

0155 BOARD COMMITTEES

The Board of Education authorizes the creation of committees of Board members charged to conduct studies, make recommendations to the Board, and act in an advisory capacity. Committees are not authorized to take action on behalf of the Board.

The President shall appoint Board members to serve a one-year term on the following Board standing committees:

1. Curriculum, Instruction, & Programs
2. Finance & Facilities
3. Policy, Personnel, & Governance

An ad hoc committee may be created and charged at any time by the President or a majority of the Board members present and voting. The President shall appoint members to any committee so created and charged; members shall serve until the committee is discharged.

Committees shall consist of no more than four Board members, one of whom shall be the President, who shall serve as ex officio member on all Board committees. A member may request or refuse appointment to a committee; a member's refusal to serve on any one committee shall not prejudice his/her appointment to another committee.

The Board reserves the right to meet and work as a Committee of the Whole in informational, discussion, and exploratory sessions. No official action shall be taken at these meetings, unless so advertised.

A chairperson shall be appointed by the President.

Members of each committee shall be appointed by the President after consultation with the respective committee chairperson.

A majority of committee members shall constitute a quorum. Recommendations emerging from a meeting of fewer than the total committee shall note the names of the attending members when specifically requested to do so.

By decision of the chair and with notification to committee members, meetings of standing committees may be advertised to invite public attendance.

Each committee shall attempt to gather all pertinent facts relating to any topic within its assigned jurisdiction and submit recommendations based thereon to the full Board. If the recommendation is not unanimous the minority view may also be presented. Notes of Committee meetings shall be distributed to the full Board and passed on to the succeeding chairperson.

Attendance by Board members at meetings of standing committees shall be limited to committee members. Individual members of the public and/or staff may be invited to a committee meeting to serve as a resource, when necessary.

Committee meetings may be called at any time by the committee chairperson or when a meeting is requested by a majority of the members of the committee.

Committee meetings shall not be open to the public, except that a majority of the committee or the chairperson may open the meeting to the public or invite persons whose knowledge or expertise may be useful to the committee.

Committee of the Whole

1. The Committee of the Whole comprises all Board members.
2. The President of the Board shall serve as Chairperson of the Committee of the Whole.
3. The Committee of the Whole shall meet on the same day of the week as the usual Board meeting, if possible.
4. The functions of the Committee of the Whole include the following:
 - a. Develop an understanding of topics of concern to the Board or the staff
 - b. Develop Board consensus on issues to be decided at public meetings of the Board
 - c. Consider correspondence to and from the Board
 - d. Make assignments to and hear reports from committees, Board members, or the staff
 - e. Determine the time and place of special or executive meetings of the Board
 - f. Schedule future meetings of the Committee of the Whole
 - g. Act on such additional matters as may properly come before the meeting.
5. Any consensus reached by the Committee of the Whole concerning expenditures, appointments, adoption of policies and matters of great significance or public interest shall not be considered binding on the Board or individual members unless the matter is voted upon in a public session.

Special Committees

Special committees may be appointed at the discretion of the President or at the request of a majority of the Board.

The majority of the Board must concur with the establishment of committees which include public members.

These committees shall be discharged upon completion of their assignment.

Special committees shall include four or fewer Board members. Attendance by Board members at meetings of special committees shall be limited to committee members and such additional Board members as the committee may invite to sit with it.

Liaison Assignments

To further the Board's interest in working with community and parent groups, individual Board members will be assigned as liaison representatives to other organizations.

No individual member and no group comprised of less than the full membership shall be designated as a permanent committee to perform any of the Board's functions except those signatory functions required by State law. Each committee shall function purely as a fact-finding and advisory group. A committee shall have

power to act only when a majority of the Board assigns it that power with respect to a particular problem and within the limits specific in the assignment. Any authority so delegated shall be exercised in a meeting where the public is admitted in accordance with the provisions of the Open Public Meetings Act (Chapter 231).

Adopted: 01 February 2000

Revised: 15 October 2013

Revised:

CONDUCT OF BOARD MEETING

0164 CONDUCT OF BOARD MEETING

Parliamentary Authority

Roberts' Rules of Order, Newly Revised, shall govern the Board of Education in its deliberations and acts in all cases in which it is not inconsistent with statutes of the State of New Jersey, rules of the State Board of Education, or these bylaws.

Presiding Officer

The President of the Board of Education shall preside over all meetings of the Board. In the absence, disability, or disqualification of the President, the Vice President shall act in his or her place; if neither person is present, any member shall be designated by a plurality of those present to preside. The act of any person so designated shall be legal and binding.

Announcement of Adequate Notice

The presiding officer shall commence each meeting with an announcement of the notice given for the meeting or a statement regarding the lack of adequate notice, in accordance with law.

Agenda

The Superintendent of Schools, in consultation with Board Leadership and the Board Secretary, shall prepare the agenda of presentations, reports and actionable items of business to come before the Board at each meeting. The agenda shall be posted to the official file storage platform of the Board, and notice of such posting shall be transmitted via district operated electronic communications to each member of the Board no later than forty-eight hours prior to each meeting of the Board and any committee meeting to be attended by five or more Board members.

Addenda

The Superintendent of Schools and the President of the Board may add items to the agenda, at any time following the distribution of the agenda and prior to the start of any meeting when they consider such addition to be in the interest of the Board. Notice of such additional items shall be given as soon as practicable.

Board Member Submissions

Any member of the Board may submit items in writing for inclusion on the agenda to the secretary of the Board no later than 12 p.m. on the Thursday preceding a meeting of the Board. Such requests shall be limited to actionable items and shall not command or direct the administration or staff to prepare or present any materials related to the request. All necessary background information and supporting documentation shall be attached to the request to the Board Secretary for distribution to all Board members along with the agenda.

Board Member Responsibility

Board members are responsible for reading the agenda and supplemental materials, including all addenda and attachments, prior to the meeting. All efforts shall be made to seek clarification of agenda items and request any additional documentation with the Board President, Superintendent, Business Administrator, Assistant Superintendent or Committee Chairperson, as applicable, prior to the meeting.

The suggested order of business shall be as follows:

1. Opening of meeting by the Chairperson

2. Roll call of members
3. Flag salute
4. Executive Session
5. Announcements
6. Report by District Administration
7. Board Committee Reports:
 - a. Report by the Curriculum, Instruction and Programs Committee Chairperson
 - b. Report by the Finance and Facilities Committee Chairperson
 - c. Report by the Policies, Personnel and Governance Committee Chairperson
 - d. Report by the chairpersons of ad-hoc committees and/or any informal advisory committees.
8. Recognition of public for participation via limited-purpose comment session related to agenda action items.
9. Approval of minutes of prior Board meetings and executive sessions.
10. Board Action Agenda:
 - a. Action on Governance Items
 - b. Action on Personnel Items
 - c. Action on Finance and Facilities Items
 - d. Action on Policy Items
 - e. Action on Curriculum, Instruction and Program Items
 - f. Action on items from other ad-hoc and/or informal advisory committees that do not fall under the domain of another section
11. Notes for the Record
12. Unfinished Business
13. New Business
14. Liaison Reports
15. Recognition of public for participation via general-purpose comment session on any topic
16. Executive Session
17. Adjournment

N.J.S.A. 10:4-10

N.J.S.A. 18A:16-1.1

Adopted: 07 March 2000

Revised: 03 March 2011

Revised: 15 April 2013

Revised: 19 November 2019

Revised:

1581 DOMESTIC VIOLENCE (M)

Policy and Regulation 1581 - Section A. sets forth the New Jersey Civil Service Commission's Uniform Domestic Violence Policy that all public employers shall adopt and distribute to all their employees in accordance with the requirements of N.J.S.A. 11A:2-6a. The purpose of the Uniform Domestic Violence Policy is to encourage public employees who are victims of domestic violence, and those impacted by domestic violence, to seek assistance from their public employer's human resources officer(s) and to provide a standard for a public employer's human resources officer(s) to follow when responding to employees.

Policy and Regulation 1581 – Section B. provides employment protection for employees of those employers as defined in N.J.S.A. 34:11C-2, who are victims of domestic violence or sexual violence in accordance with the provisions of the New Jersey Security and Financial Empowerment Act (NJ SAFE Act) - N.J.S.A. 34:11C-1 et seq.

A. Uniform Domestic Violence Policy (N.J.S.A. 11A:2-6a)

All New Jersey public employees are covered under N.J.S.A. 11A:2-6a and Policy and Regulation 1581 – Section A. All public employers shall designate a Human Resources Officer (HRO) or equivalent to assist employees who are victims of domestic violence. The name and contact information of the designated HRO must be provided to all employees. Managers and supervisors are required to refer any employee who is experiencing domestic violence or who report witnessing domestic violence to the designated HRO.

Employees who are victims of domestic violence are encouraged to seek immediate assistance from their HRO. Employees who have information about or witness an act of domestic violence against an employee are encouraged to report that information to the designated HRO, unless the employee is required to report the domestic violence pursuant to applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report, in which case the employee must report to the appropriate authority in addition to reporting to the designated HRO.

Nothing in the Uniform Domestic Violence Policy and Policy and Regulation 1581 – Section A. shall preclude an employee from contacting 911 in emergency situations. HROs shall remind employees to contact 911 if they feel they are in immediate danger.

Each designated HRO shall comply with the requirements outlined in Regulation 1581 – Section A.4.d. In responding to reports of domestic violence, the HRO shall seek to maintain confidentiality to protect an employee making a report of, witnessing, or experiencing domestic violence, to the extent practical and appropriate under the circumstances and allowed by law.

To ensure confidentiality and accuracy of information, the Uniform Domestic Violence Policy 1581 and Regulation 1581 – Section A.6. require the HRO to keep all documents and reports of domestic violence in a confidential personnel file separate from the employee's other personnel records.

Public employers in the State of New Jersey shall develop an action plan to identify, respond to, and correct employee performance issues that are caused by domestic violence, pursuant to N.J.S.A. 11A:2-6a, and in accordance with the guidelines outlined in Regulation 1581 - Section A.7.

Resources and program information will be readily available to assist victims of domestic violence.

A public employer may seek to modify Policy and Regulation 1581 to create additional protocols to protect victims of domestic violence, but may not modify in a way that reduces or compromises the safeguards and processes set in the Uniform Domestic Violence Policy.

B. The New Jersey Security and Financial Empowerment Act – (N.J.S.A. 34:11C-1 et seq. - NJ SAFE Act)

The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1 et seq. (NJ SAFE Act), is a law that provides employment protection for victims of domestic or sexual violence. Any employee of an employer in the State of New Jersey as defined in N.J.S.A. 34:11C-2, who was a victim of an incident of domestic violence as defined in N.J.S.A. 2C:25-19, or a sexually violent offense as defined in N.J.S.A. 30:4-27.26, or whose parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, was a victim shall be entitled to unpaid leave of no more than twenty days in one twelve-month period, to be used in the twelve-month period next following any incident of domestic violence or any sexually violent offense as provided in N.J.S.A. 34:11C-3.

The unpaid leave may be taken intermittently in intervals of no less than one day, as needed for the purpose of engaging in the activities outlined in N.J.S.A. 34:11C-3 and Regulation 1581 - Section B.3.a.(1)-(6) as they relate to the incident of domestic violence or sexually violent offense as outlined in Regulation 1581 - Section B.3.b.

An eligible employee may elect to use any accrued paid vacation leave, personal leave, or medical or sick leave of the employee, or any family temporary disability leave benefits provided pursuant to N.J.S.A. 43:21-27 during any part of the twenty-day period of unpaid leave provided under N.J.S.A. 34:11C-3.a.

Prior to taking the leave provided for in N.J.S.A. 34:11C-3 and Regulation 1581 - Section B., an employee shall, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave, unless an emergency or other unforeseen circumstance precludes prior notice. The notice shall be provided to the employer as far in advance as is reasonable and practical under the circumstances.

Nothing contained in the NJ SAFE Act (N.J.S.A. 34:11C-1 et seq.) and Regulation 1581 - Section B., shall be construed to prohibit an employer from requiring that a period of leave provided pursuant to N.J.S.A. 34:11C-3 and Regulation 1581 - Section B. be supported by the employee with documentation of the domestic violence or sexually violent offense which is the basis for the leave. If the employer requires documentation, the employee shall be regarded as having provided sufficient documentation if the employee provides supporting documentation outlined in N.J.S.A. 34:11C-3.c and Regulation 1581 – Section B.3.d.

An employer shall display conspicuous notice of its employees' rights and obligations pursuant to the provisions of the NJ SAFE Act.

An employer shall not discharge, harass, or otherwise discriminate, retaliate, or threaten to discharge, harass, or otherwise discriminate or retaliate against an employee with respect to the compensation, terms, conditions, or privileges of employment on the basis that the employee took or requested any leave to which the employee was entitled pursuant to N.J.S.A. 34:11C-3 of the NJ SAFE Act or on the basis that the employee refused to authorize the release of information deemed confidential pursuant to N.J.S.A. 34:11C-3.f of the NJ SAFE Act.

Upon a violation of any of the provisions N.J.S.A. 34:11C-3 or N.J.S.A. 34:11C-4, an employee or former employee may institute a civil action in the Superior Court for relief. All remedies available in common law tort actions shall be available to a prevailing plaintiff. The Court may also order any or all of the relief outlined in N.J.S.A. 34:11C-5. An action brought under N.J.S.A. 34:11C-5 shall be commenced within one year of the date of the alleged violation. A private cause of action provided for in N.J.S.A. 34:11C-5 shall be the sole remedy for a violation of the NJ SAFE Act.

N.J.S.A. 11A:2-6a

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

New Jersey Civil Service Commission's Uniform Domestic
Violence Policy

First Reading: 14 June 2022

Second Reading: 21 June 2022

Adopted:

R 1581 DOMESTIC VIOLENCE

Policy and Regulation 1581 - Section A. sets forth the New Jersey Civil Service Commission's (Civil Service Commission) Uniform Domestic Violence Policy that all public employers shall adopt and distribute to all their employees in accordance with the provisions of N.J.S.A. 11A:2-6a. The purpose of the Uniform Domestic Violence Policy is to encourage public employees who are victims of domestic violence, and those impacted by domestic violence, to seek assistance from their public employer's human resources officer(s) and provide a standard for a public employer's human resources officer(s) to follow when responding to employees.

Policy and Regulation 1581 – Section B. provides employment protection for employees of those employers as defined in N.J.S.A. 34:11C-2, who are victims of domestic violence or sexual violence in accordance with the provisions of the New Jersey Security and Financial Empowerment Act (NJ SAFE Act) - N.J.S.A. 34:11C-1 et seq.

A. Uniform Domestic Violence Policy (N.J.S.A. 11A:2-6a)

1. Definitions

The following terms are defined solely for the purposes of N.J.S.A. 11A:2-6a and Policy and Regulation 1581:

“Domestic Violence” - Acts or threatened acts, that are used by a perpetrator to gain power and control over a current or former spouse, family member, household member, intimate partner, someone the perpetrator dated, or person with whom the perpetrator shares a child in common or anticipates having a child in common if one of the parties is pregnant. Domestic violence includes, but is not limited to the following: physical violence; injury; intimidation; sexual violence or abuse; emotional and/or psychological intimidation; verbal abuse; threats; harassment; cyber harassment; stalking; economic abuse or control; damaging property to intimidate or attempt to control the behavior of a person in a relationship with the perpetrator; strangulation; or abuse of animals or pets.

“Abuser/Perpetrator” - An individual who commits or threatens to commit an act of domestic violence, including unwarranted violence against individuals and animals. Other abusive behaviors and forms of violence can include the following: bullying, humiliating, isolating, intimidating, harassing, stalking, or threatening the victim, disturbing someone's peace, or destroying someone's property.

“Human Resources Officer (HRO)” - An employee of a public employer with a human resources job title, or its equivalent, who is responsible for orienting, training, counseling, and appraising staff. Persons designated by the employer as the primary or secondary contact to assist employees in reporting domestic violence incidents.

“Intimate Partner” - Partners of any sexual orientation or preference who have been legally married or formerly married to one another, have a child or children in common, or anticipate having a child in common if one party is pregnant. Intimate partner also includes those who live together or have lived together, as well as persons who are dating or have dated in the past.

“Temporary Restraining Order (TRO)” - A civil court order issued by a judge to protect the life, health, or well-being of a victim. TROs can prohibit domestic violence offenders from having contact with victims, either in person or through any means of communication, including third parties. TROs also can prohibit offenders from a victim’s home and workplace. A violation of a TRO may be a criminal offense. A TRO will last approximately ten business days, or until a court holds a hearing to determine if a Final Restraining Order (FRO) is needed. In New Jersey, there is no expiration of a FRO.

“Victim” - A person who is eighteen years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or any other person who is a present household member or was at any time a household member. A victim of domestic violence is also any person, regardless of age, who has been subjected to domestic violence by one of the following factors: a person with whom the victim has a child in common; a person with whom the victim anticipates having a child in common, if one of the parties is pregnant; and a person with whom the victim has had a dating relationship.

“Workplace-Related Incidents” - Incidents of domestic violence, sexual violence, dating violence, and stalking, including acts, attempted acts, or threatened acts by or against employees, the families of employees, and/or their property, that imperil the safety, well-being, or productivity of any person associated with a public employee in the State of New Jersey, regardless of whether the act occurred in or outside the organization’s physical workplace. An employee is considered to be in the workplace while in or using the resources of the employer. This includes, but is not limited to: facilities; work sites; equipment; vehicles; or while on work-related travel.

2. Persons Covered Under N.J.S.A. 11A:2-6a and Policy and Regulation 1581

All New Jersey public employees are covered under N.J.S.A. 11A:2-6a and Policy and Regulation 1581 – Section A. A State of New Jersey public employer is any State, county, municipality, school district, or other political subdivision thereof, and any agency, authority, or instrumentality of the foregoing. Casual/seasonal employees, interns, volunteers, and temporary employees of any public employer at any workplace location are also covered under N.J.S.A. 11A:2-6a and Regulation 1581 – Section A.

3. Responsibility of Employer to Designate a Human Resources Officer (HRO)

- a. All public employers shall designate an HRO to assist employees who are victims of domestic violence.
- b. The designated HRO must receive training on responding to and assisting employees who are domestic violence victims in accordance with Policy and Regulation 1581 – Section A. Should the HRO be unavailable at any time, the employer must designate a secondary HRO, who must also be appropriately trained to respond and assist domestic violence victims pursuant to Policy and Regulation 1581.
- c. Managers and supervisors are often aware of circumstances involving an employee who is experiencing domestic violence. Managers and supervisors are required to refer any employee who is experiencing domestic violence or who report witnessing domestic violence to the designated HRO. Managers and supervisors must maintain

confidentiality, to the extent possible, and be sensitive, compassionate, and respectful to the needs of persons who are victims of domestic violence.

- (1) The name and contact information of the designated HRO must be provided to all employees.
- d. Policy and Regulation 1581 – Section A. does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report.
 - (1) For example, if there is any indication a child may also be a victim, reporting is mandatory to the Department of Children and Families, Child Protection and Permanency, under N.J.S.A. 9:6-8.13.

4. Domestic Violence Reporting Procedure

- a. Employees who are victims of domestic violence are encouraged to seek immediate assistance from their HRO.
- b. Employees who have information about or witness an act of domestic violence against an employee are encouraged to report that information to the designated HRO, unless the employee is required to report the domestic violence pursuant to applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report, in which case the employee must report to the appropriate authority in addition to reporting to the designated HRO.
- c. Nothing in Policy and Regulation 1581 – Section A. shall preclude an employee from contacting 911 in emergency situations. HROs shall remind employees to contact 911 if they feel they are in immediate danger.
- d. Each designated HRO shall:
 - (1) Immediately respond to an employee upon request and provide a safe and confidential location to allow the employee to discuss the circumstances surrounding the domestic violence incident and the request for assistance.
 - (2) Determine whether there is an imminent and emergent need to contact 911 and/or local law enforcement.
 - (3) Provide the employee with resource information and a confidential telephone line to make necessary calls for services for emergent intervention and supportive services, when appropriate. The HRO or the employee can contact the appropriate Employee Assistance Program to assist with securing resources and confidential services.
 - (4) Refer the employee to the provisions and protections of the New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1 et seq. (NJ SAFE Act), referenced in Regulation 1581 - Section B.
 - (5) In cases where domestic violence involved a sexual touching or sexual assault between State employees, the HRO is also required to report the incident to their

agency's Equal Employment Opportunity (EEO) Officer or Title IX Officer, as appropriate.

- (6) If there is a report of sexual assault or abuse, the victim should be offered the services of the New Jersey State Sexual Assault Response Team.
- (7) Maintain the confidentiality of the employee and all parties involved, to the extent practical and appropriate under the circumstances, pursuant to A.5. below.
- (8) Upon the employee's consent, the employee may provide the HRO with copies of any TROs, FROs, and/or civil restraint agreements that pertain to restraints in the work place and ensure that security personnel are aware of the names of individuals who are prohibited from appearing at the work location while the employee who sought the restraining order is present. All copies of TROs and FROs must be kept in a separate confidential personnel file.

5. Confidentiality Policy

- a. In responding to reports of domestic violence, the HRO shall seek to maintain confidentiality to protect an employee making a report of, witnessing, or experiencing domestic violence, to the extent practical and appropriate under the circumstances and allowed by law.
- b. No provision of Policy and Regulation 1581 – Section A. shall supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report.
- c. Policy 1581 and Regulation 1581 – Section A.5. shall not prevent disclosure where to do so would result in physical harm to any person or jeopardize safety within the workplace.
 - (1) When information must be disclosed to protect the safety of individuals in the workplace, the HRO shall limit the breadth and content of such disclosure to information reasonably necessary to protect the safety of the disclosing employee and others and comply with the law.
 - (2) The HRO shall provide advance notice to the employee who disclosed information, to the extent possible, if the disclosure must be shared with other parties in order to maintain safety in the workplace or elsewhere.
 - (3) The HRO shall also provide the employee with the name and title of the person to whom they intend to provide the employee's statement and shall explain the necessity and purpose regarding the disclosure.
 - (a) For example, if the substance of the disclosure presents a threat to employees, then law enforcement will be alerted immediately.
- d. Policy 1581 and Regulation 1581 – Section A. does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines where mandatory reporting is required by the appointing authority or a specific class of employees.

6. Confidentiality of Employee Records

- a. To ensure confidentiality and accuracy of information Policy and Regulation 1581 – Section A.6. requires the HRO to keep all documents and reports of domestic violence in a confidential personnel file separate from the employee's other personnel records.
- b. These records shall be considered personnel records and shall not be government records available for public access under the Open Public Records Act. See N.J.S.A. 47:1A-10.

7. Public Employer Domestic Violence Action Plan

- a. Public employers in the State of New Jersey shall develop an action plan to identify, respond to, and correct employee performance issues that are caused by domestic violence, pursuant to N.J.S.A. 11A:2-6a, and in accordance with the following guidelines:
 - (1) Designate an HRO with responsibilities pursuant to A.3. and A.4. above.
 - (2) Recognize that an employee may need an accommodation as the employee may experience temporary difficulty fulfilling job responsibilities.
 - (3) Provide reasonable accommodations to ensure the employee's safety. Reasonable accommodations may include, but are not limited to, the following: implementation of safety measures; transfer or reassignment; modified work schedule; change in work telephone number or work-station location; assistance in documenting the violence occurring in the workplace; an implemented safety procedure; or other accommodation approved by the employer.
 - (4) Advise the employee of information concerning the NJ SAFE Act; Family and Medical Leave Act (FMLA); or Family Leave Act (FLA); Temporary Disability Insurance (TDI); or Americans with Disabilities Act (ADA); or other reasonable flexible leave options when an employee, or his or her child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic violence.
 - (5) Commit to adherence of the provisions of the NJ SAFE Act, including that the employer will not retaliate against, terminate, or discipline any employee for reporting information about incidents of domestic violence, as defined in Policy and Regulation 1581 – Section A., if the victim provides notice to their human resources office of the status or if the human resources office has reason to believe an employee is a victim of domestic violence.
 - (6) Advise any employee, who believes he or she has been subjected to adverse action as a result of making a report pursuant to Policy and Regulation 1581 - Section B. of the civil right of action under the NJ SAFE Act.
 - (a) Advise any employee to contact their designated Labor Relations Officer, Conscientious Employees Protection Act (CEPA) Officer, and/or Equal Employment Opportunity Officer in the event they believe the adverse action is a violation of their collective bargaining agreement, the Conscientious Employees Protection Act, or the New Jersey Law Against Discrimination and corresponding policies.

- (7) Employers, their designated HRO, and employees should familiarize themselves with Policy and Regulation 1581. Policy and Regulation 1581 shall be provided to all employees upon Board approval and to all new employees upon hiring.
- (8) Information and resources about domestic violence are encouraged to be placed in visible areas, such as restrooms, cafeterias, breakrooms, and where other resource information is located.

8. Resources

Resources and program information will be readily available to assist victims of domestic violence. These resources should be provided by the designated HRO to any victim of domestic violence at the time of reporting.

9. Distribution of Policy

The Civil Service Commission and the Division of Local Government Services in the Department of Community Affairs shall distribute a Uniform Domestic Violence Policy, and any modifications thereto, to public employers. The Director of the Division of Local Government Services shall release Local Finance Notices setting forth any changes to the Uniform Domestic Violence Policy, as changes occur.

10. Other Applicable Requirements

In addition to Policy and Regulation 1581, the HRO and the public employer's appointing authority, if applicable, must follow all applicable laws, guidelines, standard operating procedures, internal affairs policies, and New Jersey Attorney General directives and guidelines that impose a duty to report. Additionally, to the extent that the procedures set forth in Policy and Regulation 1581 conflict with collective negotiated agreements or with the Family Educational Rights and Privacy Act (FERPA), the provisions of the negotiated agreements and the provisions of FERPA control.

11. Policy Modification and Review

- a. A public employer may seek to modify Policy and Regulation 1581 to create additional protocols to protect victims of domestic violence, but may not modify in a way that reduces or compromises the safeguards and processes set out in the Uniform Domestic Violence Policy.
- b. The Civil Service Commission will review and modify their Uniform Domestic Violence Policy periodically and as needed.

12. Policy Enforceability

The provisions of the Uniform Domestic Violence Policy are intended to be implemented by the Civil Service Commission. These provisions do not create any promises or rights that may be enforced by any persons or entities.

13. Policy Inquiries and Effective Date

Any questions concerning the interpretation or implementation of the Uniform Domestic Violence Policy shall be addressed to the Chair/Chief Executive Officer of the Civil Service Commission, or their designee. The Uniform Domestic Violence Policy and Policy and Regulation 1581 shall be enforceable upon the HRO's completion of training on the Uniform Domestic Violence Policy and Policy and Regulation 1581.

B. NJ SAFE Act – (N.J.S.A. 34:11C-1 et seq.)

1. The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1, et seq. (NJ SAFE Act), is a law that provides employment protection for victims of domestic or sexual violence.
2. Definitions (N.J.S.A. 34:11C-2)

The following terms are defined solely for the purpose of N.J.S.A. 34:11C-1 et seq. - NJ SAFE Act:

“Employee” means a person who is employed for at least twelve months by an employer, with respect to whom benefits are sought under the NJ SAFE Act, for not less than 1,000 base hours during the immediately preceding twelve-month period. Any time, up to a maximum of ninety calendar days, during which a person is laid off or furloughed by an employer due to that

employer curtailing operations because of a state of emergency declared after October 22, 2012, shall be regarded as time in which the person is employed for the purpose of determining eligibility for leave time under the NJ SAFE Act. In making the determination, the base hours per week during the layoff or furlough shall be deemed to be the same as the average number of hours worked per week during the rest of the twelve-month period.

“Employer” means a person or corporation, partnership, individual proprietorship, joint venture, firm or company, or other similar legal entity which engages the services of an employee and employs twenty-five or more employees for each working day during each of twenty or more calendar work weeks in the then current or immediately preceding calendar year. “Employer” includes the State, any political subdivision thereof, and all public offices, agencies, boards, or bodies.

“State of emergency” means a natural or man-made disaster or emergency for which a state of emergency has been declared by the President of the United States or the Governor, or for which a state of emergency has been declared by a municipal emergency management coordinator.

3. Regulations Relative to Unpaid Leave for Employees and Family Members Affected by Certain Offenses (N.J.S.A. 34:11C-3)
 - a. Any employee of an employer in the State of New Jersey who was a victim of an incident of domestic violence as defined in N.J.S.A. 2C:25-19, or a sexually violent offense as defined in N.J.S.A. 30:4-27.26, or whose parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, was a victim shall be entitled to unpaid leave of no more than twenty days in one twelve-month period, to be used in the twelve-month period next following any

incident of domestic violence or any sexually violent offense as provided in N.J.S.A. 34:11C-3.

For purposes of N.J.S.A. 34:11C-3 and Regulation 1581 - Section B.3., each incident of domestic violence or any sexually violent offense shall constitute a separate offense for which an employee is entitled to unpaid leave, provided that the employee has not exhausted the allotted twenty days for the twelve-month period.

The unpaid leave may be taken intermittently in intervals of no less than one day, as needed for the purpose of engaging in any of the following activities as they relate to the incident of domestic violence or sexually violent offense:

- (1) Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship;
- (2) Obtaining services from a victim services organization for the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship;
- (3) Obtaining psychological or other counseling for the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship;
- (4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, from future domestic or sexual violence or to ensure economic security;
- (5) Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner, individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, including preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic or sexual violence; or

(6) Attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, was a victim.

- b. An eligible employee may elect to use any accrued paid vacation leave, personal leave, or medical or sick leave of the employee, or any family temporary disability leave benefits provided pursuant to N.J.S.A. 43:21-27 during any part of the twenty-day period of unpaid leave provided under N.J.S.A 34:11C-3 and Regulation 1581 - Section B.3.a.

In such case, any paid leave provided by the employer, and accrued pursuant to established policies of the employer, or family temporary disability leave benefits, shall Regulation 1581 - Section B.3.a. and, accordingly, the employee shall receive pay pursuant to the employer's applicable paid leave policy, or family temporary disability leave benefits, during the period of otherwise unpaid leave. If an employee requests leave for a reason covered by both N.J.S.A. 34:11C-3.a and the "Family Leave Act," N.J.S.A. 34:11B-1 et seq. or the Federal "Family and Medical Leave Act of 1993," 29 U.S.C. § 2601 et seq., the leave shall count simultaneously against the employee's entitlement under each respective law.

Leave granted under N.J.S.A. 34:11C-3 and Regulation 1581 - Section B. shall not conflict with any rights pursuant to the "Family Leave Act," the "Temporary Disability Benefits Law," N.J.S.A. 43:21-25 et al, or the Federal "Family and Medical Leave Act of 1993."

- c. Prior to taking the leave provided for in N.J.S.A. 34:11C-3 and Regulation 1581 - Section B.3.a., an employee shall, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave, unless an emergency or other unforeseen circumstance precludes prior notice. The notice shall be provided to the employer as far in advance as is reasonable and practical under the circumstances.
- d. Nothing contained in the NJ SAFE Act (N.J.S.A. 34:11C-1 et seq.) and Regulation 1581 - Section B. shall be construed to prohibit an employer from requiring that a period of leave provided pursuant to N.J.S.A. 34:11C-3 and Regulation 1581 - Section B. be supported by the employee with documentation of the domestic violence or sexually violent offense which is the basis for the leave.

If the employer requires the documentation, the employee shall be regarded as having provided sufficient documentation if the employee provides one or more of the following:

- (1) A domestic violence restraining order or other documentation of equitable relief issued by a court of competent jurisdiction;
- (2) A letter or other written documentation from the county or municipal prosecutor documenting the domestic violence or sexually violent offense;

- (3) Documentation of the conviction of a person for the domestic violence or sexually violent offense; run concurrently with the unpaid leave provided under N.J.S.A. 34:11C-3.a and
- (4) Medical documentation of the domestic violence or sexually violent offense;
- (5) Certification from a certified Domestic Violence Specialist or the director of a designated domestic violence agency or Rape Crisis Center, that the employee or employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, is a victim of domestic violence or a sexually violent offense; or
- (6) Other documentation or certification of the domestic violence or sexually violent offense provided by a social worker, member of the clergy, shelter worker, or other professional who has assisted the employee or employee's parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship, in dealing with the domestic violence or sexually violent offenses.

For the purpose of N.J.S.A. 34:11C-3.c and Regulation 1581 - Section B.3.d.:

- (1) "Certified Domestic Violence Specialist" means a person who has fulfilled the requirements of certification as a Domestic Violence Specialist established by the New Jersey Association of Domestic Violence Professionals;
 - (2) "Designated Domestic Violence Agency" means a county-wide organization with a primary purpose to provide services to victims of domestic violence, and which provides services that conform to the core domestic violence services profile as defined by the Division of Child Protection and Permanency in the Department of Children and Families and is under contract with the Division for the express purpose of providing the services.
 - (3) "Rape Crisis Center" means an office, institution, or center offering assistance to victims of sexual offenses through crisis intervention, medical and legal information, and follow-up counseling.
- e. An employer shall display conspicuous notice of its employees' rights and obligations pursuant to the provisions of the NJ SAFE Act, in such form and manner as the Commissioner of Labor and Workforce Development shall prescribe, and use other appropriate means to keep its employees so informed.
- f. No provision of N.J.S.A. 34:11C-1 et seq. and Policy and Regulation 1581 – Section B. shall be construed as requiring or permitting an employer to reduce employment benefits provided by the employer or required by a collective bargaining agreement which are in excess of those required by the NJ SAFE Act. Nor shall any provision of N.J.S.A. 34:11C-1 et seq. and Policy and Regulation 1581 – Section B. be construed to prohibit

the negotiation and provision through collective bargaining agreements of leave policies or benefit programs which provide benefits in excess of those required by the NJ SAFE Act. N.J.S.A. 34:11C-3.e and Regulation 1581 – Section B.3.f. shall apply irrespective of the date that a collective bargaining agreement takes effect.

Nothing contained in N.J.S.A. 34:11C-1 et seq. and Policy and Regulation 1581 – Section B. shall be construed as permitting an employer to:

- (1) Rescind or reduce any employment benefit accrued prior to the date on which the leave taken pursuant to the NJ SAFE Act commenced; or
 - (2) Rescind or reduce any employment benefit, unless the rescission or reduction of the benefit is based on changes that would have occurred if an employee continued to work without taking the leave provided pursuant to Regulation 1581 – Section B.3.a.
- g. All information provided to an employer pursuant to N.J.S.A. 34:11C-3.c and Regulation 1581 – Section B.3.d. above and any information regarding a leave taken pursuant to N.J.S.A. 34:11C-3.c and any failure of an employee to return to work, shall be retained in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is required by a Federal or State law, rule, or regulation.

4. Certain Actions by Employer Prohibited (N.J.S.A. 34:11C-4)

An employer shall not discharge, harass, or otherwise discriminate, retaliate, or threaten to discharge, harass, or otherwise discriminate or retaliate against an employee with respect to the compensation, terms, conditions, or privileges of employment on the basis that the employee took or requested any leave to which the employee was entitled pursuant to N.J.S.A. 34:11C-3 of the NJ SAFE Act and Regulation 1581 – Section B.3. or on the basis that the employee refused to authorize the release of information deemed confidential pursuant to N.J.S.A. 34:11C-3.f and Regulation 1581 – Section B.3.g.

5. Violations; Penalties (N.J.S.A. 34:11C-5)

- a. Upon a violation of any of the provisions of N.J.S.A. 34:11C-3 and Regulation 1581 - Section B.3., or N.J.S.A. 34:11C-4 and Regulation 1581 - Section B.4., an employee or former employee may institute a civil action in the Superior Court for relief. All remedies available in common law tort actions shall be available to a prevailing plaintiff. The Court may also order any or all of the following relief:
- (1) An assessment of a civil fine of not less than \$1,000 and not more than \$2,000 for the first violation of any of the provisions of N.J.S.A. 34:11C-3 or N.J.S.A. 34:11C-4 and not more than \$5,000 for each subsequent violation;
 - (2) An injunction to restrain the continued violation of any of the provisions of N.J.S.A. 34:11C-3 or N.J.S.A. 34:11C-4;
 - (3) Reinstatement of the employee to the same position or to a position equivalent to that which the employee held prior to unlawful discharge or retaliatory action;

- (4) Reinstatement of full fringe benefits and seniority rights;
 - (5) Compensation for any lost wages, benefits, and other remuneration;
 - (6) Payment of reasonable costs and attorney's fees.
- b. An action brought under N.J.S.A. 34:11C-5 shall be commenced within one year of the date of the alleged violation.
- c. A private cause of action provided for in N.J.S.A. 34:11C-5 shall be the sole remedy for a violation of N.J.S.A. 34:11C-1 et seq.

First Reading: 14 June 2022
Second Reading: 21 June 2022
Adopted:

3125 EMPLOYMENT OF TEACHING STAFF MEMBERS (M)

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

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

No teaching staff member shall be employed unless he/she is a holder of a valid certificate in accordance with the New Jersey Department of Education and applicable statutes and administrative codes. The Superintendent shall require proof of any candidate's certification or pending application for certification.

The Board will employ substitutes for absent teachers in order to ensure continuity in the instructional 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 teaching staff member.

In accordance with the provisions of N.J.S.A. 18A:16-1.1, the Board of Education will provide written notice to a teaching staff member, other than a per diem substitute, of his/her designation as a replacement when the teaching staff member has been designated or appointed by the Board to act in place of any officer or employee during an absence, disability, or disqualification of any such officer or employee subject to the provisions of N.J.S.A. 18A:17-13. Per diem substitutes shall also be informed in their notice of approval that their employment is as a replacement staff member.

The Board may use a private contractor to secure a substitute teacher in accordance with N.J.A.C. 6A:9B-7.1(f).

The Board shall approve the employment, fix the compensation, and set the term of employment for each person employed in a summer school program. The Board will employ only those candidates recommended by the Superintendent. Service as a summer school teacher will not count toward the accrual of tenure or seniority.

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

In accordance with the provisions of N.J.A.C. 6A:9B-5.16(a), any teaching staff member in the employ of the Board of Education shall be permitted to organize public school students for purposes of coaching or for conducting games, events, or contests in physical education or athletics. The Superintendent may recommend to the Board the employment of a qualified candidate for an interscholastic athletic coaching position who is a holder of either a New Jersey teaching certificate or a substitute credential, pursuant to N.J.A.C. 6A:9B-5.16(b), to work in the interscholastic athletic program provided the position has been advertised. The twenty day limitation noted in N.J.A.C. 6A:9B-7.4(a) shall not apply to coaching situations.

An athletic trainer shall possess an educational services certificate issued by the State Board of Examiners pursuant to N.J.S.A. 18A:26-2.4 and 18A:26-2.5.

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

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

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

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

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

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

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

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

N.J.A.C. 6A:9B-5.16; 6A:9B-7.4

First Reading: 14 June 2022
Second Reading: 21 June 2022
Adopted:

3126 DISTRICT MENTORING PROGRAM

The Board of Education shall develop a district mentoring program to provide nontenured teachers, including novice professional teachers who hold a certificate of eligibility (CE) or certificate of eligibility with advanced standing (CEAS) with an induction to the teaching profession and to the school community through differentiated supports based on the teachers' individual needs and to help them become effective professionals.

The goals of the district mentoring program shall be to enhance teacher knowledge of, and strategies related to, the New Jersey Student Learning Standards to facilitate student achievement and growth; identify exemplary teaching skills and educational practices necessary to acquire and maintain excellence in teaching; and assist first-year teachers in performing their duties and adjusting to the challenges of teaching. The Board of Education shall determine how each nontenured teacher in his or her first year of employment shall be provided with supports as outlined in N.J.A.C. 6A:9C-5.1(c). The Board shall provide an individual mentor to work one-on-one with a novice provisional teacher in accordance with N.J.A.C. 6A:9C-5.1(d). The Superintendent shall oversee the mentor selection process and ensure the individual mentor meets the minimum requirements required in N.J.A.C. 6A:9C-5.2(a).

In accordance with the provisions of N.J.A.C. 6A:9C-5.4, an approved agency and its designated staff shall be authorized to provide the services, evaluations, and recommendations specified within N.J.A.C. 6A:9B-8.6, 8.7, and 8.9 for provisional Teachers of Supplemental Instruction in Reading and Mathematics, Grades K-8 in their employ.

The district's local mentoring plan shall be in accordance with the requirements as outlined in N.J.A.C. 6A:9C-5.1 et seq.

The Superintendent of Schools or designee shall develop the district mentoring plan in accordance with the requirements outlined in N.J.A.C. 6A:9C-5.3 as part of the school district's professional development plan (PDP) pursuant to N.J.A.C. 6A:9C-4.4. The district mentoring plan shall include logistics for its implementation and describe the school district's responsibilities pursuant to N.J.A.C. 6A:9C-5.1 et seq.

The Board of Education shall budget State funds appropriated for the novice teacher mentoring program in accordance with the provisions of N.J.A.C. 6A:9C-5.1(f). The Board shall ensure that State funds appropriated for this program shall supplement, and not supplant, any Federal, State or local funds already devoted to planning and implementing a novice teacher mentor program. The Board of Education shall ensure that State funds shall be used for one or more of the following: stipends for mentor teachers; the costs associated with release time; substitutes for mentor teachers and novice teachers; and professional development and training activities related to the program.

Evaluations for a provisional teacher shall be completed in accordance with the requirements of N.J.A.C. 6A:9B-8.6.

N.J.S.A. 18A:26-2; 18A:26-2a
N.J.A.C. 6A:9B-8.4; 6A:9B-8.5; 6A:9B-8.6; 6A:9C-5.1

WESTFIELD PUBLIC SCHOOLS

Westfield, New Jersey 07090

PUPILS

5111

Eligibility of Resident/Nonresident Pupils

Regulations Follow

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5111 ELIGIBILITY OF RESIDENT/NON-RESIDENT PUPILS

The Board of Education shall admit to its schools, free of charge, persons over five and under twenty years of age, pursuant to N.J.S.A. 18A:38-1, or such younger or older pupil as is otherwise entitled by law to a free public education.

Eligibility to Attend School

The Board shall admit pupils eligible to attend school free of charge that are domiciled within the district as defined in N.J.A.C. 6A:22-3.1.

A child who is domiciled within the school district and resides with a parent or guardian who is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States who is ordered into active military service in a time of war or national emergency shall be permitted to remain enrolled in the school district in which the child is domiciled at the time of the parent or guardian being ordered into active military service, regardless of where the child resides during the period of active duty. Following the return of the child's parent or guardian from active military service, the child's eligibility to remain enrolled in the school district pursuant to N.J.S.A. 18A:38-3.1 shall cease at the end of the current school year unless the child is domiciled in the school district.

The Board shall also admit any pupil that is kept in the home of a person other than the pupil's parent or guardian, where the person is domiciled in the school district and is supporting the pupil without remuneration as if the pupil were his or her own child in accordance with N.J.A.C. 6A:22-3.2 et seq. A pupil is only eligible to attend school in the district pursuant to N.J.A.C. 6A:22-3.2 if the pupil's parent or guardian files, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the pupil due to family or economic hardship and the pupil is not residing with the other person solely for the purpose of receiving a free public education. In addition, the person keeping the pupil must file, if so required by the district, a sworn statement that he or she: is domiciled within the school district; is supporting the child without remuneration and intends to do so for a time longer than the school term; will assume all personal obligations for the pupil relative to school requirements; and provides a copy of his or her lease if a tenant, a sworn landlord's statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner. Pursuant to N.J.S.A. 18A:38-1(c), any person who fraudulently allows a child of another person to use his or her residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of his or her child to a person in another district commits a disorderly person's offense.

A pupil is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38-1(b) if the pupil is kept in the home of a person domiciled in the district, who is not the parent or guardian and the parent or guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency. Eligibility under this provision shall cease at the end of the current school year during which the parent or guardian returns from active military duty.

A pupil is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38-1(d) if the pupil's parent or guardian temporarily resides within the school district and elects to have the pupil attend the school district of temporary residence, notwithstanding the existence of a domicile elsewhere. When required by the district, the parent or guardian shall demonstrate the temporary residence is not solely for purposes of a pupil attending the school district of temporary residence. When one of a pupil's parents or guardians temporarily resides in the school district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school shall be determined in accordance with the criteria of N.J.A.C. 6A:22-3.1(a)1.i.

A pupil is eligible to attend this school district free of charge:

1. If the pupil's parent or guardian moves to another school district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2 - Education of Homeless Children;
2. If the pupil is placed by court order or by a society, agency, or institution in the home of a school district resident pursuant to N.J.S.A. 18A:38-2;
3. If the pupil previously resided in the school district and if the parent or guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency, resulting in the relocation of the pupil out of the school district, pursuant to N.J.S.A. 18A:38-3(b). The school district shall not be obligated for transportation costs; and
4. If the pupil resides on Federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.

Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other law, rule, or regulation to the contrary, a pupil who moves out of the school district as a result of domestic violence, sexual abuse, or other family crises shall be permitted to remain enrolled in the school district for the remainder of the school year in pursuant to N.J.S.A. 18A:38-1.1 and in accordance with the provisions of N.J.A.C. 6A:22-3.2(h). If the pupil remains enrolled in the school district for the remainder of the school year, the school district shall provide transportation services to the pupil, provided the pupil lives remote from school, and the State shall reimburse the school district for the cost of the transportation services. Nothing in N.J.S.A. 18A:38-1.1 shall be construed to affect the rights of homeless pupils pursuant to N.J.S.A. 18A:7B-12, N.J.S.A. 18A:7B-12.1, or any other applicable State or Federal law.

If the district of residence cannot be determined according to the criteria contained in N.J.S.A. 18A:7B-12; if the criteria contained in N.J.S.A. 18A:7B-12 identify a district residence out of State; or if the child has resided in a domestic violence shelter, homeless shelter, or transitional living facility located outside of the district of residence for more than one year, the State shall assume fiscal responsibility for the tuition of the child in accordance with N.J.S.A. 18A:7B-12.d.

A student's eligibility to attend this school shall not be affected by the physical condition of an applicant's housing or his or her compliance with local housing ordinances or terms of lease.

Except as set forth in N.J.A.C. 6A:22-3.3(b)1, immigration/visa status shall not affect eligibility to attend school and the school district shall not condition enrollment in the school district on immigration status. A pupil's immigration/visa status and their eligibility to attend school shall be in accordance with N.J.A.C. 6A:22-3.3(b) and Regulation 5111.

Proof of Eligibility

The district shall accept a combination of forms of documentation from persons attempting to demonstrate a pupil's eligibility for enrollment in the school district in accordance with the provisions of N.J.A.C. 6A:22-3.4.

The district shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based on failure to provide a particular form, or subset of documents without regard to other evidence presented.

The district shall not condition enrollment on the receipt of information or documents protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school as outlined in N.J.A.C. 6A:22-3.4(d). The district may consider, in a manner consistent with Federal law, documents or information referenced in N.J.A.C. 6A:22-3.4(d) or pertinent parts thereof if voluntarily disclosed by the applicant. The district may not, directly or indirectly, require or request such disclosure as an actual or implied condition of enrollment. However, in the case of a dispute between the school district and the parent or guardian of a pupil in regard to the pupil's eligibility to enroll in the school district or to remain enrolled in the school district pursuant to the provisions of N.J.S.A. 18A:38-1, the school district may request from the New Jersey Motor Vehicle Commission the parent or guardian's name and address for use in verifying a pupil's eligibility for enrollment in the school district in accordance with the provisions of N.J.S.A. 18A:38-1.3. The NJMVC shall disclose to a school district the information requested in accordance with procedures established by the NJMVC. However, the school district shall not condition enrollment in the district on immigration status or on the fact that the NJMVC does not have the name or address of the parent on file.

Registration Form and Procedures for Initial Assessment

Registration and initial determinations of eligibility will be in accordance with N.J.A.C. 6A:22-4.1. The district shall use Commissioner-provided registration forms or locally developed forms that are consistent with the forms provided by the Commissioner. A district-level administrator designated by the Superintendent shall be clearly identified to applicants and available to assist persons who are experiencing difficulties with the process.

Initial eligibility determinations shall be made upon presentation of an enrollment application and enrollment shall take place immediately except in cases of clear, uncontested denials. Enrollment shall take place immediately when an applicant has provided incomplete, unclear or questionable information, but the applicant shall be notified that the pupil will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2.

When a pupil appears ineligible based on the information provided in the initial application, the school district shall issue a preliminary written notice of ineligibility including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the district's determination and an intent to appeal to the Commissioner of Education. An applicant whose pupil is enrolled pursuant to this provision shall be notified that the pupil will be removed, without a hearing before the Board, if no appeal is filed within the twenty-one-day period established by N.J.S.A. 18A:38-1.

When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws. When the pupil is between the ages of six and sixteen, applicants also shall, be asked to complete a written statement indicating the pupil will be attending school in another school district or nonpublic school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the absence of this written statement designated staff shall report to the school district of actual domicile or residence, or the Department of Children and Families, a potential instance of "neglect" for the purposes of ensuring compliance with the compulsory education law, N.J.S.A. 9:6-1. Staff shall provide the school district or the Department of Children and Families with the pupil's name, the name(s) of the parent/guardian/resident, and the pupil's address to the extent known. Staff shall also indicate admission to the district has been denied

based on residency or domicile, and there is no evidence of intent to arrange for the child to attend school or receive instruction elsewhere.

Enrollment or attendance at the school district shall not be conditioned on advance payment of tuition when enrollment is denied and an intent to appeal is indicated, or when enrollment is provisional and subject to further review or information. The Board of Education shall ensure the registration process identifies information suggesting an applicant may be homeless so procedures may be implemented in accordance with N.J.A.C. 6A:17-2, Education of Homeless Children. Enrollment or attendance in the school district shall not be denied based upon the absence of the certified copy of the pupil's birth certificate or other proof of a pupil's identity as required within thirty days of initial enrollment pursuant to N.J.S.A. 18A:36-25.1.

Enrollment in the school district shall not be denied based upon absence of pupil medical information. However actual attendance at school may be deferred until the pupil complies with pupil immunization rules set forth in N.J.A.C. 8:57-4.

When enrollment in the school district, attendance at school, or the receipt of educational services in the regular education program appears inappropriate, the pupil shall not be denied based upon the absence of a pupil's prior educational record. However, the applicant shall be advised the pupil's initial education placement may be subject to revision upon the school district's receipt of records or further assessment of the pupil.

Notice of Ineligibility

When a pupil is found ineligible to attend the schools district pursuant to N.J.A.C. 6A:22 or the pupil's initial application is found to be deficient upon subsequent review or investigation, the school district immediately shall provide to the applicant notice that is consistent with Commissioner-provided sample form(s) and meets requirements of N.J.A.C. 6A:22-4 et seq. Notices shall be in writing; in English and in the native language of the applicant; issued by the Superintendent; and directed to the address at which the applicant claims to reside. Notices of ineligibility shall include information as outlined in N.J.A.C. 6A:22-4.2.

Removal of Currently Enrolled Pupils

Nothing in N.J.A.C. 6A:22-4.3 et seq. and this Policy shall preclude the Board of Education from identifying through further investigation or periodic requests for revalidation of eligibility, pupils enrolled in the school district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances or newly discovered information.

When a pupil who is enrolled and attending school based on an initial eligibility determination is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board of Education for pupil's removal in accordance with N.J.A.C. 6A:22-4.3(b). No pupil shall be removed from school unless the parent, guardian, adult pupil or resident keeping an "affidavit pupil" (as defined in N.J.A.C. 6A:22-1.2) has been informed of his or her entitlement to a hearing before the Board of Education. Once the hearing is held, or if the parent, guardian, adult pupil or resident keeping an "affidavit pupil", does not respond within the designated time frame to the Superintendent's notice or appear for the hearing, the Board of Education shall make a prompt determination of the pupil's eligibility and shall immediately provide notice in accordance with N.J.A.C. 6A:22-4.2. Hearings required pursuant to N.J.A.C. 6A:22-4.3. may be conducted by the full Board or a Board Committee, at the discretion of the full Board. If the hearing(s) is conducted by a Board Committee, the Committee shall make a recommendation to the full Board for action. No pupil may be removed except by vote of the Board taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.

Appeal to the Commissioner

An applicant may appeal to the Commissioner of Education the school district's determination that a pupil is ineligible to attend its schools. Appeals shall be initiated by petition which shall be filed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1. and shall proceed as a contested case pursuant to N.J.A.C. 6A:3. Pursuant to N.J.S.A. 18A:38-1(b)1, appeals of "affidavit pupil" eligibility determinations shall be filed by the resident keeping the pupil.

Assessment and Calculation of Tuition

If no appeal to the Commissioner is filed following notice of an ineligibility determination, the Board of Education may assess tuition for up to one (1) year of a pupil's ineligible attendance, including the twenty-one-day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner. Tuition will be assessed and calculated in accordance with N.J.A.C. 6A:22-6.3 et seq. If the responsible party does not pay the tuition assessment, the Board of Education may petition the Commissioner pursuant to N.J.A.C. 6A:3 for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10 through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.

If an appeal to the Commissioner is filed and the petitioner does not sustain the burden of demonstrating the pupil's right to attend the school district, or the petitioner withdraws the appeal, fails to prosecute, or abandons the appeal by any means other than settlement agreeing to waive or reduce tuition, the Commissioner may assess tuition in accordance with the provisions of N.J.A.C. 6A:22-6.2(a). Upon the Commissioner's finding that an appeal has been abandoned, the Board of Education may remove the pupil from school and seek tuition in accordance with N.J.A.C. 6A:22-6.2.

Nonresident Pupils

The admission of a nonresident pupil to school free of charge must be approved by the Board. No pupil otherwise eligible shall be denied admission on the basis of the pupil's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability. The continued enrollment of any nonresident pupil shall be contingent upon the pupil's maintenance of good standards of citizenship and discipline.

Children Who Anticipate Moving to or from the District

A nonresident pupil otherwise eligible for attendance whose parent(s) or guardian(s) anticipates school district residency and has entered a contract to buy, build, or rent a residence in this school district may be enrolled without payment of tuition for a period of time not greater than four weeks prior to the anticipated date of residency. If any such pupil does not become a resident of the district within four weeks after admission to school, tuition will be charged for attendance commencing the beginning of the fifth week and until such time as the pupil becomes a resident or withdraws from school.

If a parent moves from Westfield and wishes his/her child to remain in the Westfield schools, there will be a period of one month during which no tuition will be charged. If the child remains beyond that one-month period, and the parent is living outside of Westfield, tuition will be charged at the regular rate for the remainder of the school year. With approval of the Superintendent, pupils whose families move from Westfield during the 12th grade may be permitted to complete their senior year at Westfield High School without a tuition charge.

Children of District Employees

Children of district employees who do not reside in Westfield may not be admitted to school in this district unless otherwise specified in their collective bargaining agreement. The Board retains the right to assign nonresident children of employees eligible to attend school in the district to a building and/or classes in such a manner that the assignment will not require hiring additional staff and that the educational program of such children can be provided within district facilities.

Foreign Exchange Students (J-1 Visas)

To receive a J-1 student visa from United States Department of State, a foreign exchange student must demonstrate acceptance to a designated exchange visitor program as evidenced by presentation of Form IAP-66, sufficient funds, or adequate arrangements, to cover expenses; sufficient knowledge of English to undertake the proposed program; compliance with the requirements of Section 212(j)INA.

Foreign exchange students who hold J-1 visas and who are domiciled within a Westfield residence may be admitted to school in this district without the payment of tuition provided the resident with who they are domiciled will execute an affidavit stating:

1. He/she does not receive remuneration for the care of the pupil; and
2. That the resident will assume all personal obligations for the pupil.

The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.

Foreign Students (F-2 visas - dependents of F-1 students)

To receive a F-2 visa from the United States Department of State, a student must be a dependent of F-1 status visa holders.

Foreign students who hold F-2 visas and who are domiciled within a Westfield residence may be admitted to school in this district without the payment of tuition provided the resident with whom they are domiciled will execute an affidavit stating:

1. He/she does not receive remuneration for the care of the pupil; and
2. That the resident will assume all personal obligations for the pupil.

Foreign Students (F-1 visas)

The school district is not required to, but may permit the attendance of F-1 Visa students into the school district only with the payment of full tuition and a signed tuition contract. The district may require advance payment of full tuition before providing the requested I-20 Form, in accordance with the provisions of Federal regulation 8 CFR 214.3 A F-1 Visa is granted to a foreign student through an application process that must include, but is not limited to, signed approval by the receiving school district exhibiting the receiving school district will accept the foreign student for enrollment and the foreign student's proof of financial means to pay the full tuition to the receiving school district for the academic year. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools supporting documentation as determined by the Superintendent or designee. A student with a F-1 Visa must be approved by the Board for attendance in the school district. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.

Other Nonresident Children

Other nonresident children, otherwise eligible for attendance, may be admitted to school in this district with payment of tuition if their admission is warranted by the inaccessibility of school in their home district, the singular availability of an appropriate educational program in this district, the avoidance of transfer and readmission of a child whose legal custody is shared by a parent(s) or guardian(s) residing in this district, or other good cause.

N.J.S.A. 18A:38-1 et seq.; 18A:38-3; 18A:38-3.1; 18A:7B-12

N.J.A.C. 6A:14-3.3; 6A:17-2.1 et seq.;

6A:22-1.1 et seq.

8 CFR 214.3

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5500 EXPECTATIONS FOR STUDENT CONDUCT (M)

The Board of Education believes that students should commit themselves to learning and to the development of their unique potential. Students should know that their attitudes and acts affect both their own and their classmates' learning and should accept responsibility for helping to create a positive school environment. With the support and assistance of school staff members and parent(s) or legal guardian(s), all students can contribute to the effectiveness of the schools and the value of their education.

The Board expects all students in this school district, commensurate with their age and ability, to:

1. Prepare themselves mentally and physically for the process of learning;
2. Respect the person, property, and intellectual and creative products of others;
3. Take responsibility for their own behavior;
4. Use time and other resources responsibly;
5. Share responsibilities when working with others;
6. Meet the requirements of each course of study;
7. Monitor their own progress toward school objectives; and
8. Communicate with parent(s) or legal guardian(s) and appropriate school staff members.

The Superintendent shall, in consultation with staff members, parent(s) or legal guardian(s), and, where appropriate, students, develop a statement of specific student behaviors that exemplify these expectations and shall publish both this policy and the statement of behaviors to all students, parent(s) or legal guardian(s), and professional staff members.

N.J.S.A. 18A:11-1

Cross reference: Policy Guide No. 5600

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A. Policy Statement

The Board of Education prohibits acts of harassment, intimidation, or bullying of a student. A safe and civil environment in school is necessary for students to learn and achieve high academic standards. Harassment, intimidation, or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe and disciplined environment. Harassment, intimidation, or bullying is unwanted, aggressive behavior that may involve a real or perceived power imbalance. Since students learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation, or bullying.

For the purposes of this Policy, the term "parent," pursuant to N.J.A.C. 6A:16-1.3, means the natural parent(s); adoptive parent(s); legal guardian(s); foster parent(s); or parent surrogate(s) of a student.

When parents are separated or divorced, "parent" means the person or agency which has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided parental rights have not been terminated by a court of appropriate jurisdiction.

B. Harassment, Intimidation, and Bullying Definition

“Harassment, intimidation, or bullying” means any gesture, any written, verbal or physical act, or any electronic communication, as defined in N.J.S.A. 18A:37-14, whether it be a single incident or a series of incidents that:

1. Is reasonably perceived as being motivated by either any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic;
2. Takes place on school property, at any school-sponsored function, on a school bus, or off school grounds, as provided for in N.J.S.A. 18A:37-15.3;
3. Substantially disrupts or interferes with the orderly operation of the school or the rights of other students; and that
 - a. A reasonable person should know, under the circumstances, that the act(s) will have the effect of physically or emotionally harming a student or damaging the student’s property, or placing a student in reasonable fear of physical or emotional harm to their person or damage to their property; or
 - b. Has the effect of insulting or demeaning any student or group of students; or
 - c. Creates a hostile educational environment for the student by interfering with a student’s education or by severely or pervasively causing physical or emotional harm to the student.

Schools are required to address harassment, intimidation, and bullying occurring off school grounds, when there is a nexus between the harassment, intimidation, and bullying and the school (e.g., the harassment, intimidation, or bullying substantially disrupts or interferes with the orderly operation of the school or the rights of other students).

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

C. Student Expectations

The Board expects students to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with proper regard for the rights and welfare of other students and school

staff, the educational purpose underlying all school activities and the care of school facilities and equipment consistent with the Code of Student Conduct.

The Board believes that standards for student behavior must be set cooperatively through interaction among the students, parents, school employees, school administrators, school volunteers, and community representatives, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for school district and community property on the part of students, staff, and community members.

Students are expected to behave in a way that creates a supportive learning environment. The Board believes the best discipline is self-imposed, and it is the responsibility of staff to use instances of violations of the Code of Student Conduct as opportunities to help students learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with students shall apply best practices designed to prevent student conduct problems and foster students' abilities to grow in self-discipline.

The Board expects that students will act in accordance with the student behavioral expectations and standards regarding harassment, intimidation, and bullying, including:

1. Student responsibilities (e.g., requirements for students to conform to reasonable standards of socially accepted behavior; respect the person, property and rights of others; obey constituted authority; and respond to those who hold that authority);
2. Appropriate recognition for positive reinforcement for good conduct, self-discipline, and good citizenship;
3. Student rights; and
4. Sanctions and due process for violations of the Code of Student Conduct.

Pursuant to N.J.S.A. 18A:37-15(a) and N.J.A.C. 6A:16-7.1(a)1, the district has involved a broad-base of school and community members, including parents, students, instructional staff, student support services staff, school administrators, and school volunteers, as well as community organizations, such as faith-based, health and human service, business and law enforcement, in the development of this Policy. Based on locally determined and accepted core ethical values adopted by the Board, pursuant to N.J.A.C. 6A:16-7.1(a)2, the Board must develop guidelines for student conduct pursuant to N.J.A.C. 6A:16-7.1. These guidelines for student conduct will take into consideration the developmental ages of students, the severity of the offenses and students' histories of inappropriate behaviors, and the mission and physical facilities of the individual school(s) in the district. This Policy requires all students in the district to adhere to the rules established by the school district and to submit to the remedial and consequential measures that are appropriately assigned for infractions of these rules.

Pursuant to N.J.A.C. 6A:16-7.1, the Superintendent must annually provide to students and their parents the rules of the district regarding student conduct. Provisions shall be made for informing parents whose primary language is other than English.

The district prohibits active or passive support for acts of harassment, intimidation, or bullying. Students are encouraged to support other students who:

1. Walk away from acts of harassment, intimidation, and bullying when they see them;
2. Constructively attempt to stop acts of harassment, intimidation, or bullying;
3. Provide support to students who have been subjected to harassment, intimidation, or bullying; and
4. Report acts of harassment, intimidation, and bullying to the designated school staff member.

D. Consequences and Appropriate Remedial Actions

The Board of Education requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for students who commit one or more acts of harassment, intimidation, or bullying, consistent with the Code of Student Conduct. The following factors, at a minimum, shall be given full consideration by school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation, or bullying by students.

Consequences – Students

Consequences for a student who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion of students, as set forth in the Board's approved Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.1. Consequences for a student who commits an act of harassment, intimidation, or bullying are those that are varied and graded according to the nature of the behavior; the nature of the student's disability, if any, and to the extent relevant; the developmental age of the student; and the student's history of problem behaviors and performance consistent with the Board's approved Code of Student Conduct and N.J.A.C. 6A:16-7, Student Conduct. The use of negative consequences should occur in conjunction with remediation and not be relied upon as the sole intervention approach.

Factors for Determining Consequences – Student Considerations

1. Age, developmental and maturity levels of the parties involved and their relationship to the school district;
2. Degrees of harm;
3. Surrounding circumstances;
4. Nature and severity of the behavior(s);
5. Incidences of past or continuing patterns of behavior;
6. Relationships between the parties involved; and
7. Context in which the alleged incidents occurred.

Factors for Determining Consequences – School Considerations

1. School culture, climate, and general staff management of the learning environment;
2. Social, emotional, and behavioral supports;
3. Student-staff relationships and staff behavior toward the student;
4. Family, community, and neighborhood situation; and
5. Alignment with Board policy and regulations/procedures.

Examples of Consequences

1. Admonishment;
2. Temporary removal from the classroom;
3. Deprivation of privileges;
4. Classroom or administrative detention;
5. Referral to disciplinarian;
6. In-school suspension;
7. Out-of-school suspension (short-term or long-term);
8. Reports to law enforcement or other legal action; or
9. Expulsion.

In accordance with N.J.S.A. 18A:37-15.b.(4), the consequences for a student who commits an act of harassment, intimidation, or bullying may vary depending on whether it is the first act of harassment, intimidation, or bullying by a student, the second act, or third or subsequent acts. If it is the third or subsequent act of harassment, intimidation, or bullying by a student, the Principal, in consultation with appropriate school staff, shall develop an individual student intervention plan which shall be approved by the Superintendent or designee, and may require the student, accompanied by a parent, to complete in a satisfactory manner a class or training program to reduce harassment, intimidation, or bullying behavior.

Appropriate Remedial Actions – Students

Appropriate remedial action for a student who commits an act of harassment, intimidation, or bullying that takes into account the nature of the behavior; the nature of the student's disability, if any, and to the extent relevant; the developmental age of the student; and the student's history of problem behaviors and

performance. The appropriate remedial action may also include a behavioral assessment or evaluation including, but not limited to, a referral to the Child Study Team as appropriate; and supportive interventions and referral services, including those at N.J.A.C. 6A:16-8.

Factors for Determining Remedial Measures

Personal

1. Life skill deficiencies;
2. Social relationships;
3. Strengths;
4. Talents;
5. Interests;
6. Hobbies;
7. Extra-curricular activities;
8. Classroom participation;
9. Academic performance; and
10. Relationship to students and the school district.

Environmental

1. School culture;
2. School climate;
3. Student-staff relationships and staff behavior toward the student;
4. General staff management of classrooms or other educational environments;
5. Staff ability to prevent and manage difficult or inflammatory situations;
6. Social-emotional and behavioral supports;
7. Social relationships;
8. Community activities;
9. Neighborhood situation; and
10. Family situation.

Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the problem, protect and provide support for the victim of the act, and take corrective action for documented systemic problems related to harassment, intimidation, or bullying. The consequences and remedial measures may include, but are not limited to, the examples listed below:

Examples of Remedial Measures

Personal – Student Exhibiting Bullying Behavior

1. Develop a behavioral contract with the student. Ensure the student has a voice in the outcome and can identify ways they can solve the problem and change behaviors;
2. Meet with parents to develop a family agreement to ensure the parent and the student understand school rules and expectations;
3. Explain the long-term negative consequences of harassment, intimidation, and bullying on all involved;
4. Ensure understanding of consequences, if harassment, intimidation, and bullying behavior continues;
5. Meet with school counselor, school social worker, or school psychologist to decipher mental health issues (e.g., what is happening and why?);
6. Develop a learning plan that includes consequences and skill building;
7. Consider wrap-around support services or after-school programs or services;
8. Provide social skill training, such as impulse control, anger management, developing empathy, and problem solving;
9. Arrange for an apology, preferably written;
10. Require a reflective essay to ensure the student understands the impact of their actions on others;
11. Have the student research and teach a lesson to the class about bullying, empathy, or a similar topic;
12. Arrange for restitution (i.e., compensation, reimbursement, amends, repayment), particularly when personal items were damaged or stolen;
13. Explore age-appropriate restorative (i.e., healing, curative, recuperative) practices; and
14. Schedule a follow-up conference with the student.

Personal – Target/Victim

1. Meet with a trusted staff member to explore the student's feelings about the incident;
2. Develop a plan to ensure the student's emotional

- and physical safety at school;
- 3. Have the student meet with the school counselor or school social worker to ensure they do not feel responsible for the bullying behavior;
- 4. Ask students to log behaviors in the future;
- 5. Help the student develop skills and strategies for resisting bullying; and
- 6. Schedule a follow-up conference with the student.

Parents, Family, and Community

- 1. Develop a family agreement;
- 2. Refer the family for family counseling; and
- 3. Offer parent education workshops related to bullying and social-emotional learning.

Examples of Remedial Measures – Environmental (Classroom, School Building, or School District)

- 1. Analysis of existing data to identify bullying issues and concerns;
- 2. Use of findings from school surveys (e.g., school climate surveys);
- 3. Focus groups;
- 4. Mailings – postal and email;
- 5. Cable access television;
- 6. School culture change;
- 7. School climate improvement;
- 8. Increased supervision in “hot spots” (e.g., locker rooms, hallways, playgrounds, cafeterias, school perimeters, buses);
- 9. Adoption of evidence-based systemic bullying prevention practices and programs;
- 10. Training for all certificated and non-certificated staff to teach effective prevention and intervention skills and strategies;
- 11. Professional development plans for involved staff;
- 12. Participation of parents and other community members and organizations (e.g., Parent Teacher Associations, Parent Teacher Organizations) in the educational program and in problem-solving bullying issues;
- 13. Formation of professional learning communities

- to address bullying problems;
- 14. Small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of the acceptable student and staff member behavior and the consequences of such actions;
- 15. School policy and procedure revisions;
- 16. Modifications of schedules;
- 17. Adjustments in hallway traffic;
- 18. Examination and adoption of educational practices for actively engaging students in the learning process and in bonding students to pro-social institutions and people;
- 19. Modifications in student routes or patterns traveling to and from school;
- 20. Supervision of student victims before and after school, including school transportation;
- 21. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
- 22. Targeted use of teacher aides;
- 23. Disciplinary action, including dismissal, for school staff who contributed to the problem;
- 24. Supportive institutional interventions, including participation in the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
- 25. Parent conferences;
- 26. Family counseling;
- 27. Development of a general harassment, intimidation, and bullying response plan;
- 28. Behavioral expectations communicated to students and parents;
- 29. Participation of the entire student body in problem-solving harassment, intimidation, and bullying issues;
- 30. Recommendations of a student behavior or ethics council;
- 31. Participation in peer support groups;
- 32. School transfers; and
- 33. Involvement of law enforcement officers, including school resource officers and juvenile officers or other appropriate legal action.

The district will also impose appropriate consequences and remedial actions to an adult who commits an act of harassment, intimidation, or bullying of a student. The consequences may include, but not be limited to: verbal or written reprimand, increment withholding, legal action, disciplinary action, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

Target/Victim Support

Districts should identify a range of strategies and resources that will be available to individual victims of harassment, intimidation, and bullying, and respond in a manner that provides relief to victims and does not stigmatize victims or further their sense of persecution. The type, diversity, location, and degree of support are directly related to the student's perception of safety.

Sufficient safety measures should be undertaken to ensure the victim's physical and social-emotional well-being and their ability to learn in a safe, supportive, and civil educational environment.

Examples of support for student victims of harassment, intimidation, and bullying include:

1. Teacher aides;
2. Hallway and playground monitors;
3. Partnering with a school leader;
4. Provision of an adult mentor;
5. Assignment of an adult "shadow" to help protect the student;
6. Seating changes;
7. Schedule changes;
8. School transfers;
9. Before- and after-school supervision;
10. School transportation supervision;
11. Counseling; and
12. Treatment or therapy.

E. Harassment, Intimidation, and Bullying Reporting Procedure

The Board of Education requires the Principal at each school to be responsible for receiving complaints alleging violations of this Policy. All Board members, school employees, and volunteers and contracted service providers who have contact with students are required to verbally report alleged violations of this Policy to the Principal or the Principal's designee on the same day when the individual witnessed or received reliable information regarding any such incident. All Board members, school employees, and volunteers and contracted service providers who have contact with students, also shall submit a report in writing to the Principal within two school days of the verbal report. The written report shall be on a

numbered form developed by the New Jersey Department of Education in accordance with N.J.S.A. 18A:37-15.b.(5). A copy of the form shall be submitted promptly by the Principal to the Superintendent.

The Principal or designee will inform the parents of all students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. The Principal or designee shall keep a written record of the date, time, and manner of notification to the parents. The Principal or designee shall take into account the circumstances of the incident when providing notification to parents of all students involved in the reported harassment, intimidation, or bullying incident and when conveying the nature of the incident, including the actual or perceived protected category motivating the alleged offense. The Principal, upon receiving a verbal or written report, may take interim measures to ensure the safety, health, and welfare of all parties pending the findings of the investigation.

Students, parents, and visitors are encouraged to report alleged violations of this Policy to the Principal on the same day when the individual witnessed or received reliable information regarding any such incident.

A person may report, verbally or in writing, an act of harassment, intimidation, or bullying committed by an adult or youth against a student anonymously. The Board will not take formal disciplinary action based solely on the anonymous report. The district shall provide a means for a parent to complete an online numbered form developed by the New Jersey Department of Education to confidentially report an incident of harassment, intimidation, or bullying.

A Board member or school employee who promptly reports an incident of harassment, intimidation, or bullying and who makes this report in compliance with the procedures set forth in this Policy, is immune from a cause of action for damages arising from any failure to remedy the reported incident.

In accordance with the provisions of N.J.S.A. 18A:37-18, the harassment, intimidation, and bullying law does not prevent a victim from seeking redress under any other available law, either civil or criminal, nor does it create or alter any tort liability.

The district may consider every mechanism available to simplify reporting, including standard reporting forms and/or web-based reporting mechanisms. For anonymous reporting, the district may consider locked boxes located in areas of a school where reports can be submitted without fear of being observed.

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

F. Anti-Bullying Coordinator, Anti-Bullying Specialist, and School Safety/School Climate Team(s)

1. The Superintendent shall appoint a district Anti-Bullying Coordinator. The Superintendent shall make every effort to appoint an employee of the school district to this position.

The district Anti-Bullying Coordinator shall:

- a. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, or bullying of students;
- b. Collaborate with school Anti-Bullying Specialists in the district, the Board of Education, and the Superintendent to prevent, identify, and respond to harassment, intimidation, or bullying of students in the district;
- c. Provide data, in collaboration with the Superintendent, to the Department of Education regarding harassment, intimidation, or bullying of students;
- d. Execute such other duties related to school harassment, intimidation, or bullying as requested by the Superintendent; and
- e. Meet at least twice a school year with the school Anti-Bullying Specialist(s) to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the district.

2. The Principal in each school shall appoint a school Anti-Bullying Specialist. The Anti-Bullying Specialist shall be a guidance counselor, school psychologist, or other certified staff member trained to be the Anti-Bullying Specialist from among the currently employed staff in the school.

The school Anti-Bullying Specialist shall:

- a. Chair the School Safety/School Climate Team as provided in N.J.S.A. 18A:37-21;
- b. Lead the investigation of incidents of harassment, intimidation, or bullying in the school; and
- c. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, or bullying in the school.

3. A School Safety/School Climate Team shall be formed in each school in the district to develop, foster, and maintain a positive school climate by focusing on the on-going systemic operational procedures and educational practices in the school, and to address issues such as harassment, intimidation, or bullying that affect school climate and culture. Each School Safety/School Climate Team shall meet, at a minimum, two times per school year. The School Safety/School Climate Team shall consist of the Principal or the Principal's designee who, if possible, shall be a senior administrator in the school and the following appointees of the Principal: a teacher in the school; a school Anti-Bullying Specialist; a parent of a student in the school; and other members to be determined by the Principal. The school Anti-Bullying Specialist shall serve as the chair of the School Safety/School Climate Team.

The School Safety/School Climate Team shall:

- a. Receive records of all complaints of harassment, intimidation, or bullying of students that have been reported to the Principal;
- b. Receive copies of all reports prepared after an investigation of an incident of harassment, intimidation, or bullying;
- c. Identify and address patterns of harassment, intimidation, or bullying of students in the school;
- d. Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of students;
- e. Educate the community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students;
- f. Participate in the training required pursuant to the provisions of N.J.S.A. 18A:37-13 et seq. and other training which the Principal or the district Anti-Bullying Coordinator may request. The School Safety/School Climate Team shall be provided professional development opportunities that may address effective practices of successful school climate programs or approaches; and
- g. Execute such other duties related to harassment, intimidation, or bullying as requested by the Principal or district Anti-Bullying Coordinator.

Notwithstanding any provision of N.J.S.A. 18A:37-21 to the contrary, a parent who is a member of the School Safety/School Climate Team shall not participate in the activities of the team set forth in 3. a., b., or c. above or any other activities of the team which may compromise the confidentiality of a student,

consistent with, at a minimum, the requirements of the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232 and 34 CFR Part 99), N.J.A.C. 6A:32-7, Student Records and N.J.A.C. 6A:14-2.9, Student Records.

G. Harassment, Intimidation, and Bullying Investigation

The Board requires a thorough and complete investigation to be conducted for each report of violations and complaints which either identify harassment, intimidation, or bullying or describe behaviors that indicate harassment, intimidation, or bullying.

[Option – Principal’s Preliminary Determination]

However, prior to initiating the investigation, the Principal or designee, in consultation with the Anti-Bullying Specialist, may make a preliminary determination as to whether the reported incident or complaint, assuming all facts presented are true, is a report within the scope of the definition of harassment, intimidation, and bullying under the Anti-Bullying Bill of Rights Act, N.J.S.A. 18A:37-14.

The Principal shall report to the Superintendent if a preliminary determination is made that the reported incident or complaint is a report outside the scope of the definition of harassment, intimidation, or bullying. The Superintendent may require the Principal to conduct an investigation of the incident if the Superintendent determines that an investigation is necessary because the incident is within the scope of the definition of harassment, intimidation, and bullying. The Superintendent shall notify the Principal of this determination in writing. An investigation required by the Superintendent must be completed as soon as possible, but not later than ten school days, from the date of the written notification from the Superintendent to the Principal.

The Principal shall complete the written report form developed by the New Jersey Department of Education, in accordance with N.J.S.A. 18A:37-15.b.(5), even if a preliminary determination is made that the reported incident or complaint is a report outside the scope of the definition of harassment, intimidation, or bullying pursuant to N.J.S.A. 18A:37-14. This written report form shall be kept on file at the school, but shall not be included in any student record unless the incident results in disciplinary action or is otherwise required to be contained in a student’s record under State or Federal law.

The Principal or designee, upon making a preliminary determination the incident or complaint is not within the scope of the definition of harassment, intimidation, and bullying, shall inform the parents of the parties involved, who may appeal the preliminary determination to the Board of Education and thereafter to the Commissioner of Education in accordance with N.J.A.C. 6A:3.

A Board hearing shall be held within ten business days of receipt of the request for a Board hearing. If the preliminary determination, upon review of the facts presented in the reported incident or complaint,

is to continue with the harassment, intimidation, and bullying investigation, the investigation shall be completed in accordance with N.J.S.A. 18A:37-15.b.(6) and this Policy.

The Superintendent shall provide annually to the Board of Education information on the number of times a preliminary determination was made that an incident or complaint was outside the scope of the definition of harassment, intimidation, or bullying for the purposes of the State's monitoring of the school district pursuant to N.J.S.A. 18A:17-46.]

The investigation shall be initiated by the Principal or the Principal's designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school Anti-Bullying Specialist in coordination with the Principal. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist with the investigation. Investigations or complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation. The Superintendent or designee will appoint a staff member to complete investigations involving allegations against a staff member serving in a supervisory or administrative position.

The investigation shall be completed and the written findings submitted to the Principal as soon as possible, but not later than ten school days from the date of the written report of the incident. Should information regarding the reported incident and the investigation be received after the end of the ten-day period, the school Anti-Bullying Specialist shall amend the original report of the results of the investigation to ensure there is an accurate and current record of the facts and activities concerning the reported incident.

The Principal shall proceed in accordance with the Code of Student Conduct, as appropriate, based on the investigation findings. The Principal shall submit the report to the Superintendent within two school days of the completion of the investigation and in accordance with the Administrative Procedures Act (N.J.S.A. 52:14B-1 et seq.). As appropriate to the findings from the investigation, the Superintendent shall ensure the Code of Student Conduct has been implemented and may decide to provide intervention services, order counseling as a result of the finding of the investigation, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, or take or recommend other appropriate action including seeking further information, as necessary.

The Superintendent shall report the results of each investigation to the Board of Education no later than the date of the regularly scheduled Board of Education meeting following the completion of the investigation. The Superintendent's report shall include information on any consequences imposed under the Code of Student Conduct, any services provided, training established, or other action taken or recommended by the Superintendent.

Parents of involved student offenders and targets/victims shall be provided with information about the investigation, in accordance with Federal and State law and regulation. The information to be provided

to parents shall include the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, and whether consequences were imposed or services provided to address the incident of harassment, intimidation, or bullying. This information shall be provided in writing within five school days after the results of the investigation are reported to the Board of Education.

A parent may request a hearing before the Board of Education after receiving the written information about the investigation. Any request for such a hearing shall be filed with the Board Secretary no later than sixty calendar days after the written information is provided to the parents. The hearing shall be held within ten business days of the request. The Board of Education shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the students. At the hearing, the Board may hear testimony from and consider information provided by the school Anti-Bullying Specialist and others, as appropriate, regarding the incident, the findings from the investigation of the incident, recommendations for consequences or services, and any programs instituted to reduce such incidents, prior to rendering a determination. A redacted copy of the completed written report form developed by the New Jersey Department of Education that removes all student identification information shall be confidentially shared with the Board of Education after the conclusion of the investigation if a hearing with the Board of Education is requested by the parents pursuant to N.J.S.A. 18A:37-15.b.(6)(d).

At the regularly scheduled Board of Education meeting following its receipt of the Superintendent's report on the results of the investigations to the Board or following a hearing in executive session, the Board shall issue a decision, in writing, to affirm, reject, or modify the Superintendent's decision. The Board's decision may be appealed to the Commissioner of Education, in accordance with N.J.A.C. 6A:3, Controversies and Disputes, no later than ninety days after issuance of the Board of Education's decision.

A parent, student, or organization may file a complaint with the Division on Civil Rights within one hundred eighty days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.).

H. Range of Responses to an Incident of Harassment, Intimidation, or Bullying

The Board shall establish a range of responses to harassment, intimidation, and bullying incidents and the Principal and the Anti-Bullying Specialist shall appropriately apply these responses once an incident of harassment, intimidation, or bullying is confirmed. The Superintendent shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy. The range of ways in which school staff will respond shall include an appropriate combination of counseling, support services, intervention services, and other programs. The Board recognizes that some acts of harassment, intimidation, or bullying may be isolated incidents requiring the school officials respond appropriately to the individual(s) committing the acts. Other acts may be so serious or parts of a larger

pattern of harassment, intimidation, or bullying that they require a response either at the classroom, school building, or school district level or by law enforcement officials.

For every incident of harassment, intimidation, or bullying, the school officials must respond appropriately to the individual who committed the act. The range of responses to confirmed harassment, intimidation, or bullying acts should include individual, classroom, school, or district responses, as appropriate to the findings from each incident. Examples of responses that apply to each of these categories are provided below:

1. Individual responses can include consistent and appropriate positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) intended to remediate the problem behaviors.
2. Classroom responses can include class discussions about an incident of harassment, intimidation, or bullying, role plays (when implemented with sensitivity to a student's situation or involvement with harassment, intimidation, and bullying), research projects, observing and discussing audio-visual materials on these subjects, and skill-building lessons in courtesy, tolerance, assertiveness, and conflict management.
3. School responses can include theme days, learning station programs, "acts of kindness" programs or awards, use of student survey data to plan prevention and intervention programs and activities, social norms campaigns, posters, public service announcements, "natural helper" or peer leadership programs, "upstander" programs, parent programs, the dissemination of information to students and parents explaining acceptable uses of electronic and wireless communication devices, and harassment, intimidation, and bullying prevention curricula or campaigns.
4. District-wide responses can comprise of adoption of school-wide programs, including enhancing the school climate, involving the community in policy review and development, providing professional development coordinating with community-based organizations (e.g., mental health, health services, health facilities, law enforcement, faith-based organizations), launching harassment, intimidation, and bullying prevention campaigns.

I. Reprisal or Retaliation Prohibited

The Board prohibits a Board member, school employee, contracted service provider who has contact with students, school volunteer, or student from engaging in reprisal, retaliation, or false accusation against a victim, witness, or one with reliable information, or any other person who has reliable information about an act of harassment, intimidation, or bullying or who reports an act of harassment, intimidation, or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act, in accordance with case law, Federal and State statutes and regulations,

and district policies and procedures. All suspected acts of reprisal or retaliation will be taken seriously and appropriate responses will be made in accordance with the totality of the circumstances.

Examples of consequences and remedial measures for students who engage in reprisal or retaliation are listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.

Examples of consequences for a school employee or a contracted service provider who has contact with students who engage in reprisal or retaliation may include, but not be limited to: verbal or written reprimand, increment withholding, legal action, disciplinary action, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds.

Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

Examples of consequences for a Board member who engages in reprisal or retaliation may include, but not be limited to: reprimand, legal action, and other action authorized by statute or administrative code. Remedial measures may include, but not be limited to: counseling and professional development.

J. Consequences and Appropriate Remedial Action for False Accusation

The Board prohibits any person from falsely accusing another as a means of retaliation or as a means of harassment, intimidation, or bullying.

1. Students - Consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1 et seq., Discipline of Students and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7.3, Long-term Suspensions and N.J.A.C. 6A:16-7.4, Expulsions and those listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.

2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with students found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could entail discipline in accordance with district policies, procedures, and agreements which may include, but not be limited to: reprimand, suspension, increment withholding, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

3. Visitors or Volunteers - Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could be determined by the school administrator after consideration of the nature, severity, and circumstances of the act, including law enforcement reports or other legal actions, removal of buildings or grounds privileges, or prohibiting contact with students or the provision of student services. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

K. Harassment, Intimidation, and Bullying Policy Publication and Dissemination

This Policy will be disseminated annually by the Superintendent to all school employees, contracted service providers who have contact with students, school volunteers, students, and parents who have children enrolled in a school in the district, along with a statement explaining the Policy applies to all acts of harassment, intimidation, or bullying, pursuant to N.J.S.A. 18A:37-14 that occur on school property, at school-sponsored functions, or on a school bus and, as appropriate, acts that occur off school grounds.

The Superintendent shall ensure that notice of this Policy appears in the student handbook and all other publications of the school district that set forth the comprehensive rules, procedures, and standards for schools within the school district.

The Superintendent or designee shall post a link to the district's Harassment, Intimidation, and Bullying Policy that is prominently displayed on the homepage of the school district's website. The district will notify students and parents this Harassment, Intimidation, and Bullying Policy is available on the school district's website.

The Superintendent shall post the name, school phone number, school address, and school email address of the district Anti-Bullying Coordinator on the home page of the school district's website. Each Principal shall post the name, school phone number, address, and school email address of both the Anti-Bullying Specialist and the district Anti-Bullying Coordinator on the home page of each school's website. The Superintendent or designee shall post the contact information for the New Jersey School Climate State Coordinator on the school district's and on each school's website in the same location as this Policy is posted.

The Superintendent or designee shall post on the school district's and each school's website the current version of "Guidance for Parents on the Anti-Bullying Bill of Rights Act" developed by the New Jersey Department of Education.

L. Harassment, Intimidation, and Bullying Training and Prevention Programs

The Superintendent and Principal(s) shall provide training on the school district's Harassment, Intimidation, and Bullying Policy to current and new school employees; including administrators, instructors, student support services, administrative/office support, transportation, food service, facilities/maintenance; contracted service providers; and volunteers who have significant contact with students; and persons contracted by the district to provide services to students. The training shall include instruction on preventing bullying on the basis of the protected categories enumerated in N.J.S.A. 18A:37-14 and other distinguishing characteristics that may incite incidents of discrimination, harassment, intimidation, or bullying.

Each public school teacher and educational services professional shall be required to complete at least two hours of instruction in harassment, intimidation, and bullying prevention within each five year professional development period as part of the professional development requirement pursuant to N.J.S.A. 18:37-22.d. The required two hours of suicide prevention instruction shall include information on the risk of suicide and incidents of harassment, intimidation, or bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

Each newly elected or appointed Board member must complete, during the first year of the member's first term, a training program on harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:12-33.

The school district shall provide time during the usual school schedule for the Anti-Bullying Coordinator and each school Anti-Bullying Specialist to participate in harassment, intimidation, and bullying training programs.

A school leader shall complete school leader training that shall include information on the prevention of harassment, intimidation, and bullying as required in N.J.S.A. 18A:26-8.2.

The school district shall annually observe a "Week of Respect" beginning with the first Monday in October. In order to recognize the importance of character education, the school district will observe the week by providing age-appropriate instruction focusing on the prevention of harassment, intimidation, and bullying as defined in N.J.S.A. 18A:37-14. Throughout the school year the district will provide ongoing age-appropriate instruction on preventing harassment, intimidation, or bullying, in accordance with the Core Curriculum Content Standards, pursuant to N.J.S.A. 18A:37-29.

The school district and each school in the district will annually establish, implement, document, and assess harassment, intimidation, and bullying prevention programs or approaches, and other initiatives in consultation with school staff, students, administrators, volunteers, parents, law enforcement, and

community members. The programs or approaches and other initiatives shall be designed to create school-wide conditions to prevent and address harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:37-17.

M. Harassment, Intimidation, and Bullying Policy Reevaluation, Reassessment, and Review

The Superintendent shall develop and implement a process for annually discussing the school district's Harassment, Intimidation, and Bullying Policy with students.

The Superintendent, Principal(s), and the Anti-Bullying Coordinator, with input from the schools' Anti-Bullying Specialists, shall annually conduct a reevaluation, reassessment, and review of the Harassment, Intimidation, and Bullying Policy, and any report(s) and/or finding(s) of the School Safety/School Climate Team(s). The Superintendent shall recommend to the Board necessary revisions and additions to the Policy consistent with N.J.S.A. 18A:37-15.c., as well as to harassment, intimidation, and bullying prevention programs and approaches based on the findings from the evaluation, reassessment, and review.

N. Reports to Board of Education and New Jersey Department of Education

The Superintendent shall report two times each school year, between September 1 and January 1 and between January 1 and June 30 at a public hearing all acts of violence, vandalism, and harassment, intimidation, and bullying which occurred during the previous reporting period in accordance with the provisions of N.J.S.A. 18A:17-46. The information shall also be reported to the New Jersey Department of Education in accordance with N.J.S.A. 18A:17-46.

O. School and District Grading Requirements

Each school and each district shall receive a grade for the purpose of assessing their efforts to implement policies and programs consistent with the provisions of N.J.S.A. 18:37-13 et seq. The grade received by a school and the district shall be posted on the homepage of the school's website and the district's website in accordance with the provisions of N.J.S.A. 18A:17-46. A link to the report that was submitted by the Superintendent to the Department of Education shall also be available on the school district's website. This information shall be posted on the websites within ten days of receipt of the grade for each school and the district.

P. Reports to Law Enforcement

The Superintendent or designee and the Principal shall consult law enforcement, as appropriate, pursuant to the provisions of the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials, if the student's behavior may constitute a possible violation of the New Jersey Code of Criminal Justice.

Some acts of harassment, intimidation, and bullying may be bias-related acts and school officials must report to law enforcement officials any bias related acts, in accordance with N.J.A.C. 6A:16-6.3.(e), and pursuant to the provisions of the Memorandum of Agreement Between Education and Law Enforcement Officials.

Q. Collective Bargaining Agreements and Individual Contracts

Nothing in N.J.S.A. 18A:37-13.1 et seq. may be construed as affecting the provisions of any collective bargaining agreement or individual contract of employment in effect on the Anti-Bullying Bill of Rights Act's effective date (January 5, 2011). N.J.S.A. 18A:37-30.

The Board of Education prohibits the employment of or contracting for school staff positions with individuals whose criminal history record check reveals a record of conviction for a crime of bias intimidation or conspiracy to commit or attempt to commit a crime of bias intimidation.

R. Students with Disabilities

Nothing contained in N.J.S.A. 18A:37-13.1 et seq. may alter or reduce the rights of a student with a disability with regard to disciplinary actions or to general or special education services and supports. N.J.S.A. 18A:37-32.

S. Approved Private Schools for Students with Disabilities (APSSD)

In accordance with the provisions of N.J.A.C. 6A:16-7.7(a).2.ix.(2), the Board of Education shall investigate a complaint or report of harassment, intimidation, or bullying, pursuant to N.J.A.C. 6A:16-7.7(a).2.ix. and Section G. of this Policy, occurring on Board of Education school buses, at Board of Education school-sponsored functions, and off school grounds involving a student who attends an APSSD. The investigation shall be conducted by a Board of Education Anti-Bullying Specialist, in consultation with the APSSD.

The school district shall submit all subsequent amended Harassment, Intimidation, and Bullying Policies to the Executive County Superintendent of Schools within thirty days of Board adoption.

N.J.S.A. 18A:37-13 through 18A:37-37

N.J.A.C. 6A:16-7.1 et seq.

Model Policy and Guidance for Prohibiting Harassment, Intimidation, and Bullying on School Property, at School-Sponsored Functions and on School Buses – April 2011 – New Jersey Department of Education

Memorandum – New Jersey Commissioner of Education – Guidance for Schools on Implementing the Anti-Bullying Bill of Rights Act – December 16, 2011

Adopted: 30 August 2011

Revised: 28 August 2018

Revised:

5600 STUDENT DISCIPLINE/CODE OF CONDUCT

The Board of Education adopts this Student Discipline/Code of Conduct Policy to establish standards, policies, and procedures for positive student development and student behavioral expectations on school grounds and, as appropriate, for conduct away from school grounds. Every student enrolled in this district shall observe promulgated rules and regulations and the discipline imposed for infraction of those rules.

The Superintendent of Schools will establish a process for the annual review and update of the district's Student Discipline/Code of Conduct Policy and Regulation that may involve a committee of parents, students, and community members that represent, where possible, the composition of the district's schools and community. The Superintendent will report to the Board the process used for the annual review of this Policy and Regulation and will recommend to the Board updates, if any, to the Student Discipline/Code of Conduct Policy and Regulation.

The Student Discipline/Code of Conduct Policy and Regulation shall be disseminated annually to all school staff, students, and parents. The Board of Education shall provide to all employees annual training on the Student Discipline/Code of Conduct Policy and Regulation, which shall include training on the prevention, intervention, and remediation of student conduct that violates the district's Policy and Regulation. Information on the Student Discipline/Code of Conduct Policy and Regulation shall be incorporated into the orientation for new employees.

The Board provides for the district's Student Discipline/Code of Conduct's equitable application. Student discipline and the Code of Student Conduct will be applied without regard to race; color; religion; ancestry; national origin; nationality; sex; gender; sexual orientation; gender identity or expression; marital, domestic-partnership, or civil union; mental, physical or sensory disability; or by any other distinguishing characteristic, pursuant to N.J.S.A. 10:5.-1 et seq.

For students with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. §1400 et seq., the Individuals with Disabilities Education Improvement Act and accommodation plans under 29 U.S.C. §§ 794 and 705(20), the Code of Student Conduct shall be implemented in accordance with the components of the applicable plans.

The Student Discipline/Code of Conduct is established for the purposes outlined in N.J.A.C. 6A:16-7.1(b).

Policy and Regulation 5600 include a description of student responsibilities that include expectations for academic achievement, behavior, and attendance, pursuant to N.J.A.C. 6A:32-8 and 12.1; a description of behaviors that will result in suspension or expulsion, pursuant to N.J.S.A. 18A:37-2; and a description of student rights pursuant to N.J.A.C. 6A:16-7.1(c)3.i through vii.

The Board of Education approves the use of comprehensive behavioral supports that promote positive student development and the students' abilities to fulfill the behavioral expectations established by the Board. These behavioral supports include, but are not limited to, positive reinforcement for good conduct and academic success including the programs that honor and reward student conduct and academic achievement; supportive intervention and referral services including those services outlined in Policy 2417; remediation of problem behaviors that take into account the behavior's nature, the students' developmental ages and the students'

histories of problem behaviors and performance; and for students with disabilities, the behavior interventions and supports shall be determined and provided pursuant to N.J.A.C. 6A:14.

Policy and Regulation 5600 include a description of school responses to violations of behavioral expectations established by the Board that, at a minimum, are graded according to the severity of the offenses, and consider the developmental ages of the student offenders and their histories of inappropriate behaviors pursuant to N.J.A.C. 6A:16-7.1(c)5.

Students are required to be in compliance with Policy and Regulation 5200 – Attendance pursuant to N.J.A.C. 6A:16-7.6 and Policy 5512 – Harassment, Intimidation, and Bullying pursuant to N.J.A.C. 6A:16-7.7.

The Building Principal shall maintain a current list of community-based health and social service provider agencies available to support a student and the student's family, as appropriate, and a list of legal resources available to serve the community.

The Building Principal or designee shall have the authority to assign discipline to students. School authorities also have the right to impose a consequence on a student for conduct away from school grounds that is consistent with the district's Code of Student Conduct pursuant to N.J.A.C. 6A:16-7.5. This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other students, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2. This authority shall be exercised only when the conduct that is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences pursuant to N.J.A.C. 6A:16-7.5 shall be handled in accordance with Policy and Regulation 5600, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 6A:16-7.3, or 6A:16-7.4. School authorities shall respond to harassment, intimidation, or bullying that occurs off school grounds, pursuant to N.J.S.A. 18A:37-14 and 15.3 and N.J.A.C. 6A:16-1.3, 7.1, and 7.7.

Consequences and appropriate remedial action for a student who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are listed in Policy 5512 – Harassment, Intimidation, and Bullying. Consequences for a student who commits an act of harassment, intimidation, or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance, and shall be consistent with this Policy and the school district's Student Discipline/Code of Conduct Policy pursuant to N.J.A.C. 6A:16-7.1. Remedial measures for one or more acts of harassment, intimidation, or bullying shall be designed to correct the problem behavior; prevent another occurrence of the problem; protect and provide support for the victim of the act; and take corrective action for documented systemic problems related to harassment, intimidation, or bullying.

Consequences and remedial measures to address acts or incidents of dating violence at school shall be consistent with the school district's Student Discipline/Code of Conduct Policy. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are included in Policy and Regulation 5519 – Dating Violence at School and shall be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses shall be tiered with consideration given to the seriousness and the number of previous occurrences of

acts or incidents in which both the victim and aggressor have been involved. Consequences for acts or incidents of dating violence at school may range from admonishment to suspension or expulsion. Retaliation towards the victim of any act or incident of dating violence shall be considered when administering consequences to the aggressor based on the severity of the act or incident. Remedial measures/interventions for acts or incidents of dating violence at school may include, but are not limited to: parent conferences, student counseling (all

students involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive student interventions (Intervention and Referral Services - I&RS), behavioral management plans, and/or alternative placements.

The Board of Education may deny participation in extra-curricular activities, school functions, sports, graduation exercises, or other privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment, in accordance with N.J.A.C. 6A:16-7.1(d).

Any student to be disciplined shall be provided the due process procedures for students and their families as set forth in Policy and Regulation 5600 and N.J.A.C. 6A:16-7.2 through 7.4.

In accordance with the provisions of N.J.A.C. 6A:16-7.9, when a student transfers to a public school district from another public school district, all information in the student's record related to disciplinary actions taken against the student by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, Disclosure of Juvenile Information, Penalties for Disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a) and N.J.A.C. 6A:32-7.5.

The Superintendent may be required to submit a report annually to the New Jersey Department of Education on student conduct, including all student suspensions and expulsions, and the implementation of the Student Discipline/Code of Conduct Policy in accordance with the format prescribed by the Commissioner of Education. The Superintendent shall report to the Commissioner of Education each incident of violence, including harassment, intimidation, and bullying, vandalism, and alcohol and other drug offenses, pursuant to N.J.A.C. 6A:16-4.3, in the school district utilizing the Student Safety Data System (SSDS), pursuant to N.J.A.C. 6A:16-5.3.

N.J.S.A. 18A:6-1; 18A:36-25.1; 18A:25-2; 18A:36-19a;

18A:37-1 et seq.; 18A:37-13.1 et seq.

N.J.A.C. 6A:16-7.1 et seq.; 6A:14-1.1 et seq.

Adopted: 19 March 2002

Revised: 19 March 2018

Revised:

R 5600 STUDENT DISCIPLINE/CODE OF CONDUCT

A. Purpose

The Student Code of Conduct and this Regulation are established to achieve the following purposes:

1. Foster the health, safety, social, and emotional well-being of students;
2. Support the establishment and maintenance of civil, safe, secure, supportive, and disciplined school environments conducive to learning;
3. Promote achievement of high academic standards;
4. Prevent the occurrence of problem behaviors;
5. Establish parameters for the intervention and remediation of problem student behaviors at all stages of identification; and
6. Establish parameters for school responses to violations of the code of student conduct that take into account, at a minimum, the severity of the offenses, the developmental ages of student offenders and students' histories of inappropriate behaviors in accordance with N.J.A.C. 6A:16-7.2 through 7.98, as appropriate.

B. Expectations for Academic Achievement, Behavior, and Attendance

All students have a responsibility to comply with State statutes and administrative codes for academic achievement, behavior, and attendance, pursuant to N.J.A.C. 6A:32-8 and 12.1.

C. Behaviors That May Result in Suspension or Expulsion

In accordance with the provisions of N.J.S.A. 18A:37-2, any student who is guilty of continued and willful disobedience, open defiance of the authority of any teacher or person having authority over the student, the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school. Conduct which shall constitute good cause for suspension or expulsion of a student guilty of such conduct shall include, but not be limited to, any of the following:

1. Continued and willful disobedience;
2. Open defiance of the authority of any teacher or person, having authority over the student;
3. Conduct of such character as to constitute a continuing danger to the physical well-being of other students;
4. Physical assault upon another student;

5. Taking, or attempting to take, personal property or money from another student, or from the student's presence, by means of force or fear;
6. Willfully causing, or attempting to cause, substantial damage to school property;
7. Participation in an unauthorized occupancy by any group of students or others of any part of any school or other building owned by any school district, and failure to leave such school or other facility promptly after having been directed to do so by the Principal or other person then in charge of such building or facility;
8. Incitement which is intended to and does result in unauthorized occupation by any group of students or others of any part of a school or other facility owned by any school district;
9. Incitement which is intended to and does result in truancy by other students;
10. Knowing possession or knowing consumption without legal authority of alcoholic beverages or controlled dangerous substances on school premises, or being under the influence of intoxicating liquor or controlled dangerous substances while on school premises; and
11. Harassment, intimidation, or bullying.

Students shall also be suspended from school for assault upon a school staff member in accordance with the provisions of N.J.S.A. 18A:37-2.1 and 2.2.

D. Students' Rights

Students subject to the consequences of the Student Discipline/Code of Conduct Policy and Regulation shall be informed of their rights, pursuant to N.J.A.C. 6A:16-7.1(c)3.i. through vii., that include:

1. Advance notice of behaviors that will result in suspensions and expulsions that have been identified under authority of N.J.S.A. 18A:37-2;
2. Education that supports students' development into productive citizens;
3. Attendance in safe and secure school environments;
4. Attendance at school irrespective of students' marriage, pregnancy, or parenthood;
5. Due process and appeal procedures, pursuant to N.J.A.C. 6A:3-1.3 through 1.17, N.J.A.C. 6A:4 and, where applicable, N.J.A.C. 6A:14-2.7 and 2.8, and N.J.A.C. 6A:16-7.2 through 7.5;
6. Parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16-6.2(b)3 and N.J.A.C. 6A:16-7.1 through 7.98; and
7. Protections pursuant to 20 U.S.C. § 1232g, Family Educational Rights and Privacy Act; 34 CFR Part 99, Family Educational Rights and Privacy; 20 U.S.C. § 1232h, Protection of Pupil Rights; 34 CFR Part 98, Student Rights in Research, Experimental Programs and Testing; P.L. 104-191, Health Insurance Portability and Accountability Act; 45 CFR Part 160, General Administrative Requirements; 20 U.S.C. § 7165, Transfer of school disciplinary records; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient

Records; N.J.S.A. 18A:40A-7.1, Confidentiality of certain information provided by students, exceptions; N.J.A.C. 6A:16-3.2, Confidentiality of student alcohol and other drug information; N.J.S.A. 18A:36-19, Pupil records, creation, maintenance and retention, security and access, regulations, nonliability; N.J.S.A. 2A:4A-60, Disclosure of juvenile information, penalties for disclosure; N.J.A.C. 6A:32-7, Student Records; N.J.A.C. 6A:14-2.9, Student records, as well as other existing Federal and State laws and rules pertaining to student protections.

E. Comprehensive Behavioral Supports

Below are behavioral supports that promote positive student development and the students' abilities to fulfill the behavioral expectations established by the Board. These behavioral supports may include, but are not limited to, the following:

1. Positive Reinforcement for Good Conduct and Academic Success

A student will be provided positive reinforcement for good conduct and academic success

2. Supportive Interventions and Referral Services

A student may be referred to the school's Intervention and Referral Services Team in accordance with the provisions of N.J.A.C. 6A:16-8.1 and 8.2 and Policy and Regulation 2417.

3. Remediation of Problem Behavior

The following actions may be taken to remediate problem behavior. These actions will take into account the behavior's nature, the students' developmental ages, and the students' histories of problem behaviors and performance.

a. Restitution and Restoration

- (1) A student may be required to make restitution for any loss resulting from the student's conduct; or
- (2) A student may be required, at the discretion of the school district and when appropriate, to restore to its former condition any damaged or defaced property resulting from the student's conduct.

b. Counseling

c. Parent Conferences

- (1) Students may be required to attend a meeting with their parent and appropriate school staff members to discuss the causes of the student's behavior, possible remediation, potential disciplinary measures, and alternative conduct.

d. Alternate Educational Program

- (1) Students may be assigned to an alternate educational program as recommended by the student's guidance counselor, classroom teacher, Child Study Team, and/or other school staff member.

4. Students with Disabilities

For students with disabilities, the remedial measures and behavioral interventions and supports shall be determined and provided pursuant to N.J.A.C. 6A:14.

F. School Responses to Violations of Behavioral Expectations

1. In accordance with the provisions of N.J.A.C. 6A:16-7.1(c)5, the Student Code of Conduct shall include a description of school responses to violations of behavioral expectations established by the Board of Education that, at a minimum are graded according to the severity of the offenses, and consider the developmental ages of the student offenders and their histories of inappropriate behavior that shall:
 - a. Include a continuum of actions designed to remediate and, where necessary or required by law, to impose sanctions;
 - b. Be consistent with other responses, pursuant to N.J.A.C. 6A:16-5.5;
 - c. Provide for equitable application of the Code of Student Conduct without regard to race; color; religion; ancestry; national origin; nationality; sex; gender; sexual orientation; gender identity or expression; marital, domestic-partnership, or civil union; mental, physical, or sensory disability; or any other distinguishing characteristic, pursuant to N.J.S.A. 10:5-1 et seq. and
 - d. Be consistent with provisions of N.J.S.A. 18A:6-1, Corporal Punishment of Students.

G. Description of School Responses

School responses to violations of behavioral expectations are listed below:

1. Admonishment/Reprimand
 - a. A school staff member in authority may admonish or reprimand a student's unacceptable conduct and warn the student that additional misconduct may warrant a more severe penalty
2. Temporary Removal from Classroom
 - a. The classroom teacher may direct the student report to the office of the administrator in charge of student discipline.
 - b. The teacher will complete a form that indicates the student's name and the conduct that has caused the student's removal from the teacher's room.
 - c. The administrator in charge of discipline will interview the student and determine which, if any, additional consequences shall be imposed.

3. Meeting with School Administration and Parent

- a. The student's parent may be required to attend a meeting with the Principal or designee and the student to discuss the student's conduct and to ensure the parent and the student understand school rules and expectations.

4. Deprivation of Privileges

- a. Students may be deprived privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment. These privileges may include, but are not limited to:
 - (1) Moving freely about the school building;
 - (2) Participation in co-curricular or inter/intrascholastic activities;
 - (3) Attendance at a school-related social or sports activity;
 - (4) Participation in a graduation ceremony;
 - (5) Transportation to and from school on a school bus; or
 - (6) Any other privilege the Building Principal or designee determines may be appropriate and consistent with Policy and Regulation 5600 and N.J.A.C. 6A:16-7.1 et seq.

5. Detention

- a. A student may be required to report before or after the school day to detention. This detention may be assigned by the teacher or the Principal or designee.
- b. Transportation to detention before school or from detention after school will be the responsibility of the parent.
- c. A student may be excused from detention only for an unavoidable commitment previously made; any such excused detention must be made up on another day.

6. Grade Adjustment

- a. A student who has cheated on a test or assignment, plagiarized material, falsified sources, refused to submit assignments, or otherwise indulged in academic dishonesty or negligence may suffer a reduced grade by virtue of the disqualified work. In no other instance may a student's grade be lowered as a direct penalty for misconduct.

7. In-school Suspension

- a. If the school operates an in-school suspension program, a student may be removed from his/her regular classes and required to report to the in-school suspension program.
- b. In-school suspension will not be imposed without the due process procedures set forth in Policy and Regulation 5610.

8. Suspension from School

- a. A student may be denied the right to attend school for a period of time pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.2 and 6A:16-7.3, and Policy 5610.
- b. Suspension from school will not be imposed without the due process procedures set forth in Policy and Regulation 5610.

9. Expulsion

- a. The Board may expel a general education student from school, pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.4, and Policy 5620.
- b. Expulsion is an extremely serious disciplinary measure and will not be imposed without the due process set forth in Policy and Regulation 5610 and Policy 5620.

H. Chart of Discipline

1. Below is a Chart of Student Discipline listing school responses to violations of behavioral expectations. These behavioral expectations and school responses include, but are not limited to:

Elementary School

Code of Conduct Student Infractions and Interventions

With the prior approval of the Superintendent, the Principal, or designee, may use discretion to impose interventions within levels or different consequences based upon the context, student's age and abilities. The number and nature of prior offenses will be taken into consideration.

Level	Range of Minimum Interventions	Range of Maximum Interventions
1	• Student-Teacher Conference	• Reprimand by Teacher • Parent Contact • Recess Detention up to two (2) days • Teacher Detention up to two (2) days • Loss of privilege • Restitution
2	• Reprimand by teacher • Parent Contact • Recess Detention up to two (2) days • Teacher Detention up to two (2) days • Loss of privilege • Restitution	• Parent Conference with Administrator • Reprimand by Administrator • Recess Detention up to four (4) days • Teacher Detention up to four (4) days • Alternative to Suspension

3	• Restitution • Parent Conference • Reprimand by Administrator • Recess Detention up to four (4) days • Teacher Detention up to four (4) days • Alternative to Suspension	• Recess Detention up to two (2) weeks • Teacher Detention up to two (2) weeks • Individual Counseling • Guidance Conference – Parent/Student • Police Report filed
4	• Restitution • Recess Detention up to two (2) weeks • Teacher Detention up to two (2) weeks • Individual counseling • Guidance Conference – Parent/Student • Police Report filed • Alternative to Suspension	• Intervention by school psychologist • Out of School Suspension (OSS) up to three (3) days • Parent Conference with Administrator • Police Complaint filed
5	• Restitution • Intervention by School Psychologist • OSS up to three (3) days • Parent Conference with Administrator • Police Complaint filed • Alternative to Suspension	• OSS up to ten (10) days • Long term OSS • Formal Board of Education Hearing (may result in additional penalties) • Referral to County Prosecutor for possible criminal prosecution

Code of Conduct Infractions	Type of Infractions	Level of Interventions
Talking/running in hallway	R/S	1
Inappropriate Language	R	1-2
Shouting in classroom/lunchroom	R	1-2
Disruptive Behavior (bathroom, hallway, classroom)	R	1-2
Defacing School Property	R	1-2
Inappropriate use of a digital device	R	1-2
Excluding someone from play	R	1-5
Disrespectful Behavior (e.g. name calling, making faces, talking back, ignoring directives)	R/S	1-5
Assault: Hitting/Kicking/Tripping, Pushing etc.	S	1-5
Verbal/Written/Electronic threats of harm	S	1-5
Theft	H	1-5

Cheating/Lying	H	1-5
Harassment/Intimidation/Bullying	R/S	3-5
Verbal /Written Harassment	R	3-5
Hate/Bias Incident including Verbal/Written Expressions	R/S	4-5

Type of infraction refers to our core value and character trait expectations, detailed in the regulations, of **Respect (R)** and **Honesty (H)**, respectively, as well as the belief that all school community members have a right to a **Safe (S)** learning environment. At the discretion of the Principal/Designee, infractions not listed above will be assessed a level of intervention consistent with those listed.

Intermediate and High School Code of Conduct Student Infractions and Interventions

With the prior approval of the Superintendent, the Principal, or designee, may use discretion to impose interventions within levels or different consequences based upon the context, student's age and abilities. The number and nature of prior offenses will be taken into consideration.

Level	Range of Minimum Interventions	Range of Maximum Interventions
1	Student-Teacher conference	- Reprimand by teacher/AP - Parent Contact - Teacher detention two (2) hours - Loss of Privilege
2	- Reprimand by teacher - Home Contact - Teacher detention two (2) hours - Loss of Privilege	- Parent Conference with AP - Reprimand by AP - Central Detention up to (10) hours
3	- Parent Conference - Reprimand by AP - Central Detention two (2) hours - Alternative to Suspension - Community Service	- Central Detention up to ten (10) hours - Saturday Detention up to two (2) days - Individual counseling - Guidance Conf. – parent/student - Police Report filed
4	- Saturday Detention (2) days - Individual counseling - Guidance Conf. – parent/student - Alternative to Suspension - Restitution - Community Service	- Parent/Student/AP Conference - Referral to school psychologist - Withdrawal of Course Credit - Saturday Detention up to five (5) days - Out of School Suspension (OSS) up to five (5) days - Police Report filed
5	- Withdrawal of Course Credit - Referral to Student Attendance Committee	- OSS up to ten (10) days - Police Report filed

	• OSS three (3) days • Parent/Student/AP Conference • Alternative to Suspension • Referral to school psychologist • Restitution	• Ineligibility to participate in athletics practices and competition and/or other extracurricular and/or cocurricular activities
6	• Restitution • OSS of ten (10) days • Police Report Filed • Formal Board of Education Hearing (may result in additional penalties) • Ineligibility to participate in athletics practices and competition and/or other extracurricular and/or cocurricular activities	• Long term OSS • Formal Board of Education Hearing (may result in additional penalties) • Referral to County Prosecutor for possible criminal prosecution • Expulsion

Code of Conduct Infractions	Type of Infraction	*Level of Intervention
Inappropriate use of a digital device/social media	R	1-4
Parking Violation	R	1-2
Eating and drinking in hallways and stairwells: littering	R	1-2
Disruptive Behavior	R	1-3
Disruptive dress/appearance	R	1-3
Tardy	R	1-3
Cutting Classes	H	2-4
Truancy	H	2-4
Forgery/Cheating/False reporting/Plagiarism	H/S	2-4
Gambling	H/S	3-4
Profane/offensive language/hate speech/bias incident	R	3-4
Leaving school grounds without permission	H/S	3-4
Defiance of school authority	R	3-4
Vandalism/Defacing School Property	R	3-6
Verbal/Written/Electronic Harassment or threat of harm	R/S	3-6
Bullying/Intimidation	R/S	3-6

Trespassing	R/S	4-5
Theft/Extortion	H	4-5
Obscene/pornographic material	R/S	4-5
Fighting	S	4-5
Inappropriate contact/Sexual misconduct	R/S	4-6
Terroristic threats	S	4-6
Gang Activity	S	4-6
Physical assault of another student	S	5-6
Physical assault of Staff	S	5-6
Drugs/Alcohol/Tobacco/E-cigarettes - Use or possession	S	5-6
Drug/Alcohol Sale	S	5-6
Falsely activating fire alarm	H/S	5-6
Weapon Possession	S	5-6
Arson	S	5-6
Bias Intimidation/Hate Crimes	R/S	5-6

* Interventions can be higher in cases with aggravating factors. In certain cases, legal action may also be required.

Type of infraction refers to our core value and character trait expectations, detailed in the regulations, of **Respect (R)** and **Honesty (H)**, respectively, as well as the belief that all school community members have a right to a **Safe (S)** learning environment. At the discretion of the Principal/Designee, infractions not listed above will be assessed a level of intervention consistent with those listed.

2. The school responses to violations of behavioral expectations that are subject to student discipline including suspension or expulsion pursuant to N.J.S.A. 18A:37-2 outlined in a Chart of Student Discipline shall be consistent with the Board's policies and regulations/procedures on attendance, pursuant to N.J.A.C. 6A:16-7.6 and harassment, intimidation, and bullying, pursuant to N.J.A.C. 6A:16-7.7.
3. Included as an Appendix to this Regulation is a list of community-based health and social service provider agencies available to support a student and a student's family, as appropriate, and a list of legal resources available to serve the community.
4. The Board of Education may deny participation in extra-curricular activities, school functions, sports, graduation exercises, or other privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment.

5. Nothing in Policy and Regulation 5600 shall prevent the school administration from imposing a consequence for unacceptable student conduct not listed or included in a Chart of Student Discipline.

I. Student Conduct Away from School Grounds

1. The Building Principal or designee has the right to impose a consequence on a student for conduct away from school grounds that is consistent with the Board's Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1.
 - a. This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other students, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2.
 - b. This authority shall be exercised only when the conduct that is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school.
 - c. Consequences for conduct away from school grounds shall be handled in accordance with the Board approved Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1, Policy and Regulation 5600, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 7.3, or 7.4.
2. School authorities shall respond to harassment, intimidation, or bullying that occurs off school grounds, pursuant to N.J.S.A. 18A:37-14 and 15.3 and N.J.A.C. 6A:16-1.3, 7.1, and 7.7.

J. School Bus Conduct

Violations of the rules regarding student conduct on school buses will be handled as follows:

1. The bus driver will report unacceptable conduct to the Principal of the school in which the student is enrolled by submission of a completed written report that includes the name of the student, the school, and the student's conduct.
2. The Principal or designee will investigate the matter, which may include meeting with the bus driver, bus aide, other students on the school bus, and the student who was reported by the bus driver.
3. The parent will be notified of the student's reported conduct.
4. The Principal or designee will make a determination if the student violated behavioral expectations and the discipline to be administered in accordance with the Code of Student Conduct.
5. If it is determined the misconduct is severe, the student may be suspended from the bus pending a conference with the parent.

K. Students with Disabilities

For students with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. § 1400 et seq., the Individuals with Disabilities Educational Improvement Act, N.J.A.C 6A:14,

and accommodation plans under 29 U.S.C. §§ 794 and 705(20), student discipline and the Code of Student Conduct shall be implemented in accordance with the components of the applicable plans.

L. Records

1. Instances of student discipline will be recorded in the student's file in strict compliance with N.J.A.C. 6A:32-7.1 et seq. and Policy and Regulation 8330.
2. When a student transfers to a public school district from another public school district, all information in the student's record related to disciplinary actions taken against the student by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, Disclosure of Juvenile Information; Penalties for Disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a), and N.J.A.C. 6A:32-7.5.
 - a. The record shall be provided within two weeks of the date that the student enrolls in the receiving district.
 - b. Written consent of the parent or adult student shall not be required as a condition of the record transfer; however, written notice of the transfer shall be provided to the parent or the adult student.
3. When a student transfers to a private school, which includes all sectarian or nonsectarian, nonprofit, institutional day, or residential schools that provide education for students placed by their parents and that are controlled by other than public authority, all student disciplinary records with respect to suspensions or expulsions, shall be provided by the public school district of residence to the private school upon written request from the private school, in the same manner the records would be provided to a public school, pursuant to 20 U.S.C. § 6301, Title IV § 4155 of the Elementary and Secondary Education Act.
4. The Board shall not use a student's past offenses on record to discriminate against the student.
5. All student disciplinary records pursuant to N.J.A.C. 6A:16-7 shall conform with the requirements set forth in N.J.A.C. 6A:16-7.8(d).

M. Annual Review

The Superintendent will designate a school staff member to coordinate an annual review and update of Policy and Regulation 5600. The Superintendent's designee will:

1. Compile an annual summary report of violations of the student behavioral expectations and the associated school responses to the violations in the Student Discipline/Code of Conduct Policy and Regulation.
2. Convene a Student Discipline/Code of Conduct Committee comprised of parents, students, and community members that represent the composition of the district's schools and community to review the annual summary report and to develop recommendations, if any, to improve and update the Student Discipline/Code of Conduct Policy and Regulation.

3. The Superintendent's designee shall submit the Committee's recommendations, if any, to improve or update the Student Discipline/Code of Conduct Policy and Regulation.
4. The Superintendent will review the Committee's report with school administrators and will determine if the Student Discipline/Code of Conduct Policy and Regulation should be updated.
5. The Superintendent will recommend to the Board revisions to the Student Discipline/Code of Conduct Policy, if needed.

N. Policy and Regulation Publication and Distribution

The Student Discipline/Code of Conduct Policy and Regulation 5600, including the Chart of Student Discipline shall be disseminated annually to all school staff, students, and parents. These documents may be disseminated in handbooks, electronically, or in hard copy form. Principals will ensure these documents are made available to all students on or before the first day of each school year and to transferring students on the first day of their enrollment in this district.

APPENDIX

GUIDE FOR HEALTH AND SOCIAL SERVICES

Westfield Health Department 425 East Broad St. Westfield, New Jersey 789-4070 www.westfieldnj.gov/health Neighborhood Health Corporation Family Care Representative Available 1700-58 Myrtle Avenue Plainfield, NJ 07063 908-753-6401 www.nhscnj.org Imagine, A Center For Coping With Loss 244 Sheffield Street Mountainside, NJ 07092 908-264-3100 http://imagineenj.org; info@imagineenj.org Counseling Center For Human Development 201 Lincoln Ave East Cranford, New Jersey 908-276-0590 www.counselingchd.org Good Grief, Inc. 38 Elm Street Morristown, 07960 NJ. 908-522-1999 www.good-grief.org Prevention Links (Strengthening Families And Communities)	Adolescent/Young Adult Center For Health 11 Overlook Road, Suite 200 Summit, NJ 07901 908-522-5757 55 Madison Avenue, 2nd Floor Morristown, NJ 07960 973-971-5199 Trinitas Hospital Behavioral Health Department (Child/Adolescent) 655 E. Jersey Street Elizabeth, NJ 07201 888-841-5564 908-351-6684 Crisis Hotline Resolve Community Counseling Center 1830 Front Street Scotch Plains, NJ 07076 908-322-9180 www.resolveenj.com Westfield Family Counseling Center 233 Prospect Street Westfield, New Jersey 908-233-2042 www.yfcsnj.org Families and Community Together, Inc. (FACT) 240 Sheffield Street Mountainside, NJ 07092 908-789-8500 www.factnj.org
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121-125 Chestnut Street, Suite 301 Roselle, New Jersey 07203 732-381-4100 info@preventionlinks.org YWCA Union County (domestic violence resources) 1131 E. Jersey Street Elizabeth, NJ 07201 908-355-4357 www.ywcaunioncounty.org	Homefirst Interfaith Housing and Family Services 1009 Park Avenue Plainfield, NJ 07060-2514 908-753-4001 Westfield Food Pantry at Holy Trinity Interparochial School 336 First Street 908-232-8137
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GUIDE FOR ADDICTION AND MENTAL HEALTH SERVICES

CALL CENTERS

2NDFLOOR (Anonymous Helpline for youth ages 10 – 24) 888-222-2228
ReachNJ.gov 1-844-REACH-NJ (1-844-732-2465)
New Jersey's Addiction Helpline 1-844-276-2777 or dial 211 for community resource information
NJ Addiction Hotline (18 years of age and older) 1-844-276-2777
PerformCare (17 years of age and younger) 1-877-652-7624
NJ Connect for Recovery (for family members) 1-855-652-3737
Caring Contact (Anonymous suicide hotline) 908-232-2880
Trinitas Regional Medical Center Crisis Hotline – 908-351-6684

FACILITIES/PROGRAMS

American Addiction Center (Lafayette, NJ) 866-826-2659; americanaddictioncenter.org
GenPsych (Bridgewater, NJ) 1-855-436-7792
Hi-Focus Center (Cranford) 908-272-2474
(adult and adolescent behavioral health & addiction treatment)
Overlook Medical Center Outpatient Addiction Services 1-888-247-1400
Princeton House Behavioral Health (North Brunswick, NJ) 888-437-1610
Rutgers University Behavioral HealthCare (Edison, NJ) 1-732-235-8400
Summit Behavioral Health Drug Addiction Treatment (Union, NJ) 1-908-356-7373
Summit Oaks Hospital 1-800-753-5223
Trinitas Outpatient Addiction Service (Elizabeth, NJ) 1-908-994-7722
This list is subject to change. Contact the Office of the Superintendent 908-789-4420.
Copies can be found in the Office of the Superintendent.

GUIDE FOR LEGAL SERVICES

CENTRAL JERSEY LEGAL SERVICES, INC.

Union County Division
60 Prince Street
Elizabeth, NJ 07208

908-354-4340

www.lsnj.org/cjls

COMMUNITY HEALTH LAW PROJECT

Union and Hudson Counties (East Jersey)

65 Jefferson Avenue, Suite 402

Elizabeth, NJ 07201

908-355-8282

chlpinfo@chlp.org

UNION COUNTY BAR ASSOCIATION

Lawyer Referral Service

Union County Courthouse – Rotunda Building

2 Broad Street, First Floor

Elizabeth, NJ 07207

908-353-4715

In Effect: January 24, 2012

Reviewed June 23, 2013

Revised: August 26, 2014

Revised: June 16, 2015

Revised: May 24, 2016

Revised: June 20, 2017

Reviewed: May 22, 2018

Reviewed: May 28, 2019

Reviewed: May 26, 2020

Revised:

5710 STUDENT GRIEVANCE

The Board of Education believes that students are citizens who possess the right to request redress of grievances and that students should be encouraged to respect lawful procedures for the resolution of disputes. Accordingly, the Board will establish and observe procedures by which the grievances of students will be heard.

For the purposes of this policy, a student grievance means any complaint that arises out of the acts or policies of this Board or the acts of its employees.

A student grievance will be heard in the following manner:

1. A student should first make the grievance known to the staff member most closely involved or with a guidance counselor and both shall attempt to resolve the matter informally and directly;
2. A grievance not resolved at the first step must be reduced to a written statement in which the student sets forth the specific nature of the grievance, the facts that gave rise to it, the relief sought, and the reasons why that relief is appropriate;
3. The written grievance may be submitted to the Building Principal, the Superintendent, and the Board of Education, in that order and within a suitable period of time to be allowed at each level for the hearing of the grievance and the preparation of a response;
4. At each step beyond the first, the school authority hearing the grievance may summon the parent(s) or legal guardian(s) of a grievant who is not an adult. The grievant may summon the assistance of his/her parent(s) or legal guardian(s) at any step;
5. A student grievance that proceeds to the Board will be determined promptly and the Board will issue a decision in no more than ten calendar days. The student will be informed of the right to appeal a decision of the Board to the Commissioner of Education.

The Superintendent shall direct all staff members to respect the right of students to seek redress of grievances by lawful procedures without fear of reprisal.

Cross reference: Policy Guide No. 9130

Adopted: 26 June 2001
Revised: 24 April 2018
Revised:

6471 SCHOOL DISTRICT TRAVEL (M)

The Board of Education shall implement a Policy and Regulation pertaining to travel expenditures for its employees and Board of Education members that is in accordance with N.J.S.A. 18A:11-12, N.J.A.C. 6A:23A-7, and other rules and procedures the Board of Education deems appropriate pursuant to N.J.A.C. 6A:23A-7.2(a). The Policy and Regulation pertaining to school district travel expenditures incorporates either expressly, in whole or in part, and/or by reference, the laws and regulations contained in N.J.S.A. 18A:11-12 and N.J.A.C. 6A:23A-7.

The Board of Education ensures the effective and efficient use of funds by adopting and implementing policies and procedures that are in accordance with N.J.S.A. 18A:11-12 and New Jersey Department of the Treasury, Office of Management and Budget (OMB) current circulars and any superseding circulars pertaining to travel, meals, events and entertainment, and the additional requirements set forth in N.J.A.C. 6A:23A-7. If any superseding circulars of the OMB conflict with the provisions of these rules, the provisions of the superseding circulars shall govern.

Any sections of State travel regulations as established by the OMB presented as OMB Travel, Entertainment, Meals, and Refreshments Circulars, that conflict with N.J.S.A. 18A:1-1 et seq. shall not be included in Policy and Regulation 6471 nor authorized under N.J.A.C. 6A:23A-7. This includes, but is not limited to, the authority to issue travel charge cards as allowed under the OMB Circulars, but which is not authorized for school districts under New Jersey school law.

The Board of Education shall ensure, through Policy and Regulation 6471, that all travel by its employees and Board of Education members is educationally necessary and fiscally prudent. Policy and Regulation 6471 shall include the requirement that all school district travel expenditures are:

1. Directly related to and within the scope of the employee's or district Board member's current responsibilities and, for school district employees, the school district's professional development plan, the school professional development plan, and employee's individual professional development plan;
2. For travel that is critical to the instructional needs of the school district or furthers the efficient operation of the school district; and
3. In compliance with State travel payment guidelines as established by the OMB and with guidelines established by the Federal Office of Management and Budget; except any State or Federal regulations and guidelines that conflict with the provisions of Title 18A of the New Jersey Statutes shall not be applicable, including, but not limited to, the authority to issue travel charge cards. The Board of Education shall specify in its travel policy the applicable restrictions and requirements set forth in the State and Federal guidelines, including, but not limited to, types of travel, methods of transportation, mileage allowance, subsistence allowance, and submission of supporting documentation including receipts, checks, or vouchers.

School district travel expenditures shall include, but shall not be limited to, all costs for transportation, meals, lodging, and registration or conference fees directly related to participation in the event.

School district travel expenditures subject to N.J.A.C. 6A:23A-7 shall include costs for all required training and all travel authorized in school district employee contracts and Policy and Regulation 6471. This includes, but is not limited to, required professional development, other employee training and required training for Board members, and attendance at specific conferences authorized in existing employee contracts, provided the travel meets the requirements of N.J.A.C. 6A:23A-7. All such expenditures are subject to the rules in N.J.A.C. 6A:23A-7, including, but not limited to, inclusion in the annual travel limit, prior Board of Education approval, separate tracking as described at N.J.S.A. 18A:11-12.q., and per diem reimbursements.

Travel reimbursements will only be paid upon compliance with all provisions of N.J.A.C. 6A:23A-7 and Policy and Regulation 6471. The Board of Education will not ratify or approve payments or reimbursements for travel after completion of the travel event, except as provided at N.J.A.C. 6A:23A-7.4(d).

The Board of Education shall establish a maximum travel budget in accordance with the requirements outlined in N.J.A.C. 6A:23A-7.3.

The Board of Education authorizes an annual maximum amount per employee for regular business travel only for which Board of Education approval is not required. The annual maximum shall not exceed \$150 (No more than \$ 1,500.00) and shall be subject to the approval requirements in N.J.S.A. 18A:19-1.]

All travel requests must be submitted and approved in writing by the Superintendent of Schools and the majority of the Board of Education's full voting membership of the Board, except if the Board of Education has excluded regular business travel from prior approval pursuant to N.J.A.C. 6A:23A-7.3(b), prior to obligating the school district to pay related expenses and prior to attendance at the travel event.

All travel requests for Board members shall require prior approval by a majority of the Board of Education's full voting membership, except where the Board of Education has excluded regular business travel from prior approval pursuant to N.J.A.C. 6A:23A-7.3(b), and the travel shall be in compliance with N.J.S.A. 18A:12-24 and 24.1.

A Board member must recuse himself or herself from voting on travel if the Board member, a member of his or her immediate family, or a business organization in which he or she has an interest has a direct or indirect financial involvement that may reasonably be expected to impair his or her objectivity or independence of judgment. Policy and Regulation 6471 prohibit a Board member from acting in his or her official capacity in any matter in which he or she or a member of his or her immediate family has a personal involvement that is or creates some benefit to the school district Board member or member of his or her immediate family; or undertaking any employment or service, whether compensated or not, that may reasonably be expected to prejudice his or her independence of judgment in the execution of his or her official duties.

The Board of Education excludes from the requirements of prior Board of Education approval any travel caused by or subject to existing contractual provisions, including grants and donations, and other statutory requirements, or Federal regulatory requirements in accordance with the provisions of N.J.A.C. 6A:23A-7.4(d).

The Board of Education requires documentation required in N.J.A.C. 6A:23A-7.5(b) that justifies the number of employees attending an event and the benefits derived from their attendance. Pursuant to N.J.A.C. 6A:23A-7.5(c), the school district shall maintain documentation on file that demonstrates compliance with the Board of Education's travel policy, including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate.

The School Business Administrator/Board Secretary shall be responsible for the accounting requirements for travel in accordance with the provisions of N.J.A.C. 6A:23A-7.6.

The Superintendent of Schools and/or the School Business Administrator are the final approval authorities for travel.

Sanctions for a violation of the provisions of N.J.A.C. 6A:23A-7 or this Policy are outlined in N.J.A.C. 6A:23A-7.7 and Regulation 6471.

The Board of Education prohibits the types of travel expenditures not eligible for reimbursement as listed in N.J.A.C. 6A:23A-7.8. and Regulation 6471.

Travel methods shall be in accordance with the provisions of N.J.A.C. 6A:23A-7.9 and Regulation 6471 and the routing of travel shall be in accordance with the provisions of N.J.A.C. 6A:23A-7.10 and Regulation 6471.

Any subsistence allowance shall be in accordance with the provisions of N.J.A.C. 6A:23A-7.11 and Regulation 6471. Meal allowances and incidental expenditures shall be in accordance with N.J.A.C. 6A:23A-7.12 and Regulation 6471.

Reimbursement for out-of-State and high-cost travel shall be made pursuant to N.J.S.A. 18A:11-12, N.J.A.C. 6A:23A-5.9, and Policy and Regulation 6471.

Records and supporting documentation must be completed and maintained as required in N.J.A.C. 6A:23A-7.13 and outlined in Regulation 6471.

The Board of Education shall approve the mileage reimbursement amount to be paid to an employee who has been approved by the Superintendent or designee to use their personal vehicle for school-related business.

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

N.J.A.C. 6A:23A-5.9; 6A:23A-7

First Reading: 14 June 2022

Second Reading: 21 June 2022

Adopted:

SCHOOL DISTRICT TRAVEL (M)

A. Definitions (N.J.S.A. 6A:23A-1.2)

1. For the purpose of this Policy, “travel expenditures” means those costs paid by the school district using local, State, or Federal funds, whether directly by the school district or by employee reimbursement, for travel by school district employees and district Board of Education members, to the following five types of travel events:
 - a. Training and seminars – means all regularly scheduled, formal residential or non-residential training functions conducted at a hotel, motel, convention center, residential facility, or at any educational institution or facility;
 - b. Conventions and conferences – means general programs, sponsored by professional associations on a regular basis, which address subjects of particular interest to a school district or are convened to conduct association business. The primary purpose of employee attendance at conferences and conventions is the development of new skills and knowledge or the reinforcement of those skills and knowledge in a particular field related to school district operations. These are distinct from formal staff training and seminars, although some training may take place at such events;
 - c. School district sponsored events – means conferences, conventions, receptions, or special meetings, where the school plans, develops, implements, and coordinates the event and is the event’s primary financial backer. School district employees are actively involved in working the event and other employees may attend as participants;
 - d. Regular school district business travel – means all regular official business travel, including attendance at meetings, conferences, and any other gatherings which are not covered by the definitions included in a., b., and c. above. Regular school district business travel also includes attendance at regularly scheduled in-State county meetings and Department-sponsored or association-sponsored events provided free of charge and regularly scheduled in-State professional development activities with a registration fee that does not exceed \$150 per employee or district Board member. The \$150 limit per employee or district Board member may be adjusted by inflation; and
 - e. Retreats – means meetings with school district employees and school Board members, held away from the normal work environment at which organizational goals and objectives are discussed. If available, school district facilities shall be utilized for this type of event.

B. Maximum Travel Budget (N.J.A.C. 6A:23A-7.3)

1. Annually in the prebudget year, the Board of Education shall establish by resolution a maximum travel expenditure amount for the budget year, which the school district shall not exceed. The resolution shall also include the maximum amount established for the prebudget year and the amount spent to date.
 - a. The maximum school district travel expenditure amount shall include all travel supported by local and State funds.
 - b. The Board may exclude travel expenditures supported by Federal funds from the maximum travel expenditure amount.
 - (1) If Federal funds are excluded from the established maximum amount, the Board shall include in the resolution the total amount of travel supported by Federal funds from the prior year, prebudget year, and projected for the budget year.
 - c. Exclusion of Federal funds from the annual maximum travel budget shall not exempt such travel from the requirements applicable to State and local funds.
2. The Board of Education may authorize an annual maximum amount per employee for regular business travel only for which Board of Education approval is not required.
 - a. The annual maximum shall not exceed \$1,500 and shall be subjected to the approval requirements in N.J.S.A. 18A:19-1.
 - b. Regular school district business travel as defined in N.J.A.C. 6A:23A-1.2 and in this Regulation shall include attendance at regularly scheduled in-State county meetings and Department-sponsored or association-sponsored events provided free of charge. It also shall include regularly scheduled in-State professional development activities for which the registration fee does not exceed \$150 per employee or Board member.
 - c. Regular school district business travel shall require approval of the Superintendent prior to obligating the school district to pay related expenses and prior to attendance at the travel event.
 - (1) The Superintendent shall designate an alternate approval authority to approve travel requests in his or her absence when necessary to obtain timely district Board of Education approval.
 - (2) The Superintendent shall establish, in writing, the internal levels of approval required prior to his or her approval of the travel event, as applicable.

C. Travel Approval Procedures (N.J.A.C. 6A:23A-7.4)

1. All travel requests for employees of the school district shall be submitted to the Superintendent or designee and approved in writing by the Superintendent and approved by a majority of the Board of Education's full voting membership, except if the Board has excluded regular business travel from prior approval in Policy 6471 pursuant to N.J.A.C. 6A:23A-7.3(b), prior to obligating the school district to pay related expenses and prior to attendance at the travel event.

- a. The Superintendent shall designate an alternate approval authority to approve travel requests in his or her absence when necessary to obtain timely Board approval.
 - b. The Superintendent shall establish, in writing, the internal levels of preliminary approval required prior to the Superintendent's approval of the travel event, as applicable.
 - (1) The School Business Administrator/Board Secretary or designee shall review all travel requests either before or after the Superintendent's approval and prior to submission of the Board for approval to determine if the expenses as outlined in the request are in compliance with the requirements of N.J.S.A. 18A:11-12, N.J.A.C. 6A:23A-7, the current State travel payment guidelines established by the Department of the Treasury, and the current guidelines established by the Federal Office of Management and Budget.
 - (a) If any travel expenses requested are not in compliance with the guidelines outlined above, the School Business Administrator/Board Secretary or designee will return the request to be revised in accordance with the guidelines outlined above.
 - (b) The Superintendent may deny the request, approve the request conditioned upon the staff member assuming the financial responsibility for those travel expenses that are not in compliance with the guidelines, or may return the request to the school staff member to be revised in accordance with the guidelines outlined above.
- 2. All travel requests for Board members shall require prior approval by a majority of the Board's full voting membership, except where the Board has excluded regular business travel from prior approval pursuant to N.J.A.C. 6A:23A-7.3(b), and the travel shall be in compliance with N.J.S.A. 18A:12-24 and 24.1.
 - 3. The Board of Education may approve, at any time prior to the event, travel for multiple months as long as the approval detailed in Board of Education minutes itemizes the approval by event, total cost, and number of employees and/or Board members attending the event. General or blanket pre-approval shall not be authorized.
 - 4. All travel requests shall receive prior approval of the Board of Education except if the Board has excluded from the requirements prior Board approval of any travel caused by or subject to existing contractual provisions, including grants and donations, and other statutory requirement, or Federal regulatory requirements in Policy 6471 pursuant to N.J.A.C. 6A:23A-7.4(d). For the exclusion of prior Board approval to apply, the required travel event shall be detailed, with number of employees(s), Board member(s), and total cost in the applicable contract, grant, donation, statute, or Federal regulation
 - a. This shall not include general grant guidelines or regulations that are permissive, but do not require the travel event, unless the specific travel event, number of employee(s), Board member(s), and total cost is detailed in the approved grant, donation, or other fund acceptance agreement.

- b. This shall not include general contractual provisions in employment contracts for continuing education or professional development, except if the Board has included in its policy a maximum amount per employee for regular business travel that does not require prior Board of Education approval pursuant to N.J.A.C. 6A:23A-7.3.
- 5. If occasional unforeseen situations arise wherein a travel request cannot obtain prior approval of the Board of Education, justification shall be included in the text of the travel request.
 - a. Such requests shall require prior written approval of the Superintendent or designee, and the Executive County Superintendent or designee.
 - b. The Board shall ratify the request at its next regularly scheduled meeting.
 - c. Travel to conferences, conventions, and symposiums shall not be considered emergencies and shall not be approved after the fact.
- 6. Subsequent to pre-approval by a majority of the full voting membership of the Board of Education, reimbursement of prospective employee travel expense shall be pre-approved by the Executive County Superintendent.

D. Required Documentation for Travel (N.J.A.C. 6A:23A-7.5)

- 1. The Board of Education requires the documentation listed in D.2. below to justify the number of employees attending an event and the benefits to be derived from their attendance;
- 2. Neither the Superintendent or designee, nor the Board of Education shall approve a travel request unless it includes, at a minimum, the following information:
 - a. The name and date(s) of the event;
 - b. A list of Board members and/or employees to attend, either by name and title;
 - c. The estimated cost associated with travel;
 - d. A justification and brief statement that includes the primary purpose for the travel, the key issues that will be addressed at the event, and their relevance to improving instruction or the operation of the school district.
 - (1) For training events, the statement must include whether the training is for a certification required for continued employment, continuing education requirements, requirements of Federal or State law, or other purpose related to the programs and services currently being delivered or soon to be implemented in the school district; or related to school district operations;
 - e. The account number and funding source - Federal, State, private, or local; and
 - f. For annual events, the total attendance and cost for the previous year.

3. The school district shall maintain documentation on file that demonstrates compliance with the Board of Education's travel policy, including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate.

E. School Business Administrator/Board Secretary Responsibilities Regarding Accounting for Travel (N.J.A.C. 6A:23A-7.6)

1. The School Business Administrator/Board Secretary or designee shall prepare itemized travel budgets by function and object of expense for each cost center, department, or location maintained in the school district's accounting system, as applicable, as part of the preparation of and documentation for the annual school district budget.
 - a. The aggregate amount of all travel budgets shall not exceed the Board of Education approved maximum travel expenditure amount for the budget year as required by N.J.A.C. 6A:23A-7.3.
2. The School Business Administrator/Board Secretary shall maintain separate accounting for school district travel expenditures, as necessary, to ensure compliance with the school district's maximum travel expenditure amount. The separate accounting tracking system may include, but need not be limited to, a separate or offline accounting of such expenditures or expanding the school district's accounting system. The tracking system shall be sufficient to demonstrate compliance with Policy and Regulation 6471 and N.J.A.C. 6A:23A-7, and shall be in a detailed format suitable for audit.
3. The School Business Administrator/Board Secretary or designee shall review and approve the cost and supporting documentation required by N.J.A.C. 6A:23A-7 and submitted by the person(s) having incurred travel expense. The School Business Administrator shall not approve or issue payment of travel expenditures or reimbursement requests until all required documentation and information to support the payment has been submitted, and shall not approve any travel expenditure that, when added to already approved travel expenditures, would exceed the Board of Education approved maximum travel expenditure amount for the budget year.
4. The School Business Administrator/Board Secretary shall be responsible for the adequacy of documentation of transactions processed by his or her staff and the retention of the documentation to permit audits of the records.
5. A Board of Education employee, a Board member, or an organization shall not receive partial or full payment for travel and travel-related expenses in advance of the travel, pursuant to N.J.S.A. 18A:19-1 et seq. The payment of travel and travel-related expenses, including travel-related purchases for which a purchase order is not applicable, shall be made personally by a school district employee or Board member and reimbursed at the conclusion of the travel event. N.J.A.C. 6A:23A-7.6, Policy 6471, and this Regulation do not preclude the school district from paying the vendor directly with the proper use of a purchase order (for example, for registration, airline tickets, hotel).

F. Sanctions for Violations of Travel Requirements (N.J.A.C. 6A:23A-7.7)

1. A Board of Education that violates its established maximum travel expenditure, as set forth in N.J.A.C. 6A:23A-7.3, or that otherwise is not in compliance with N.J.A.C. 6A:23A-7 travel limitations, may be subject to sanctions by the Commissioner as

authorized pursuant to N.J.S.A. 18A:4-23 and 24, including reduction of State aid in an amount equal to any excess expenditure pursuant to N.J.S.A. 18A:11-12 and 18A:7F-60.

2. The staff member designated as the final approval authority for travel who approves any travel request or reimbursement in violation of N.J.A.C. 6A:23A-7 and Policy and Regulation 6471 shall reimburse the school district in an amount equal to three times the cost associated with attending the event, pursuant to N.J.S.A. 18A:11-12.
3. An employee or Board member who violates the provisions of N.J.A.C. 6A:23A-7 and Policy and Regulation 6471 shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event, pursuant to N.J.S.A. 18A:11-12.
4. In accordance with N.J.A.C. 6A:23A-7.7(d), there must be procedures to monitor compliance and application of the penalty, as outlined in N.J.A.C. 6A:23A-7.7, upon determination a violation has occurred after Board of Education payment of the event.
 - a. In addition to the annual audit test procedures to ensure compliance as required in N.J.A.C. 6A:23A-7.7(e) and F.5. below, the School Business Administrator/Board Secretary will designate a staff member to review travel payments that are being recommended to the Board for payment prior to Board approval and travel payments previously approved by the Board for payment and paid for any violations.
 - (1) In the event the annual audit test procedures or the review by the staff member designated by the School Business Administrator/Board Secretary determines a travel payment recommended to the Board for payment or a travel payment previously approved by the Board and was paid in violation of N.J.A.C. 6A:23A-7 and Policy and Regulation 6471, the school district auditor or the staff member designated by the School Business Administrator/Board Secretary shall inform the Superintendent of Schools of the violation in writing.
 - (2) The Superintendent shall determine if a violation of N.J.A.C. 6A:23A-7 requires a penalty in accordance with N.J.A.C. 6A:23A-7.7.
 - (3) If a violation is determined prior to payment or reimbursement of the travel event, the Superintendent may exclude application of any additional penalties.
5. The annual audit conducted pursuant to N.J.S.A. 18A:23-1 shall include test procedures to ensure compliance with the Board of Education's policy and travel limitations set forth in this section and N.J.S.A. 18A:11-12.

G. Prohibitive Travel Reimbursements (N.J.A.C. 6A:23A-7.8)

1. The following types of expenditures are not eligible for reimbursement:
 - a. Subsistence reimbursement for one-day trips, except for meals expressly authorized by and in accordance with N.J.A.C. 6A:23A-7.12;

- b. Subsistence reimbursement for overnight travel within the State, except where authorized by the Commissioner in accordance with N.J.A.C. 6A:23A-7.11;
- c. Travel by Board members or employees whose duties are unrelated to the purpose of the travel event or who are not required to attend to meet continuing education requirements or to comply with law or regulation;
- d. Travel by spouses, civil union partners, domestic partners, immediate family members, and other relatives;
- e. Costs for employee attendance for coordinating other attendees' accommodations at the travel event;
- f. Lunch or refreshments for training sessions and retreats held within the school district, including in-service days and for employee participants traveling from other locations within the school district;
- g. Training to maintain a certification that is not required as a condition of employment (For example: CPE credits to maintain a CPA license if the employee is not required to be a CPA for continued school district employment);
- h. Charges for laundry, valet service, and entertainment;
- i. Limousine services and chauffeuring costs to, or during, the event;
- j. Car rentals, either utilized for airport transportation or transportation at a conference, convention, etc., unless absolutely necessary for the conduct of school district business. Justification shall accompany any request for car rentals. If approved, the most economical car rental is to be used, including the use of subcompacts and discounted and special rates. An example of the justified use of a car rental is when an employee is out of State, making inspections at various locations, and the use of public transportation is impracticable. When car rental is authorized, the employee shall not be issued an advance payment for the anticipated expense associated with the rental;
- k. Alcoholic beverages;
- l. Entertainment costs, including amusement, diversion, social activities, and any costs directly associated with such costs (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities);
- m. Gratuities or tips in excess of those permitted by Federal per diem rates;
- n. Reverse telephone charges or third party calls;
- o. Hospitality rooms;
- p. Souvenirs, memorabilia, promotional items, or gifts;
- q. Air fare without documentation of quotes from at least three airlines and/or on-line services; and
- r. Other travel expenditures that are unnecessary and/or excessive.

H. Travel Methods (N.J.A.C. 6A:23A-7.9)

1. For the purpose of section H. of this Regulation and N.J.A.C. 6A:23A-7.9, "transportation" means necessary official travel on railroads, airlines, shuttles, buses, taxicabs, rideshares, school district-owned or leased vehicles, and personal vehicles.
2. The purchase or payment of related transportation expenses shall be made by purchase order or personally by a school district employee or Board member and reimbursed at the conclusion of the travel event. An actual invoice or receipt for each purchase or expense shall be submitted with a claim for reimbursement.
3. Pursuant to Office of Management and Budget (OMB) Travel Circulars and N.J.A.C. 6A:23A-7.1 et seq., the following travel methods requirements shall apply:
 - a. Air and rail tickets shall be purchased via the Internet, if possible, using airline or online travel services such as Travelocity, Expedia, or Hotwire.
 - b. Air travel shall be authorized only when determined that it is necessary and advantageous to conduct school district business.
 - (1) The most economical air travel should be used, including the use of discounted and special rates.
 - (2) The following options should be considered when booking tickets:
 - (a) Connecting versus nonstop flights;
 - (b) Departing earlier or later compared to the preferred departure time;
 - (c) Utilizing alternative airports within a city, for example, Chicago, Illinois-Midway Airport versus O'Hare Airport;
 - (d) Utilizing alternative cities, for example, Newark versus Philadelphia;
 - (e) Utilizing "low cost" airlines; and
 - (f) Exploring alternate arrival and/or departure days.
 - (3) No employee or Board member can earn benefits as a result of school district funded travel. Employees and Board members shall be prohibited from receiving "frequent flyer" or other benefits accruing from school district funded travel.
 - (4) Airfare other than economy (that is, business or first class) shall not be fully reimbursed by the school district except when travel in such classes:
 - (a) Is less expensive than economy;
 - (b) Avoids circuitous routings or excessive flight duration; or
 - (c) Would result in overall transportation cost savings.

- (5) All airfare other than economy and not covered by the above exceptions purchased by an employee or Board member shall be reimbursed only at the economy rate for the approved destination.
- (6) Cost estimates on travel requests and associated authorizations shall be consistent with current airline tariffs, with consideration of available special fares or discounts, for the requested destination.
- (7) Airline tickets shall not be booked until all necessary approvals have been obtained.
- (8) Additional expenses over and above the authorized travel request shall be considered only for factors outside the purchaser's control. The burden of proof shall be placed upon the purchaser and any additional expenses incurred without sufficient justification and documentation, as determined by the School Business Administrator/Board Secretary, shall not be reimbursed.
- (9) Justification shall accompany requests for airline ticket reimbursement when purchased by employees or Board members contrary to H.3.b.(1) through (8) above. Sufficient justification shall be considered only for factors outside the purchaser's control. Noncompliant purchases without sufficient justification shall not be reimbursed.

c. Rail travel shall be authorized only when determined that it is necessary and advantageous to conduct school district business.

- (1) The most economical scheduling of rail travel shall be utilized, including excursion and government discounts, whenever applicable.
- (2) The use of high-speed rail services, such as Acela, shall not be authorized.
- (3) All rail travel shall be processed in the same manner as prescribed for air travel in H.3.b. above.

d. Use of a school district-owned or-leased vehicle shall be the first means of ground transportation. Use of a personally owned vehicle on a mileage basis shall not be permitted for official business where a school district-owned or -leased vehicle is available.

- (1) Mileage allowance in lieu of actual expenses of transportation shall be approved by the Board and allowed at the rate authorized by the annual State Appropriations Act, or a lesser rate at the Board's discretion for an employee or Board member traveling by his or her personally owned vehicle on official business.

- (a) If any condition in an existing negotiated contract is in conflict with the OMB Travel Circulars, such as the mileage reimbursement rates, the provisions of the existing contract shall prevail.
- (2) Parking and toll charges shall be allowed in addition to mileage allowance.
- (3) Reimbursement for travel to points outside the State by automobile shall be permitted when such arrangements prove to be more efficient and economical than other means of public transportation.
- (4) In determining the relative costs of private and public transportation, all associated costs (that is, tolls, taxicabs, airport or station transfers, etc.) shall be considered.
- (5) All employees and Board members using privately owned cars in the performance of their duties for the school district shall present a New Jersey Insurance Identification Card indicating that insurance coverage is in full force and effect with companies approved by the State Department of Banking and Insurance. The card shall be made available to the Superintendent or designee before authorization to use privately owned cars.
- (6) Employees and district Board members who are out-of-State residents shall provide appropriate insurance identification in lieu of the New Jersey Insurance Identification Card.
- e. School district-owned or -leased vehicles shall be utilized in accordance with N.J.A.C. 6A:23A-6.12.
- f. Necessary taxicab or rideshare charges shall be permitted. However, travel to and from airports, downtown areas, and between hotel and event site shall be confined to regularly scheduled shuttle service, whenever such service is complimentary or is less costly. If shuttle service is not available, taxicabs or rideshares may be used.
- g. Cruises shall not be permitted for travel events or transportation.

I. Routing of Travel (N.J.A.C. 6A:23A-7.10)

- 1. Pursuant to State travel guidelines as established by the New Jersey Department of the Treasury, Office of Management and Budget, and presented in the OMB Travel Circulars:
 - a. All travel shall follow the most direct, economical, and usually traveled route. Travel by other routes as a result of official necessity shall be eligible for payment or reimbursement only if satisfactorily established in advance of such travel.
 - b. If a person travels by indirect route for personal convenience, the extra expense shall be borne by the individual.
 - c. Reimbursement for expenses shall be based only on charges that do not exceed what would have been incurred by using the most direct, economical, and usually traveled route.

J. Subsistence Allowance – Overnight Travel (N.J.A.C. 6A:23A-7.11)

1. Pursuant to the State travel guidelines as established by the New Jersey Department of the Treasury, Office of Management and Budget, and presented in the OMB Travel Circulars, one-day trips that do not involve overnight lodging shall not be eligible for subsistence reimbursement, except for meals expressly authorized by and in accordance with the provisions of N.J.A.C. 6A:23A-7.12.
2. Pursuant to the OMB Travel Circulars, generally, overnight travel shall not be eligible for subsistence reimbursement if travel is within the State. Overnight travel is permitted if it is authorized pursuant to 3. below, or is a required component by the entity issuing a grant, donation, or other funding agreement with the school district. The specific required overnight in-State travel event shall be detailed in the final grant, donation, or other fund acceptance agreement along with the number of authorized travelers and total cost. All reimbursements shall be subject to N.J.A.C. 6A:23A-7 unless the funding acceptance agreement specifies otherwise.
3. Pursuant to the State travel regulations as established by the New Jersey Department of the Treasury, Office of Management and Budget, and presented in the OMB Travel Circulars, the Commissioner shall be authorized to grant waivers for overnight travel for Board members and school district employees to attend in-State conferences.
 - a. Such waivers will be granted in only extremely limited circumstances when the sponsoring organization can demonstrate the conference is broad and multi-disciplinary in scope, incorporates content offerings from numerous specialty areas, and includes important professional development opportunities and/or required training.
 - b. The sponsoring organization shall demonstrate the conference's content, structure, scheduling, and anticipated attendance necessitate that it be held on multiple consecutive days with overnight lodging. When such waivers are granted, individual school districts or individuals shall not be required to submit waiver requests for attendance at these conferences.
 - c. Sponsors of in-State conferences may submit to the Commissioner a request for a waiver of this prohibition by providing information regarding the conference as follows:
 - (1) The name and dates of the event;
 - (2) Justification for the length of the conference and the necessity to hold events for each day beyond the first day of the conference;
 - (3) Identification of all other conferences sponsored or co-sponsored by the organization (whether single or multi-day) in the previous year;
 - (4) A description of the target audience by position title and/or educational certificate and endorsement;
 - (5) Justification of the importance of the target audience attending the event;
 - (6) The cost of registration;

- (7) A detailed list and description of any activities to be charged to the participants by the sponsor separate from the registration fee, such as luncheons, workshops, entertainment, etc., including:
 - (a) The cost of the activity;
 - (b) Whether participation is mandatory or voluntary; and
 - (c) The purpose such as social, guest speaker, working session, etc.
 - (8) A copy of agenda or program for the event;
 - (9) A brief statement that includes the primary purpose of the event, the key issues that will be addressed at the event, and their relevance to improving instruction or the operation of a school or school district;
 - (10) For training events, whether the training is needed for a certification required for continued employment, continuing education requirements, or requirements of Federal or State law; and
 - (11) For annual events, total attendance, and registration cost for the previous year.
4. If a waiver of the prohibition on overnight travel is granted pursuant to N.J.A.C. 6A:23A-7.11, it shall permit reimbursement for travel expenses only for individuals whose home-to-convention commute exceeds fifty miles.
5. Overnight travel within the State shall not be eligible for subsistence reimbursement if travel is on the day prior to the start of the conference. Reimbursement shall be prohibited for lodging prior to check-in time for the first day of the event or after check-out time on the last day of the event.
6. The United States General Services Administration publishes a schedule of Federal per diem rates in the Federal Register for approved overnight travel by the event location. The latest Federal per diem rates schedule for lodging, meals, and incidental expenses by location can be found at www.gsa.gov. The following restrictions apply to allowable per diem reimbursements:
 - a. Allowable per diem reimbursement for lodging, meals, and incidentals shall be actual reasonable costs, not to exceed the Federal per diem rates for the event location. Registration and conference fees are not subject to the Federal per diem rate caps. If the event location is not listed, the maximum per diem allowance shall be equal to the standard Continental United States (CONUS) per diem rates published by the General Services Administration for meals, incidental expenses, and lodging.
 - b. Pursuant to N.J.S.A. 18A:11-12.o., reimbursement for lodging expenses for overnight travel, out-of-State or in-State as authorized by the Commissioner, may exceed the Federal per diem rates if the hotel is the site of the convention, conference, seminar, or meeting and the going rate of the hotel is in excess of Federal per diem rates.
 - (1) If the hotel at the site of the current travel event is not available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate at the site of the current event.

- (2) If there is no hotel at the site of the current travel event (for example, Atlantic City Convention Center), then reimbursement for lodging shall not exceed the Federal per diem rate.
 - c. If the meal is not part of a one-sum fee for a travel event, reimbursement may be approved for the full cost of an official convention meal that the employee or Board member attends, when such meal is scheduled as an integral part of the convention or conference proceedings. Receipts shall be submitted to obtain reimbursement in such situations. The amount of the Federal per diem rate for the corresponding meal shall be deducted from that day's subsistence allowance.
 - d. The allowance for a meal(s) or incidentals shall not be eligible for reimbursement when included and paid in the registration fee, the cost of lodging, or transportation charge.
 - e. Receipts shall be required for all hotel and incidental expenses. Meal expenses under the Federal per diem allowance limits shall not require receipts pursuant to N.J.S.A. 18A:11-12.o.(3), unless required by the Board of Education.
 - f. If the total per diem reimbursement is greater than the Federal per diem rates, the costs shall be considered excessive in the absence of substantial justification accompanying the travel voucher submitted by the employee or district Board member. In such cases, receipts shall be submitted for all costs, including meals.
 - g. Employees and Board members shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits or is more advantageous to the conduct of school district business.
 - h. Actual subsistence expenses shall not be reimbursable if paid by the traveler to a member of his or her family, to another school district employee, or to a family member of another school district employee.
- K. Meal Allowance – Special Conditions – and Allowable Incidental Travel Expenditures (N.J.A.C. 6A:23A-7.12)
1. Meals for in-State travel shall not be eligible for reimbursement except as expressly authorized within N.J.A.C. 6A:23A-7.
 2. A meal allowance may be provided to employees or Board members in relation to one-day, out-of-State trips required for school business purposes that do not require an overnight stay. The reimbursement for breakfast, lunch, and/or dinner shall not exceed the amounts authorized in State travel regulations as published by the New Jersey Department of the Treasury, Office of Management and Budget, and presented in the OMB Travel Circulars.
 3. Lunch for off-site training sessions may be authorized for an amount up to \$7 per person only when it is necessary that employees or Board members remain at a site other than their school district and there are no viable options for lunch at the off-site location.
 - a. Per N.J.S.A. 18A:11-12.a.(1)(d), employee and Board member retreats shall be held onsite unless there is no school district site available.

- b. If lunch is included in a lump-sum registration fee for an off-site training session, the full amount is eligible for reimbursement, if reasonable. Providing lunch for on-site staff meetings and in-service days or for employees who come from other parts of the school district shall not be permitted. (See K.4. below.)
 - c. Refreshments for breaks may also be provided at training sessions held at a site other than the school district.
- 4. Subsistence expenses for an employee or Board member shall not be allowed within the school district or within a radius of ten miles thereof, except for meals expressly authorized by and in accordance with N.J.A.C. 6A:23A-7.12. Non-allowed expenses include, but are not limited to, meals and refreshments for on-site staff meetings and in-service days.
- 5. Reimbursement may be approved for the cost of an official luncheon or dinner, up to \$10 and \$15, respectively, that an employee or Board member is authorized to attend, if the meal is scheduled as an integral part of an official proceeding or program related to school district business and the employee's or Board member's responsibilities.
 - a. School district business above refers to the management operations of the school district and does not refer to activities that benefit students and are part of the instructional program. Pursuant to N.J.A.C. 6A:23A-5.8(b)4, all reasonable expenditures related to school district employees that are essential to the conduct of a student activity are permitted.
- 6. Regular meetings, special meetings, and work sessions of the Board of Education shall be limited to light meals and refreshments for all Board members.
 - a. The meals may be served to employees who are required to attend the event and if it is impractical for the employee to commute to and from his or her residence between the end of the work day and the beginning of the event, or if the employee is required to remain at the school district to prepare for the event.
 - b. The school district shall acquire the light meals and refreshments by the solicitation of quotes, if required pursuant to N.J.S.A. 18A:18A-1 et seq.
 - c. If the school district's food service program can prepare comparable meals at a lower cost, the food service program shall be used.
 - d. The average cost per meal shall not exceed \$10.
 - e. The school district shall purchase or prepare food that is sufficient to provide each district Board member, dignitary, non-employee speaker, or allowable staff member one meal. Meals should be carefully ordered to avoid excess. Unintended left over food should be donated to a charitable shelter or similar facility, if at all possible.
- 7. Reimbursement may be approved for allowable telephone and incidental travel expenses that are essential to transacting official business.

- a. Charges for telephone calls on official business may be allowed. The voucher shall show the dates on which such calls were made, the points between which each call was made, and the cost per call.
- b. Employees and Board members using their personally owned telephone for business may request reimbursement, less Federal Communications Tax. Calls for business are tax exempt and the telephone company will make allowances for the tax if the employee or Board member certifies to the telephone company when paying bills for personally owned phones that said calls were business calls.
- c. Incidental expenses, defined as "non-meal tips" by the State travel regulations, when necessarily incurred by the traveler in connection with the transaction of official business, may be submitted for reimbursement only when the necessity and nature of the expense are clearly and fully explained on the travel voucher and the voucher is approved. Travel vouchers shall be supported by receipts showing the quantity and unit price.

L. Records and Supporting Documents (N.J.A.C. 6A:23A-7.13)

1. All persons authorized to travel on business shall keep a memorandum of expenditures chargeable to the school district, noting each item at the time and date the expense is incurred.
2. The travel voucher shall be completed by the employee or Board member to document the details of the travel event. The travel voucher shall be signed by the employee or Board member to certify the validity of the charges for which reimbursement is sought. The form also shall bear the signatures of approval officials for processing.
3. Sufficient documentation shall be maintained centrally by the school district to support payment and approval of the travel voucher.
4. In addition to the documentation required for reimbursement, each person authorized to travel shall submit a brief report that includes the primary purpose for the travel, the key issues addressed at the event, and their relevance to improving instruction or the operations of the school district. This report shall be submitted prior to receiving reimbursement.
5. Documentation for requests for travel reimbursement shall show:
 - a. The date(s) and individual points of travel, number of miles traveled between such points, and kind of conveyance used;
 - b. If the distance traveled between individual points is greater than the usual route between the points, the reason for the greater distance shall be stated;
 - c. The hours of the normal work day and actual hours worked shall be shown when requesting meal reimbursement for non-overnight travel;
 - d. Original receipts shall be required for all reimbursable expenses, except for meals that qualify for per diem allowances and for parking meters;

- e. Actual vendor receipts for personal credit card charges shall be attached to reimbursement requests. Credit card statements shall not be accepted as documentation of expenses;
 - f. Personal charges on a hotel bill shall be deducted and shown on the bill;
 - g. When lodging is shared jointly, the fact shall be stated on the travel voucher;
 - h. Where travel is not by the most economical, usually traveled route, the employee or Board member reimbursement request shall set forth the details of the route, the expenses actually incurred, the hour of departure, the hour of arrival, and an explanation for the use of costlier travel arrangements;
 - i. When travel is authorized for the employee's or Board member's own automobile on a mileage basis, the points between which travel was made, and the distance traveled between each place shall be shown. A statement as to ownership of the auto or other conveyance used, as well as a certification that liability insurance is in effect, shall be documented;
 - j. Reimbursement requests shall be supported by other receipts as required;
 - k. The voucher shall be itemized; and
 - l. Reimbursement requests shall be rendered monthly when in excess of \$25. Travel for a single travel event shall be reported as soon as possible after the trip.
- 6. All outstanding travel vouchers for the school year ending June 30 shall be submitted as soon as possible after June 30 regardless of amount, notwithstanding 5.l. above.
 - 7. Travel mileage reimbursement requests of the just-completed school year that are not submitted by July 30 or the date approved by the school district for the closing of books, whichever is earlier, for the just-completed school year shall not be approved or paid.

M. Out-of-State and High-Cost Travel Events (N.J.A.C. 6A:23A-5.9)

- 1. Reimbursement for all in-State and out-of-State travel shall be made pursuant to N.J.S.A. 18A:11-12.
- 2. Out-of-State travel events shall be limited to the fewest number of Board members or affected employees needed to acquire and present the content offered to all Board members or staff, as applicable, at the conclusion of the event. Lodging may be provided only if the event occurs on two or more consecutive days and if home-to-event commute exceeds fifty miles.
- 3. When a travel event has a total cost that exceeds \$5,000, regardless of the number of attendees, or when more than five individuals from the school district are to attend a

travel event out-of-State, the school district shall obtain prior written approval of the Executive County Superintendent.

- a. The Executive County Superintendent shall promptly review the request and render a written decision within ten business days.
4. For all employee and Board member travel events out of the country, regardless of cost or number of attendees, the school district shall obtain prior written approval of the Executive County Superintendent.
 - a. Such requests shall be supported by detailed justification.
 - b. The Executive County Superintendent shall promptly review the request and render a written decision within ten business days.
 - c. It is expected that approvals will be rare.

First Reading: 14 June 2022

Second Reading:

Adopted:

7432 EYE PROTECTION

The Board of Education requires each student, staff member, and school visitor, including individuals present for evening adult-school programs, to wear appropriate eye protective devices while participating in educational activities and programs as defined in N.J.A.C. 6A:7-1.3. Appropriate eye protective devices must be worn by anyone engaged in a process or activity where exposure to which might have a tendency to cause damage to the eyes pursuant to N.J.A.C. 6A:26-12.5(a) and N.J.S.A. 18A:40-12.1.

The term "appropriate eye protective device" shall include plain or prescription lenses provided the lenses and other portions of the device meet or exceed the prescribed specifications for the device. Specifications for appropriate eye protection for various activities shall meet or exceed standards described in the American National Standard Practice for Occupational and Educational Eye and Face Protection, ANSI Z87.1-1989; American National Standard Practice for the Safe Use of Lasers, ANSI Z136.1-1986; and eye protective procedures recommended by the manufacturer of the laser device.

The Superintendent or designee shall be responsible for the continual monitoring of the school program, including, but not limited to, all vocational education, industrial arts education, science education, technology education and arts education, for conditions under which students, staff members, or visitors are exposed to a process or activity that might have a tendency to cause damage to the eyes.

The appropriate eye protective device shall be supplied by the Board, except that the student, staff member, or visitor, including individuals present for evening adult-school programs, may wear personal eye wear that is appropriate to the activity and certified, in writing, by a licensed optician or other qualified licensed eye professional to meet or exceed those standards. District-owned appropriate eye protective devices shall be inspected regularly by the appropriate staff member, and defective or poorly fitting devices shall be returned to the Principal for repair or discard. Any shared appropriate eye protective devices shall be disinfected between uses by the method prescribed by the school medical inspector.

Each classroom, shop, laboratory, and other area of the school in which students or staff members are exposed to caustic materials that can cause damage to the eyes shall be equipped with an emergency eye wash fountain in accordance with standards established by the New Jersey Department of Education.

The Building Principal or designee shall ensure that each area in the school identified as housing an activity hazardous to the eyes shall be posted with conspicuous signs that warn participants that an appropriate eye protective device must be worn during the activity. Staff members of such activities are responsible for instructing students in appropriate eye safety practices and for serving as exemplary models in the implementation of such practices.

The Board authorizes each staff member responsible for an activity or process hazardous to the eyes to compile and maintain, for the duration of the course of study, a list of students in the course who wear contact lenses.

The school district shall provide annual training and appropriate supplies and equipment to all school personnel responsible for implementing the eye-safety policies and program. The training shall cover all aspects of eye protection in schools as described in N.J.A.C. 6A:26-12.5(a) through (f).

N.J.S.A. 18A:40-12.1; 18A:40-12.2
N.J.A.C. 6A:7-1.3
N.J.A.C. 6A:26-12.5

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REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN

8462 REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN

The Board of Education recognizes early detection of missing, abused, or neglected children is important in protecting the health, safety, and welfare of all children. In recognition of the importance of early detection of missing, abused, or neglected children, the Board of Education adopts this Policy pursuant to the requirements of N.J.S.A. 18A:36-24 and 18A:36-25. The Board provides this Policy for its employees, volunteers, or interns for the early detection of missing, abused, or neglected children through notification of, reporting to, and cooperation with the appropriate law enforcement and child welfare authorities pursuant to N.J.S.A. 18A:36-24 and 18A:36-25 et seq., N.J.A.C. 6A:16-11.1, N.J.S.A. 9:6-8.10, and N.J.A.C. 6A:22-4.1(d).

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

The school district shall prominently display information about the Department of Children and Families' State Central Registry, a toll-free hotline for reporting child abuse, in each school of the district. The information shall give instructions to call 911 for emergencies and shall include directions for accessing the Department of Children and Families' website or social media platforms for more information on reporting abuse, neglect, and exploitation.

The information shall be in a format and language that is clear, simple, and understandable. The information shall be on a poster and displayed at each school in at least one high-traffic, highly and clearly visible public area that is readily accessible to and widely used by students, pursuant to N.J.S.A. 18A:33.28.

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

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

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

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

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

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

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

N.J.S.A. 18A:33-28; 18A:36-24; 18A:36-25 et seq.

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

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LOCAL WELLNESS POLICY/NUTRIENTS STANDARDS
FOR MEALS AND OTHER FOODS

M

8505 LOCAL WELLNESS POLICY/NUTRIENT STANDARDS
FOR MEALS AND OTHER FOODS (M)

The Board believes that children need access to healthful foods and opportunities to be physically active in order to grow, learn, and thrive, and that good health fosters pupil attendance and education.

In order to promote and protect children's health, well-being, and ability to learn, the Board is committed to providing school environments that support healthy eating and physical activity and directs the Superintendent or designee to ensure that the District takes the appropriate measures to meet the following District wellness and nutrition goals:

1. All pupils will have opportunities, support, and encouragement to be physically active on a regular basis;
2. Foods and beverages sold or served at school will meet the nutrition recommendations of the U.S. Dietary Guidelines for Americans. Schools that are enrolled in the National School Lunch, School Breakfast and/or After School Snack Programs will follow the USDA nutrition standards. The District will regulate the types of food and beverage items sold outside the federal meal requirements, such as ala carte sales, vending machines, school stores, and fundraisers;
3. All pupils will be provided with adequate time for pupil meal service and consumption in a clean, safe and pleasant dining environment. Lunch and recess or physical education schedules will be coordinated with the meal service;
4. To the extent practicable, all schools in our District will participate in available federal school meal programs (including the School Breakfast Program, National School Lunch Program including After-School Snack Programs, Summer Food Service Program, and Child and Adult Care Food Program);
5. Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services;
6. The Board will accept input from stakeholders in developing, implementing, monitoring, and reviewing the wellness policy; and
7. The District will promote healthy nutrition and nutrition education, physical activity and other school-based activities that promote pupil wellness

Foods and beverages available for sale shall meet the United States Department of Agriculture, Nutrition Standards for All Foods Sold in School, as required by the Healthy Hunger-Free Kids Acts of 2010.

The Superintendent or designee shall endeavor to engage parents, pupils, and representatives of the school food authority, members of the Board, school administrators, teachers, health professionals, and members of the public for the purpose of developing, implementing, monitoring, reviewing, and, as necessary, revising the school nutrition and physical activity initiatives, a committee may be convened to annually review and when necessary recommend revisions to school policies related to wellness and nutrition.

The committee may annually report to the Board on the implementation of programs and initiatives related to pupil wellness and nutrition. The Board shall review and consider recommendations from parents, staff and pupils.

Assessment

The Board shall ensure that an assessment of the District wellness and nutrition policy and programs is completed as part of the ongoing policy review. The recommendations of community members shall be reviewed and considered as part of the assessment. The assessment shall measure the implementation of the wellness and nutrition policy, and include:

1. The extent to which each school is in compliance with the school wellness and nutrition policy; and
2. The extent to which the Board wellness and nutrition policy compares to the federal and state model school wellness policies.

The Board shall update or modify the policy and programs as necessary based on the results of the assessment.

Physical Activity

For pupils to receive the nationally recommended amount of daily physical activity (i.e., at least 60 minutes per day) and for pupils to fully embrace regular physical activity as a personal behavior, the Board is committed to providing opportunities for physical activity beyond physical education class. Activities that may be implemented include but shall not be limited to:

1. Health education will complement and reinforce physical education. Pupils may be taught self-management skills that promote and help maintain a physically active lifestyle and reduce time spent on sedentary activities, such as watching television;
2. As initiated and determined by the teacher, opportunities for physical activity may be incorporated into subject area lessons;
3. Classroom teachers will make an effort to provide short physical activity breaks between lessons or classes, as appropriate;

Recordkeeping Requirements

The Superintendent or designee shall maintain records to document compliance with wellness and nutrition policy requirements. These records shall include but are not limited to:

1. The written wellness and nutrition policy;

2. Documentation demonstrating compliance with community involvement requirements;
3. Documentation of the assessment of the wellness and nutrition policy; and
4. Documentation to demonstrate compliance with the annual public notification requirements.

Marketing

The marketing of food or beverages shall only be permitted on the school campus during the school day for foods and beverages that meet the competitive foods requirements.

For purposes of this policy, marketing is defined as advertising and other promotions in schools. Food marketing commonly includes oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product.

The marketing of products on the exterior of vending machines, through posters, menu boards, coolers, trash cans, and other food service equipment, as well as cups used for beverage dispensing are all subject to Board policy, and the logos and products marketed in these areas and items are required to meet the competitive foods standards for foods sold in schools. This restriction shall not apply to marketing that occurs at events outside of school hours such as after school sporting or any other events, including school fundraising events,

General School District Requirements

The District's curriculum shall incorporate nutrition education and physical activity consistent with the standards adopted by the State of New Jersey.

Food and beverages that are not sold such as foods and beverages served during special school celebrations or during curriculum related activities shall be exempt from this policy. However, on such occasions healthy food choices such as fruits, vegetables, fruit juice and water may be made available to all pupils participating in such activities.

This policy does not apply to: medically authorized special needs diets pursuant to federal regulations; school nurses using food or beverages during the course of providing health care to individual pupils; or special needs pupils whose Individualized Education Program (IEP) indicates their use for behavior modification.

Adequate time shall be allowed for pupil meal service and consumption. Schools shall provide a pleasant dining environment.

The Board is committed to promoting the nutrition policy with all food service personnel, teachers, nurses, coaches and other school administrative staff so they have the skills they need to implement this policy and promote healthy eating practices. The Board will work toward expanding awareness about this policy among pupils, parents, teachers and the community at large.

The Superintendent or designee shall ensure that the public is informed about the content of the wellness and nutrition policy. The wellness policy and any updates to the policy shall be made available to the public on an annual basis. The policy may be posted on the school website as part of the Board policies list.

Adopted: 25 April 2017

Revised:

8540 SCHOOL NUTRITION PROGRAMS (M)

M

The Board of Education recognizes the importance of good nutrition to each student's educational performance and directs that needy students be provided with lunch at reduced rates or free of charge.

The Board designates the Business Administrator/Board Secretary to determine, in accordance with standards issued annually by the State Department of Education, the students eligible for free or reduced rate meals.

The Superintendent shall annually notify all interested persons in the school district of the availability, eligibility requirements, and application procedures for free and reduced rate meals by the distribution of an application for such meals to the family of each student enrolled in the district.

All parents or legal guardians shall be given an application form and at least two weeks to prepare and submit the form. Where necessary, the Principal or the Principal's designee shall assist the applicant in the preparation of the form. The student's eligibility shall be determined and the applicant shall be notified of that determination in writing within ten working days of the receipt of the application. Any student found eligible shall be offered free or reduced rate meals immediately and shall continue to receive such meals during the pendency of any inquiry regarding his or her eligibility.

A denial of eligibility for free or reduced rate meals shall be in writing and shall include the reasons for which eligibility was denied, notice of the applicant's right to appeal the denial, and the procedures for appeal. Appeal procedures shall include a hearing, held with reasonable promptness and at the convenience of the applicant and before a hearing officer other than the school official who denied the application; the applicant's opportunity to be represented by counsel; a decision rendered promptly and in writing; and an opportunity to appeal the decision of the hearing officer to the School Business Administrator.

The identity of students who receive free or reduced rate meals will be protected, and they shall not be required to work in consideration for receiving such meals.

N.J.S.A. 18A:33-5; 18A:58-7.2

N.J.A.C. 2:36

Adopted: 02 December 2003

Revised: 28 May 2019

Revised:

8550 MEAL CHARGES/OUTSTANDING FOOD SERVICE BILL (M)

The Board of Education understands a student may forget to bring breakfast or lunch, as applicable, or money to purchase breakfast or lunch to school on a school day. When this happens, the food service program will provide the student with breakfast or lunch with an expectation payment will be made the next school day or shortly thereafter. However, there may be circumstances when payment is not made and a student's school breakfast/lunch bill is in arrears. The school district will manage a student's breakfast or lunch bill that is in arrears in accordance with the provisions of N.J.S.A. 18A:33-21 and this Policy.

In the event a student's school lunch or breakfast bill is in arrears, the Principal or designee shall contact the student's parent to provide notice of the amount in arrears and shall provide the parent a period of ten school days to pay the full amount due. If the student's parent does not make full payment to the Principal or designee by the end of the tenth school day, the Principal or designee shall again contact the student's parent to provide a second notice that their child's lunch or breakfast bill is in arrears.

If payment in full is not made within one week from the date of the second notice, the elementary and intermediate school student will continue to be provided a basic lunch that will contain the essentials in balanced nutritional selections. The high school student will not receive any meals until the balance is paid in full.

In addition, the procedures below will be followed:

- If a student is in arrears and has money to pay for a meal, the money will first be applied to the student's outstanding balance.
- A la carte, snacks or beverages may not be charged under any circumstances
- Charging by adults is strictly prohibited
- Students in arrears will not be able to purchase a la carte, snacks or beverages
- All transactions must be processed through the food service cashier

Within 30 days of a negative balance, collection procedures will be initiated on all unresolved balances starting with a letter to the responsible party. If there is no response, a second letter will be sent. After it is judged that the usual method to collect the money owed the district have failed, then legal action may be taken to collect.

N.J.S.A. 18A:33-21

Adopted: 05 January 2016
Revised: 28 May 2019
Revised:

8600 STUDENT TRANSPORTATION (M)

M

The Board of Education shall transport eligible students to and from school and school related activities in accordance with N.J.S.A. 18A:39-1 et seq., N.J.A.C. 6A:27-1 et seq., and Board policy. Transportation shall be provided only to eligible public and nonpublic school students, authorized school staff members, and adults serving as approved chaperones.

Nonpublic school transportation or aid in lieu of transportation shall be provided for resident students in accordance with N.J.S.A. 18A:39-1 et seq. and N.J.A.C. 6A:27-2.1 et seq.

Charter or renaissance school transportation or aid in lieu of transportation shall be provided for resident students in accordance with N.J.S.A. 18A:39-1 et seq. and N.J.A.C. 6A:27-3.1 et seq.

The Board may provide transportation to and from school for public school students less than remote.

Students with special needs shall be provided transportation in accordance with N.J.S.A. 18A:39-1 et seq., and with their Individualized Education Program (IEP) pursuant to N.J.A.C. 6A:27-5.1.

Transportation may be provided for pupils who would otherwise travel to school along hazardous routes. Routes shall be designed as hazardous by the Town of Westfield, and the cost of transportation of students along designated hazardous routes is to be borne by the Town of Westfield, in accordance with an agreement to be entered into between the Board of Education and the Town pursuant to N.J.S.A. 18A:39-1.2.

The Board will not be responsible for the transportation of nonresident students to or from school, except that transportation to and from school will be provided for homeless students; students residing in group homes; students residing in resource family homes; and students residing in shared custody homes pursuant to N.J.A.C. 6A:27-6.2, 6.3, 6.4, and 6.5.

The Board may require the compilation of a list of the names of students being transported by a school bus to a school-sponsored activity, including but not limited to, field trips or interscholastic sports programs. The staff member(s) supervising the school-sponsored activity shall create a list of students on each school bus and submit it to the Principal or designee, and the Principal or designee shall maintain the list for use in the case of an emergency in accordance with N.J.A.C. 6A:27-11.5.

When the schools of this district are closed for inclement weather or other conditions, no transportation will be provided for students enrolled in any public, nonpublic, charter school, and/or renaissance school.

The Board shall utilize cooperative/coordinated transportation services in accordance with the provisions of N.J.S.A. 18A:39-11.1 et seq. and N.J.A.C. 6A:27-10.1 et seq. The Board shall utilize one of the agencies prior to determining to pay aid in lieu of transportation if in the prior year payments in lieu of transportation were provided. The Board will provide to the cooperative/coordinated transportation services any unique limitations or restrictions of the required transportation.

Vehicles used to transport students to and from school or school related activities shall meet standards, registration, and inspection requirements of the New Jersey Department of Education (NJDOE), the New Jersey Motor Vehicle Commission (NJMVC), and any applicable Federal regulations. The operation and fiscal management of the district's transportation system shall be conducted in strict accordance with rules of the New Jersey State Board of Education and the NJDOE.

In addition to the provisions of any State law, rule, or regulation containing more stringent requirements, provided that those requirements are compatible with Federal law, and notwithstanding the provisions of any State law, rule, or regulation to the contrary, school bus operations in the State shall comply with the requirements outlined in N.J.S.A. 39:3B-27.

N.J.S.A. 18A:18A-1 et seq.; 18A:39-1 et seq.; 18A:39-11.1 et seq.

N.J.S.A. 27:15-16

N.J.S.A. 39:3B-1 et seq.; 39:3B-2.1; 39:3B-10; 39:3B-27

N.J.A.C. 6A:27-1.1 et seq.; 6A:27-2.1 et seq.; 6A:27-3.1 et seq.;
6A:27-4.1 et seq.; 6A:27-5.1; 6A:27-6.2 through 6.5;
6A:27-7.1 et seq.; 6A:27-9.1 et seq.; 6A:27-10.1 et seq.;
6A:27-11.1 et seq.; 6A:27-12.1 et seq.

Approved: 13 January 2004

Citation Revision: 01 October 2007

Revised: 24 February 2009

Revised: 23 February 2010

Reviewed: 11 December 2018

Revised: 12 November 2019

Revised:

Regulations to follow

9320 COOPERATION WITH LAW ENFORCEMENT AGENCIES

The Board of Education recognizes that keeping students and staff safe and helping children understand and respect the law is best served by a close and cooperative relationship with local law enforcement.

The Board adopts this Policy and Regulation 9320 in accordance with N.J.A.C. 6A:16-6.1. to ensure cooperation between school staff and law enforcement authorities in all matters relating to the unlawful possession, distribution and disposition of controlled dangerous substances, including anabolic steroids, as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, drug paraphernalia as defined in N.J.S.A. 2C:36-1, alcoholic beverages; firearms, as defined in N.J.S.A. 2C:39-1.f.; and other deadly weapons as defined in N.J.S.A. 2C:39-1.r.

The Board adopts Policy and Regulation 9320 in accordance with N.J.A.C. 6A:16-6.1. to ensure cooperation between school district staff and law enforcement authorities in all matters relating to the planning and conduct of law enforcement activities and operations occurring on school grounds, including arrest procedures, undercover school operations, and mandatory reporting the offenses listed in the Memorandum of Agreement between Education and Law Enforcement Officials (MOA).

The Superintendent or designee shall institute a program of such communication and cooperation with law enforcement in accordance with N.J.A.C. 6A:16-6.1.

This Policy and Regulation 9320 shall be submitted for review and approval to the Executive County Superintendent in accordance with N.J.A.C. 6A:16-6.2(a)2.

The Superintendent or designee shall annually review the MOA as adopted by the Board to ensure this Policy and Regulation 9320 are in accordance with the requirements outlined therein.

N.J.A.C. 6A:16-6.1.; 6A:16-6.2; 6A:16-6.4.

Adopted: 11 December 2007
Revised: 20 February 2018
Revised:

R 9320 COOPERATION WITH LAW ENFORCEMENT AGENCIES

- A. Policy 9320 and this Regulation shall be in accordance with the provisions of N.J.A.C. 6A:16-6.2, the Memorandum of Agreement between Education and Law Enforcement Officials (MOA), and shall be:
1. Developed, implemented, and revised, as necessary, in consultation with the county prosecutor and other law enforcement officials as may be designated by the county prosecutor;
 2. Reviewed and approved by the Executive County Superintendent;
 3. Made available annually to all school district staff, students, and parents;
 4. Consistent with reporting, notification, and examination procedures of students suspected of being under the influence of alcohol and other drugs pursuant to N.J.A.C. 6A:16-4.3; and
 5. Consistent with N.J.A.C. 6A:16-7, as appropriate.
- B. The school district's policies and procedures for cooperation with law enforcement agencies shall include the following components:
1. The Superintendent has designated school district staff as liaisons to law enforcement agencies in accordance with the MOA. The MOA includes a description of the liaisons' roles and responsibilities;
 2. Specific procedures for and responsibilities of school district staff in summoning appropriate law enforcement authorities onto school grounds, for the purpose of conducting law enforcement investigations, searches, seizures, or arrests shall be in accordance with the MOA;
 3. Specific procedures and responsibilities of school district staff for notifying parents in instances of law enforcement interviews involving their children shall be consistent with the MOA and the following:
 - a. School officials shall not notify the student's parent(s) in instances of suspected child abuse or neglect;
 - b. School officials shall notify the student's parent(s) when the student is the target of the law enforcement investigation; and

- c. In all other instances, school authorities shall permit law enforcement authorities to determine whether or when a student's parent should be contacted;
- 4. Specific procedures for and responsibilities of school district staff in cooperating with arrests made by law enforcement authorities on school grounds shall be in accordance with the MOA;
- 5. Specific procedures for and responsibilities of school district staff in initiating or conducting searches and seizures of students, their property, and their personal effects shall be in accordance with the MOA and the following:
 - a. All searches and seizures conducted by school district staff shall comply with the standards prescribed by the United States Supreme Court in *New Jersey v. T.L.O.*, 469 U.S. 325 (1985).
 - b. Questions concerning searches conducted by school officials shall be directed to the appropriate county prosecutor.
 - c. School officials may request that law enforcement authorities assume responsibility for conducting a search or seizure.
 - d. No school district staff member shall impede a law enforcement officer engaged in a lawful search, seizure, or arrest whether pursuant to a warrant or otherwise.
 - e. School district staff shall permit law enforcement authorities, upon their arrival, to assume responsibility for conducting a search or seizure.
 - f. All inspections of lockers, desks, or other objects or personal property on school grounds involving the use of law enforcement drug-detection canines may be undertaken with only the express permission of the county prosecutor or the Director of the Division of Criminal Justice or the Director's designee in the New Jersey Department of Law and Public Safety.
 - g. Questions concerning the legality of a contemplated or ongoing search, seizure, or arrest conducted by a law enforcement officer on school grounds shall be directed to the county prosecutor or in the case of a search, seizure, or arrest undertaken by the Division of Criminal Justice's designee in the New Jersey Department of Law and Public Safety, to the assigned Assistant Attorney General;
- 6. The procedures for and responsibilities of school district staff, with regard to interviews of students suspected of possessing or distributing a controlled dangerous substance; including anabolic steroids, drug paraphernalia; or a firearm or other deadly weapon shall be in accordance with Policy and Regulation 5530 and the MOA;
- 7. Procedures for planning, approving, and conducting undercover school operations shall be in accordance with the MOA and the following:
 - a. The Superintendent and Principal shall cooperate with law enforcement authorities in the planning and conduct of undercover school operations. The

Superintendent shall approve undercover operations without prior notification to the Board of Education.

- b. All information concerning requests to undertake an undercover school operation, information supplied by law enforcement authorities to justify the need for and explain a proposed undercover school operation, and all other information concerning an ongoing undercover school operation, including the identity of any undercover officer placed in a school, shall be kept strictly confidential by the Superintendent and Principal.
 - c. The Superintendent and Principal shall not divulge information concerning an undercover school operation to any person without the prior express approval of the county prosecutor or designee.
 - d. The Superintendent, Principal, or any other school district staff or Board member who may have been informed regarding the existence of the undercover school operation shall immediately communicate to the county prosecutor or designee if they subsequently learn of information that suggests the undercover officer's true identity has been revealed, the undercover officer's identity or status as a bona fide member of the school community has been questioned, or the integrity of the undercover school operation has been in any other way compromised;
- 8. The procedures for and responsibilities of school district staff concerning the safe and proper handling of a seized controlled dangerous substance, including anabolic steroids, drug paraphernalia, or a firearm or other deadly weapon, and the prompt delivery of the items to appropriate law enforcement authorities shall be in accordance with N.J.A.C. 6A:16-6.2, Policy and Regulation 5530, and the MOA;
 - 9. The procedures for and responsibilities of school district staff in notifying authorities of a suspected violation of laws prohibiting the possession; sale or other distribution of a controlled dangerous substance, including anabolic steroids; drug paraphernalia; or a firearm or other deadly weapon shall be in accordance with Policy and Regulation 5530 and the MOA;
 - 10. Provisions for requesting uniformed police attendance at extracurricular school events shall be in accordance with the MOA;
 - 11. Provisions for notifying parents as soon as possible whenever a student is arrested for violating a law prohibiting the possession; sale or other distribution of a controlled dangerous substance, including anabolic steroids; drug paraphernalia; or a firearm or other deadly weapon shall be in accordance with Policy and Regulation 5530;
 - 12. Provisions for in-service training of school district staff concerning policies and procedures established in this subchapter, and the exchange of information regarding the practices of the school district and law enforcement agencies shall be in accordance with the MOA;
 - 13. A MOA with appropriate law enforcement authorities in accordance with N.J.A.C. 6A:16-6, Policy 9320, and this Regulation;

14. An annual process for the Superintendent and appropriate law enforcement officials to discuss the implementation and need for revising the MOA, and to review the effectiveness of policies and procedures implemented pursuant to N.J.A.C. 6A:16-6.2 and the MOA;
15. Provisions for contacting the Chief Executive Officer of the involved law enforcement agency, county prosecutor, and/or Division of Criminal Justice, as necessary, to resolve disputes concerning law enforcement activities occurring on school grounds shall be in accordance with the MOA; and
16. Provisions for directing inquiries or complaints received by school district staff regarding interviews, investigations, arrests, or other operations conducted by sworn law enforcement officers to the appropriate law enforcement agency shall be in accordance with the MOA.

C. Mandatory Reporting

1. There are seven offenses that must be reported to law enforcement if they qualify as mandatory reports, as set forth and explained in further detail in the MOA. These mandatory reports include:
 - a. Whenever any school district staff has reason to believe a student is in possession of a controlled dangerous substance or related paraphernalia, or is involved or implicated in distribution activities regarding controlled dangerous substances, pursuant to N.J.A.C. 6A:16-6.3;
 - b. Whenever any school district staff in the course of their employment develops reason to believe that a firearm or other dangerous weapon has unlawfully been possessed on or off school grounds, a weapon was used in an assault against a student or other school personnel, or that any student or other person has committed an offense with, or while in possession of, a firearm, whether or not such offense was committed on school grounds or during school operating hours, pursuant to N.J.A.C. 6A:16-5.5, 5.6(d)4 and 6.3(b);
 - c. Whenever any school district staff in the course of their employment develops reason to believe that anyone has threatened, is planning, or otherwise intends to cause death, serious bodily injury, or significant bodily injury to another person under circumstances in which a reasonable person would believe that the person genuinely intends at some time in the future to commit the violent act or to carry out the threat, pursuant to N.J.A.C. 6A:16-6.3(c) through (e);
 - d. Whenever any school district staff in the course of their employment develops reason to believe that a crime involving sexual penetration or criminal sexual contact has been committed on school grounds, or by or against a student during school operating hours or during school-related functions or activities, pursuant to N.J.A.C. 6A:16-6.3(d);
 - e. Whenever any school district staff in the course of their employment develops reason to believe that an assault upon a teacher, administrator, other school Board employee, or district Board of Education member has been committed, with or without a weapon, pursuant to N.J.A.C. 6A:16-5.7(d)5;

- f. Whenever any school district staff in the course of their employment develops reason to believe a “bias-related act” has been committed or is about to be committed on or off school grounds, pursuant to N.J.A.C. 6A:16-6.3(e); and
 - g. Whenever any school employee in the course of their employment develops reason to believe a student is potentially missing, abused, or neglected, pursuant to N.J.A.C. 6A:16-11.1(a)3i. through iii.
- D. Nothing in the policies and procedures required under N.J.A.C. 6A:16-6 and Policy 9320 and this Regulation shall be construed to prohibit school district staff from disclosing information, pursuant to N.J.A.C. 6A:32-7.2 and 7.5(f), if necessary, to protect the immediate health or safety of a student or other persons.
- E. The Superintendent or designee shall annually review Policy 9320 and this Regulation as adopted by the Board to ensure each are in accordance with the requirements outlined in the MOA.

First Reading: 14 June 2022
Second Reading: 21 June 2022
Adopted: