teacher's supervisor in consultation with the teacher and shall align with the Professional Standards for Teachers in



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N.J.A.C. 6A:9-3 and the Standards for Professional Learning in N.J.A.C. 6A:9-15.3. The PDP shall be effective for one year and shall include, at least the minimum requirements outlined in N.J.A.C. 6A:9-15.4(c).

School-level professional development planning and implementation shall be in accordance with the requirements of N.J.A.C. 6A:9-15.5. District-level professional development planning and implementation shall be in accordance with N.J.A.C. 6A:9-15.6.

Implementation of the professional development requirement for school leaders shall be in accordance with N.J.A.C. 6A:9-15.7 and 15.8.

The Board of Education shall comply with the monitoring and assistance requirements as outlined in N.J.A.C. 6A:9-15.9.

The Board shall monitor and enforce the professional development requirements for teachers and school leaders set forth in N.J.A.C. 6A:9-15 et seq. and shall actively assist and support the provision of opportunities and resources, and the efforts by teachers and school leaders to meet the professional development requirements.

N.J.S.A. 18A:31-2; 18A:6-111

N.J.A.C. 6A:9-3.3; 6A:13-2.1; 6A:9-15.1 et seq.

Adopted: 23 August 2010, 22 September 2014



**R 3240 PROFESSIONAL DEVELOPMENT FOR TEACHERS AND
SCHOOL LEADERS**

- A. Professional Development – Definition (N.J.A.C. 6A:9-15.2)
1. Professional development shall be comprised of professional learning opportunities aligned with student learning and educator development needs; and school, school district, and/or State improvement goals.
 2. Professional development shall have as its primary focus the improvement of teachers' and school leaders' effectiveness in assisting all students to meet the Core Curriculum Content Standards (CCCS).
 3. Professional development shall include the work of established collaborative teams 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:
 - a. Evaluating student learning needs through ongoing reviews of data on student performance; and
 - b. Defining a clear set of educator learning goals based on the rigorous analysis of these data.
 4. Professional learning shall incorporate coherent, sustained, and evidenced-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.
 5. Professional development may be supported by external expert assistance or additional activities that:
 - a. Address defined student and educator learning goals;



- b. Advance primarily ongoing school-based professional development; and
 - c. Include, but are not limited to, courses, workshops, institutes, networks, and conferences provided by for-profit and nonprofit entities outside the school such as universities, educational service agencies, technical assistance providers, networks of content specialists, and other education organizations and associations.
6. Professional development shall align with the professional standards for teachers and school leaders in N.J.A.C. 6A:9-3 and the Standards for Professional Learning in N.J.A.C. 6A:9-15.3.
- B. Standards for Professional Learning (N.J.A.C. 6A:9-15.3)
1. Professional learning that increases educator effectiveness and improves results for all students shall be guided by the following standards:
 - a. Learning communities: Occurs within learning communities committed to continuous improvement, collective responsibility, and goal alignment;
 - b. Leadership: Requires skillful leaders who develop capacity, advocate, and create support systems for professional learning;
 - c. Resources: Requires prioritizing, monitoring, and coordinating resources for educator learning;
 - d. Data: Uses a variety of sources and types of student, educator, and system data to plan, assess, and evaluate professional learning;
 - e. Learning designs: Integrates theories, research, and models of human learning to achieve its intended outcomes;



- f. Implementation: Applies research on change and sustains support for implementation of professional learning for long-term change; and
 - g. Outcomes: Aligns its outcomes with educator performance and student curriculum standards.
 - 2. The standards in 1.a. through g. above shall serve as indicators to guide the policies, activities, facilitation, implementation, management, and evaluation of professional development.
- C. Requirements for Individual Teacher Professional Development Planning and Implementation (N.J.A.C. 6A:9-15.4)
 - 1. To meet the professional development requirement, each teacher shall be guided by an individualized Professional Development Plan (PDP), which shall include at least twenty hours per year of qualifying activities. The twenty-hour annual requirement shall be reduced by a pro rata share reflecting the use of family or medical leave.
 - 2. The content of each PDP shall be developed by each teacher's supervisor, in consultation with the teacher, and shall align with the Professional Standards for Teachers in N.J.A.C. 6A:9-3 and the Standards for Professional Learning in N.J.A.C. 6A:9-15.3.
 - 3. The PDP shall be effective for one year and shall specify, at a minimum:
 - a. One area for development of professional practice derived from the results of observations and evidence accumulated through the teacher's annual performance evaluation;
 - b. As appropriate, an additional area for development of professional practice aligned to the teacher's role as a member of his or her collaborative professional learning team in accordance with N.J.A.C. 6A:9-15.2;
 - c. As appropriate, an additional area for development of professional practice aligned with school and/or district improvement goals as set forth in N.J.A.C. 6A:9-15.5 and 15.6; and



- d. Any requirements for professional development stipulated elsewhere in statute or regulation.
 4. The progress of each teacher in meeting the goals of the PDP must be determined annually and aligned to the district or applicable nonpublic school process for teacher evaluation.
 5. Progress on the PDP must be discussed during a minimum of one annual conference between the teacher and his or her supervisor.
 6. Each teacher shall provide evidence of progress toward meeting the requirements of his or her individual PDP, and this evidence must be reviewed as part of each conference.
 7. The PDP shall be revised at a minimum annually, but may be adjusted as necessary to support the teacher's progress.
 8. All teachers governed by the professional development requirements shall have an individual PDP within thirty instructional days of the beginning of their respective teaching assignments.
 9. The Board of Education shall ensure all teachers receive the necessary opportunities, support, and resources to engage in ongoing professional learning and to complete the requirements of their respective PDPs.
 10. A teacher's individual PDP goals may necessitate more than the recommended minimum requirements outlined in N.J.A.C. 6A:9-15 et seq.
 11. Additional hours of qualifying activities may be required for teachers in low-performing schools, as determined by the Commissioner of Education.
- D. Requirements for School-Level Professional Development Planning and Implementation (N.J.A.C. 6A:9-15.5)



1. The Principal shall oversee the development and implementation of a plan for school-level professional development.
 2. 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.
 3. The school-level plan shall become part of the district's professional development plan reviewed by the Board of Education pursuant to N.J.A.C. 6A:9-15.6.
 4. The school-level professional development plan shall go into effect for the 2013-2014 school year.
 5. The Principal shall ensure all teachers receive the necessary opportunities, support, and resources to complete professional development requirements in accordance with N.J.A.C. 6A:9-15.4(a).
- E. Requirements for District-Level Professional Development Planning and Implementation (N.J.A.C. 6A:9-15.6)
1. The Superintendent of Schools or designee shall oversee the development and implementation of plans to address the school district's 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.
 2. The Superintendent shall:
 - 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 plan, and data from school- and district-level performances;
 - c. Plan, support, and implement professional development activities that address the CCCS, and that align with the Standards for Professional Learning in N.J.A.C. 6A:9-15.3



and the Professional Standards for Teachers and School Leaders in N.J.A.C. 6A:9-3; and

- d. Develop and update, as necessary, the district mentoring plan for new teachers in accordance with N.J.A.C. 6A:9-8.4.
 3. The Superintendent shall review on an annual basis the school district plan to assess its effectiveness and revise it as necessary to meet the school district's learning goals for students, teachers, and school leaders.
 4. The school 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.
 5. The school district plan shall include any professional development required by statute or regulation.
 6. The Superintendent shall be responsible for the content and implementation of the district professional development plan. The Superintendent shall present the plan to the Board of Education to review for fiscal impact.
- F. Implementation of the Professional Development Requirement for School Leaders (N.J.A.C. 6A:9-15.7)
1. The Board of Education shall oversee and review for the Superintendent professional development that links to individual, school, and district professional development goals and to the school district's professional development plan.
 2. The Superintendent shall oversee and review for each Principal and Supervisor professional development that links to individual, school, and district professional development goals and the school district's professional development plan.
 3. The Superintendent, 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 set forth in N.J.A.C. 6A:9-3.4 and the Standards for Professional Learning in N.J.A.C. 6A:9-15.3;
 - b. Derives from the results of observations, evidence, and recommendations included in the annual performance evaluation of the Superintendent, Principals, or Supervisors;
 - c. Identifies professional goals that address specific individual, school, or school 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 school district professional development plan.
4. Each active school leader shall be required to provide evidence of progress toward fulfillment of his or her plan. Evidence shall include:
- a. A narrative account detailing plan goals and their achievement; and
 - b. 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.
5. Leaders whose positions require a Principal or Supervisor endorsement shall have an annual plan developed in collaboration with the Superintendent or designee holding a Chief School Administrator endorsement.
6. Leaders whose positions require a Chief School Administrator's endorsement, but who do not serve as a Chief School Administrator of the school district, shall have an annual plan developed in collaboration with the Superintendent or designee holding a Chief School Administrator endorsement.



7. The Superintendent or designee holding a Chief School Administrator endorsement shall meet with Principals, Supervisors, or other school administrators at mid-year to assess progress toward completion or modification of the plan.
 8. The Superintendent or designee holding a Chief School Administrator endorsement shall review the status of the professional development plan as part of the Principals', Supervisors', or other district administrators' annual performance evaluation.
 9. The Superintendent shall develop a professional development plan for review by the Board of Education.
 10. The Superintendent shall provide to the Board of Education annual evidence of progress toward completion of the professional development plan and summative evidence of plan completion every three to five years, depending on the Superintendent's contract with the Board of Education.
 11. In cases where there is disagreement between the Superintendent and the Board of Education regarding plan contents or progress toward completion, the Superintendent may appeal to the Executive County Superintendent, who will have final decision-making authority on all such matters.
- G. Requirements for School Leader Professional Development in Ethics, Law, and Governance (N.J.A.C. 6A:9-15.8)
1. All professional development plans for active school leaders serving on a permanent or interim basis whose positions require possession of a Chief School Administrator, Principal, or Supervisor endorsement in accordance with N.J.A.C. 6A:9-12.3 shall ensure the completion of appropriate training on: school law, ethics, and governance pursuant to N.J.S.A. 18A:26-8.2; and other statutory requirements related to student safety and well-being. To meet this ongoing requirement, the specific training needs of each school leader will be reviewed annually as part of the professional development planning process.



H. Monitoring and Assistance (N.J.A.C. 6A:9-15.9)

1. The Board of Education shall monitor and enforce the professional development requirements for teachers and school leaders set forth in N.J.A.C. 6A:9-15 et seq.
2. The Board of Education shall actively assist and support the provision of opportunities and resources, and the efforts by teachers and school leaders to meet the professional development requirements of N.J.A.C. 6A:9-15.1 et seq.
3. To ensure that the professional development requirements set forth in N.J.A.C. 6A:9-15 et seq. reflect a policy of continuous improvement, constructive support, and timely intervention, the Department of Education shall establish accountability procedures pursuant to N.J.A.C. 6A:30.
4. It is the responsibility of supervisors and school district administrators through the teacher performance evaluation process and the professional development planning process to monitor each teacher's progress in meeting the professional development requirements and to take appropriate steps to assure such progress. In any instance where a teacher's progress is found to be inadequate, the school district administration shall take appropriate remedial action by applying sound and accepted principles of progressive supervision and other appropriate means.
5. It is the responsibility of a school leader's immediate supervisor, or the Board of Education in the case of the Superintendent, to monitor each school leader's progress in meeting the professional development requirements. Monitoring shall be accomplished through the performance evaluation and professional development planning processes. In any instance where a school leader's progress is found to be inadequate, the school leader's immediate supervisor or Board of Education shall take appropriate remedial action.
6. The school district administration shall be responsible for maintaining accurate records of each educator's progress in meeting the professional development requirements outlined in N.J.A.C. 6A:9-15 et seq. Such records shall include a copy of each



educator's current professional development plan and timeline, as well as any documentation and evidence showing the educator's progress toward meeting the plan's requirements.

7. If a teacher leaves the employ of one New Jersey school district and is hired by another, the previous employing school district must share with the new employing school district the teacher's PDP and all supporting documentation. If the current professional development plan is found to be unsuitable to the teacher's new assignment, the new employing school district must ensure a revised professional development plan and timeline are created within thirty days of hire by the employee's new supervisor in collaboration with the new teacher.
8. If a school leader leaves the employ of one New Jersey school district and is hired by another, the new employing school district or Board of Education shall ensure that a revised professional development plan appropriate to the new assignment is developed in collaboration with the school leader.

Issued: 23 August 2010, 22 September 2014



4125 EMPLOYMENT OF SUPPORT STAFF MEMBERS

The Board of Education believes it is vital to the successful operation of the school district that support staff member positions be filled with highly qualified and competent professionals.

The Superintendent shall recruit, screen, and recommend to the Board suitable candidates for district employment. In accordance with the provisions of N.J.S.A. 18A:27-4.1, the Board shall appoint, transfer, remove, or renew a certificated or non-certificated officer or employee only upon the recommendation of the Superintendent of Schools and by a recorded roll call majority vote of the full membership of the Board. The Board shall not withhold its approval for arbitrary and capricious reasons. The Board shall approve the employment, fix the compensation, and establish the term of employment for every support staff member employed by this district.

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

The Board shall meet all Federal and State employment regulations when recruiting, selecting and hiring employees.

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

All new employees will be required, within three days of the first day of hire, to complete the federal Form I-9 and supply the documentation necessary to demonstrate the employee's identity and employment eligibility under the Immigration Reform and Control Act of 1986. Completed Forms I-9 will be retained for three years or until one year after the end of the employee's separation, whichever is longer.

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

The Board will employ substitutes for absent support staff members in order to ensure continuity in a program and will annually approve a list of substitutes and rate of pay. The Superintendent or designee shall select substitutes from the list approved by the Board to serve in the place of an absent support staff member.



The Board may use a private contractor to secure a substitute support staff member.

The Board of Education shall not employ for pay or contract for the paid services of any support staff member or any other person serving in a position which involves regular contact with students unless the Board has first determined consistent with the requirements and standards of N.J.S.A. 18A:6-7.1 et seq. that no criminal history record information exists on file in the Federal Bureau of Investigation, Identification Division, or the State Bureau of Identification which would disqualify the individual from being employed or utilized in such capacity or position.

An individual employed by the Board or a school bus contractor holding a contract with the Board, in the capacity of a school bus driver, shall be required to meet the criminal history record requirements as outlined in N.J.S.A.18A:39-19.1.

The Board will employ paraprofessional school aides and/or classroom aides to assist in the supervision of student activities under the direction of a Principal, teacher, or other designated certified professional personnel. Aides will serve the needs of students by performing nonprofessional duties and may work only under the direct supervision of a teaching staff member(s).

In accordance with the requirements of *No Child Left Behind Act of 2001*, paraprofessionals hired after January 8, 2002, who work in a program supported with Title I, Part A funds, with certain exceptions, must meet one of the following criteria:

1. Completed at least two years of study at an institution of higher education;
2. Obtained an associate's (or higher) degree; or
3. Met a rigorous standard of quality and be able to demonstrate, through a formal State or local academic assessment, knowledge of and the ability to assist in instructing, reading, **writing, and** mathematics (or, as appropriate, reading readiness, writing readiness, and mathematics readiness).

Paraprofessional staff working in a Title I school, and whose salary is paid for in whole or in part with Title I funds, must have met one of the criteria listed above by the end of the 2005-2006 school year. The Superintendent will ensure paraprofessionals working in a program supported with Title I funds meet the above



stated requirements.

An individual employed by the Board in any substitute capacity or position shall be required to undergo a criminal history record check in accordance with the provisions of N.J.S.A. 18A:6-7.1b.

An individual, except as provided in N.J.S.A. 18A:6-7.1g, shall be permanently disqualified from employment or service in the school district if the criminal history record check reveals a record of conviction for any crime or offense as defined in N.J.S.A. 18A:6-7.1 et seq.

The Board or contracted service provider may employ an applicant on an emergent basis for a period not to exceed three months, pending completion of a criminal history record check if the Board or contracted service provider demonstrates to the Commissioner of Education that special circumstances exist which justify the emergent employment as prescribed in N.J.S.A. 18A:6-7.1c. In the event the criminal history record check is not completed for an emergent hired employee within three months, the Board or contracted service provider may petition the Commissioner for an extension of time, not to exceed two months, in order to retain the employee.

No criminal history record check shall be performed unless the applicant shall have furnished written consent to such a check. The applicant shall bear the cost for the criminal history record check, including all costs for administering and processing the check. The district will deny employment to an applicant if the applicant is required and refuses to submit to a criminal history record check.

The Board of Education prohibits any relative of a Board member, administrator or the Superintendent of Schools from being employed in an office or position in the school district in accordance with the provisions of N.J.A.C. 6A:23A-6.2 and Board Policy 0142.1 – Nepotism.

A support staff member's misstatement of fact material to his/her qualifications for employment or the determination of his/her salary will be considered by the Board to constitute grounds for dismissal.

Recruitment, Selection and Hiring

Recruitment, selection, and hiring procedures shall be monitored in this manner:

1. There shall be no discrimination of any sort in recruitment, selection, and hiring.



EMPLOYMENT OF SUPPORT STAFF MEMBERS (M)

- a. The Affirmative Action Officer shall prepare copies of affirmative and non-discriminatory notices and advertisements of employment opportunities. Copies will be available on request.
 - b. The Affirmative Action Officer will monitor recording systems to identify discriminatory practice or policies and evaluate progress towards equal employment opportunity.
 - c. Application forms requiring only information related to job performance will be available.
 - d. Interview personnel sheets will comply with Federal and State requirements and ensure that all questions are job-related.
2. The Superintendent or designee shall thoroughly check references on all candidates considered for employment prior to presenting them to the Board.
 3. No staff member shall recommend or discuss the qualifications of a family member.
 4. All new hires shall present evidence of all State and Federal requirements including the initiation of a criminal history background check and proof of citizenship or eligible alien status.
 5. All custodians and maintenance personnel must possess a Black Seal License or must make arrangements to obtain such a license at the beginning of their employment.
 6. The Affirmative Action Officer shall:
 - a. Review all formal and informal employment practices; and
 - b. Bring to the Board and the Education Association any aspects or modifications to the collective bargaining agreement inconsistent with these procedures.

Individual Contracts

The Board of Education requires that every nontenured employee annually sign an employment contract for a term of not more than one year.



EMPLOYMENT OF SUPPORT STAFF MEMBERS (M)

The employment contract shall include the date; name of the employee; the beginning and ending dates of service; the salary to be paid and the manner of payment; an authorization for salary, deductions as applicable; and such other terms and conditions as may be necessary to a complete statement of the employment relationship.

Non-Instructional Substitutes

The Board may employ substitutes for absent support staff members as necessary to insure continuity in the operation of the school district.

The Board shall annually approve a list of support staff substitutes. All support staff substitutes shall be contracted from the Board approved list.

Non-Instructional Aides

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

Clerical, lunchroom, playground aides, and other non-instructional aides shall be under the supervision of appropriate certified personnel.

All aide job descriptions must be approved by the County Superintendent. All non-instructional aides shall be required to comply with the provisions of the law regarding health examinations and criminal history checks.

Licensing

The Board requires that any person nominated for a position which requires a license, such as an electrician or fireman, already hold such license before appointment to such position. In the event no properly licensed person can be located for such position, the Board may assist an otherwise qualified person to obtain the needed license by paying direct, reasonable expenses connected with the licensing process.

An employee may not be assigned to nor be paid for a position which requires a license if he/she does not hold the appropriate license, and an employee who is working toward a needed license at the request of the schools may not be given a stipend above his/her regular salary.



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EMPLOYMENT OF SUPPORT STAFF MEMBERS (M)

N.J.S.A. 18A:6-5; 18A:6-6; 18A:6-7.1; 18A:6-7.1b; 18A:6-7.1c; 18A:6-7.2;
18A:16-1 et seq.; 18A:26-1 et seq.; 18A:27-1 et seq.; 18A:27-4.1;
18A:27-7; 18A:27-8; 18A:39-19.1

Adopted: 23 August 2010, 22 September 2014



4230 OUTSIDE ACTIVITIES

The Board of Education recognizes that employees enjoy a private life outside the school in which they enjoy associations and engage in activities with others for a variety of personal, economic, religious, or cultural reasons. The Board believes that school employees exert a continuing influence away from the school. Further, the Board has directed the evaluation of staff in terms of their faithfulness to and effectiveness in discharging district duties. Accordingly, the Board reserves the right to determine when activities outside the school interfere with an employee's performance and the discharge of the employee's responsibilities to this district.

All support staff members are advised to be governed in their activities outside the school by the following guidelines:

1. Support staff members shall not devote time during their work day to an outside private enterprise, business, or business organization. They shall not solicit or accept customers for a private enterprise, business, and/or business organization on school grounds during their work day without the express permission of the Superintendent;
2. The Board does not endorse, support, or assume liability in any way for any support staff member of this district who conducts a private activity in which students or employees of this district participate;
3. Support staff members shall not send campaign literature home with students, or request, direct or have students distribute campaign literature on behalf of any candidate for local, State, or national office or for any bond issue, proposal, or any public question submitted at any general, municipal, or school election. No student shall be requested or directed by any support staff member to engage in any activity which tends to promote, favor, or oppose any such candidacy, bond issue, proposal, or public question; and
4. Copyrights and patents to materials or equipment developed, written, prepared, processed, or tested by support staff members in the performance of their school district duties reside with and may be claimed by the Board.



POLICY

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OUTSIDE ACTIVITIES

N.J.S.A. 18A:42-4
N.J.S.A. 19:1.1 et seq.

Adopted: 23 August 2010, 22 September 2014



to Work Day, or any other absence determined to be excused by the New Jersey Department of Education.

2. "Unexcused absence that counts toward truancy" is a student's absence from school for a full or a portion of a day for any reason that is not excused as defined above or for any unexcused absence that does not count toward truancy listed below.
3. "Unexcused absence that does not count toward truancy" is a student's absence from school for a full day or a portion of a day for the reasons listed below:

___ The student's illness supported by a written letter from the parent upon student's return to school;

___ The student's required attendance in court;

___ Where appropriate, when consistent with Individualized Education Programs, the Individuals with Disabilities Act, accommodation plans under 29 U.S.C. §§ 794 and 705(20), and individualized health care plans

___ The student's suspension from school;

___ Family illness or death supported by a written letter from the parent upon the student's return to school;

___ Visits to post-secondary educational institutions;

___ Interviews with a prospective employer or with an admissions officer of an institution of higher education;

___ Examination for a driver's license;

___ Necessary and unavoidable medical or dental appointments that cannot be scheduled at a time other than the school day;

___ An absence for a reason not listed above, but deemed unexcused that does not count toward truancy by the Principal upon a written request by the student's parent stating the reason for the absence and requesting



permission for the absence to be an unexcused absence that does not count toward truancy.

4. "Truancy" means ten or more cumulative unexcused absences that count toward truancy of a student between the ages of six and sixteen as determined by the Board's Attendance Policy and Regulation pursuant to N.J.A.C. 6A:16-7.6(a)4.iii. and the definition of school day pursuant to N.J.A.C. 6A:32-8.3. Any unexcused absence not counted toward truancy listed in C.3. above shall be an absence counted toward truancy.
5. Instances of tardiness in the number established by Policy 5240 may constitute an unexcused absence that counts toward truancy.

D. Notice to School of a Student's Absence

1. The parent-or adult student is requested to call the school office before the start of the student's school day.
2. The parent of the student or an adult student who will attend the morning session, but will not attend the afternoon session should call or provide notice to the school office before the start of the afternoon session.
3. The parent or adult student who anticipates a future absence or anticipates that an absence will be prolonged should notify the school office to arrange make-up work.

E. Readmission to School After an Absence

1. A student returning from an absence of any length of time must provide a written statement that is dated and signed by parent or adult student listing the reasons for the absence.
2. A note explaining a student's absence for a noncommunicable illness for a period of more than **5 consecutive** school days must be accompanied by a physician's statement of the student's illness with medical clearance to return to school.
3. A student who has been absent by reason of having or being suspected of having a communicable disease must present to the school nurse written evidence of being free of communicable disease, in accordance with Policy 8451.



F. Instruction

1. Teachers shall cooperate in the preparation of home assignments for students who anticipate an excused absence. The parent or student must request such home assignments.
2. A student who anticipates an absence due to a temporary or chronic health condition may be eligible for home instruction in accordance with Policy 2412. The parent must request home instruction.
3. Students absent for any reason are expected to make up the work missed. The parent or student is responsible for requesting missed assignments and any assistance required. Teachers will provide make-up assignments as necessary.
4. In general, students will be allowed a reasonable amount of time as determined by the teacher to make up missed work.
5. A student who missed a test or an exam shall be offered an opportunity to take the test, exam, or an appropriate alternate test.

G. Denial of Course Credit

1. The teacher will determine the credit to be awarded a student for make-up work. Where class participation is a factor in the learning process, the teacher may consider a student's absences in determining a final grade, except excused or absence for a suspension from school will not adversely affect the student's grade. The teacher may record an incomplete grade for a student who has not had a full opportunity to make up missed work.
2. A secondary student may be dropped from a course or denied course credit **in accordance with code of conduct.**
 - ✓ Exceptions to this rule may be made for students who have demonstrated to the teacher through completion of make-up assignments that they have mastered the proficiencies established for the course of study.



3. An elementary student may be retained at grade level, in accordance with Policy 5410, when he/she has been absent **10% or more of the school year** whatever the reason for the absence, except that excused absences and absences due to student's suspension will not count toward the total.

H. School District Response To Unexcused Absences During the School Year That Count Toward Truancy

1. For up to four cumulative unexcused absences that count toward truancy, the Principal or designee shall:
 - a. Make a reasonable attempt to notify the student's -parent of each unexcused absence prior to the start of the following school day;
 - b. Make a reasonable attempt to the cause of the unexcused absence, including through contact with the student's parent;
 - c. Identify, in consultation with the student's parents, needed action designed to address patterns of unexcused absences, if any, and to have the child return to school and maintain regular attendance;
 - d. Proceed in accordance with the provisions of N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-10, if a potentially missing or abused child situation is detected; and
 - e. Cooperate with law enforcement and other authorities and agencies, as appropriate.
2. For between five and nine cumulative unexcused absences that count toward truancy, the Principal or designee shall:
 - a. Make a reasonable attempt to notify the student's parent of each unexcused absence prior to the start of the following school day;
 - b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's;



- c. Evaluate the appropriateness of action taken pursuant to N.J.A.C. 6A:16-7.6(a)4.i.(3) and H.1.c. above;
 - d. Develop an action plan to establish outcomes based upon the student's patterns of unexcused absences and to specify the interventions for supporting the student's return to school and regular attendance, which may include any or all of the following:
 - (1) Refer or consult with the building's Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
 - (2) Conduct testing, assessments, or evaluations of the student's academic, behavioral, and health needs;
 - (3) Consider an alternate educational placement;
 - (4) Make a referral to or coordinate with a community-based social and health provider agency or other community resource;
 - (5) Refer to a court or court program pursuant to N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below
 - (6) Proceed in accordance with N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16 10, if a potential missing or abused child situation is detected; and
 - (7) Engage the student's family.
 - e. Cooperate with law enforcement and other authorities and agencies, as appropriate.
3. For ten or more cumulative unexcused absences that count toward truancy, a student between the ages of six and sixteen is truant, pursuant to N.J.S.A. 18A:38-25, and the Principal or designee shall:
- a. Make a determination regarding the need for a court referral for the truancy, per N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below;



- b. Continue to consult with the parent and the involved agencies to support the student's return to school and regular attendance;
 - c. Cooperate with law enforcement and other authorities and agencies, as appropriate; and
 - d. Proceed in accordance with N.J.S.A. 18A:38-28 through 31, Article 3B, Compelling Attendance at School, and other applicable State and Federal statutes, as required.
4. A court referral may be made as follows:
- a. When unexcused absences that count toward truancy are determined by school officials to be violations of the compulsory education law, pursuant to N.J.S.A. 18A:38-25, and the Board of Education's policies, in accordance with N.J.A.C. 6A:16-7.6(a), the parent may be referred to Municipal Court.
 - (1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Municipal Court; or
 - b. When there is evidence of a juvenile-family crisis, pursuant to N.J.S.A. 2A:4A-22.g, the student may be referred to Superior Court, Chancery Division, Family Part.
 - (1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Juvenile-Family Crisis Intervention Unit.
5. For a student with a disability, the attendance plan and its punitive and remedial procedures shall be applied, where applicable, in accordance with the student's IEP, pursuant to 20 U.S.C. §§ 1400 et seq., the Individuals with Disabilities Education Act; the procedural protections set forth in N.J.A.C. 6A:14; accommodation plans under 29 U.S.C. §§794 and 705(20); and individualized health care plans and individualized emergency healthcare plan pursuant to N.J.A.C. 6A:16-2.3(b)5.xii.



6. All receiving schools pursuant to N.J.A.C. 6A:14-7.1(a), shall act in accordance with N.J.A.C. 6A:16-7.6(a)4.i. and H.1. above for each student with up to four cumulative unexcused absences that count toward truancy.
 - a. For each student attending a receiving school with five or more cumulative unexcused absences that count toward truancy, the absences shall be reported to the sending school district.
 - (1) The sending school district shall proceed in accordance with the Board of Education's policies and procedures pursuant to N.J.A.C. 6A:16-7.6(a) and H.5. above and the provisions of N.J.A.C. 6A:16-7.6(a)4.ii. through iv. and H.2. through H.5. above as appropriate.

I. Discipline

1. Students may be denied participation in co-curricular activities if the Board establishes attendance standards for participation.
2. Students may be denied participation in athletic competition if the Board establishes attendance standards for participation.
3. No student who is absent from school for observance of a religious holiday may be deprived of any award or of eligibility for or opportunity to compete for any award because of the absence.

J. Recording Attendance

1. Teachers must accurately record the students present, tardy, or absent each day in each session or each class. Attendance records must also record students' attendance at out-of-school curricular events such as field trips.
2. A record shall be maintained of each excused absence, unexcused absence that counts toward truancy, and unexcused absence that does not count toward truancy for each student.



3. A report card will record the number of times the student was absent and tardy in each marking period.
4. A student's absence for observance of a religious holiday will not be recorded as such on any transcript or application or employment form.

K. Appeal

1. Students may be subject to appropriate discipline for their school attendance record.
2. A student who has been retained at grade level for excessive absences may appeal that action in accordance with Policy 5410.
3. A student who has been dropped from a course and/or denied course credit for excessive absences may appeal that action in accordance with the following procedures:
 - a. The student shall file a written appeal to the Principal or designee within five school days of receiving notice of the action. The appeal should state the reasons for each absences, any documentation that may support reducing the number of absences for the purposes of course credit, and reasons why the student should either continue to be enrolled in the course or receive course credit for a class the student completed.
 - b. The Principal or designee will respond in writing no later than seven school days after receiving the student's appeal.
 - c. If the student is not satisfied, he/she may submit a written request to the Principal for consideration by an Attendance Review Committee.
 - d. On a student's request for consideration by an Attendance Review Committee, the Principal shall convene an Attendance Review. The Attendance Review Committee



shall meet informally to hear the student's appeal. The student's parent and teacher(s) may attend the meeting.

- e. The Attendance Review Committee shall decide the appeal and inform the student in writing within seven school days of the meeting.
- f. The student may appeal an adverse decision of the Attendance Review Committee to the Superintendent, the Board of Education, and the Commissioner of Education in accordance with Policy 5710, Pupil Grievance and N.J.S.A. 18A. An appeal to the Attendance Review Committee shall be considered to have exhausted the first two steps of the grievance procedure outlined in Policy 5710.

L. Attendance Records

- 1. Attendance records for the school district and each school will be maintained and attendance rates will be calculated as required by the New Jersey Department of Education. The school district will comply with all attendance requirements and any improvement plans as required by the Department of Education.

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5610 SUSPENSION

The Board of Education recognizes that even the temporary exclusion of a student from the educational program of this district is a severe sanction and one that cannot be imposed without due process.

Any student who is guilty of continued and willful disobedience, or of open defiance of the authority of any teacher or person having authority over him, or of the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school. Conduct which shall constitute good cause for suspension or expulsion of a student guilty of such conduct shall include, but not be limited to, the conduct as defined in N.J.S.A. 18A:37-2 and the school district's Student Discipline/Code of Conduct Policy and Regulation in accordance with the N.J.A.C. 6A:16-7.1. et seq.

For the purposes of this policy, "suspension" means the temporary removal of a student from the regular instructional program.

For the purposes of this Policy, "short term suspension" means a suspension for one, but not more than ten consecutive school days and "long term suspension" means a suspension for more than ten consecutive school days.

In accordance with the provisions of N.J.S.A. 18A:37-4, a student may be suspended only by the Principal, who shall report any suspension to the Superintendent as soon as possible. The Superintendent shall report the suspension to the Board at its next regular meeting. The suspended student may be reinstated by the Principal or by the Superintendent prior to the second regular meeting of the Board following the suspension, unless the Board reinstates the student at the first regular meeting suspended for reasons of assault upon a person in authority may be reinstated before the Board has held a hearing, within thirty calendar days of the suspension, to consider that student's expulsion from school. At its second regular meeting after the suspension and thereafter, the Board alone may reinstate the student or continue the suspension.

The Board's failure to take any such action at its second regular meeting after the suspension or at any regular meeting thereafter will terminate the suspension, and the student shall be readmitted to school.



In each instance of a short-term suspension, the student will be provided oral or written notice of the charges and an informal hearing conducted by the Principal or designee in accordance with the procedures outlined in N.J.A.C. 6A:16-7.2. To the extent the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process, the student may be immediately removed from the student's educational program and the informal hearing shall be held as soon as practical after the suspension.

In each instance of a long-term suspension, the district shall assure the rights of the student pursuant to N.J.A.C. 6A:16-7.3.

The district will comply with the requirements of N.J.A.C. 6A:16-7.2 and 7.3, in addition to all the procedural protections set forth in N.J.A.C. 6A:14, for each student with a disability who is subject to a short-term or long-term suspension.

In each instance of a short- or long-term suspension, the district shall provide academic instruction, either in school or out of school, that addresses the Core Curriculum Content Standards pursuant to N.J.A.C. 6A:8-3.1 et seq., which may include a public education program provided in accordance with the provisions of N.J.A.C. 6A:16-9 or 10. These services shall be provided within five school days of the suspension. Educational services provided to a student with a disability shall be provided consistent with the student's Individualized Education Program, in accordance with N.J.A.C. 6A:14.

Student records are subject to challenge by parents and adult students in accordance with N.J.A.C. 6A:32-7.7 and Policy and Regulation 8330. The name of a disciplined student will not appear in the agenda or minutes of a public meeting or in any public record of this district; any such student will be designated by code.

N.J.S.A. 18A:37-1 ;18A:37-2 et seq.; 18A:37-4; 18A:37-5
N.J.S.A. 18A:54-20g [vocational districts]
N.J.A.C. 6A:16-7.2; 6A:16-7.3; 6A:32-7.7; 6A:14-2.8

Adopted: 23 August 2010; 22 September 2014



R 5610 SUSPENSION PROCEDURES

A. Short-Term Suspensions

1. In each instance of a short-term suspension, the Building Principal or designee, shall assure the rights of a pupil suspended for ten or fewer consecutive school days by providing for the following:
 - a. As soon as practicable, oral or written notice of charges to the pupil.
 - (1) When charges are denied, an explanation of the evidence forming the basis of the charges shall also be provided.
 - b. An informal hearing prior to the suspension in which the pupil is given the opportunity to present the pupil's side of the story regarding the actions leading to the short-term suspension and the school district's actions taken pursuant to N.J.A.C. 6A:16-7.1(c)2. and 5.
 - (1) The informal hearing shall be conducted by the Building Principal or designee;
 - (2) To the extent that a pupil's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process, the pupil may be immediately removed from the pupil's educational program and the informal hearing shall be held as soon as practical after the suspension;
 - (3) The informal hearing should take place even when a school staff member has witnessed the conduct forming the basis of the charge; and
 - (4) The informal hearing and the notice given may take place at the same time.
 - c. Oral or written notification to the pupil's parent(s) or legal guardian(s) of the removal from the pupil's educational program prior to the end of the school day on which the Building Principal



or designee makes the decision to suspend the pupil, which shall include an explanation of:

- (1) The specific charges;
 - (2) The facts on which the charges are based;
 - (3) The provision(s) of the pupil code of conduct the pupil is accused of violating;
 - (4) The pupil's due process rights, pursuant to N.J.A.C. 6A:16-7.2 through 7.6; and
 - (5) The terms and conditions of the suspension.
- d. Appropriate supervision of the pupil while waiting for the pupil's parent(s) or legal guardian(s) to remove the pupil from school during the school day; and
- e. Academic instruction, either in school or out of school, that addresses the Core Curriculum Content Standards, pursuant to N.J.A.C. 6A:8-3.1, which may include a public education program provided in accordance with the provisions of N.J.A.C. 6A:16-9 or 10.
- (1) Services shall be provided within five school days of the suspension.
 - (2) Educational services provided to a pupil with a disability shall be provided consistent with the pupil's Individualized Education Program in accordance with N.J.A.C. 6A:14.
 - (3) At the completion of a short-term suspension, the district Board of Education shall return the general education pupil to the general education program.
2. The suspending Building Principal shall immediately report the suspension to the Superintendent, who is required to report it to Board of Education at its next regular meeting, pursuant to N.J.S.A. 18A:37-4.



3. A Board may deny the pupil participation in extracurricular activities, school functions, sports, or graduation exercises as disciplinary sanctions, where such measures are designed to maintain the order and integrity of the school environment.
4. For a pupil with a disability, the provisions set forth in this section shall be provided in addition to all procedural protections set forth in N.J.A.C. 6A:14.

B. Long-Term Suspensions

1. In each instance of a long-term suspension, the Building Principal or designee shall assure the rights of a pupil suspended for more than ten consecutive school days by providing the following:
 - a. Immediate notification to the pupil of the charges, prior to the pupil's removal from school;
 - b. An informal hearing prior to the suspension in which the pupil is given the opportunity to present the pupil's side of the story regarding the pupil's actions leading to the long-term suspension and the school district's actions taken pursuant to N.J.A.C. 6A:16-7.1(c)2 and 5;
 - c. Immediate notification to the pupil's parent(s) or legal guardian(s) of the pupil's removal from school;
 - d. Appropriate supervision of the pupil while waiting for the pupil's parent(s) or legal guardian(s) to remove the pupil from school during the school day;
 - e. Written notification to the parent(s) or legal guardian(s) by the Superintendent or designee within two school days of the initiation of the suspension, stating:
 - (1) The specific charges;
 - (2) The facts on which the charges are based;



- (3) The pupil's due process rights, pursuant to N.J.A.C. 6A:16-7.2 through 7.6; and
 - (4) That further engagement by the pupil in conduct warranting expulsion, pursuant to N.J.S.A. 18A:37-2, shall amount to a knowing and voluntary waiver of the pupil's right to a free public education, in the event that a decision to expel the pupil is made by the Board, pursuant to N.J.S.A. 18A:37-2 and N.J.A.C. 6A:16-7.5.
 - (a) The Board shall request written acknowledgement of the notification of the provisions of B.1.e.(4) above from the parent(s) or legal guardian(s) and the pupil subsequent to the removal from the pupil's educational program, pursuant to N.J.A.C. 6A:16-7.3.
- f. A list of witnesses and their statements or affidavits, if any, no later than five days prior to the formal hearing, pursuant to B.1.j. below;
 - g. A pupil with a disability, a manifestation determination, pursuant to N.J.A.C. 6A:14-2.8 and the Federal regulations;
 - h. Information on the right of the pupil to secure an attorney and legal resources available in the community identified pursuant to N.J.A.C. 6A:16-7.1(c)8;
 - i. Educational services, either in school or out of school, that are comparable to those provided in the public schools for pupils of similar grades and attainments, pursuant to N.J.S.A. 18A:38-25, which may include a public education program provided in accordance with the provisions of N.J.A.C. 6A:16-9 or 10.
 - (1) The services shall be provided within five school days of the suspension.
 - (2) The Board shall make decisions regarding the appropriate educational program and support services for the suspended



general education pupil, at a minimum, based on the following criteria:

- (a) A behavioral assessment or evaluation including, but not limited to, a referral to the Child Study Team, as appropriate;
 - (b) The results of any relevant testing, assessments or evaluations of the pupil;
 - (c) The pupil's academic, health, and behavioral records;
 - (d) The recommendation of the Superintendent, Building Principal, or other relevant school or community resource;
 - (e) Considerations of parental input; or
 - (f) Consultation with the Intervention and Referral Services Team, in accordance with N.J.A.C. 6A:16-8, as appropriate.
- (3) Educational services provided to a pupil with a disability shall be provided consistent with the pupil's Individualized Education Program, in accordance with N.J.A.C. 6A:14.
- j. A formal hearing before the Board, which, at a minimum, shall:
- (1) Be conducted by the Board or delegated by the Board to a Board committee, a school administrator or an impartial hearing officer for the purpose of determining facts or making recommendations.
 - (a) The Board as a whole shall receive and consider either a transcript or detailed report on such hearing before taking final action.
 - (2) Include the opportunity for the pupil to:



- (a) Confront and cross-examine witnesses, when there is a question of fact; and
 - (b) Present his or her own defense and produce oral testimony or written supporting affidavits.
 - (3) Take place no later than thirty calendar days following the day the pupil is suspended from the general education program;
 - (4) Not be subject to the provisions of the "Open Public Meetings Act," pursuant to N.J.S.A. 10:4-6; and
 - (5) Result in a decision by the Board, which at a minimum, shall be based on the preponderance of competent and credible evidence.
- k. A written statement to the pupil's parent(s) or legal guardian(s) of the Board's decision within five school days after the close of the hearing that includes, at a minimum:
- (1) The charges considered;
 - (2) A summary of the documentary or testimonial evidence from both the pupil and the administration that was brought before the district Board of Education at the hearing;
 - (3) Factual findings relative to each charge and the Board's determination of each charge;
 - (4) Identification of the educational services to be provided to the pupil pursuant to B.1.i. above;
 - (5) The terms and conditions of the suspension; and
 - (6) The right to appeal the Board's decision regarding the pupil's general education program to the Commissioner of Education in accordance with N.J.S.A. 18A:37-2.4 and N.J.A.C. 6A:3-1.3 through 1.17.



- l. Immediate return to the general education program if at any time it is found that the general education pupil did not commit the offense;
 - m. For a pupil with a disability found not to have committed the offense, the pupil's program shall be determined in accordance with the provisions of N.J.A.C. 6A:14; and
 - n. At the completion of a long-term suspension, the Board shall return the general education pupil to the general education program.
2. Any appeal of the Board's decision regarding the general education pupil's program shall be made to the Commissioner of Education, in accordance with N.J.S.A. 18A:37-2.4 and N.J.A.C. 6A:3-1.3 through 1.17.
 3. Suspension of general education pupils shall not be continued beyond the Board's second regular meeting following the suspension, unless the Board so determines, pursuant to N.J.S.A. 18A:37-5.
 - a. The Board shall determine whether to continue the suspension, pursuant to B. above, based on the following criteria:
 - (1) The nature and severity of the offense;
 - (2) The Board's removal decision;
 - (3) The results of any relevant testing, assessments or evaluations of the pupil; and
 - (4) The recommendation of the Superintendent, Principal or Director of the alternative education program or home or other out-of-school instruction program in which the pupil has been placed.
 - b. The Board shall develop and adopt policies and procedures providing for action on the continuation of pupil suspensions in the event of cancellation of the first or second regular Board meeting pursuant to N.J.S.A. 18A:37-4 and 5. In this unlikely event, a special committee of the Board, which will include the



Superintendent of Schools or his/her designee, will be appointed by the Board President to make a decision on the continuation of the suspension. The committee's decision will be implemented subject to ratification of the committee's decision at the next regular Board meeting.

4. When the Board votes to continue the suspension of a general education pupil, the Board, in consultation with the Superintendent, shall review the case at each subsequent Board meeting for the purpose of determining:
 - a. The status of the pupil's suspension;
 - b. The appropriateness of the current educational program for the suspended pupil; and
 - c. Whether the suspended pupil's current placement, pursuant to B.1.i. above, should continue or whether the pupil should return to the general education program.
5. When the Board votes to continue the suspension of a general education pupil, the Board, in consultation with the Superintendent, shall make the final determination on:
 - a. When the pupil is prepared to return to the general education program;
 - b. Whether the pupil shall remain in an alternative education program or receive home or other in-school or out-of-school instruction, based on the criteria set forth in B.3.a.(1) through (4) above; or
 - c. Whether to initiate expulsion proceedings in accordance with N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.5 and Policy 5620.
6. The Board shall provide a general education pupil suspended under N.J.A.C. 6A:16-7.3 with an appropriate educational program or appropriate educational services, based on the criteria set forth under B.1.i.(2) above, until the pupil graduates from high school or reaches the age of twenty, whichever comes first.



- a. The educational program shall be consistent with the provisions of N.J.A.C. 6A:16-9.2 and 10.2 and 6A:14-2 and 4.3, whichever is applicable; or
 - b. The educational services provided, either in school or out of school, shall be comparable to those provided in the public schools for pupils of similar grades and attainments, pursuant to the provisions of N.J.S.A. 18A:38-25.
7. For a pupil with a disability who receives a long-term suspension, the Board shall proceed in accordance with N.J.A.C. 6A:14 in determining or changing the pupil's educational placement to an interim or alternate educational setting.
- a. All procedural protections set forth in N.J.A.C. 6A:14 and N.J.A.C. 6A:16-7.3 shall be afforded to each pupil with a disability who is subjected to a long-term suspension.
 - b. All decisions concerning the pupil's educational program or placement shall be made by the pupil's Individualized Education Program team.
 - c. The provisions of B.2. through B.6. above shall not apply to pupils with disabilities.

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5611 REMOVAL OF STUDENTS FOR FIREARMS OFFENSES

The Board of Education is committed to providing a safe and secure school environment to all students attending the public schools. To provide this environment, the Board of Education will implement policies and procedures regarding student offenses involving firearms, as defined in N.J.S.A. 2C:39-1(f) and 18 U.S.C. §921, pursuant to The Zero Tolerance For Guns Act, N.J.S.A. 18A:37-7 through N.J.S.A. 37-12.

Policy and Regulation 5611 shall apply to a student who is convicted or adjudicated delinquent for possession of a firearm on school grounds, convicted or adjudicated delinquent for committing a crime while in possession of a firearm on school grounds, or found knowingly in possession of a firearm on school grounds. A student, other than a student with a disability, convicted or adjudicated delinquent for these firearm offenses shall be immediately removed from the school's general education program for a period of not less than one calendar year and placed in an alternative education program according to the requirements of N.J.A.C. 6A:16-9. A student with a disability convicted or adjudicated delinquent for these firearm offenses shall be immediately removed in accordance with the provisions of N.J.A.C. 6A:14 and applicable Federal regulations and shall receive a placement in accordance with N.J.A.C. 6A:14.

The Principal or designee shall remove the student in accordance with the requirements outlined in N.J.A.C. 6A:16-5.5(d), which includes notifying the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

If it is found that the removed student did not commit these firearm offenses, the student shall be immediately returned to the program from which he or she was removed.

The Superintendent shall make the final determination on whether the general education student removed in accordance with the requirements of N.J.A.C. 6A:16-5.5 and this Policy is prepared to return to the general education program or will remain in an alternative education program, pursuant to N.J.A.C. 6A:16-9, or receive home or other out-of-school instruction, pursuant to N.J.A.C. 6A:16-10 based on the criteria outlined in N.J.A.C. 6A:16-5.5(i).



POLICY

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If a student, other than a student with a disability, is removed from the general education program pursuant to N.J.A.C. 6A:16-5.5 and this Policy, and a placement in an alternative education program is not available, the general education student shall be provided home or other out-of-school instruction according to N.J.A.C. 6A:16-10.2 until placement is available.

Adopted: 23 August 2010, 22 September 2014



R 5611 REMOVAL OF STUDENTS FOR FIREARMS OFFENSES

A. Definitions

“Removal” means the exclusion of a student from the regular education program in the school in which the student was assigned and assigning the student to an alternative education school or program for at least one calendar year, following a proper hearing conducted by the Board of Education.

“Suspension” means a temporary exclusion from school, following due process procedures as outlined in State law and administrative code.

“Expulsion” means a permanent exclusion from school which denies a student the free, thorough, and efficient public education provided by the public school district in which the student resides, based on specific conditions and following required due process procedures as outlined in State law and administrative code, including a hearing conducted by the Board of Education.

“School grounds” 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 services facilities including, but not limited to, kitchens and maintenance shops. “School grounds” also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. School grounds also includes other facilities as defined in N.J.A.C. 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



B. Removal of Students for Firearm Offenses

1. Pursuant to the provisions of N.J.A.C. 6A:16-5.5, any student, other than a student with a disability, committing the following offenses shall be immediately removed from the school's general education program for a period of not less than one calendar year:
 - a. Convicted or adjudicated delinquent for possession of a firearm on school grounds;
 - b. Convicted or adjudicated delinquent for committing a crime while in possession of a firearm on school grounds; and
 - c. Found knowingly in possession of a firearm on school grounds.
2. The Superintendent may modify, on a case-by-case basis, the removal of a general education student.
 - a. The Superintendent shall develop and maintain a written record of case-by-case modifications of the removal requirement of N.J.A.C. 6A:16-5.5(b), which shall be made available to the Commissioner of Education upon request.
3. Nothing in N.J.A.C. 6A:16-5.5 or this Policy and Regulation shall be construed to prohibit the expulsion of a general education student.
4. The Board shall immediately remove students with disabilities for offenses involving firearms in accordance with N.J.A.C. 6A:14 and applicable Federal regulations.

C. Procedures - Removal of Students for Firearm Offenses

1. The Principal shall:
 - a. Remove a student as set forth in B. above;



REMOVAL OF STUDENTS FOR FIREARMS OFFENSES_ (M)

- b. Isolate the student and place him or her under the supervision of school staff until the student's parent or a law enforcement official takes custody of the student;
 - c. Immediately report to the Superintendent the removal of the student;
 - d. Notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice; and
 - e. Notify the student's parent of the following information:
 - (1) The removal action;
 - (2) The law enforcement notification;
 - (3) The change of custody, if it occurs; and
 - (4) A general education student's due process rights, as set forth in N.J.A.C. 6A:16-7.2 through 7.6, or the due process rights of a student with a disability, as set forth in N.J.A.C. 6A:14-2.7 and 2.8 and N.J.A.C. 6A:16-7.2 through 7.5.
2. A student, other than a student with a disability, removed from the general education program pursuant N.J.A.C. 6A:16-5.5 shall be placed in an alternative education program, according to the requirements of N.J.A.C. 6A:16-9.
- a. If placement in an alternative education program is not available, the general education student shall be provided home or other out-of-school instruction, according to N.J.A.C. 6A:16-10, until placement is available.
3. A student with a disability removed pursuant to B. above shall receive a placement in accordance with N.J.A.C. 6A:14.



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4. A student, other than a student with a disability, removed pursuant to B. above shall be entitled to a hearing before the Board of Education in accordance with N.J.A.C. 6A:16-7.3 through 7.5.
 5. If it is found that the removed student did not commit the offenses in B. above, the student shall be immediately returned to the program from which he or she was removed.
- D. Return to General Education Program
1. The Superintendent shall make the final determination on whether the general education student is prepared to return to the general education program, or will remain in an alternative education program, pursuant to N.J.A.C. 6A:16-9, or receive home or other out-of-school instruction, pursuant to N.J.A.C. 6A:16-10, based on the following criteria:
 - a. The nature and severity of the offense;
 - b. The Board's removal decision;
 - c. The results of relevant testing, assessment, or evaluation of the student; and
 - d. The recommendation of the Principal or Director of the alternative education program or home or other out-of-school instruction program in which the student has been placed.
- E. Exception
1. The provisions of N.J.A.C. 6A:16-5.5 shall not apply to a firearm that is lawfully stored in a locked vehicle on school grounds, or when it is for activities approved and authorized by the Board of Education, as long as the Board adopts appropriate safeguards to ensure student safety.
 - a. All students shall obtain written authorization from the Superintendent to possess a firearm stored inside a locked



vehicle on school grounds or used for participation in a school-sponsored function.

- (1) The Superintendent shall not provide authorization to a student who has been convicted or adjudicated delinquent for possession of a firearm or for a crime involving the use of a firearm.

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ASSAULTS ON DISTRICT BOARD OF EDUCATION MEMBERS OR EMPLOYEES (M)

5612 ASSAULTS ON DISTRICT BOARD OF EDUCATION
MEMBERS OR EMPLOYEES

Any student who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, not involving the use of a weapon or firearm, upon a teacher, administrator, other school district employee, or Board member acting in the performance of his or her duties and in a situation where his or her authority to act is apparent, or as a result of the victim's relationship to the school district, shall be immediately removed from school pursuant to N.J.S.A. 18A:37-2.1 and N.J.A.C. 6A:16-5.7.

A student, other than a student with a disability, who commits an assault as defined in N.J.S.A. 2C:12-1(a)1, shall be immediately removed from school consistent with due process procedures, pending a hearing pursuant to N.J.A.C. 6A:16-7.2 through 7.5. Nothing in N.J.S.A. 18A:37-2.1 or N.J.A.C. 6A:16-5.7 shall be construed as prohibiting the expulsion of a general education student. A student with a disability who commits an assault as defined in this Policy, shall be removed in accordance with N.J.A.C. 6A:14 and due process proceedings in accordance with N.J.A.C. 14-2.7 and 2.8.

In accordance with the provisions of N.J.S.A. 18A:37-2.1(a), said proceedings shall take place no later than thirty calendar days following the day on which the student is suspended. The decision of the Board shall be made within five days after the close of the hearing. Any appeal of the Board's decision shall be made to the Commissioner of Education within ninety days of the Board's decision. The provisions herein shall be construed in a manner consistent with 20 U.S.C. § 1400 et seq.

The Principal or designee shall remove, isolate, and place the student under the supervision of school staff until the student's parent-or appropriate agency takes custody of the student. The Principal or designee will immediately report to the Superintendent the removal of the student and notify the student's parent-of the removal action and the student's due process rights. The Principal or designee will notify the appropriate law enforcement official of a possible violation of the New Jersey Code of Criminal Justice.

In accordance with the provisions of N.J.S.A. 18A:37-2.1(b), whenever a teacher, administrator, Board member, other school district employee, or a labor representative on behalf of an employee makes an allegation in writing that the Board member or employee has been assaulted by a student, the Principal shall file a written report of the alleged assault with the Superintendent. The



ASSAULTS ON DISTRICT BOARD OF EDUCATION MEMBERS OR EMPLOYEES (M)

Superintendent shall report the alleged assault to the Board at its next regular meeting; provided that the name of the student who allegedly committed the assault, although it may be disclosed to the Board members, shall be kept confidential at the public Board of Education meeting.

Any person who fails to file a report of an alleged assault as required pursuant to N.J.S.A. 18A:37-2.1 and N.J.A.C. 6A:16-5.7 may be liable to disciplinary action by the Board.

The Superintendent of Schools biannually shall submit to the Commissioner of Education a report on each incident under N.J.A.C. 6A:16-5.7 utilizing the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3(e)1.

Policy and Regulation 5612, implementing the requirements of N.J.A.C. 6A:16-5.7, shall be annually disseminated to all school staff, students, and parents.

N.J.S.A. 18A:37-2.1

N.J.A.C. 6A:14-2.7; 6A:14-2.8; 6A:16-5.7; 6A:16-7.2; 6A:16-7.3; 6A:16-7.4;
6A:16-7.5

Adopted: 23 August 2010, 22 September 2014



**R 5612 ASSAULTS ON DISTRICT BOARD OF EDUCATION
MEMBERS OR EMPLOYEES**

A. Definitions

“Removal” means the exclusion of a student from the regular education program in the school in which the student was assigned and assigning the student to an alternative education school or program for at least one calendar year, following a proper hearing conducted by the Board of Education.

“Suspension” means a temporary exclusion from school, following due process procedures as outlined in State law and administrative code.

“Expulsion” means a permanent exclusion from school which denies a student the free, thorough, and efficient public education provided by the public school district in which the student resides, based on specific conditions and following required due process procedures as outlined in State law and administrative code, including a hearing conducted by the Board of Education.

“School grounds” 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 services facilities including, but not limited to, kitchens and maintenance shops. “School grounds” also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. School grounds also includes other facilities as defined in N.J.A.C. 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.

B. Removal of Students for Assault on Board Members and Employees



1. Pursuant to the provisions of N.J.A.C. 6A:16-5.7, any student who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, not involving the use of a weapon or firearm, upon a teacher, administrator, other school Board employee, or Board of Education member acting in the performance of his or her duties and in a situation where his or her authority to act is apparent, or as a result of the victim's relationship to the school district, pursuant to N.J.S.A. 18A:37-2.1 shall be immediately removed from school.
 2. A student, other than a student with a disability, who commits an assault pursuant to B.1. above, shall be immediately removed from school consistent with due process procedures, pending a hearing, pursuant to N.J.A.C. 6A:16-7.2 through 7.5.
 - a. Nothing in N.J.A.C. 6A:16-5.7 shall be construed as prohibiting the expulsion of a general education student.
 3. A student with a disability who commits an assault pursuant to B.1. above shall be removed in accordance with N.J.A.C. 6A:14.
- C. Procedures – Removal of Students for Assault on Board Members and Employees
1. The Principal or designee shall:
 - a. Remove a student as set forth in B. above;
 - b. Isolate the student and place him or her under the supervision of school staff until the student's parent or an appropriate agency takes custody of the student;
 - c. Immediately report to the Superintendent the removal of the student;
 - d. Notify the student's parent of the removal action and the student's due process rights; and
 - e. Notify the appropriate law enforcement official of a possible violation of the New Jersey Code of Criminal Justice.



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Members or Employees (M)

2. The Board of Education shall provide due process proceedings for all students in accordance with N.J.A.C. 6A:16-7.2, 7.3, 7.4, and 7.5 and for a student with a disability in accordance with N.J.A.C. 6A:14-2.7 and 2.8.

Adopted: 22 September 2014



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OFFENSES
M

5613 REMOVAL OF STUDENTS FOR ASSAULTS WITH WEAPONS OFFENSES

The Board of Education is committed to providing a safe and secure school environment to all students attending the public schools. To provide this environment, the Board of Education will implement policies and procedures regarding a student who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, with a weapon, which includes, but is not limited to, items enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 U.S.C. § 921, upon a teacher, administrator, other school Board employee, Board of Education member, or another student on school grounds, pursuant to N.J.S.A. 18A:37-2.2 through 2.5.

A student, other than a student with a disability, who commits an assault as defined above shall be immediately removed from the school's general education program for a period not exceeding one calendar year and placed in an alternative education program according to the requirements of N.J.A.C. 6A:16-9. A student with a disability who commits an assault as defined above shall be immediately removed in accordance with the provisions of N.J.A.C. 6A:14 and applicable Federal regulations and shall receive a placement in accordance with N.J.A.C. 6A:14.

The Principal or designee shall remove the student in accordance with the requirements outlined in N.J.A.C. 6A:16-5.6(d), which includes notifying the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

If it is found that the removed student did not commit these offense(s), the student shall be immediately returned to the program for which he or she was removed.

If a student, other than a student with a disability, is removed from the general education program pursuant to N.J.A.C. 6A:16-5.6 and this Policy, and a placement in an alternative education program is not available, the general education student shall be provided home or other out-of-school instruction, according to N.J.A.C. 6A:16-10.2, until placement is available.

The Superintendent shall make the final determination on whether the general education student removed, in accordance with the requirements of N.J.A.C. 6A:16-5.6 and this Policy, is prepared to return to the general education program or will remain in an alternative education program or receive home or other out-of-school instruction based on the criteria outlined in N.J.A.C. 6A:16-5.6(i).



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The Superintendent of Schools biannually shall submit to the Commissioner of Education a report on each incident and the circumstance surrounding the removal of students pursuant to N.J.A.C. 6A:16-5.6 utilizing the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3(e)1.

This Policy and Regulation 5613, implementing the requirements of N.J.A.C. 6A:16-5.6, shall be annually disseminated to all school staff, students, and parents.

N.J.S.A. 18A:37-1 et seq.

N.J.A.C. 6A:14-2.8 et seq.; 6A:16-5.6; 6A:16-6.1 et seq.; 6A:16-7.1 et seq.;
6A:16-8.1 et seq.; 6A:16-9.1 et seq.; 6A:16-10.2

Adopted: 22 September 2014



R 5613 REMOVAL OF STUDENTS FOR ASSAULTS WITH WEAPONS
OFFENSES

A. Definitions

“Removal” means the exclusion of a student from the general education program in the school in which the student was assigned and assigning the student to an alternative education school or program for at least one calendar year, following a proper hearing conducted by the Board of Education.

“Suspension” means a temporary exclusion from school, following due process procedures as outlined in State law and administrative code.

“Expulsion” means a permanent exclusion from school which denies a student the free, thorough, and efficient public education provided by the public school district in which the student resides, based on specific conditions and following required due process procedures as outlined in State law and administrative code, including a hearing conducted by the Board of Education.

“School grounds” 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 services facilities including, but not limited to, kitchens and maintenance shops. “School grounds” also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. School grounds also includes other facilities as defined in N.J.A.C. 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.

B. Removal of Students for Assaults with Weapons Offenses



REMOVAL OF STUDENTS FOR ASSAULTS WITH
WEAPONS

1. Pursuant to the provisions of N.J.A.C. 6A:16-5.6, any student, other than a student with a disability, who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, with a weapon, which includes, but is not limited to, items enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 U.S.C. § 921, upon a teacher, administrator, other school Board employee, Board of Education member, or another student on school grounds, pursuant to N.J.S.A. 18A:37-2.2 through 2.5 shall be immediately removed from the school's general education program for a period not exceeding one calendar year.
 2. The Superintendent may modify on a case-by-case basis the removal of a general education student.
 3. Nothing in N.J.A.C. 6A:16-5.6 shall be construed to prohibit the expulsion of a general education student.
 4. The Board shall immediately remove students with disabilities for assaults with weapons offenses in accordance with N.J.A.C. 6A:14 and applicable Federal regulations.
- C. Procedures – Removal of Students for Assaults with Weapons Offenses
1. The Principal or designee shall:
 - a. Remove a student as set forth in B. above;
 - b. Isolate the student and place him or her under the supervision of school staff until the student's parent or a law enforcement official takes custody of the student;
 - c. Immediately report to the Superintendent the removal of the student;
 - d. Notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice; and
 - e. Notify the student's parent of the following information:



REMOVAL OF STUDENTS FOR ASSAULTS WITH
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- (1) The removal action;
 - (2) The law enforcement notification;
 - (3) The change of custody, if it occurs; and
 - (4) A general education student's due process rights, pursuant to N.J.A.C. 6A:16-7.2 through 7.5 or a student with a disability's due process rights, as set forth in N.J.A.C. 6A:14-2.7 and 2.8 and N.J.A.C. 6A:16-7.2 through 7.5.
2. A student, other than a student with a disability, removed from the general education program pursuant to N.J.A.C. 6A:16-5.6 shall be placed in an alternative education program, according to the requirements of N.J.A.C. 6A:16-9:
 - a. If placement in an alternative education program is not available, the general education student shall be provided home or other out-of-school instruction, according to N.J.A.C. 6A:16-10, until placement is available.
 3. A student with a disability removed pursuant to B. above shall receive a placement in accordance with N.J.A.C. 6A:14.
 4. A student, other than a student with a disability, removed pursuant to B. above shall be entitled to an informal hearing, pursuant to N.J.A.C. 6A:16-7.2 and 7.3, and a hearing before the Board of Education pursuant to N.J.A.C. 6A:16-7.3.
 5. If it is found that the removed student did not commit the offense(s), the student shall be immediately returned to the program from which he or she was removed.
- D. Return to General Education Program
1. The Superintendent shall make the final determination on whether the general education student is prepared to return to the general education program or will remain in an alternative education



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program or receive home or other out-of-school instruction based on the following criteria:

- a. The nature and severity of the offense;
- b. The Board's removal decision;
- c. The results of relevant testing, assessment, or evaluation of the student; and
- d. The recommendation of the Principal or Director of the alternative education program or home or other out-of-school instruction program in which the student has been placed.

E. Exception

1. The provisions of N.J.A.C. 6A:16-5.6 shall not apply to a student who has obtained the Superintendent's written authorization to lawfully possess a firearm or other weapon while participating in a school-sponsored function.
 - a. The Superintendent shall not provide authorization to a student who has been convicted or adjudicated delinquent for possession of a firearm or weapon or for a crime involving the use of a firearm.

Adopted: 22 September 2014



5620 EXPULSION

The Board of Education recognizes that expulsion from this district is the most severe sanction that can be imposed upon a student.

The Board may expel a general education student from school, pursuant to N.J.S.A. 18A:37-2, only after the Board has provided the procedural due process rights set forth in N.J.A.C. 6A:16-7.1(c) 3 and 7.3, and as outlined in Policy and Regulation 5610, subsequent to a long-term suspension pursuant to N.J.A.C. 6A:16-7.3; and only after the Board has provided an appropriate educational program or services, based on the criteria set forth under N.J.A.C. 6A:16-7.3(f) and as outlined in Regulation 5610. The educational program or service shall be consistent with the provisions of N.J.A.C. 6A:16-9.1 et seq., Alternative Educational Programs, and N.J.A.C. 6A:16-10.2, Home or Out-of-School Instruction for General Education Students, and N.J.A.C. 6A:14-2 et seq., Special Education, Procedural Safeguards and N.J.A.C. 6A:14-4.1 et seq., Special Education, Programs and Instruction, whichever are applicable. The educational services provided, either in school or out-of-school, shall be comparable to those provided in the public schools for students of similar grades and attainments, pursuant to N.J.S.A. 18A:38-25.

An appeal of the Board's decision regarding the cessation of the student's general education program shall be made to the Commissioner of Education in accordance with N.J.S.A. 18A:6-9 and N.J.A.C. 6A:3-1.3 through 1.17. The Board shall continue to provide an appropriate educational program or services in accordance with N.J.A.C. 6A:16-7.4(a)2 until a final determination has been made on the appeal of the Board's action to expel a student.

A student with a disability shall only be expelled from his or her current program in accordance with N.J.A.C. 6A:14 et seq. An expulsion of a student with a disability from a receiving school shall be handled in accordance with N.J.A.C. 6A:14 et seq.

N.J.S.A. 18A:37-2

N.J.A.C. 6A:16-7.4; 6A:14 et seq.

Adopted: 23 August 2010; 22 September 2014



REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN (M)

M

8462 REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN

The Board of Education recognizes early detection of missing, abused, or neglected children is important in protecting the health, safety, and welfare of all children. In recognition of the importance of early detection of missing, abused, or neglected children, the Board of Education adopts this Policy pursuant to the requirements of N.J.S.A. 18A:36-24 and 18A:36-25. The Board provides this Policy for its employees, volunteers, or interns to provide for the early detection of missing, abused, or neglected children through notification of, reporting to, and cooperation with the appropriate law enforcement and child welfare authorities pursuant to N.J.S.A. 18A:36-24 and 18A:36-25 et seq., N.J.A.C. 6A:16-11.1, and N.J.S.A. 9:6-8.10.

Employees, volunteers, or interns working in the school district shall immediately notify designated child welfare authorities of incidents of alleged missing, abused, and/or neglected children. Reports of incidents of alleged missing, abused, or neglected children shall be reported to the New Jersey State Central Registry (SCR) at 1-877 NJ ABUSE. If the child is in immediate danger a call shall be placed to 911 as well as to the SCR.

The person having reason to believe that a child may be missing or may have been abused or neglected may inform the Principal or other designated school official(s) prior to notifying designated child welfare authorities if the action will not delay immediate notification. The person notifying designated child welfare authorities shall inform the Principal or other designated school official(s) of the notification, if such had not occurred prior to the notification. Notice to the Principal or other designated school official(s) need not be given when the person believes that such notice would likely endanger the reporter or student involved or when the person believes that such disclosure would likely result in retaliation against the student or in discrimination against the reporter with respect to his or her employment.

The Principal or other designated school official(s) upon being notified by a person having reason to believe that a child may be missing or may have been abused or neglected, must notify appropriate law enforcement authorities. Notification to appropriate law enforcement authorities shall be made for all reports by employees, volunteers, or interns working in the school district. Confirmation by another person is not required for a school district employee, volunteer, or intern to report the suspected missing, abused, or neglected child



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situation.

School district officials will cooperate with designated child welfare and law enforcement authorities in all investigations of potentially missing, abused, or neglected children in accordance with the provisions of N.J.A.C. 6A:16-11.1(a)5.

The district designates affirmative action officer as the school district's liaison to designated child welfare authorities to act as the primary contact person between the school district and child welfare authorities with regard to general information sharing and the development of mutual training and other cooperative efforts. The district designates the Superintendent or designee as the school district's liaison to law enforcement authorities to act as the primary contact person between the school district and law enforcement authorities, pursuant to N.J.A.C. 6A:16-6.2(b)1, consistent with the Memorandum of Understanding, pursuant to N.J.A.C. 6A:16-6.2(b)13.

An employee, volunteer, or intern working in the school district who has been named as a suspect in a notification to child welfare and law enforcement authorities regarding a missing, abused, or neglected child situation shall be entitled to due process rights, including those rights defined in N.J.A.C. 6A:16-11.1(a)9.

The Superintendent or designee shall provide training to school district employees, volunteers, or interns on the district's policy and procedures for reporting allegations of missing, abused, or neglected child situations. All new school district employees, volunteers, or interns working in the district shall receive the required information and training as part of their orientation.

There shall be no reprisal or retaliation against any person who, in good faith, reports or causes a report to be made of a potentially missing, abused, or neglected child situation pursuant to N.J.S.A. 9:6-8.13.

Any employee, volunteer, or intern with reasonable cause to suspect or believe a student has attempted or contemplated suicide shall report such information to the Department of Children and Families, Division of Child Protection and Permanency, in a form and manner prescribed by the Division of Child Protection and Permanency pursuant to N.J.S.A.30:9A-24.a.

N.J.S.A. 18A:36-24; 18A:36-25 et seq.

N.J.A.C. 6A:16-11.1

Adopted: 23 August 2010, 22 September 2014



REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN (M)

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M

A. Definitions

1. An "abused child" as defined in N.J.S.A. 9:6-8.9, is a child under the age of eighteen years whose parent(s) or legal guardian(s), or other person having his/her custody or control:
 - a. Inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ;
 - b. Creates or allows to be created a substantial or ongoing risk of physical injury to the child by other than accidental means which would be likely to cause death or serious protracted disfigurement, or protracted loss or impairment of the function of any bodily organ;
 - c. Commits or allows to be committed an act of sexual abuse against the child;
 - d. Or a child whose physical, mental, or emotional condition has been impaired or is in imminent danger of becoming impaired as the result of the failure of his/her parent(s) or legal guardian(s), or such other person having his/her custody and control, to exercise a minimum degree of care (1) in supplying the child with adequate food, clothing, shelter, education, medical or surgical care though financially able to do so or though offered financial or other reasonable means to do so or (2) in providing the child the proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or substantial risk thereof, including the infliction of excessive corporal punishment or using excessive physical restraint under circumstances which do not indicate that the child's behavior is harmful to himself/herself, others or property, or by any other act of similarly serious nature requiring the aid of the court;



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- e. Or a child who has been willfully abandoned by his/her parent(s) or legal guardian(s), or such other person having his/her custody and control.
- f. Or a child who is in an institution as defined under N.J.S.A. 9:6-8.21 and (1) has been so placed inappropriately for a continued period of time with the knowledge that the placement has resulted and may continue to result in harm to the child's mental or physical well-being or (2) has been willfully isolated from ordinary social contact under circumstances which indicate emotional or social deprivation. A child shall not be considered abused under this section if the acts or omissions described therein occur in a day school as defined in N.J.S.A. 9:6-8.21.

- 2. An "Intern" means a post-secondary student or graduate in a professional field gaining supervised practical experience.

B. Indications of Child Abuse and/or Neglect

- 1. The suspicion of child abuse and/or neglect may be based on the complaints of the child or on the direct observations of the employee, volunteer, or intern. A person should suspect child abuse and/or neglect when certain conditions appear to be present. The conditions may be, but are not limited to, whenever:
 - a. There is evidence of physical injury to a student not likely to have been caused by an accident, regardless of the student's explanation of the injury;
 - b. A student complains of having been injured or having been sexually molested, with or without external signs of physical injury;
 - c. A student appears to be malnourished;
 - d. A student's general condition indicates a persistent want of care, such as clothing inadequate for the weather, inadequate hygiene, lack of sleep, decayed and broken teeth, and the like;



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- e. A student complains of or indicates by other means that he/she has been subjected to threats or emotional abuse;
- f. A student is excessively apprehensive, fearful, withdrawn, or aggressive;
- g. A student is afraid to go home after school or arrives to school unreasonably early;
- h. A parent or the caretaker of a child admits having abused the child;
- i. The removal from school by the parent, or other person having custody and control of the child that may be an indicator of additional grievous abuses; or
- j. School district personnel have any other reasonable cause to believe that a child has been subject to child abuse and/or neglect or acts of child abuse and/or neglect.

C. Notification Requirements for School District Employees, Volunteers or Interns

- 1. Employees, volunteers, or interns working in the school district shall immediately notify designated child welfare authorities of incidents of alleged missing, abused, or neglected children.
 - a. The person having reason to believe that a child may be missing or may have been abused or neglected may, prior to notifying designated child welfare authorities, inform the Principal or other designated school official(s) prior to notifying designated child welfare authorities if the action will not delay immediate notification.
 - b. The person notifying designated child welfare authorities shall inform the Principal or other designated school official(s) of the notification, if such had not occurred prior to the notification.
 - (1) Notice to the Principal or other designated school official(s) need not be given when the person believes the such notice would likely endanger the reporter or student involved or when the person believes the disclosure would likely result



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in retaliation against the student or in discrimination against the reporter with respect to his or her employment.

2. Reports of incidents of alleged missing, abused, or neglected children shall be reported to the New Jersey State Central Registry (SCR) at 1-877 NJ ABUSE. If the child is in immediate danger a call shall be placed to 911 as well as to the SCR.

D. School District's Notification to Law Enforcement

1. The Principal or other designated school official(s) upon being notified by a person having reason to believe that a child may be missing or may have been abused or neglected, must notify appropriate law enforcement authorities of incidents of potentially missing, abused, or neglected child situations.

- a. Notification procedures to child welfare authorities and law enforcement authorities regarding alleged incidents of missing, abused, or neglected children shall be consistent with the Memorandum of Agreement.

- b. Notification to appropriate law enforcement authorities shall be made for all reports by employees, volunteers, or interns working in the school district.

- (1) The notification to appropriate law enforcement authorities on behalf of a student attending a receiving school shall be made to the law enforcement authorities identified in the receiving school's Memorandum of Agreement as required by N.J.A.C. 6A:16-6.2(b)13.

2. Confirmation by another person is not required for a school district employee, volunteer, or intern to report the suspected missing, abused, or neglected child situation.

E. School District Cooperation with Designated Law Enforcement Authorities

1. The school district will cooperate with designated child welfare and law enforcement authorities in all investigations of potentially missing, abused, or neglected children.



REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN (M)

- a. Accommodations shall be made permitting the child welfare and law enforcement investigators to interview the student in the presence of the Principal or other designated school official(s).
 - (1) If the student is intimidated by the presence of the school representative, the student shall be requested to name an employee, volunteer, or intern working in the school district, whom he or she feels will be supportive, and who will be allowed to accompany the student during the interview.
- b. District administrative and/or supervisory staff members will assist designated child welfare and law enforcement authorities in scheduling interviews with any employee, volunteer, or intern working in the school district who may have information relevant to the investigation.
- c. In accordance with N.J.A.C. 6A:16-11.1(a)5.iii., the district will release all records of the student who is the subject of the investigation that are deemed to be relevant to the assessment or treatment of a potentially missing, abused, or neglected child pursuant to N.J.S.A. 18A:36-19, N.J.S.A. 9:8-8.40 and N.J.A.C. 6A:32-7 and allowable under the Family Education Rights and Privacy Act (FERPA), 34 CFR Part 99.
- d. In accordance with N.J.A.C. 6A:16-11.1(a)5.iv., the district will ensure the maintenance, security, and release of all confidential information about potential missing, abused, or neglected child situations is in accordance with N.J.S.A. 18A:36-19, N.J.S.A. 9:8-8.40 and N.J.A.C. 6A:32-7.
 - (1) All information regarding allegations of potentially missing, abused, or neglected children reported to authorities about an employee, volunteer, or intern working in the school district shall be considered confidential and may be disclosed only as required in order to cooperate in investigations pursuant to N.J.A.C. 6A:16-11.1(a)2. and 3. or by virtue of a Court Order. Records pertaining to such information shall be maintained in a secure location



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separate from other employee personnel records and accessible only to the Superintendent or designee.

- e. In accordance with N.J.A.C. 6A:16-11.1(a)5.v., the district will release the student to child welfare authorities while school is in session when it is necessary to protect the student or take the student to a service provider.

- (1) Such removal shall take place only after the Principal, or other designated school official (s) has been provided, either in advance or at the time removal is sought, with appropriate documentation that the child welfare authority has already removed, or has appropriate authority to remove, the student from his or her home, as specified in N.J.S.A. 9:6-8.27 through 8.30.

- f. The district will cooperate in the transfer of a student who has been removed from his or her home by designated child welfare authorities for proper care and protection pursuant to N.J.S.A. 9:6-8.28 and 8.29 to another school.

F. Due Process Rights of a School Employee, Volunteer, or Intern Named As a Suspect

1. An employee, volunteer, or intern working in the school district who has been named as a suspect in a notification to child welfare and law enforcement authorities regarding a missing, abused, or neglected child situation shall be entitled to due process rights.
2. Temporary reassignment or suspension of an employee, volunteer, or intern working in the school district named as a suspect pursuant to N.J.A.C. 6A:16-11.1(a)2 shall occur only if there is reason to believe that the life or health of the alleged victim or other student is in jeopardy due to continued contact between the employee, volunteer, or intern and the student.
3. All references to a notification to the designated child welfare authorities of a potential missing, abused, or neglected child situation involving a school district employee, shall be removed from the employee's personnel records immediately following the receipt of an official notice from child



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welfare authorities that the allegation was unfounded pursuant to N.J.S.A.
18A:6-7a.

Adopted: 23 August 2010, 22 September 2014

