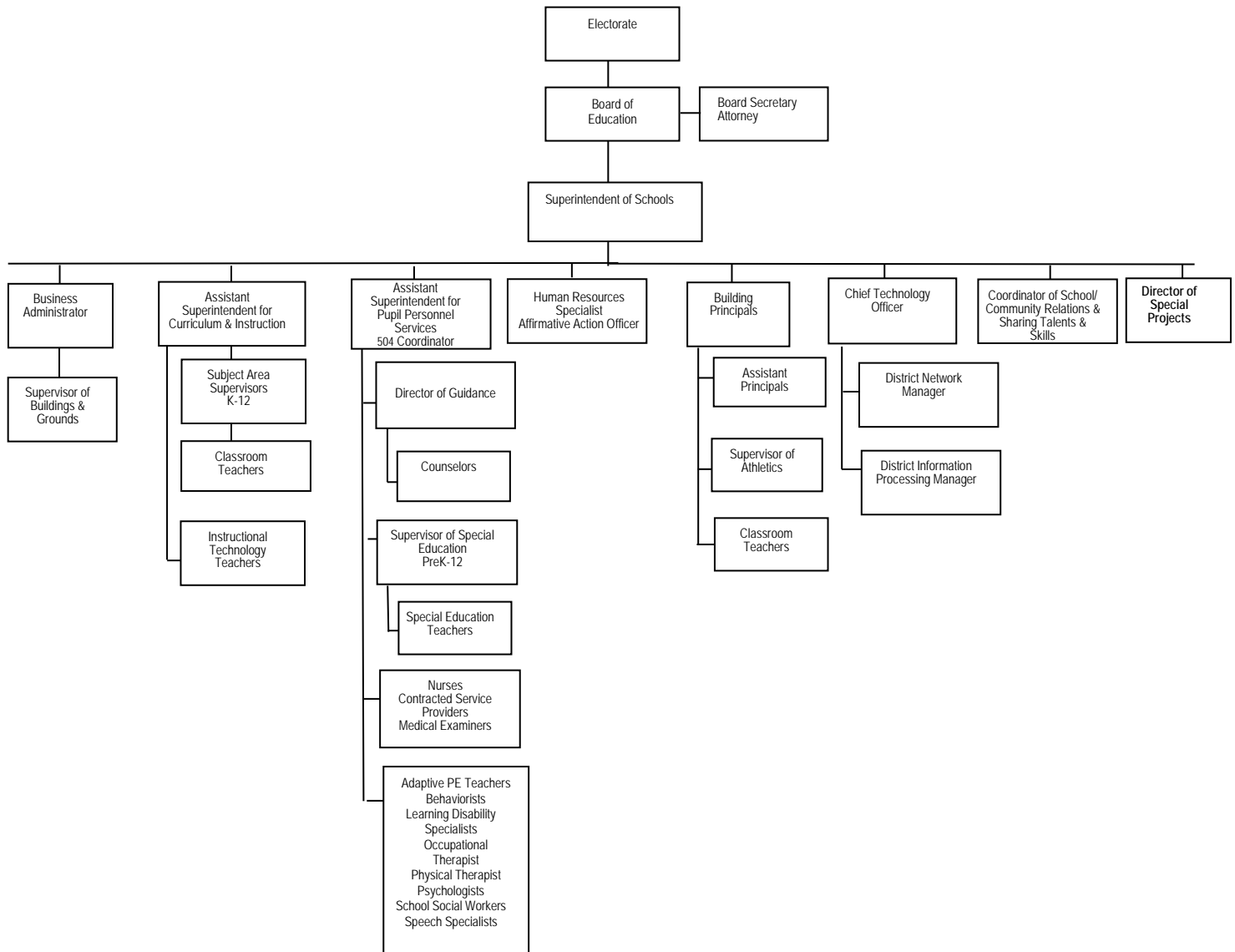


WESTFIELD PUBLIC SCHOOLS
Westfield, New Jersey 07090

ADMINISTRATION
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1110 ORGANIZATIONAL CHART



Classroom Paraprofessionals report to Building Principal or designated Administrator
Custodians report to Building Principals
Maintenance and Elm Street Custodians report to Supervisor of Buildings and Grounds
Secretaries report to Building Principals or designated Administrator
Technicians report to Chief Technology Officer

Approved: November 6, 2007
Revised: December 7, 2010
Revised: August 28, 2012
Revised: December 10, 2013
Reviewed: December 11, 2014
First Reading: January 24, 2017
Second Reading: February 28, 2017

3144 CERTIFICATION OF TENURE CHARGES

The Board of Education, in accordance with the provisions of N.J.A.C. 6A:3-5.1 et seq., will challenge the continued employment of any tenured teaching staff member, Principal, Assistant Principal, Director or Supervisor who, is incapable of performing his or her duties, violates by unbecoming conduct, the public trust placed with employees of this district, or, by other means, demonstrates unfitness for district employment. When charges are filed against a tenured teaching staff member, Principal, Assistant Principal, Director or Supervisor, by any person, the Board shall determine the gravity of the charges and the strength of supporting evidence in accordance with law and these guidelines:

1. Charges may be instituted against a tenured teaching staff member, Principal, Assistant Principal, Director or Supervisor of the district by any person by filing with the Board Secretary a written statement, signed by the charging person, that sets forth the specific charges and the statutory ground on which each is based. The statement of charges must be accompanied by a written statement of evidence made under oath in support of the charges. The Board Secretary shall promptly notify the Superintendent and the Board President that such charges have been filed.
2. Where the charges allege incapacity, unbecoming conduct, or other good cause, a copy of the charges and a copy of the statement of evidence shall, within seventy-two hours of the time charges have been filed with the Board Secretary, be served on the charged employee together with a letter offering the employee the opportunity of submitting to the Board Secretary a written statement of position and a written statement of evidence under oath, provided that such statements are filed with the Board Secretary no later than fifteen days after the date on which the charges were served on the employee.

In accordance with N.J.S.A. 34:13A-24, fines and suspensions imposed as minor discipline shall not constitute a reduction in compensation pursuant to the provisions of N.J.S.A. 18A:6-10 where the negotiated agreement between the Board of Education and the majority representative of the employees in the appropriate collective bargaining unit provides for such discipline. In these cases, tenure charges shall not be filed to impose minor discipline on a person serving under tenure.

The Board of Education shall determine whether there is probable cause to credit the evidence in support of the charges and whether such charges, if credited, are sufficient to warrant a dismissal or reduction of salary. Pursuant to N.J.S.A. 18A:6-11, all deliberations and actions of the Board of Education with respect to such charges shall take place at a closed/executive session meeting. In

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3144
Certification of Tenure Charges

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the event the Board of Education finds probable cause exists and that the charges, if credited, are sufficient to warrant a dismissal or reduction of salary, then the Board shall file, within fifteen days, written charges with the Commissioner. The charge(s) shall be stated with specificity as to the action or behavior underlying the charges or the nature of the alleged inefficiency and shall be accompanied by the required certificate of determination together with the name of the attorney who is anticipated for administrative purposes will be representing the Board of Education and proof of service upon the employee and the employee's representative, if known. Such service shall be at the same time and in the same manner as the filing of charges with the Commissioner.

The certificate of determination that accompanies the written charges shall contain a certification by the Board Secretary including that a determination was made of the charges and the evidence in support of the charges are sufficient, if true in fact, to warrant dismissal or a reduction in salary; of the date, place, and time of the meeting at which such determination was made and whether or not the employee was suspended and, if so, whether such suspension was with or without pay; that such determination was made by a majority vote of the whole number of members of the Board of Education in accordance with N.J.S.A. 18A:7A-39.

An individual against whom tenure charges are certified shall file a written response to the charges in accordance with the provisions of N.J.A.C. 6A:3-5.3 et seq. The Commissioner shall determine whether such charge(s) are sufficient, if true, to warrant dismissal or reduction in salary in accordance with the provisions of N.J.A.C. 6A:3-5.5. Any withdrawal, settlement, or mooted of tenure charges shall be in accordance with the provisions of N.J.A.C. 6A:3-5.6.

N.J.S.A. 18A:6-8.3; 18A:6-10 et seq.; 18A:6-11;
18A:6-13; 18A:6-14; 18A:6-16; 18A:25-6; 18A:25-7
N.J.A.C. 6A:3-5.1; 6A:3-5.2; 6A:3-5.3; 6A:3-5.5;
6A:3-5.6

First Reading: November 19, 2002
Approved: December 17, 2002
Citation Revision: October 1, 2007
First Reading: January 24, 2017
Second Reading: February 28, 2017

R 3144 CERTIFICATION OF TENURE CHARGES

A. Definition

1. For the purposes of Policy 3144 and this Regulation, “day” means business day when the period specified is less than seven days, and calendar day when the period specified is seven days or more; provided however, that calculations do not include the day of the action from which they are computed but do not include the last day of the period being computed unless such day falls on a Saturday, Sunday or holiday, in which case the last day shall be deemed the next business day immediately following. Filings received after the close of business (4:15 p.m.) shall be deemed filed on the next business day.

B. Filing of Written Charges and Certificate of Determination – N.J.A.C. 6A:3-5.1

1. N.J.A.C. 6A:3-1.3 - Filing and Service of Petition of Appeal shall not apply in a case of tenure charges filed with the Commissioner against an employee of a Board of Education or a school district under full State intervention. In place of the usual petition, the Board shall file written charges and the required certificate of determination with the Commissioner, together with the name of the attorney who is anticipated for administrative purposes will be representing the Board of Education and proof of service upon the employee and the employee’s representative, if known. Such service shall be at the same time and in the same manner as charges are filed with the Commissioner.

In accordance with N.J.S.A. 34:13A-24, fines and suspensions imposed as minor discipline shall not constitute a reduction in compensation pursuant to the provisions of N.J.S.A. 18A:6-10 where the negotiated agreement between a Board of Education and the majority representative of the employees in the appropriate collective bargaining unit provides for such discipline. In these cases, tenure charges shall not be filed to impose minor discipline on a person serving under tenure.

2. In all instances of the filing and certification of tenure charges against a teaching staff member, Principal, Assistant Principal, Director, or Supervisor, the following procedures and timelines shall be observed:
 - a. Charges shall be stated with specificity as to the action or behavior underlying the charges and shall be filed in writing with the Secretary of the Board of Education, accompanied by a supporting statement of evidence, both of which shall be executed under oath by the person(s) instituting such charges.

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- b. Along with the required sworn statement of evidence, charges shall be transmitted to the affected tenured employee and the employee's representative, if known, within three working days of the date they were filed with the Secretary of the Board of Education. Proof of mailing or hand delivery shall constitute proof of transmittal.
- c. The affected tenured employee shall have an opportunity to submit to the Board of Education a written statement of position and a written statement of evidence, both of which shall be executed under oath with respect thereto within fifteen days of receipt of the tenure charges.
- d. Upon receipt of the tenured employee's written statements of position and evidence under oath, or upon expiration of the allotted fifteen-day time period, the Board of Education shall determine by a majority vote of its full membership, shall determine, within forty-five days whether there is probable cause to credit the evidence in support of the charges and whether such charges, if credited, are sufficient to warrant a dismissal or reduction of salary. In accordance with the provisions of N.J.S.A. 18A:6-13, if the Board of Education does not make a determination within forty-five days after receipt of the written charges, the charges shall be deemed to be dismissed and no further proceeding or action shall be taken.
- e. The Board of Education shall provide, within three working days, written notification of the determination to the employee against whom the charges has been made, in person or by certified mail to the last known address of the employee and the employee's representative, if known.
- f. If the Board of Education finds probable cause exists and the charges, if credited, are sufficient to warrant a dismissal or reduction of salary, then the Board shall file, within fifteen days, written charges with the Commissioner. The charges shall be stated with specificity as to the action or behavior underlying the charges and shall be accompanied by the required certificate of determination together with the name of the attorney who is anticipated for administrative purposes will be representing the Board of Education and proof of service upon the employee and the employee's representative, if known. Such service shall be at the same time and in the same manner as the filing of charges with the Commissioner.
- g. Pursuant to N.J.S.A. 18A:6-11, all deliberations and actions of the Board of Education with respect to such charges shall take place at a closed/executive session meeting.

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C. Format of Certificate of Determination

1. The certificate of determination that accompanies the written charges shall contain a certification by the Board of Education Secretary:
 - a. The Board of Education has determined the charges and the evidence in support of the charges are sufficient, if true in fact, to warrant dismissal or a reduction in salary;
 - b. Of the date, place, and time of the meeting at which such determination was made and whether the employee was suspended and, if so, whether such suspension was with or without pay; and
 - c. The determination was made by a majority vote of the whole number of members of the Board of Education in accordance with N.J.S.A. 18A:7A-39.

D. Filing and Service of Answer to Written Charges – N.J.A.C. 6A:3-5.3

1. Except as specified in N.J.A.C. 6A:3-5.1(c)5, an individual against whom tenure charges are certified shall have fifteen days from the date such charges are filed with the Commissioner to file a written response to the charges. Except as to the time for filing, the answer shall conform to the requirements of N.J.A.C. 6A:3-1.5(a) through (d).

Consistent with N.J.A.C. 6A:3-1.5(g), nothing in N.J.A.C. 6A:3-5.3 precludes the filing of a motion to dismiss in lieu of an answer to the charges, provided the motion is filed within the time allotted for the filing of an answer. Briefing on the motions shall be in the manner and within the time fixed by the Commissioner, or by the arbitrator if the motion is to be briefed following transmittal to an arbitrator.

2. Upon written application by the person against whom charges are filed, the Commissioner may extend the time period for the filing of an answer upon a finding of good cause shown consistent with the provisions of N.J.S.A. 18A:6-16. Such application shall be received prior to the expiration of the fifteen-day answer period, or the ten-day answer period specified in N.J.A.C. 6A:3-5.1(c), and a copy shall be served upon the charging Board of Education. The Board of Education shall promptly notify the Commissioner of any opposition to the request.

A request for extension that is received after the fifteen-day period allotted for an answer to tenure charges, or after the ten-day period allotted in N.J.A.C. 6A:3-5.1(c) will be considered only in the event of demonstrated emergency or other unforeseeable circumstance such that the request could not have been made within the requisite filing period.

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3. If no answer is filed within the requisite time period and no request for extension is made, or if the request is denied by the Commissioner, or the charged employee submits an answer or other responsive filing indicating the employee does not contest the charges, the charges shall be deemed admitted by the charged employee.

E. Determination of Sufficiency and Transmittal for Hearing – N.J.A.C. 6A:3-5.5

1. Except as specified in N.J.A.C. 6A:3-5.1(c), within ten days of receipt of the charged party's answer or expiration of the time for its filing, the Commissioner shall determine whether such charge(s) are sufficient, if true, to warrant dismissal or reduction in salary. If the charges are determined insufficient, they shall be dismissed and the parties shall be notified accordingly. If the charges are determined sufficient, the matter shall be transmitted immediately to an arbitrator for further proceedings, unless the Commissioner retains the matter pursuant to N.J.A.C. 6A:3-1.12.

A notice of transmittal shall be issued to the parties by the Department of Education on the same date as the matter is transmitted to an arbitrator.

2. Where a party to a tenure matter requests, the Commissioner may agree to hold the matter in abeyance at any time prior to transmittal to an arbitrator. Thereafter, requests to hold the matter in abeyance shall be directed to the arbitrator. Any request for abeyance, whether directed to the Commissioner or the arbitrator, shall be consistent with the intent of N.J.S.A. 18A:6-16 as amended by P.L. 1998, c.42.

F. Withdrawal, Settlement, or Mooting of Tenure Charges – N.J.A.C. 6A:3-5.6

1. Once tenure charges are certified to the Commissioner, they may be withdrawn or settled only with approval. Any proposed withdrawal or settlement, whether submitted to the Commissioner or to the arbitrator, shall address the following standards established by the State Board of Education in the matter entitled *In re Cardonick*, State Board decision of April 6, 1983 (1990 *School Law Decisions (S.L.D.)* 842, 846):
 - a. Accompaniment by documentation as to the nature of the charges;
 - b. Explication of the circumstances justifying settlement or withdrawal;
 - c. Consent of both the charged and charging parties;
 - d. Indication the charged party entered into the agreement with a full understanding of his or her rights;
 - e. A showing the agreement is in the public interest; and

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Certification of Tenure Charges**

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- f. A showing the charged party has been advised of the Commissioner's duty to refer tenure determinations resulting in loss of position to the State Board of Examiners for possible suspension or revocation of certificate.
2. A settlement agreement shall not propose terms that would restrict access to information or records deemed public by law or result in misrepresentation of the reason for an employee's separation from service. If tenure charges have been certified to the Commissioner by a Board of Education, any proposed settlement shall indicate, by signature of the Board Attorney or inclusion of a Board of Education resolution authorizing settlement, that the Board of Education has consented to the terms of the settlement.
3. A proposed withdrawal or settlement of tenure charges shall be submitted to the Commissioner prior to transmittal of such charges to the arbitrator; thereafter, it shall be submitted to the arbitrator.
4. If tenure proceedings against the charged party are concluded prior to adjudication because the charged party has unilaterally resigned or retired, the Commissioner may refer the matter to the State Board of Examiners for action against the charged party's certificate as it deems appropriate, when such referral is warranted under the provisions governing resignation or retirement prior to conclusion of tenure charges as set forth in N.J.A.C. 6A:9B-4.3.
5. If a proposed settlement requires the tenured employee to relinquish a certificate issued by the State Board of Examiners, upon approval of the settlement agreement, the Commissioner shall forward the matter to the State Board of Examiners for proceedings in accordance with N.J.A.C. 6A:9B-4.10.

In Effect:

Certification of Tenure Charges - Inefficiency

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**3144.12 CERTIFICATION OF
TENURE CHARGES – INEFFICIENCY**

In accordance with the provisions of N.J.S.A. 18A:6-17.3 and notwithstanding the provisions of N.J.S.A. 18A:6-11 or any other section of law to the contrary, in the case of a teaching staff member, Principal, Assistant Principal, Director, or Supervisor, the Superintendent shall promptly file with the Secretary of the Board of Education a charge of inefficiency whenever the employee is rated ineffective or partially effective in an annual summative evaluation and the following year is rated ineffective in the annual summative evaluation.

If the teaching staff member, Principal, Assistant Principal, Director, or Supervisor is rated partially effective in two consecutive annual summative evaluations or is rated ineffective in an annual summative evaluation, and the following year is rated partially effective in the annual summative evaluation, the Superintendent shall promptly file with the Secretary of the Board of Education a charge of inefficiency, except that the Superintendent, upon a written finding of exceptional circumstances, may defer the filing of tenure charges until after the next annual summative evaluation. If the employee is not rated effective or highly effective on this next annual summative evaluation, the Superintendent shall promptly file a charge of inefficiency.

Within thirty days of the filing, the Board of Education shall forward a written charge to the Commissioner of Education, unless the Board of Education determines the evaluation process has not been followed.

Notwithstanding the provisions of N.J.S.A. 18A:6-16 or any other section of law to the contrary, upon receipt of a charge pursuant to N.J.S.A. 18A:6-17.3.a, and this Policy, the Commissioner of Education shall examine the charge. The individual against whom the charges are filed shall have ten days to submit a written response to the charges to the Commissioner of Education. The Commissioner of Education shall, within five days immediately following the period provided for a written response to the charges, refer the case to an arbitrator and appoint an arbitrator to hear the case, unless the Commissioner determines the evaluation process has not been followed.

The only evaluations which may be used for purposes of N.J.S.A. 18A:6-17.3 are those evaluations conducted in accordance with a rubric adopted by the Board of Education and approved by the Commissioner of Education pursuant to P.L.2012, c.26 – N.J.S.A. 18A:6-117 et seq.

N.J.S.A. 18A:6-11; 18A:6-17.3

First Reading: January 24, 2017
Second Reading: February 28, 2017
Adopted:

R 3144.12 Certification of
Tenure Charges - Inefficiency

The following procedures and timelines shall be observed when tenure charges are charges of inefficiency pursuant to N.J.S.A. 18A:6-17.3.

1. When the conditions described in N.J.S.A. 18A:6-17.3.a(1) or (2) and as outlined in Policy 3144.12 have been satisfied, the Superintendent shall promptly file with the Secretary of the Board a charge of inefficiency.
2. The charges of inefficiency shall be transmitted to the affected tenured employee and the employee's representative, if known, within three working days of the date the charges were filed with the Secretary of the Board. Proof of mailing or hand delivery shall constitute proof of transmittal.
3. The affected tenured employee shall have an opportunity within ten days of receipt to submit to the Board a written statement of position under oath demonstrating how the school district failed to comply with evaluation procedures.
4. Within thirty days of the filing, the Board shall forward a written charge to the Commissioner unless the Board determines the evaluation process has not been followed. Such determination shall be made by a majority vote of the Board's full membership.
5. Upon receipt of the charge, the Commissioner or his or her designee shall examine the charge. The charge shall again be served upon the employee at the same time it is forwarded to the Commissioner and proof of service shall be included with the filed charge. The individual against whom the charge is filed shall have ten days to submit to the Commissioner a written response to the charge.
6. Within five days of the individual's deadline to submit a written response to the charge, the Commissioner shall appoint an arbitrator to hear the case and refer the case to the arbitrator, unless he/she determines the evaluation process has not been followed.
7. Pursuant to N.J.S.A. 18A:6-11, all deliberations and actions of the Board of Education with respect to such charges shall take place at a closed/executive session meeting.

In Effect:

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3146 CONDUCT OF REDUCTION IN FORCE

It is the responsibility of the Board to provide the staff necessary for the implementation of the educational program of the district and to operate the schools efficiently and economically.

The Board reserves the right to abolish positions in the district and to reduce staff commensurately whenever reasons of economy, reorganization of the school district, reduction in the number of pupils, or other good cause warrant such action in accordance with Policy 3112. In all cases, statutes and the rules of the State Board shall govern the transfer and dismissal of employees affected by the abolishment of positions.

The Superintendent shall develop rules for the reduction of staff which comport with statute, rules of the State Board, and applicable case law and which ensure the following:

1. The efficiency and effectiveness of district organization and staffing patterns shall be under continuing review, and recommendations for eliminating, creating, and reallocating duties and positions shall be presented for Board consideration when the Superintendent considers such actions to be in the best interest of the district.
2. No person shall be employed by the Board to perform duties for which he/she is not properly certified.
3. Data necessary for the computation of each teaching staff member's seniority status shall be promptly and accurately recorded and maintained.
4. No tenured teaching staff member will be transferred or dismissed in a reduction in force affecting a category of employment in which a nontenured teaching staff member is employed. When two or more nontenured teaching staff members are employed within the category affected by a reduction in force, the nontenured teaching staff member(s) shall be retained in that category who has demonstrated greater competence.
5. Tenure and seniority entitlements will govern the transfer and dismissal of tenured teaching staff members affected by a reduction in force, except that, when two or more tenured teaching staff members within the same employment category affected by a reduction in force possess an identical seniority entitlement to that category, the teaching staff member(s) shall be retained in that category who has the greater seniority in the district at large.

N.J.S.A. 18A:28-1; 18A:28-9 et seq.
N.J.A.C. 6A:32-5.1

Approved: December 17, 2002
First Reading: January 24, 2017
Second Reading: February 28, 2017

R 3146 CONDUCT OF REDUCTION IN FORCE

A. Seniority Lists

In order to determine the teaching staff member(s) affected by a reduction in force, a seniority list will be prepared for each seniority category. The Superintendent or designee will:

1. Determine the category or categories of employment in which each teaching staff member has served by reference to positions held and qualifying certification.
2. Determine whether the member has earned tenure in the district and in the position in which the category falls, in accordance with N.J.S.A. 18A:28-6. Tenure is earned in the positions of Assistant Superintendent, School Business Administrator, Principal, Assistant Principal, , Supervisor, educational services personnel, school nurse, and teacher.
3. Calculate length of service in each category within a tenure position in which the employee has earned tenure.
 - a. Length of service may be expressed in years, months and days.
 - b. Length of service commences from the day on which the employee began service in the category and ends with the end of the current school year or, in the case of previously rified employees, the day on which the employee's district service was terminated.
4. Deduct from time of service in the category any periods of unpaid absence taken for any purpose other than study or research, except that the first thirty days, consecutive and aggregate, of such unpaid absence taken within any one school year will not be deducted.
5. Add periods of prior active military service, to a maximum of four years, to the member's length of service in the first category of district employment. Each full year of military service equals one year of seniority; a fraction of a year, ten months or longer, equals one year of seniority for a ten month employee.
6. Enter the total amount of service for the member's initial category of employment.

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R 3146
Conduct of Reduction in Force**

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7. If the member has been transferred to a second category or successive categories, calculate the service time of each category in accordance with A1 through A4 and enter separately.
 - a. Service in succeeding categories is included in the member's seniority in each earlier category.
 - b. Each seniority list must clearly indicate the category or categories in which the member has earned seniority and the total accrued time in each.

B. RIF Procedures

1. Determine the category or categories of employment to be reduced in number in a reduction in force.
2. Transfer or dismiss nontenured teaching staff members in the reduced category, in accordance with Policy No. 3146.
3. If no nontenured member remains in the category, the least senior tenured member shall be transferred to a previous seniority category in the same tenure position over a nontenured member or a less senior member in that category.
4. If there are no positions within his or her seniority categories in the same tenure position to which the member may be transferred, the member shall be transferred to a position outside his or her seniority categories but within the same tenure position, provided the member is appropriately certified for the position and the position is held by a nontenured employee.
5. If there are no positions to which he or she can be transferred by right of seniority or tenure in the same tenure position, the member shall revert in reverse chronological order to each seniority category and tenure position in which he or she was previously employed in the district, in accordance with the procedure set forth in B3 through B4 above.
6. When there are no positions which the tenured member affected by a reduction in staff can claim over other tenured employees by superior seniority or over nontenured employees by tenure, he or she shall be dismissed, shall receive sixty days notice of such dismissal or pay in lieu thereof, and shall be placed on a preferred eligible list for each category in which he or she was employed by the district.

4125 EMPLOYMENT OF SUPPORT STAFF MEMBERS

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

The Superintendent or designee shall recruit, screen, and recommend to the Board suitable candidates for district employment. 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 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.

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 must undergo a criminal history background check. 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.

Individuals who provide volunteer services to classrooms and crossing guards, not employed or contracted by the district, are not subject to this criminal history record information requirement. Individuals who provide volunteer services as coaches are 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.

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.

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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.

School bus drivers to be employed by the district or by a school bus contractor holding a contract with the Board, must submit to a criminal history background check upon initial employment within the district and upon renewal of their school bus driver endorsement, as outlined in N.J.S.A 18A:39-19.1.

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.

The responsible administrator(s) shall seek candidates for employment who possess the attributes of good character, appreciation of children, good health, and emotional maturity. They may administer such screening tests as may bear upon a candidate's ability to perform the tasks for which he/she is being considered and review such recommendations from former employers and others as may be of assistance in assessing the candidate's qualifications. Application records will be retained in confidence and for official use only.

The Board may employ relatives of Board members provided the member of the Board involved does not participate in any way in the discussion or vote.

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.

An employee'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.

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Aides/Paraprofessionals

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

In accordance with the requirements of No Child Left Behind Act of 2001, each school district receiving Title I funds shall ensure that all paraprofessionals hired after January 8, 2002 and working in a program supported with Title I funds shall have:

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 can demonstrate, through formal State or local academic assessment:
 - a. Knowledge of, and the ability to assist in instructing, reading, writing, and mathematics; or
 - b. Knowledge of, and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness as appropriate.

Paraprofessionals hired before January 8, 2002 and working in a program supported with Title I funds are required to satisfy the above stated requirements not later than four years after the date of January 8, 2002. A district that is implementing a School-wide Program must comply with all the requirements outlined above and a district that has a Target Assistance Program must ensure that all paraprofessionals paid in whole or part with Title I funds meet the requirements outlined above. The Superintendent will ensure paraprofessionals working in a program supported with Title I funds meet the above stated requirements.

Preference may be given to persons who possess a teaching staff member's certificate.

The Superintendent shall submit a job description for each type of aide to be employed in the district, setting forth the duties to be performed, the types of proficiency needed, the qualifications to be required, and the arrangement for the supervision of aides to the County Superintendent for approval. In addition, the Superintendent shall annually submit to the County Superintendent the names of persons employed as aides, a statement certifying that these persons meet the approved qualifications and the positions are being supervised in accordance with approved plan for the use of school and/or classroom aides.

Part-Time Employees

A "part-time support staff member" is a person employed for less than full-time. "Full-time" is employment for a full fiscal year, full workweek, and a full workday. A "full work day" is defined by the worksite, and a "full work week" is five days, Monday through Friday.

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The Board may employ part-time support staff members as district needs require. Part-time employment shall be for periods and hours specified in the Board's resolution of employment.

Bus Drivers

In order to qualify for employment as a regular or substitute school bus driver a candidate must be a reliable person of good moral character, physically fit, have a minimum of three years' previous driving experience, and possess a valid bus driver's license approved by the New Jersey Department of Law and Public Safety, Division of Motor Vehicles that is neither suspended nor revoked.

The Board and any contractor providing transportation services to the Board will annually submit to the County Superintendent, prior to the assignment of any driver, the following information regarding each driver and substitute driver employed by this Board or by any contractor supplying transportation services to this Board:

1. The driver's name and social security number;
2. Certification of the driver's possession of a valid school bus driver's license; and
3. Certification that the driver has qualified for employment after a criminal background check.

Prior to employment as a bus driver, and upon application for renewal of a school bus driver's license, a bus driver shall submit to the Commissioner of Education his/her name, address and fingerprints taken by a State or municipal law enforcement agency. No criminal history record check shall be furnished unless the applicant provided written consent to the check. The Commissioner shall notify the applicant, in writing, of the applicant's qualification or disqualification as a school bus driver. A school bus driver shall be disqualified from employment or service if the individual's check reveals a record of conviction for crimes and offenses as prescribed in N.J.S.A. 18A:39-19.1. The Board shall also be notified of a disqualification.

Any bus driver who fails to comply with the requirements of this policy will be subject to discipline and may be dismissed.

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

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8330 PUPIL RECORDS

The Board of Education believes that information about individual pupils must be compiled and maintained in the interest of the pupil's educational welfare and advancement. The Board will strive to balance the pupil's right to privacy against the district's need to collect, retain, and use information about individual pupils and groups of pupils. The Board authorizes the establishment and maintenance of pupil files that include only those records mandated by law, rules of the State Board of Education, authorized administrative directive, and those records permitted by this Board.

The Superintendent shall prepare, present to the Board for approval, and distribute regulations that implement this Policy and conform to applicable State and federal law and rules of the State Board of Education.

General Considerations

The Board of Education shall compile and maintain pupil records and regulate access, disclosure, or communication of information contained in educational records in a manner that assures the security of such records in accordance with the provisions of N.J.A.C. 6A:32-7.1 et seq. Pupil records shall contain only such information as is relevant to the education of the pupil and is objectively based on the personal observations or knowledge of the certified school personnel who originate the record. The district shall provide annual, written notification to parents, adult pupils, and emancipated minors of their rights in regard to pupil records and pupil participation in educational, occupational, and military recruitment programs. Copies of the applicable State and federal laws and local policies shall be made available upon request. The district shall make every effort to notify parents and adult pupils in their dominant language.

Nothing in this Policy shall be construed to prohibit certified school personnel, , from disclosing pupil records to non-adult pupils or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the pupil or other persons.

No liability shall be attached to any member, officer, or employee of the Board of Education permitting access or furnishing pupil records in accordance with N.J.A.C. 6A:32-7.1 et seq

Pupil Information Directory

A pupil information directory is a publication of the Board of Education that includes information relating to a pupil as defined in N.J.A.C. 6A:32-2.1. This information includes: name; grade level; date and place of birth; dates of school attendance; major field of study; participation in officially recognized activities; weight and height relating to athletic team membership; degrees; awards; the most recent educational agency attended by the pupil; and other similar information. The pupil

information directory shall be used only by authorized school district personnel and for designated official use by judicial, law enforcement, and medical personnel and not for general public consumption. In the event the district publishes a pupil information directory, the Superintendent or designee will provide a parent or adult pupil a ten-day period to submit a written statement to the Superintendent prohibiting the school district from including any or all types of information about the pupil in any pupil information directory before allowing access to such directory to educational, occupational, and military recruiters pursuant to N.J.S.A. 18A:36-19.1 and P.L. 107-110 sec. 9528, Armed Forces Recruiter Access to Students and Student Recruiting Information of the No Child Left Behind Act of 2001.

School Contact Directory for Official Use

A school contact directory for official use is a compilation by the school district that includes the following information for each pupil: name, address; telephone number; date of birth; and school enrollment. The district shall compile and maintain, a school contact directory for official use, that is separate and distinct from the pupil information directory. The pupil contact directory may be provided for official use only to judicial and law enforcement personnel, and to medical personnel currently providing services to the pupil in question. To exclude any information from the school contact directory for official use, the parent, adult pupil, or emancipated minor shall notify the Superintendent or designee in writing.

Mandated and Permitted Pupil Records

Mandated pupil records are those records school districts have been directed to compile by State statute, regulations, or authorized administrative directive in accordance with N.J.A.C. 6A:32-7.3.

Permitted pupil records are those pupil records not mandated pursuant to N.J.A.C. 6A:32-7.3, but authorized by the Board to promote the pupil's educational welfare. The Board shall authorize the permitted records to be collected by adopting Policy and Regulation 8330, which will list such permitted records.

Maintenance and Security of Pupil Records

The Superintendent or designee shall be responsible for the security of pupil records maintained in the school district. Policy and Regulation 8330 assure that access to such records is limited to authorized persons.

Records for each individual pupil may be stored electronically or in paper format. When pupil records are stored electronically, proper security and back-up procedures shall be administered. Pupil health records, whether stored on paper or electronically, shall be maintained separately from other pupil records, until such time as graduation or termination, whereupon the health history and immunization record shall be removed from the pupil's health record and placed in the pupil's mandated record. Records shall be accessible during the hours in which the school program is in operation.

Any district internet website shall not disclose any personally identifiable information about a pupil, without receiving prior written consent from the pupil's parent, in accordance with the provisions of N.J.S.A. 18A:36-35. Personally identifiable information means pupil names; pupil photos; pupil addresses; pupil e-mail addresses; pupil phone numbers; and location and times of class trips.

Access to Pupil Records

Only authorized organizations, agencies, or persons as defined in N.J.A.C. 6A:32-7.5 shall have access to pupil records, including pupil health records. Access to pupil records shall be provided to persons authorized such access under N.J.A.C. 6A:32-7.1 et seq. within ten days of a request, but prior to any review or hearing conducted in accordance with N.J.A.C. 6A.

The district shall control access to, disclosure of, and communication regarding information contained in pupil health records to assure access only to people permitted by Federal and State statute and regulations in accordance with N.J.A.C. 6A:32-7.5.

The district may charge a reasonable fee for reproduction of pupil records, not to exceed the schedule of costs set forth in N.J.S.A. 47:1A-5, provided that the cost does not effectively prevent the parents or adult pupils from exercising their rights under N.J.A.C. 6A:32-7 or other Federal and State rules and regulations regarding pupils with disabilities including N.J.A.C. 6A:14.

Access to and disclosure of a pupil's health record shall meet the requirements of the Family Education Rights and Privacy Act, 34 C.F.R. Part 99 (FERPA).

Only authorized organizations, agencies, or persons as defined in N.J.A.C. 6A:32-7.5 shall have access to pupil records, including pupil health records.

Nothing in N.J.A.C. 6A:32-7.1 et seq. or in Policy and Regulation 8330 shall be construed to prohibit school personnel from disclosing information contained in the pupil health record to pupils or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the pupil or other persons.

In complying with N.J.A.C. 6A:32-7 – Student Records, individuals shall adhere to requirements pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act (OPRA) and 34 CFR Part 99, the Family Educational Rights and Privacy Act (FERPA).

Conditions for Access to Pupil Records

All authorized organizations, agencies, and persons defined in N.J.A.C. 6A:32-7.1 et seq. shall have access to the records of a pupil subject to conditions outlined in N.J.A.C. 6A:32-7.6(a)

Rights of Appeal for Parents and Adult Pupils

Pupil records are subject to challenge by parents and adult pupils on the grounds of inaccuracy, irrelevancy, impermissible disclosure, inclusion of improper information or denial of access to organizations, agencies, and persons in accordance with N.J.A.C. 6A:32-7.7(a).

To request a change in the record or to request a stay of disclosure pending final determination of the challenged procedure, the parent or adult pupil shall follow the procedures pursuant to N.J.A.C. 6A:32-7.7(b).

Appeals relating to pupil records for pupils with disabilities shall be processed in accordance with the requirements of N.J.A.C. 6A:32-7.7(b)..

Regardless of the outcome of any appeal, a parent or adult pupil shall be permitted to place in the pupil record a statement commenting upon the information in the record or setting forth any reasons for disagreement with the decision made in the appeal. Such statements shall be maintained as part of the pupil record as long as the contested portion of the record is maintained. If the contested portion of the record is disclosed to any party, the statement commenting upon the information shall also be disclosed to that party.

Retention and Disposal of Pupil Records

A pupil record is considered to be incomplete and not subject to the provisions of the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq., while the pupil is enrolled in the school district. The school district shall retain the pupil health record and the health history and immunization record according to the School District Records Retention Schedule, as determined by the New Jersey State Records Committee.

Pupil records of currently enrolled pupils, other than that described in N.J.A.C. 6A:32-7.8(e), may be disposed of after the information is no longer necessary to provide educational services to a pupil and in accordance with the provisions of N.J.A.C. 6A:32-7.8(b).

Upon graduation or permanent departure of a pupil from the school district, the parent or adult pupil shall be notified in writing that a copy of the entire pupil record will be provided to them upon request. Information in pupil records, other than that described in N.J.A.C. 6A:32-7.8(e) may be disposed of, but only in accordance with the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq. Such disposition shall be in accordance with the provisions of N.J.A.C. 6A:32-7.8(c)2

No additions shall be made to the record after graduation or permanent departure without the prior written consent of the parent or adult pupil.

In accordance with N.J.A.C. 6A:32-7.8(e), the New Jersey public school district of last enrollment, graduation, or permanent departure of the pupil from the school district shall keep for 100 years a mandated record of a pupil's name, date of birth, name of parents, gender, health history and immunization, standardized assessment results, grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

N.J.S.A. 18A:36-19; 18A:36-19.1; 18A:40-4; 18A:40-19
N.J.A.C. 6A:32-7.1; 6A:32-7.2; 6A:32-7.3; 6A:32-7.4; 6A:32-7.5;
6A:32-7.6, 6A:32-7.7, 6A:32-7.8

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R 8330 PUPIL RECORDS

A. Definitions (N.J.A.C. 6A:32-2.1)

1. “Access” means the right to view, make notes, and/or reproduce a pupil record.
2. “Adult pupil” means a person who is at least eighteen years of age, or is attending an institution of postsecondary education, or is an emancipated minor.
3. “Mandated pupil records” means those pupil records that school districts compile pursuant to State statute, regulation, or authorized administrative directive.
4. “Parent” means the natural or adoptive parent, legal guardian, surrogate appointed according to N.J.A.C. 6A:14-2.2, or a person acting in place of a parent (such as a grandparent or stepparent with whom the student lives or a personal legally responsible for the student’s welfare). Unless parental rights have been terminated by a court of appropriate jurisdiction, the parent retains all rights under N.J.A.C. 6A:32. In addition, a foster parent may act as a parent under the provisions of N.J.A.C. 6A:32 if the parent’s authority to make educational decisions on the pupil’s behalf has been terminated by a court of appropriate jurisdiction.
5. “Permitted pupil records” means records that the Board of Education has authorized, by resolution adopted at a regular public meeting, to be collected to promote the educational welfare of pupils.
6. “Pupil record” means information related to an individual pupil gathered within or outside the school district and maintained within the school district regardless of the physical form in which it is maintained. Essential in this definition is the idea that any information that is maintained for the purpose of second party review is considered a pupil record. Therefore, information recorded by certified school personnel solely as a memory aid and not for the use of a second party, is excluded from this definition.
7. “Pupil information directory” means a publication of the Board of Education that includes information relating to a pupil. It shall be used only by authorized school district personnel and for designated official use by judicial, law enforcement, and medical personnel and not for general public

consumption. The information shall be the pupil's: name; grade level; date and place of birth; dates of attendance; major field of study; participation in officially recognized activities; weight and height relating to athletic team membership; degrees; awards; the most recent educational agency attended by the pupil; and other similar information.

B. General Considerations (N.J.A.C. 6A:32-7.1)

1. The Board of Education shall compile and maintain student records and regulate access, disclosure, or communication of information contained in educational records in a manner that assures the security of such records in accordance with the provisions of N.J.A.C. 6A:32-7.1 et seq.
2. Pupil records shall contain only such information as is relevant to the education of the pupil and is objectively based on the personal observations or knowledge of the certified school personnel who originate(s) the record.
3. The school district shall provide annual, written notification to parents, adult pupils, and emancipated minors of their rights in regard to pupil records and pupil participation in educational, occupational, and military recruitment programs. Copies of the applicable State and Federal laws and local policies shall be made available upon request. The district shall make every effort to notify parents and adult pupils in their dominant language.
4. A non-adult pupil may assert rights of access only through his or her parents. However, nothing in N.J.A.C. 6A:32-7 et seq. or in Policy or Regulation 8330 shall be construed to prohibit certified school personnel from disclosing at their discretion pupil records to non-adult pupils or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the pupil or other persons.
5. The parent or adult pupil shall have access to their own records and have access to or be specifically informed about only that portion of another pupil's record that contains information about his or her own child or himself or herself.
6. The Superintendent or designee shall require all permitted pupil records of currently enrolled pupils to be reviewed annually by certified school personnel to determine the education relevance of the material contained therein. The reviewer shall cause data no longer descriptive of the pupil or educational program to be deleted from the records except that prior notice shall be given for classified pupils in accordance with N.J.A.C. 6A:14, Special Education. Such information shall be disposed of and not be recorded elsewhere. No record of any such deletion shall be made.

7. No liability shall be attached to any member, officer, or employee of the Board of Education permitting access or furnishing pupil records in accordance with N.J.A.C. 6A32-7.1 et seq.
8. When the parent's or adult pupil's dominant language is not English or the parent or adult pupil is deaf, the district shall provide interpretation of the pupil's records in the dominant language of the parents or adult pupil.
9. Pupil health records shall be maintained separately from other pupil records and handled, according to the requirements of N.J.A.C. 6A:32-7.1 et seq., until such time as graduation or termination whereupon the health history and immunization record shall be removed from the pupil's health record and placed in the pupil's mandated record.

C. School Contact Directory for Official use (N.J.A.C. 6A:32-7.2)

1. The Board of Education shall compile and maintain a school contact directory for official use, that is separate and distinct from the pupil information directory.
 - a. School personnel shall provide information from the school contact directory for official use only to judicial and law enforcement personnel, and to medical personnel who are currently providing services to the pupil in question.
 - b. Upon request from a court, other judicial agency, law enforcement agency, or medical service provider who is currently providing services to the pupil in question, school personnel shall promptly verify the enrollment of a pupil and provide the requester with all the information about that pupil that is contained in the school contact directory for official use.
2. To exclude any information from the school contact directory for official use, the parent adult pupil, or emancipated minor shall notify the Superintendent or designee in writing.

D. Mandated and Permitted Pupil Records (N.J.A.C. 6A:32-7.3)

1. Mandated pupil records shall include the following:
 - a. The pupil's name, address, telephone number, date of birth, name of parent(s), gender, , standardized assessment results, grades, attendance, classes attended, grade level completed, year completed and years of attendance;

- b. Record of daily attendance;
 - c. Descriptions of pupil progress according to the system of pupil evaluation used in the school district;
 - d. History and status of physical health compiled in accordance with State regulations, including results of any physical examinations given by qualified school district employees and immunizations;
 - e. Records pursuant to rules and regulations regarding the education of pupils with disabilities; and
 - f. All other records required by N.J.A.C. 6A.
2. Permitted pupil records are those pupil records not mandated pursuant to N.J.A.C. 6A:32-7.3, but authorized by the Board to promote the pupil's educational welfare and include the following as authorized by this Board upon adoption of Policy and Regulation 8330. These records may include, but are not limited to:
- a. Personally authenticated observations, assessments, ratings, and anecdotal reports recorded by teaching staff members in the performance of their professional responsibilities and intended for review by another person, provided the record is dated and signed by the originator. Information recorded solely as a memory aid for the originator becomes a pupil's record when it is reviewed by any other person, including a substitute;
 - b. Information, scores, and results obtained from standardized tests or by approved tests conducted by professional personnel;
 - c. Educationally relevant information provided by the parent, adult pupil, or emancipated minor regarding the pupil's achievements or school activities;
 - d. Any correspondence with the pupil and/or the pupil's parents;
 - e. Driver education certificate;
 - f. Emergency notification form;
 - g. New pupil registration form;
 - h. Withdrawal or transfer form;
 - i. Change of schedule form;
 - j. Records of disciplinary infractions, penalties, and disciplinary hearings;
 - k. Records of the pupil's co-curricular and athletic activities and achievements;

- l. Class rank;
- m. Awards and honors;
- n. Notations of additional records maintained in a separate file;
- o. The statement from a pupil's parent, adult pupil, or emancipated minor regarding a contested portion of the record; and
- p. Entries indicating review of the file by an authorized person.

E. Maintenance and Security of Pupil Records (N.J.A.C. 6A:32-7.4)

1. The Superintendent or designee shall be responsible for the security of pupil records maintained in the school district and shall devise procedures/regulations for assuring that access to such records is limited to authorized persons.. Policy and Regulation 8330 assures that access to such records is limited to authorized persons.
2. Records for each individual pupil may be stored either electronically or in paper format. When student records are stored electronically, proper security and backup procedures shall be administered.
3. Pupil health records, whether stored on paper or electronically, shall be maintained separately from other pupil records, until such time as graduation or termination whereupon the health history and immunization record shall be removed from the pupil's health record and placed in the pupil's mandated record. .
4. Records shall be accessible during the hours in which the school program is in operation.
5. Mandated pupil records required as part of programs established through State administered entitlement or discretionary funds from the U.S. Department of Education shall be maintained for a period of five years after graduation, termination from the school district, or age twenty-three, whichever is longer, and shall be disposed of in accordance with N.J.S.A. 47:3-15 et seq.
6. Any district website shall not disclose any personally identifiable information about a pupil, in accordance with N.J.S.A. 18A:36-35.

F. Access to Pupil Records (N.J.A.C. 6A:32-7.5)

1. Only authorized organizations, agencies, or persons as defined in N.J.A.C. 6A:32-7.5 shall have access to student records, including student health records. Access to student records shall be provided to persons authorized such access under N.J.A.C.

6A:32-7.1 et seq. within ten days of a request, but prior to any review or hearing conducted in accordance with N.J.A.C. 6A.

2. The district shall control access to, disclosure of, and communication regarding information contained in pupil health records to assure access only to people permitted by Federal and State statute and regulations or stated in N.J.A.C. 6A:32-7.5(e) and section G. below.
3. The district may charge a reasonable fee for reproduction of student records, not to exceed the schedule of costs set forth in N.J.S.A. 47:1A-5, provided that the cost does not effectively prevent the parents or adult pupils from exercising their rights under N.J.A.C. 6A:32-7 or other Federal and State rules and regulations regarding pupils with disabilities including N.J.A.C. 6A:14.
4. Access to and disclosure of a pupil's health record shall meet the requirements of the Family Education Rights and Privacy Act, 34 C.F.R. Part 99 (FERPA).

G. Authorized Organizations, Agencies, and Persons with Access to Pupil Records (N.J.A.C. 6A:7.5(e))

Access shall include only the following:

1. A pupil who has the written permission of a parent and the parent of a pupil under the age of eighteen whether or not the child resides with the parent except per N.J.S.A. 9:2:
 - a. The place of residence shall not be disclosed; and
 - b. Access shall not be provided if denied by a court.
2. Pupils at least sixteen years of age who are terminating their education in the district because they will graduate secondary school at the end of the term or no longer plan to continue their education.
3. An adult pupil and parent who has the written permission of an adult pupil, except that the parent shall have access without consent of the pupil as long as the pupil is financially dependent on the parent and enrolled in the public school system or if the pupil has been declared legally incompetent by a court of appropriate jurisdiction. The parent of the financially dependent adult pupil may not disclose information contained in the adult pupil's record to a second or third party without the consent of the adult pupil.

4. Certified school district personnel who are assigned educational responsibility for the pupil shall have access to the general pupil record but not to the pupil health record except under conditions permitted in N.J.A.C. 6A:16-2.4.
5. Certified educational personnel who have assigned educational responsibility for the pupil and who are employed by agencies listed below shall have access to the general pupil record, but not to the pupil health record except under conditions permitted in N.J.A.C. 6:16-2.4:
 - a. An approved private school for the disabled;
 - b. A State facility;
 - c. Accredited nonpublic schools in which pupils with educational disabilities have been placed according to N.J.S.A. 18A:46-14; or
 - d. Clinics and agencies approved by the Department of Education.
6. To fulfill its legal responsibility, the Board of Education shall have access through the Superintendent or designee to information contained in a pupil's record. Information shall be discussed in executive session unless otherwise requested by the parent or adult pupil.
7. Secretarial and clerical personnel under the direct supervision of certified school personnel shall be permitted access to those portions of the record to the extent that is necessary for the entry and recording of data and the conducting of routine clerical tasks. Access shall be limited only to pupil files in which such staff are directed to enter or record information and shall cease when the specific assigned task is completed.
8. Accrediting organizations in order to carry out their accrediting functions.
9. The Commissioner of Education and members of the New Jersey Department of Education staff members who are assigned responsibility which necessitates the review of such records.
10. Officials of other district Boards of Education within the State of New Jersey or other educational agencies or institutions where the pupil is placed, registered, or seeks to enroll subject to the following conditions:
 - a. Original mandated pupil records that schools have been directed to compile by New Jersey statute, regulation, or authorized administrative directive shall be forwarded to the receiving school district with written notification to the parent or adult pupil;

- b. Original mandated pupil records that a Board of Education has required shall be forwarded to the receiving school district only with the written consent of the parent or adult pupil except where a formal sending-receiving relationship exists between the school districts;
 - c. All records to be forwarded, including disciplinary records as specified in N.J.S.A. 18A:36-19(a), shall be sent to the Superintendent or designee of the school district to which the pupil has transferred within ten school days after the transfer has been verified by the requesting school district;
 - d. The Superintendent or designee shall request in writing all pupil records from the school district of last attendance within two weeks from the date that the pupil enrolls in the new school district;
 - e. Upon request the Superintendent or designee of the school district of last attendance shall provide a parent(s) or an adult pupil with a copy of the records disclosed to other educational agencies or institutions; and
 - f. Proper identification, such as a certified copy of the pupil's birth certificate, or other proof of the child's identity pursuant to N.J.S.A 18A:36-25.1, shall be requested at the time of enrollment in a new school district.
- 11. Officials of the United States Department of Education who have assigned responsibilities that necessitate review of such records.
 - 12. Officers and employees of a State agency responsible for protective and investigative services for pupils referred to that agency, pursuant to N.J.S.A. 9:6-8.40. Wherever appropriate, the Board of Education shall ask the State agency for its cooperation in sharing the findings of an investigation.
 - 13. Agency caseworkers or other representatives of a State or local child welfare agency who have the right to access a student's case plan when the agency or organization is legally responsible, in accordance with State law, for the care and protection of the student, consistent with 20 U.S.C. § 1232g(b)(1)(L);
 - 14. Organizations, agencies, and persons from outside the school if they have the written consent of the parent or adult pupil. Organizations, agencies, and persons shall not transfer pupil record information to a third party without the written consent of the parent or adult pupil.
 - 15. Organizations, agencies, and individuals outside the school, other than those specified in N.J.A.C. 6A:32-7.5, upon the presentation of a court order.

16. Bona fide researchers who explain to the Superintendent the nature of the research project and the relevance of the records sought. Researchers shall also satisfy the Superintendent or designee that the records will be used under strict conditions of anonymity and confidentiality. Such assurance shall be received in writing by the Superintendent prior to the release of information to the researcher.
17. Nothing in N.J.A.C. 6A:32-7.1 et seq. and Policy and Regulation 8330 shall be construed to prohibit school personnel from disclosing information contained in the student health record to students or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the student or other persons.
18. In complying with N.J.A.C. 6A:32-7.1 et seq., individuals shall adhere to requirements pursuant to N.J.S.A. 47:1A-1 et seq. - the Open Public Records Act (OPRA) and 20 U.S.C. § 1232g, 34 CFR Part 99 - the Family Educational Rights and Privacy Act (FERPA).

H. Conditions for Access to Pupil Records (N.J.A.C. 6A:32-7.6)

All authorized organizations, agencies, and persons defined in N.J.A.C. 6A:32-7.1 et seq. as listed below shall have access to the records of a pupil subject to the following conditions:

1. No pupil record shall be altered or disposed of during the time period between a request to review the record and the actual review of the record.
2. Authorized organizations, agencies, and persons from outside the school whose access requires the consent of parents or adult pupils shall submit to the Superintendent or designee the request in writing together with any required authorization.
3. The Superintendent or designee shall be present during the period of inspection to provide interpretation of the records where necessary and to prevent their alteration, damage, or loss. In every instance of inspection of pupil records by persons other than parents, pupil, or individuals who have assigned educational responsibility for the individual pupil, an entry shall be made in the pupil's record of the names of persons granted access, the reason access was granted, the time, and circumstances of inspection, the records studied and the purposes for which the data will be used.
4. Prior to disclosure of pupil records to organizations, agencies, or persons outside the school district pursuant to a court order, the Superintendent or designee shall give the parent or adult pupil at least three days' notice of the name of the requesting agency and the specific records requested unless otherwise judicially instructed. Such notification shall be provided in writing if practicable. Only records related to the specific purpose of the court order shall be disclosed.

Notice to the parent shall not be required when he or she is party to a court proceeding involving child abuse and neglect or dependency matters, consistent with 20 U.S.C. § 1232g(b)(2)(B).

5. A record may be withheld from a parent or from an adult pupil only when the district obtains a court order or is provided with evidence that there is a court order revoking the right to access. Only that portion of the record designated by the court shall be withheld. When the district has or obtains evidence of such court order, the parent or adult pupil shall be notified in writing within five days of his or her request that access to the record has been denied and that the person has the right to appeal this decision to the court issuing the order.

I. Rights of Appeal for Parents and Adult Pupils (N.J.A.C. 6A:32-7.7)

1. Pupil records are subject to challenge by parents and adult pupils on grounds of inaccuracy, irrelevancy, impermissible disclosure, inclusion of improper information, or denial of access to organizations, agencies, and persons. The parent or adult pupil may seek to: expunge inaccurate, irrelevant, or otherwise improper information from the pupil's record; insert additional data as well as reasonable comments as to the meaning and/or accuracy of the records; and/or request an immediate stay of disclosure pending final determination of the challenge procedure as described in N.J.A.C. 6A:32-7.
2. To request a change in the record or to request a stay of disclosure pending final determination of the challenged procedure, the process shall be as follows:
 - a. A parent or adult pupil shall notify in writing the Superintendent of the specific issues relating to the pupil's record.
 - b. Within ten school days of notification, the Superintendent or designee shall notify the parent or adult pupil of the school district's decision.
 - c. If the school district disagrees with the request, the Superintendent or designee shall meet with the parent or adult pupil to resolve the issues set forth in the appeal.
 - d. If the matter is not satisfactorily resolved, the parent or adult pupil has ten school days to appeal this decision to the Board of Education
 - e. If an appeal is made to the Board of Education, a decision shall be rendered within twenty school days. The decision of the Board of Education may be appealed to the Commissioner pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:43, Controversies and Disputes.

- f. At all stages of the appeal process, the parent or adult pupil shall be afforded a full and fair opportunity to present evidence relevant to the issue. A record of the appeal proceedings and outcome shall be made a part of the pupil's record with copies made available to the parent or adult pupil.
 3. Appeals relating to the records of pupils with disabilities shall be processed in accordance with the requirements of I.2. above.
 4. Regardless of the outcome of any appeal, a parent or adult pupil shall be permitted to place in the pupil record a statement commenting upon the information in the pupil record or setting forth any reasons for disagreement with the decision made in the appeal.
 - a. Such statements shall be maintained as part of the pupil's record as long as the contested portion of the record is maintained. If the contested portion of the record is disclosed to any party, the statement commenting upon the information shall also be disclosed to that party.
- J. Retention and Disposal of Pupil Records (N.J.A.C. 6A:32-7.8)
1. A pupil's record is considered to be incomplete and not subject to the provisions of the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq., while the pupil is enrolled in the school district.

The school district shall retain the pupil health record and the health history and immunization record according to the School District Records Retention Schedule, as determined by the New Jersey State Records Committee.
 2. Pupil records of currently enrolled pupils, other than the records that must be maintained for one hundred years as described in N.J.A.C. 6A:32-7.8(e) and 5. below, may be disposed of after the information is no longer necessary to provide educational services to a pupil.

Such disposition shall be accomplished only after written parental or adult pupil notification and written parental or adult pupil permission has been granted or after reasonable attempts of such notification and reasonable attempts to secure parental or adult pupil permission have been unsuccessful.
 3. Upon graduation or permanent departure of a pupil from the school district:
 - a. The parent or adult pupil shall be notified in writing that a copy of the entire pupil's record will be provided to them upon request.

- b Information in pupil records, other than that described in N.J.A.C. 6A:32-7.8(e) and 5. below, may be disposed of, but only in accordance with the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq.
 - c Such disposition shall be accomplished only after written parental or adult pupil notification and written parental or adult pupil permission has been granted, or after reasonable attempts at such notification and reasonable attempts to secure parental or adult pupil permission have been unsuccessful, and prior written authorization has been obtained from the New Jersey State Records Committee in the New Jersey Department of State.
- 4. No additions shall be made to the record after graduation or permanent departure without the prior written consent of the parent or adult pupil.
 - 5. The New Jersey public school district of last enrollment, graduation, or permanent departure of the pupil from the school district shall keep for one hundred years a mandated record of a pupil's name, date of birth, name of parents, gender, health history and immunization, standardized assessment results, grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

In Effect: December 11, 2007

Revised:

8630 Bus Driver/Bus Aide Responsibility

The Board of Education requires all school bus drivers and bus aides employed by the district or employed by a contracted school bus company to be reliable persons of good moral character who possess the qualifications necessary to perform the duties of the position. Anyone driving a school bus used to transport pupils to and from school and school related activities must meet all requirements of N.J.S.A. 18A:39-17, 18, 19.1, and 20 and all New Jersey Motor Vehicle Commission (NJMVC) rules governing school bus drivers. All school bus drivers must possess the appropriate license and endorsement(s) to drive a school bus in the State of New Jersey and are subject to all the Federal and State requirements to maintain the appropriate license.

School bus drivers and bus aides shall meet criminal history background check requirements pursuant to N.J.S.A. 18A:6-7.1 et seq. and tuberculin testing requirements pursuant to applicable State statutes and administrative codes. School bus drivers and bus aides shall be considered under the Federal Family Educational Rights and Privacy Act (FERPA) to be school officials who have a legitimate educational interest to parts of a pupil's record relating to transportation, without parental consent, as outlined in N.J.A.C. 6A:27-12.1(j)1.

A Commissioner of Education-developed training program on proper procedures for interacting with pupils with special needs shall be administered to all school bus drivers and bus aides in accordance with the requirements of N.J.S.A. 18A:39-19.2. This training program must be administered in accordance with the provisions of N.J.S.A. 18A:39-19.3.a. and all school bus drivers and bus aides must file a certification with the Board of Education that the individual has completed the training program within five business days of its completion. The Board shall retain a copy of the certificate for the duration of the individual's employment and shall file a copy of the certification to the Department of Education in accordance with the provisions of N.J.S.A. 18A:39-19.3.b.

School bus drivers and bus aides shall receive training in the use of a pupil's educational records and in their responsibility to ensure the privacy of the pupil and his or her records. In addition, permanent and substitute school bus drivers and bus aides shall be trained for the functions of their positions and in a safety education program as outlined in N.J.A.C. 6A:27-11.2(b) and (c).

In accordance with the provisions of N.J.S.A. 18A:39-28, school bus drivers must visually inspect the school bus they are assigned at the end of the transportation route to determine that no pupil has been left on the bus.

The school bus driver shall be in full charge of the school bus at all times and shall be responsible for maintaining order. The school bus driver will never exclude a pupil from the school bus, but if unable to manage a pupil, the school bus driver will report the unmanageable pupil to the Principal or designee of the school in which the pupil attends.

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The Principal or designee, upon such report from the school bus driver, may assign appropriate discipline. The discipline may include excluding the pupil from the bus. The pupil's parent shall provide for the pupil's transportation to and from school during the time of exclusion.

In the event of an emergency, school bus drivers shall follow procedures established by this Board. School administrators shall organize and conduct emergency exit drills at least twice within the school year for all pupils who are transported to and from school. All other pupils shall receive school bus evacuation instruction at least once per year. School bus drivers and bus aides shall participate in the emergency exit drills, which shall be conducted on school property and shall be supervised by the Principal or person assigned to act in a supervisory capacity. Drills shall be documented in the minutes of the Board of Education at the first meeting following completion of the emergency exit drill in accordance with the provisions of N.J.A.C. 6A:27-11.2(d).

In accordance with the provisions of N.J.S.A. 18A:39-19.4, a Commissioner-developed pupil information card shall be completed by a parent of a pupil with an Individualized Education Plan (IEP), who receives transportation services, when the IEP is developed or amended. Upon receiving consent from the parent, the pupil information card shall be provided to a school bus driver and bus aide for each pupil on the bus route to which the school bus driver or bus aide is assigned for whom a pupil information card has been completed by the parent.

The school bus driver will immediately inform the Principal of the receiving school and the School Business Administrator or designee of the district providing the transportation following an accident that involves injury, death, or property damage. The school bus driver must also complete and file within ten days of the accident the Preliminary School Bus Accident Report prescribed by the Commissioner of Education. In addition to the Preliminary School Bus Accident Report, the driver of a school bus involved in an accident resulting in injury or death of any person, or damage to property of any one person in excess of \$500, shall complete and file within ten days after such accident a motor vehicle accident report in accordance with N.J.S.A. 39:4-130.

School bus drivers are prohibited from using a cellular telephone or other electronic communication device while operating a school bus unless the school bus is parked in a safe area off a highway or in an emergency situation pursuant to N.J.S.A. 39:3B-25. A school bus driver who violates this policy provision is subject to fines pursuant to N.J.S.A. 39:3B-25.

School bus drivers are responsible for the safety of their pupils and shall rigorously observe all motor vehicle laws and regulations and State Board of Education rules in the operation of their school bus.

N.J.S.A. 18A:25-2; 18A:39-28
N.J.S.A. 39:3B-25
N.J.A.C. 6A:27-11.1 et seq.; 6A:27-12.1 et seq.

First Reading: January 24, 2017
Second Reading: February 28, 2017

8630 – EMERGENCY SCHOOL BUS PROCEDURES

A. Staff Training

1. The Board of Education or bus company will administer a safety education program for all permanent and substitute school bus drivers and bus aides. At a minimum, the training shall include:
 - a. Student management and discipline;
 - b. School bus accident and emergency procedures;
 - c. Conducting school bus emergency exit drills;
 - d. Loading and unloading procedures;
 - e. School bus stop loading zone safety;
 - f. Inspecting the school vehicle for students left on board the bus at the end of a route; and
 - g. The use of student's educational records, including the district's responsibility to ensure the privacy of the student and his or her records, if applicable.
2. The Board of Education or bus company will administer a safety education program to school bus drivers that includes defensive driving techniques and railroad crossing procedures.
3. The Board of Education or bus company will administer a Commissioner of Education-developed training program on proper procedures for interacting with students with special needs in accordance with the provisions of N.J.S.A. 18A:39-19.2 for all school bus drivers and school bus aides:

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- a. In the case of a school bus driver or aide who is employed prior to the development and availability of the training program, the Board shall administer the training program to the individual no later than one hundred and eighty days after the training program is made available by the Commissioner;
- b. In the case of a school bus driver or aide who is employed after the development and availability of the training program, the Board shall administer the training program to the individual prior to that individual operating a school bus or serving as an aide on a school bus;
- c. In accordance with the provisions of N.J.S.A. 18A:39-19.3b., the Board of Education shall require a school bus driver or school bus aide employed by the Board to file a certification with the Board that the individual has completed the training program required as per N.J.S.A. 18A:39-19.2 within five business days of its completion. The Board shall retain a copy of the certification for the duration of the individual's employment, and shall forward a copy of the certification to the Department of Education; and/or
- d. Contractors that provide student transportation services under a contract with the Board of Education shall comply with the requirements of N.J.S.A. 18A:39-19.2 and 19.3.

B. Emergency Bus Evacuation Drills

1. The Principal of each school shall organize and conduct emergency bus exit drills at least twice each school year for students who are transported to and from school and all other students shall receive school bus evacuation instruction at least once within the school year.
2. School bus drivers and bus aides shall participate in the emergency exit drills.
3. Bus exit drills will be conducted on school property and shall be supervised by the Principal or by a person assigned to act in a supervisory capacity. The drills will be conducted when weather is conducive to safety and preferably when the bus arrives at school with a full complement of students.

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4. The portion of the drill involving the use of the rear emergency door, which requires students to jump from the bus to the ground does need not to be performed by every student and may be demonstrated by others.

5. The school bus driver or supervisor of the drill shall:
 - a. Describe and demonstrate the use of kick-out windows and split-sash windows;
 - b. Describe the location and use of flares, flags, fire ax, and other emergency equipment;
 - c. Give instruction in the opening and closing of front and rear doors, turning off the ignition switch, and setting and releasing the emergency brake;
 - d. Explain that the bus will be evacuated by the front door when the bus is damaged in the rear and by the rear door when the front door is blocked;
 - e. Demonstrate the use of the emergency exit door;
 - f. Instruct students that lunches and books should be left on the bus in the evacuation procedure;
 - g. Encourage older, bigger students to assist younger, smaller students in their exit from the bus;
 - h. Have students leave the bus one row at a time, left and right sides alternating, in a prompt and orderly fashion;
 - i. Instruct students to group a safe distance away from the bus and to wait in that place until directed by the driver, a police officer, or other adult in authority;
 - j. Tolerate no student misbehavior in the conduct of the drill; the failure of any student to follow directions must be reported to the Principal; and

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- k. Provide any other training that will protect the safety of the students in the event the bus needs to be exited due to an emergency.
6. In accordance with the provisions of N.J.A.C. 6A:27-11.2(d), emergency bus evacuation drills shall be documented in the minutes of the Board at the first meeting following completion of the emergency exit drill. The minutes shall include, but are not limited to, the following:
- a. The date of the drill;
 - b. The time the drill was conducted;
 - c. The school name;
 - d. The location of the drill;
 - e. The route number(s) included in the drill; and
 - f. The name of the Principal or assigned person(s) who supervised the drill.
- C. Additional Precautions
- 1. School bus drivers may, depending on the age of the students on a bus route, discuss with the students additional safety precautions that may be taken in the event of a bus emergency. The safety precautions to be discussed shall be approved by the Principal.
 - 2. In accordance with the provisions of N.J.S.A. 18A:39-19.4, the Commissioner of Education shall develop a student information card that includes information that should be readily available to a school bus driver and school bus aide for the purpose of promoting proper interaction with a student with special needs. The parent of a student with an Individualized Education Plan (IEP) shall complete the student information card when the IEP is developed or amended for a student who receives transportation services.

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- a. Upon receiving consent from a student's parent, the school district shall provide a copy of the completed student information card to a school bus driver and school bus aide for each student on the bus route to which the school bus driver or school bus aide is assigned.
3. School bus drivers shall attend training workshops offered by the New Jersey Department of Education and this school district and shall be trained in first aid.
4. Each school bus shall be equipped with:
 - a. A list of the students assigned to that bus;
 - b. A first aid kit approved by the school nurse and inspected regularly by the school bus driver;
 - c. Several emergency notice cards on which are printed the telephone numbers of the appropriate police department, the receiving school, and an emergency medical service and on which is provided a space for writing the location of a disabled school bus and the name of the bus driver;
 - d. Flags or flares or other warning devices; and
 - e. Any other equipment or supplies determined to be included on the school bus by the administration.
5. Each school bus driver shall:
 - a. Inspect his/her bus for possible hazards or safety concerns before driving the bus each day;
 - b. Keep aisles and passageways clear at all times;
 - c. Maintain student discipline on the bus;
 - d. Prohibit the presence of any non-service animal, firearm, ammunition, weapon, explosive, or any other dangerous or illegal material or object on the school bus;

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- e. Report promptly to the Transportation Secretary and/or Principal any potential driving hazard on his/her route, such as construction, road work, etc.;
- f. Report promptly to the Transportation Secretary and/or Principal any deviation in the bus route or schedule;
- g. Drive within speed limits at all times and exercise extraordinary care in inclement weather;
- h. Know and obey all motor vehicle laws and regulations and State Board of Education regulations;
- i. Not smoke, eat, or drink while in or operating the bus at any time or perform any act or behave in any manner that may impair the safe operation of the school bus;
- j. Visually inspect the school bus at the end of each transportation route to determine that no student has been left on the bus; and
- k. Not allow a student on board a school bus unless the bus driver or other employee of the Board or school bus contractor is also on board the bus. This shall not apply when a school bus driver leaves the bus to assist in the boarding or exiting of a disabled student or in the case of an emergency.

D. General Emergency Rules

- 1. School bus drivers are responsible for the safety of the students on their bus. In the event of an emergency, school bus drivers must exercise responsible leadership. The safety and well-being of students must be the drivers' paramount consideration. School bus drivers shall stay with their students until another school staff member, law enforcement officer, or a first responder can assume responsibility for the safety of the students.
- 2. School bus drivers may not leave the school bus when children are aboard except in an emergency and, then, only after they have turned off the engine, removed the ignition key, and safely secured the school bus.

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3. A school bus must be evacuated when:
 - a. There is a fire in the engine or any other portion of the bus;
 - b. There is a danger of fire because the bus is near an existing fire or a quantity of gasoline or other highly combustible material and is unable to move away;
 - c. The bus is disabled for any reason and:
 - (1) Its stopping point is in the path of a train or is adjacent to a railroad track;
 - (2) A potential exists for the position of the bus to shift thus endangering students; or
 - (3) The stopping point (e.g., on a hill, curve, or near an obstruction) fails to provide oncoming traffic with at least 300 feet visibility of the bus, thus creating the danger of a collision.
 - d. The risk of remaining in the bus poses a greater safety risk than evacuating the bus.
4. When a school bus is evacuated, students shall leave the bus by the exit(s) and in the manner that affords maximum safety in the circumstances.
5. Students who have been evacuated from a school bus shall be moved to a safe place and distance from the bus and remain there until the driver or, if the driver is incapacitated, another person in authority has determined that no danger remains or until other alternative safety provisions can be made.
6. No student shall be allowed to request a ride with a passerby or proceed to walk home or leave the scene without the specific approval of the bus driver, a police officer, or other person in authority.
7. In the event a school bus is disabled in the course of providing student transportation, the driver, or a responsible person designated by the driver, will notify the Transportation Secretary and/or Principal of

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the number and location of the bus and the circumstances of the disability. The Transportation Secretary and/or Principal will make arrangements for the safety of the students.

E. Specific Emergency Situations

1. In the event of an accident or vehicle failure the following procedures will be implemented:
 - a. The school bus driver shall, in person or through a responsible designee, summon the police and emergency medical services, if necessary, and notify the Principal of the receiving school and the School Business Administrator or designee, of the district providing the transportation.
 - b. The school bus driver will attempt to make all students as safe and comfortable as possible. If possible and necessary, the driver will administer emergency first aid to injured students.
 - c. In the event of an accident with no apparent or actual injuries and when law enforcement officials permit the bus to continue on its route after investigating the accident the school nurse will:
 - (1) If the accident occurred on the way to school or during school hours, examine any student who is feeling or displaying any symptoms of any injuries from the accident when the bus arrives at school; or
 - (2) If the accident occurred on the way home from school, examine any student who is feeling or displaying any symptoms of any injuries from the accident the next school day or if the parent of a student requests the school nurse examine their child the next school day.
 - d. In the event of an accident where students are injured, a student(s) may be transported to a hospital if it is determined by law enforcement, medical, and/or first aid staff at the accident scene additional medical treatment is required.

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- (1) If the accident occurred on the way to school or during school hours, the school nurse will examine any student not transported to the hospital who is feeling or displaying any symptoms of any injuries from the accident when the bus arrives at school.
 - (2) If the accident occurred on the way home from school, the nurse will examine any student feeling or displaying any symptoms of any injuries from the accident the next school day or if the parent of a student requests the school nurse examine their child the next school day.
- e. If another vehicle(s) is involved, the bus driver will obtain the following information from the driver(s) of that vehicle(s) or from law enforcement officers at the accident scene: driver's name, driver's license number, vehicle owner's name and address, vehicle registration number, owner's insurance company and policy number, and a description of the vehicle (color, make, year, body type).
- f. The following notifications must be provided:
- (1) The school bus driver must report immediately to the Principal of the receiving school and the School Business Administrator or designee of the district providing the transportation, any accident that involves an injury, death, or property damage. In addition, the bus driver must complete and file the Preliminary School Bus Accident Report prescribed by the Commissioner of Education.
 - (2) The Principal of the receiving school shall retain a copy of the Report and forward other copies of the Report as prescribed by the New Jersey Department of Education.
 - (3) In addition, a school bus driver involved in an accident resulting in injury or death of any person, or damage to property of any one person in excess of \$500 shall complete and file within ten days after such accident a Motor Vehicle Accident Report in accordance with N.J.S.A. 39:4-130.

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- (4) The parent of students involved in a school bus accident shall be notified as quickly as possible commensurate with the severity of the accident and injuries, if any, and hospital placement of their child if transported to a hospital by ambulance or by other emergency personnel.
2. In the event the school bus driver is incapacitated, the following procedures will be implemented:
 - a. A school bus driver is incapacitated when he/she is unable to operate the school bus safely or when his/her driving ability is significantly impaired by the driver's physical or mental condition.
 - b. If there is a bus aide on the bus, the bus aide will take steps necessary to have the bus pulled off the road to a safe location and shall contact school officials or emergency services for assistance. If a bus aide is not on the bus, the bus driver shall pull the bus off the road to a safe location and contact school officials or emergency services for assistance.
 - c. The bus shall be stopped, with due consideration for the safety of its passengers, the motor turned off, the ignition key removed, and safely secure the bus.
 - d. The Transportation Secretary shall immediately arrange for the transportation of the students by substitute driver, substitute bus, or other means.
3. In the event of an injury to a student on the bus, at a bus stop, or along a transportation route, not incurred as the result of a school bus accident, the following procedures will be implemented.
 - a. In the absence of another responsible adult in authority, the school bus driver will take charge of a student who has been injured or disabled on a school bus, at a school bus stop, or along the transportation route traveled by the school bus.

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- b. If necessary, first aid will be administered.
- c. If the student's injury is serious, emergency medical services will be summoned; the school bus driver or a responsible adult appointed by the bus driver will remain with the student until emergency medical help arrives.
- d. If the student's injury is not serious, and:
 - (1) Occurs on the way to the school, the school bus driver will deliver the injured student to the school nurse for examination and such treatment or referral as may be required. The school nurse will notify the student's parent;
 - (2) Occurs on the way to the student's home, the school bus driver or another school district staff member will deliver the injured student to his/her parent or to a responsible adult at the student's home or if no one is home the injured student will be transported back to a school district location until a parent or another responsible adult can be contacted. If it is determined the student may need medical treatment and a parent or responsible adult cannot be contacted, the child may be transported to the school physician's office or to the nearest hospital emergency room; or
 - (3) Occurs on the way to or from an extracurricular event, the school bus driver will notify a professional staff member assigned to the activity, who will take charge of the student and notify the student's parent.
- e. The school bus driver will immediately report the incident and any injuries to the Principal or designee of the school in which the student is enrolled.

In Effect: