

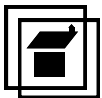
REGULATION

ENGLEWOOD BOARD OF EDUCATION

PROGRAM
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R 2000 PROGRAM

<u>Number</u>	<u>Title</u>
R 2361	Acceptable Use of Computer Networks/Computers and Resources



R 2361 ACCEPTABLE USE OF COMPUTER NETWORKS/ COMPUTERS AND RESOURCES

The school district provides computer equipment, computer services, and Internet access to its students and staff for educational purposes only. The purpose of providing technology resources is to improve learning and teaching through research, teacher training, collaboration, dissemination and the use of global communication resources.

For the purpose of this Policy and Regulation, “computer networks/computers” includes, but is not limited to, the school district’s computer networks, computer servers, computers, other computer hardware and software, Internet equipment and access, and any other computer related equipment.

For the purpose of this Policy and Regulation, “school district personnel” shall be the person(s) designated by the Superintendent to oversee and coordinate the school district’s computer networks/computer systems. School district personnel will monitor networks and online activity, in any form necessary, to maintain the integrity of the networks, ensure proper use, and to be in compliance with Federal and State laws that regulate Internet safety.

Due to the complex association between government agencies and computer networks/computers and the requirements of Federal and State laws, the end user of the school district’s computer networks/computers must adhere to strict regulations. Regulations are provided to assure staff, community, students, and parent(s) or legal guardian(s) of students are aware of their responsibilities. The school district may modify these regulations at any time. The signatures of the student and his/her parent(s) or legal guardian(s) on a district-approved Consent and Waiver Agreement are legally binding and indicate the parties have read the terms and conditions carefully, understand their significance, and agree to abide by the rules and regulations established under Policy and Regulation 2361.

Students are responsible for acceptable and appropriate behavior and conduct on school district computer networks/computers. Communications on the computer networks/computers are often public in nature and policies and regulations governing appropriate behavior and communications apply. The school district’s networks, Internet access, and computers are provided for students to conduct research, complete school assignments, and communicate with others. Access to computer networks/computers is given to students who agree to act in a considerate, appropriate, and responsible manner. Parent(s) or legal guardian(s) permission is required for a student to access the school district’s computer networks/computers. Access entails



responsibility and individual users of the district computer networks/computers are responsible for their behavior and communications over the computer networks/computers. It is presumed users will comply with district standards and will honor the agreements they have signed and the permission they have been granted. Beyond the clarification of such standards, the district is not responsible for the actions of individuals utilizing the computer networks/computers who violate the policies and regulations of the Board.

Computer networks/computer storage areas shall be treated in the same manner as other school storage facilities. School district personnel may review files and communications to maintain system integrity, confirm users are using the system responsibly, and ensure compliance with Federal and State laws that regulate Internet safety. Therefore, no person should expect files stored on district servers will be private or confidential.

The following prohibited behavior and/or conduct using the school district's networks/computers, includes but is not limited to, the following:

1. Sending or displaying offensive messages or pictures;
2. Using obscene language and/or accessing material or visual depictions that are obscene as defined in section 1460 of Title 18, United States Code;
3. Using or accessing material or visual depictions that are child pornography, as defined in section 2256 of Title 18, United States Code;
4. Using or accessing material or visual depictions that are harmful to minors including any pictures, images, graphic image files or other material or visual depictions that taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
5. Depicting, describing, or representing in a patently offensive way, with respect to what is suitable for minors, sexual acts or conduct; or taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors;
6. Cyberbullying;
7. Inappropriate online behavior, including inappropriate interaction with other individuals on social networking sites and in chat rooms;



8. Harassing, insulting, or attacking others;
9. Damaging computers, computer systems, or computer networks/computers;
10. Violating copyright laws;
11. Using another's password;
12. Trespassing in another's folders, work or files;
13. Intentionally wasting limited resources;
14. Employing the computer networks/computers for commercial purposes; and/or
15. Engaging in other activities that do not advance the educational purposes for which computer networks/computers are provided.

INTERNET SAFETY

Compliance with Children's Internet Protection Act

As a condition for receipt of certain Federal funding, the school district has technology protection measures for all computers in the school district, including computers in media centers/libraries, that block and/or filter material or visual depictions that are obscene, child pornography and harmful to minors as defined in 2, 3, 4, 5, 6, and 7 above and in the Children's Internet Protection Act. The school district will certify the schools in the district, including media centers/libraries are in compliance with the Children's Internet Protection Act and the district complies with and enforces Policy and Regulation 2361.

Compliance with Neighborhood Children's Internet Protection Act

Policy 2361 and this Regulation establish an Internet safety protection policy and procedures to address:

1. Access by minors to inappropriate matter on the Internet and World Wide Web;
2. The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;



3. Unauthorized access, including “hacking” and other unlawful activities by minors online;
4. Cyberbullying;
5. Inappropriate online behavior, including inappropriate interaction with other individuals on social networking sites and in chat rooms;
6. Unauthorized disclosures, use, and dissemination of personal identification information regarding minors; and
7. Measures designed to restrict minors’ access to materials harmful to minors.

Notwithstanding the material or visual depictions defined in the Children’s Internet Protection Act and the Neighborhood Children’s Internet Protection Act, the Board shall determine Internet material that is inappropriate for minors.

The Board will provide reasonable public notice and will hold one annual public hearing during a regular monthly Board meeting or during a designated special Board meeting to address and receive public community input on the Internet safety protection policy - Policy and Regulation 2361. Any changes in Policy and Regulation 2361 since the previous year’s annual public hearing will also be discussed at a meeting following the annual public hearing.

Notice of the annual public hearing will be advertised in the designated school newspaper.

Information Content and Uses of the System

Students may not publish on or over the system any information which violates or infringes upon the rights of any other person or any information which would be abusive, profane, or sexually offensive to a reasonable person, or which, without the approval of the Superintendent or designated school district personnel, contains any advertising or any solicitation to use goods or services. A student cannot use the facilities and capabilities of the system to conduct any business or solicit the performance of any activity which is prohibited by law.



Because the school district provides, through connection to the Internet, access to other computer systems around the world, students and their parent(s) or legal guardian(s) should be advised the Board and school district personnel have no control over content. While most of the content available on the Internet is not offensive and much of it is a valuable educational resource, some objectionable material exists. Even though the Board provides students access to Internet resources through the district's computer networks/computers with installed appropriate technology protection measures, parents and students must be advised potential dangers remain and offensive material may be accessed notwithstanding the technology protection measures taken by the school district.

Students and their parent(s) or legal guardian(s) are advised some systems and Internet sites may contain defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or otherwise illegal or offensive material. The Board and school district personnel do not condone the use of such materials and do not permit usage of such materials in the school environment. Parent(s) or legal guardian(s) having Internet access available to their children at home should be aware of the existence of such materials and monitor their child's access to the school district system at home. Students knowingly bringing materials prohibited by Policy and Regulation 2361 into the school environment will be disciplined in accordance with Board policies and regulations and such activities may result in termination of such students' accounts or access on the school district's computer networks and their independent use of computers.

On-line Conduct

Any action by a student or other user of the school district's computer networks/computers that is determined by school district personnel to constitute an inappropriate use of the district's computer networks/computers or to improperly restrict or inhibit other persons from using and enjoying those resources is strictly prohibited and may result in limitation on or termination of an offending person's access and other consequences in compliance with Board policy and regulation. The user specifically agrees not to submit, publish, or display any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or otherwise illegal or offensive material; nor shall a user encourage the use, sale, or distribution of controlled substances. Transmission of material, information or software in violation of any local, State or Federal law is also prohibited and is a breach of the Consent and Waiver Agreement.



Students and their parent(s) or legal guardian(s) specifically agree to indemnify the school district and school district personnel for any losses, costs, or damages, including reasonable attorneys' fees incurred by the Board relating to, or arising out of any breach of this section by the student.

Computer networks/computer resources are to be used by the student for his/her educational use only; commercial uses are strictly prohibited.

Software Libraries on the Network

Software libraries on or through the school district's networks are provided to students as an educational resource. No student may install, upload, or download software without the expressed consent of appropriate school district personnel. Any software having the purpose of damaging another person's accounts or information on the school district computer networks/computers (e.g., computer viruses) is specifically prohibited. School district personnel reserve the right to refuse posting of files and to remove files. School district personnel further reserve the right to immediately limit usage or terminate the student's access or take other action consistent with the Board's policies and regulations of a student who misuses the software libraries.

Copyrighted Material

Copyrighted material must not be placed on any system connected to the computer networks/computers without authorization. Students may download copyrighted material for their own use in accordance with Policy and Regulation 2531 - Use of Copyrighted Materials. A student may only redistribute a copyrighted program with the expressed written permission of the owner or authorized person. Permission must be specified in the document, on the system, or must be obtained directly from the author or authorized source.

Public Posting Areas (Message Boards, Blogs, Etc.)

Messages are posted from systems connected to the Internet around the world and school district personnel have no control of the content of messages posted from these other systems. To best utilize system resources, school district personnel will determine message boards, blogs, etc. that are most applicable to the educational needs of the school district and will permit access to these sites through the school district computer networks. School district personnel may remove messages that are deemed to be unacceptable or in violation of Board policies and regulations. School district personnel further reserve the right to immediately terminate the access of a student who misuses these public posting areas.



Real-time, Interactive, Communication Areas

School district personnel reserve the right to monitor and immediately limit the use of the computer networks/computers or terminate the access of a student who misuses real-time conference features (talk/chat/Internet relay chat).

Electronic Mail

Electronic mail (“email”) is an electronic message sent by or to a person in correspondence with another person having Internet mail access. The school district may or may not establish student email accounts. In the event the district provides email accounts, all messages sent and received on the school district computer networks/computers must have an educational purpose and are subject to review. Messages received by a district-provided email account are retained on the system until deleted by the student or for a period of time determined by the district. A canceled account will not retain its emails. Students are expected to remove old messages within fifteen days or school district personnel may remove such messages. School district personnel may inspect the contents of emails sent by a student to an addressee, or disclose such contents to other than the sender or a recipient when required to do so by the policy, regulation, or other laws and regulations of the State and Federal governments. The Board reserves the right to cooperate fully with local, State, or Federal officials in any investigation concerning or relating to any email transmitted or any other information on the school district computer networks/computers.

Disk Usage

The district reserves the right to establish maximum storage space a student receives on the school district’s system. A student who exceeds his/her quota of storage space will be advised to delete files to return to compliance with the predetermined amount of storage space. A student who remains in noncompliance of the storage space allotment after seven school days of notification may have their files removed from the school district’s system.

Security

Security on any computer system is a high priority, especially when the system involves many users. If a student identifies a security problem on the computer networks/computers, the student must notify the appropriate school district staff member. The student should not inform other individuals of a security problem. Passwords provided to students by the district for access to the district’s computer networks/computers or developed by the student for access to an Internet site



should not be easily guessable by others or shared with other students. Attempts to log in to the system using either another student's or person's account may result in termination of the account or access. A student should immediately notify the Principal or designee if a password is lost or stolen, or if they have reason to believe that someone has obtained unauthorized access to their account. Any student identified as a security risk will have limitations placed on usage of the computer networks/computers or may be terminated as a user and be subject to other disciplinary action.

Vandalism

Vandalism to any school district owned computer networks/computers may result in cancellation of system privileges and other disciplinary measures in compliance with the district's discipline code. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the system, or any of the agencies or other computer networks/computers that are connected to the Internet backbone or of doing intentional damage to hardware or software on the system. This includes, but is not limited to, the uploading or creation of computer viruses.

Printing

The printing facilities of the computer networks/computers should be used judiciously. Unauthorized printing for other than educational purposes is prohibited.

Internet Sites and the World Wide Web

Designated school district personnel may establish an Internet site(s) on the World Wide Web or other Internet locations. Such sites shall be administered and supervised by designated school district personnel who shall ensure the content of the site complies with Federal, State, and local laws and regulations as well as Board policies and regulations.



Violations

Violations of the Acceptable Use of Computer Networks/Computers and Resources Policy and Regulation may result in a loss of access as well as other disciplinary or legal action. Disciplinary action shall be taken as indicated in Policy and/or Regulation, 2361 - Acceptable Use of Computer Networks/Computers and Resources, 5600 - Student Discipline/Code of Conduct, 5610 - Suspension and 5620 - Expulsion as well as possible legal action and reports to the legal authorities and entities.

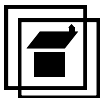
Determination of Consequences for Violations

The particular consequences for violations of this Policy shall be determined by the Principal or designee. The Superintendent or designee and the Board shall determine when school expulsion and/or legal action or actions by the authorities is the appropriate course of action.

Individuals violating this Policy shall be subject to the consequences as indicated in Board Policy and Regulation 2361 and other appropriate discipline, which includes but is not limited to:

1. Use of computer networks/computers only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;
5. Revocation of computer privileges;
6. Suspension from school;
7. Expulsion from school; and/or
8. Legal action and prosecution by the authorities.

Issued:



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R 3000 TEACHING STAFF MEMBERS

<u>Number</u>	<u>Title</u>
R 3160	Physical Examination (M)
R 3270	Lesson Plans and Plan Books
R 3281	Inappropriate Staff Conduct
R 3321	Acceptable Use of Computer Network(s)/Computers and Resources by Teaching Staff Members
R 3425.1	Modified Duty Early Return to Work Program - Teaching Staff Members
R 3432	Sick Leave



R 3160 PHYSICAL EXAMINATION

A. Definitions

1. “Employee” or “staff member” means the holder of any full-time or part-time position of employment.
2. “Health history” means the record of a person’s past health events obtained in writing, completed by the individual or their physician.
3. “Health screening” means the use of one or more diagnostic tools to test a person for the presence or precursors of a particular disease.
4. “Physical examination” means the assessment of an individual’s health by a professional licensed to practice medicine or osteopathy, or by an advanced practice nurse or physician assistant.
5. “Physician assistant” means a health care professional licensed to practice medicine with physician supervision.

B. Physical Examinations – Candidates for Employment Who Have Received a Conditional Offer of Employment

1. Candidates for employment who have received a conditional offer of employment shall be required to undergo a physical examination. The physical examination shall include, but is not limited to, a health history and health screenings to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA). The candidate for employment will be provided the Board’s requirements for the physical examination.
 - a. A health history shall include, but is not limited to, the candidate’s:
 - (1) Past serious illnesses and injuries;
 - (2) Current health problems;
 - (3) Allergies; and
 - (4) A record of immunizations.



b. A health screening shall include, but is not limited to:

- (1) Height;
- (2) Weight;
- (3) Pulse and respiratory rate;
- (4) Hearing screening;
- (5) Blood pressure;
- (6) Vision screening;

C. Medical Requirements Upon Employment

1. A Mantoux tuberculosis test shall be given upon employment of all newly hired staff members (full-time and part-time), and to all student teachers, school bus drivers on contract with the district, and to contractors or volunteers who have contact with students. Tuberculosis testing is not required for volunteers working with students less than twenty hours per month.

a. Tuberculosis testing is not required:

- (1) For new staff members, student teachers, and contractors of the school district with a documented negative tuberculosis test result in the last six months or a documented positive tuberculosis test, regardless of when this test was done; or
- (2) For a school district staff member transferring between school districts or from a non-public school within New Jersey with a documented tuberculosis test result upon his/her initial employment by a New Jersey school.

b. Staff members, student teachers, contractors or volunteers who have contact with students and claim a religious exemption cannot be compelled to submit to tuberculosis testing. In these instances, a symptom assessment must be done (TB-8 Form). If TB-like symptoms are reported, a physician must document that the staff member, student teacher, contractor, or volunteer does not have an active disease.



- (1) The school district shall determine the criteria essential to document a valid religious exemption.
 - c. Procedures for the administration of the Mantoux tuberculosis test, interpretation of reactions, follow-up procedures, and reporting shall be conducted in accordance with the guidelines and requirements of the New Jersey Department of Health.
 2. An individual teaching staff member may provide health-status information, including medications, that may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, the teaching staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.
 - D. Health Records
 1. All health records of candidates for employment who have received a conditional offer of employment and of current employees, including computerized records, shall be secured, stored, and maintained separately from other personnel files.
 2. Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5.
 - E. Employees' Physical Examination and Medical Updates
 1. School employee physicals, examinations, and/or annual medical updates shall not require disclosure of HIV status.



F. Testing for Usage of Controlled or Dangerous Substances for Candidates Who Have Received a Conditional Offer of Employment

1. Candidates for employment who have received a conditional offer of employment will be required to complete testing, conducted at the Board's expense, for the usage of controlled dangerous substances as they are defined in N.J.S.A. 2C:35-2.
 - a. Candidates will be allowed privacy during specimen collection. Control and accountability of specimens will be maintained with a chain of custody in accordance with accepted practices and as recommended by the approved laboratory. A laboratory approved by the New Jersey Department of Health will be selected by the Board for such testing.
 - b. The laboratory will conduct the test in accordance with industry standard practices for testing for controlled dangerous substances.
 - c. A Medical Review Officer, who is a licensed physician will review the final results of all positive tests to determine if there is a medical explanation for the results. The Medical Review Officer will review the candidate's medical history and may conduct a medical interview with the candidate to determine any relevant factors contributing to the results of the test. The Medical Review Officer will communicate the results of an investigation regarding positive drug tests to the candidate and to the Superintendent.
 - d. The ADA prohibits employment discrimination against qualified individuals with disabilities. Persons who use drugs illegally (the use of controlled dangerous substances (CDS) and the illegal use of prescription drugs) are not protected by the ADA.
 - e. After a conditional offer of employment, the school district administration and/or the Medical Review Officer may ask the candidate questions concerning present drug or alcohol use; however, information obtained may not be used to exclude an individual with a disability, based on the disability, unless it can be shown that the reason for exclusion meets the following three tests:



- (1) It must be job-related and cannot be met with reasonable accommodation;
 - (2) It must be consistent with the demonstrated necessity of conducting business; and
 - (3) It must be related to legitimate job criteria.
 - f. The school district **shall** refuse to hire a candidate based upon a test result that indicates the illegal use of drugs as confirmed by the Medical Review Officer. This action **shall** be taken even if the candidate claims he/she recently stopped illegally using drugs.
 2. The Superintendent will confer with the Medical Review Officer regarding all positive tests to prevent any ADA violation.
 3. Testing for controlled or dangerous substances will be required for all candidates for employment who receive a conditional offer of employment in the following job classifications in the school district:
 - a. All positions
- G. Review of Examinations and Assessments
1. The results of the physical examination of a candidate for employment who has received a conditional offer of employment will be reviewed by the school physician, who, in consultation with the Superintendent, will determine the candidate's physical and mental fitness to function with reasonable accommodation in the position for which he/she has made application. That determination will be made a part of the candidate's application.



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TEACHING STAFF MEMBERS

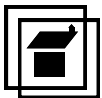
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Physical Examination

- H. Rescinding a Conditional Offer of Employment – Notice to Candidates for Employment Who Receive a Conditional Offer of Employment
1. All candidates for employment who receive a conditional offer of employment shall be informed by the district that:
 - a. An offer of employment by the Superintendent of Schools or designee is conditional upon completion of the Board's required physical examinations and assessments.
 - b. The required examinations and assessments will be used to determine the candidate's ability to perform with reasonable accommodations job-related functions pursuant to ADA; and
 - c. If it is determined upon completing the examination(s) or assessment(s) the candidate is unable to perform with reasonable accommodations job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent if the Board has not yet approved the appointment or by the Board, if the Board had approved the appointment at a Board meeting.

Adopted: 18 May 2006

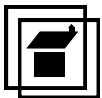
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R 3270 LESSON PLANS AND PLAN BOOKS

A. Lesson Plans

1. Each teaching staff member assigned specific instructional responsibilities shall prepare regular lesson plans.
2. Each lesson plan must include the:
 - a. Name of the unit or area of learning;
 - b. Goals and objectives;
 - c. New Jersey Core Curriculum Content Standards;
 - d. Content outline;
 - e. Duration of the lesson;
 - f. Instructional methodology;
 - g. Evaluation procedures;
 - h. Progress Indicators;
 - i. Any seat work or activity center assignments;
 - j. Homework assignments; and
 - k. Resource materials.
3. Lesson plans must be completed at least one week in advance.
4. Lesson plans will follow the format established at the building or departmental level, as appropriate. Lesson plans will ordinarily be prepared on a daily basis, but, if the format so dictates, may be prepared on a long-range unit basis.
5. Lesson plans must be prepared with clarity and in sufficient detail to permit a person unacquainted with the classroom to conduct the lesson efficiently and effectively.



B. Plan Books

1. A plan book will be kept by each teacher as a master plan for instruction in the classroom. In addition, the plan book will permit administrators to monitor classroom instruction and will give direction to substitutes.
2. Plan books will include:
 - a. Lesson plans,
 - b. A seating chart of students in the classroom,
 - c. Daily class schedules, and
 - d. The names of students receiving remedial instruction or removed from the classroom for specialized instruction during the school day.
3. Plan books will be submitted to the Principal or subject supervisor every week for review.
4. Plan books must be available for use by a substitute in an unforeseen situation. Plan books will not be removed from the classroom overnight.
5. Plan books will be turned in to the Principal at the end of the school year.

C. Substitute Lesson Plans

Each teacher shall submit a substitute folder to the Principal or Assistant Principal that contains the following:

1. Special plans and hints for the substitute;
2. Helpful students for each selection;
3. Procedure for opening exercises;
4. Explanation sheet on taking daily attendance;
5. Special lessons to be used by the substitute when you are absent;
6. Procedure for dismissal of each class and dismissal at the end of the day;



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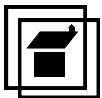
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Lesson Plans and Plan Books

7. Special subjects schedule-art, music, physical education, students leaving for instrumental lessons and remedial reading;
8. Fire drill forms;
9. Seating charts;
10. Room rules and regulations;
11. Names of students with special problems, such as physical disabilities.

Substitute folders should be reviewed and updated periodically. Special plans in the substitute folder will only be necessary should the teacher want a substitute not to follow their regular lesson plans. To help the substitute and to provide meaningful work for the children when they are absent, prepare a folder of subject related seatwork activities or ideas which a substitute can utilize if needed for each class assignment. Every attempt should be made to have the substitute follow the teachers' planbooks so that the children's education will not be interrupted during the teacher's absence, particularly if it is an extended absence.

Issued:



R 3281 INAPPROPRIATE STAFF CONDUCT

Inappropriate conduct by a school staff member will not be tolerated by the Board of Education. Policy No. 3281 and this Regulation have been developed and adopted by this Board to provide guidance and direction to avoid actual and/or the appearance of inappropriate conduct and conduct unbecoming a school staff member to students.

A. Definitions

1. “Building Principal” is the Principal of the building where the staff member is assigned.
2. “Grievance Procedure” is the grievance procedure that provides for prompt and equitable resolution of inappropriate conduct or conduct unbecoming a school staff member.
3. “Hostile Environment Sexual Harassment” is sexual harassing conduct, which can include sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive to limit a student’s ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.
4. The “immediate supervisor” for teaching staff members may be a Building Principal, a member of the school district’s non-instructional supervisory staff and/or the School Business Administrator/Board Secretary.
5. “Inappropriate comments” includes, but is not limited to, comments of a sexual nature, sexually oriented humor or language, inappropriate comments about a student’s clothing or physical appearance, comments with sexual overtones, comments regarding a student’s dating partner or comments about the staff member’s personal life that are not relevant to the professional responsibility of the school staff member.
6. “Inappropriate conduct” includes, but is not limited to, sexual misconduct, a request by a school staff member to a student for a social relationship outside the school staff/student relationship, sexually harassing conduct, inappropriate touching by the staff member to a student or permitting a student to inappropriately touch a staff member, corporal punishment, requesting a student to expose private parts of their body, other than for school medical purposes, and



a staff member exposing their own private parts of their body to a student. Inappropriate conduct also includes physical contact between a staff member and student that is beyond the staff member/student professional relationship. This contact includes, but is not limited to, kissing, touching or feeling private parts of the body, holding hands or arms, and other contact that typically shows a sign of affection beyond the staff member/student professional relationship. "Inappropriate conduct" does not include a hug initiated by a student as a sign of the student's appreciation to a school staff member at a school sponsored activity such as school banquets, school recognition programs, graduations, etc.

7. "Inappropriate language or expression" includes, but is not limited to, the use of any profanity, obscene language, public lewdness or the use of public lewdness, comments with sexual overtones, distribution and/or discussion of any pornography.
8. "Inappropriate staff conduct" is any conduct prohibited by this Policy and corresponding Regulation including any other conduct deemed by the Commissioner of Education, the State Board of Education, statute, administrative code, and/or the judicial case law to be inappropriate conduct and/or conduct unbecoming a school staff member.
9. "Quid Pro Quo Sexual Harassment" is when a school employee explicitly or implicitly conditions a student's participation in an educational program or activity or bases an educational decision on the student's submission to unwelcomed sexual advances, requests for sexual favors or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the student resists and suffers the threatened harm or submits and thus avoids the threatened harm.
10. "Professional responsibility or responsibilities" is the responsibilities of the staff member including, but not limited to, all school district sponsored extra-curricular activities, co-curricular activities, athletic coaching responsibilities; and other instructional or non-instructional positions and responsibilities appointed and/or assigned by the administration or Board.
11. "Promptly report" is reporting by the end of the next school day. If school is not in session the next day, then by the end of the first day after the weekend or holiday break. If this reporting time would exceed seventy-two hours, the staff member shall notify the Building Principal no later than seventy-two hours after the required reporting time.



12. “Sexual Harassment” is to include quid pro quo sexual harassment and/or hostile environment sexual harassment.
13. “Staff member” or “school staff member” is a compensated and/or uncompensated member of the school district’s staff, including any agents and/or representatives of the school district.
14. “Unannounced or uninvited visit” is a student visiting, without prior notice to the staff member or without an invitation from the staff member, the staff member’s residence and/or other place where the staff member may be when not performing school related professional responsibilities.

B. Reporting Procedure

1. Any staff member who believes, or has reason to believe, a student is seeking a relationship with the staff member beyond his/her professional responsibilities must promptly report this information to the Building Principal or immediate supervisor.
2. Any staff member who believes, or has reason to believe, a student is seeking a relationship with another staff member beyond the professional responsibilities of the other staff member or believes, or has reason to believe, another staff member is seeking a relationship with a student beyond the professional responsibilities of the other staff member must promptly report this information to the Building Principal or immediate supervisor.
3. Any staff member who believes he/she had, or may have, engaged in conduct prohibited by this Policy and Regulation must promptly report the conduct to the Building Principal or immediate supervisor.
4. Failure of a staff member to report conduct they know, or had reason to know, is prohibited by this Policy and Regulation and will result in appropriate disciplinary action.
5. Any student, parent, legal guardian and/or other person(s) who believes, or has reason to believe, a staff member has engaged in conduct prohibited by this Policy and Regulation shall promptly report the conduct to the Principal.
6. Any person, including school staff, may make an anonymous report to the Principal if the person in good faith believes, or has reason to believe, a staff member has engaged in conduct prohibited by this Policy and Regulation.



7. School staff having reasonable cause to believe a student has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 are required to immediately report to the New Jersey Department of Children and Families in accordance with N.J.A.C. 6A:16-11.1 and inform the Building Principal or immediate supervisor after making such report.
- C. Investigation of Reports
1. An immediate supervisor or Building Principal who receives a report a staff member engaged in, or may have engaged in, conduct prohibited by this Policy and Regulation will immediately notify the Superintendent.
 2. The principal or **staff member designated to complete the investigation** will begin a prompt and thorough investigation of every report.
 3. The principal or **staff member designated to complete the investigation** or the Superintendent will take such appropriate action as provided for in the law and as necessary at any time after receiving a report. This action may include, but is not limited to, notifying law enforcement, notifying the New Jersey Department of Children and Families if there is reasonable cause to believe a student has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 and in accordance with N.J.A.C. 6A:16-11.1, and/or any other measure provided for in the law.
- D. Preliminary Investigation of Reports by Others
1. The principal or **staff member designated to complete the investigation** will begin a prompt, thorough, and impartial investigation. The preliminary investigation will be completed no more than ten working days after the principal or **staff member designated to complete the investigation**] received the report.
 2. The Principal's or **staff member designated to complete the investigation** preliminary investigation may include, but is not limited to, interviews with staff members who may have potential knowledge of the alleged conduct, interviews with any students who may have potential knowledge of such conduct, interviews with parent(s)/legal guardian(s) or any other persons who may have potential knowledge of the alleged conduct, and interview(s) with the school staff member(s) and student(s) reported to have engaged in conduct prohibited by this Policy and Regulation.



3. The Principal or **staff member designated to complete the investigation** will request, if relevant to an investigation, the parent(s)/legal guardian(s) of any student involved in the investigation to assist in the investigation to determine if inappropriate staff conduct may have existed.
 4. If, based on a preliminary investigation, the principal or **staff member designated to complete the investigation** determines conduct prohibited by this Policy and Regulation did not exist, he/she will meet with the staff member(s) and the parent(s)/legal guardian(s) of the student(s) reported to review the results of the preliminary investigation. The preliminary investigation report indicating inappropriate conduct did not exist will be in writing and will be provided to the staff member(s) and to the parent(s)/legal guardian(s) if requested. The principal or **staff member designated to complete the investigation** will maintain a separate file for all such reports and the report will not be included in the staff member's personnel file.
 5. If, based on a preliminary investigation, the principal or **staff member designated to complete the investigation** deems inappropriate staff conduct may have occurred, he/she will immediately notify and meet with the staff member(s) and the parent(s)/legal guardian(s) of the student(s) indicated in the report to review the procedures to be followed in a continued full investigation. A copy of this Regulation and corresponding Policy will be provided to the staff member(s) and to the parent(s)/legal guardian(s) of the student indicated in the report upon request.
- E. Full Investigation
1. The Principal or **staff member designated to complete the investigation]**, finding that inappropriate staff conduct may have occurred after the preliminary investigation, requires a full investigation. This full investigation may be conducted in cooperation with the New Jersey Department of Children and Families in accordance with N.J.A.C. 6A:16-11.1 and/or local law enforcement.
 2. The Principal or **staff member designated to complete the investigation]** will conduct the full investigation if the New Jersey Department of Children and Families and/or local law enforcement does not intervene or if the allegations do not meet the reporting requirements of N.J.A.C. 6A:16-11.1 for reporting to the New Jersey Department of Children and Families and/or of N.J.A.C. 6A:16-6.3 for reporting to law enforcement.



3. The full investigation will include, but not be limited to, interviews with the staff member(s), students, parent(s)/legal guardian(s) and any other persons who know, or would have reason to know, a staff member may have engaged in inappropriate staff conduct.
4. The principal or **staff member designated to complete the investigation** will accept testimony and evidence from the staff member(s), student(s), parent(s)/legal guardian(s) and other persons who may have information relevant to the investigation.
5. All persons that provide information, testimony and evidence to the s Principal or **staff member designated to complete the investigation** relative to a report will be informed the information, testimony and evidence may be used in additional investigations and/or hearings as determined by the Superintendent.
6. Upon the conclusion of the interviews and review of the information, testimony and evidence, the principal or **staff member designated to complete the investigation** will prepare a written report to the Superintendent. The report will provide a summary of the interviews and information, testimony and evidence and, if possible, a finding from the principal or **staff member designated to complete the investigation**.
7. If the Principal 's **or staff member designated to complete the investigation** full investigation report finds inappropriate staff conduct and/or conduct unbecoming a school staff member did not occur and the Superintendent concurs with the report's findings, the Principal or **staff member designated to complete the investigation**] will notify and meet with the staff member(s) and the parent(s)/legal guardian(s) of the student(s) investigated to review the findings.
8. If the **Principal 's or staff member designated to complete the investigation** full investigation report finds inappropriate staff conduct and/or conduct unbecoming a school staff member may have occurred and the Superintendent concurs with the report's findings, the Superintendent may take such appropriate action necessary and as provided for in the law. This action may include, but is not be limited to:
 - a. Provide the staff member an opportunity to rebut the findings of the Principal 's **or staff member designated to complete the investigation** full investigation report and findings;



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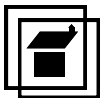
TEACHING STAFF MEMBERS

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Inappropriate Staff Conduct

- b. Recommend to the Board of Education the withholding of the staff member's salary increment/increase for the subsequent school year;
 - c. Not recommend the staff member be re-appointed for the next school year;
 - d. Recommend to the Board of Education the staff member be terminated for inappropriate staff conduct and/or conduct unbecoming a school staff member;
 - e. Institute tenure charges (if applicable) in accordance with N.J.S.A. 18A and N.J.A.C. 6A; and/or
 - f. Recommend to the Board of Education any other disciplinary and/or legal measures as the Superintendent determines to be appropriate under the circumstances and in accordance with any collective bargaining agreements between the employee representative association and the Board of Education.
9. If the Superintendent does not concur with the findings of the Principal 's **or staff member designated to complete the investigation]** full investigation, the Superintendent may continue the investigation, which may include testimony and/or evidence from additional witnesses, a discussion with those who have already provided information to the Principal **or staff member designated to complete the investigation]**, a discussion with the student(s) and parent(s)/legal guardian(s) and any activity the Superintendent believes would be helpful to the continued investigation. The results of the continued investigation conducted by the Superintendent will proceed consistent with paragraph 7. and 8. above.
10. Any person who is not satisfied with the Superintendent's determination may appeal to the Board of Education.

Issued:



R 3321 ACCEPTABLE USE OF COMPUTER NETWORK(S)/COMPUTERS AND RESOURCES BY TEACHING STAFF MEMBERS

The school district provides computer equipment, computer services, and Internet access to its students and staff for educational purposes only. The purpose of providing technology resources is to improve learning and teaching through research, teacher training, collaboration, dissemination and the use of global communication resources. The “system administrators” referred to herein as employees of the school district who administer the school district computer network(s)/computers and the system administrators reserve the right to monitor all activity on network(s)/computer facilities/computers.

Because of the complex association between so many government agencies and computer network(s)/computers, teaching staff members must adhere to strict regulations. Regulations are provided here so that teaching staff members are aware of their responsibilities. The school district may modify these regulations at any time by publishing modified regulations on the network(s) and elsewhere.

Teaching staff members are responsible for good behavior on computer network(s)/computers. Communications on the computer network(s)/computers are often public in nature. Policies and Regulations governing teaching staff members behavior and communications apply. The school district’s network(s), Internet access and computers are provided to conduct research and as a tool for instruction and to communicate with others. Access to computer network services/computers is given to teaching staff members who are expected to act in a considerate, responsible and professional manner. Access is a privilege, not a right. Access entails responsibility. Individual users of the district computer network(s)/computers are responsible for their behavior and communications over the computer network(s)/computers. It is presumed that users will comply with district standards. Beyond the clarification of such standards, the district is not responsible for the actions of individuals utilizing the computer network(s)/computers who violate the policies and regulations of the Board.

Computer network(s)/computer storage areas shall be treated in the same manner as other school storage facilities. Computer network(s)/computer administrators may review files and communications to maintain system integrity and ensure that users are using the system responsibly. Users should not expect that files stored on district servers will always be private. Users should expect all files stored on district servers will be available for review by the Technology Director and/or school administrators.

Within reasonable limits, freedom of speech and access to information will be honored. During school, teaching staff members will guide students toward appropriate materials.



Behaviors including but not limited to the following are prohibited:

1. Sending or displaying offensive messages or pictures;
2. Using obscene language;
3. Harassing, insulting or attacking others;
4. Damaging, degrading or disrupting computers, computer systems or computer network(s)/computers;
5. Violating copyright laws;
6. Using another's password;
7. Trespassing in another's folders, work or files;
8. Intentionally wasting limited resources;
9. Employing the network(s)/computers for commercial purposes;
10. Engaging in other activities which do not advance the educational purposes for which computer network(s)/computers are provided;
11. Stealing data or other intellectual projects;
12. Forging electronic mail messages;
13. Posting anonymous messages;
14. Accessing school computers for other than educational purposes; and/or
15. Any other unethical, unacceptable, illegal and/or inappropriate activity.

Information Content and Uses of the System

Users agree not to publish on or over the system any information which violates or infringes upon the rights of any other person or any information which would be abusive, profane or sexually offensive to an average person, or which without the approval of the system



administrators, contains any advertising or any solicitation of other members to use goods or services. The user agrees not to use the facilities and capabilities of the system to conduct any non-school related business or solicit the performance of any activity which is prohibited by law or is non-educational.

While most of the content available on the Internet is innocuous and much of it a valuable educational resource, some objectionable material exists. The Board will provide student access to Internet resources only in supervised environments and has taken steps to lock out objectionable areas to the extent possible, but potential dangers remain. Teaching staff members are advised that some systems may contain defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or otherwise illegal material and are to supervise student use of computers and the Internet. The Board and the system administrators do not condone the use of such materials and do not permit usage of such materials in the school environment. Teaching staff members should discipline students knowingly bringing such materials into the school environment in accordance with Board policies and regulations and inform students that such activities may result in termination of such students' accounts on the computer network(s) and their independent use of computers.

On-line Conduct

Any action by a teaching staff member or other user of the school district's computer network(s)/computers that is determined by a system administrator to constitute an inappropriate use of computer network(s)/computers resources or to improperly restrict or inhibit other members from using and enjoying those resources is strictly prohibited and may result in limitation on or termination of an offending member's account and other action in compliance with the Board policy and regulation. The user specifically agrees not to submit, publish, or display any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or otherwise illegal material; nor shall a user encourage the use, sale, or distribution of controlled substances. Transmission of material, information or software in violation of any local, state or federal law is also prohibited and is a breach of the Consent and Waiver Agreement.

Users agree to indemnify the Englewood Public School District and the system administrators for any losses, costs, or damages, including reasonable attorneys' fees incurred by the Board relating to, or arising out of any breach of this section by the user.

Computer network(s)/computer resources are to be used by the user for his/her educational use only; commercial uses are strictly prohibited.



Software Libraries on the Network(s)

Software libraries on the network(s) are provided to teaching staff members as an educational resource. No teaching staff member may install, upload, or download software without the expressed consent of the system administrator. Any software having the purpose of damaging other members' accounts on the school district computer network(s)/computers (e.g., computer viruses) is specifically prohibited. The system administrators, at their sole discretion, reserve the rights to refuse posting of files and to remove files. The system administrators, at their sole discretion, further reserve the right to immediately limit usage or terminate the account or take other action consistent with the Board's policies and regulations of a member who misuses the software libraries.

Copyrighted Material

Copyrighted material must not be placed on any system connected to the network(s)/computers without the author's specific written permission. Only the owner(s) or persons they specifically authorize may upload copyrighted material to the system. Members may download copyrighted material for their own use in accordance with Policy and Regulation Nos. 2531, Copying Copyrighted Materials. Any member may also noncommercially redistribute a copyrighted program with the expressed written permission of the owner or authorized person. Permission must be specified in the document, on the system, or must be obtained directly from the author.

Public Posting Areas (Message Boards/Usenet Groups)

Usenet and Internet Relay Chat Room messages are posted from systems connected to the Internet around the world and the school district system administrators have no control of the content of messages posted from these other systems. To best utilize system resources, the system administrators will determine which Usenet groups are most applicable to the educational needs of the school district and will carry these groups on the school district computer network(s). The system administrators or the school administration, at their sole discretion, may remove messages posted locally that are deemed to be unacceptable or in violation of the Board policies and regulations. The system administrators or the school administration, at their sole discretion, further reserve the right to immediately terminate the account of a member who misuses the message boards or Usenet groups.

Real-time, Interactive, Communication Areas

The system administrators, at their sole discretion, reserve the right to monitor and immediately limit the use of the computer network(s)/computers or terminate the account of a member who misuses real-time conference features (talk/chat/Internet relay chat) etc.



Electronic Mail

Electronic mail (“E-mail”) is an electronic message sent by or to a member in correspondence with another person having Internet mail access. All messages sent and received on the school district computer network(s) must have an educational or administrative purpose and are subject to review. A sender of an E-mail message should expect the E-mail messages will be reviewed by the system administrators or the school administration. Messages received by the system are retained on the system until deleted by the recipient or for a maximum of thirty calendar days. A canceled account will not retain its E-mail. Members are expected to remove old messages within thirty calendar days or the system administrators may remove such messages. The system administrators may inspect the contents of E-mail sent by one member to an addressee, or disclose such contents to other than the sender or a recipient when required to do so by the Board policy, regulation or other laws and regulations of the State and Federal governments. The Board reserves the right to cooperate fully with local, state, or federal officials in any investigation concerning or relating to any E-mail transmitted on the school district computer network(s) or computers.

Disk Usage

The system administrators reserve the right to set quotas for disk usage on the system. A member who exceeds his/her quota of disk space will be advised to delete files to return to compliance with predetermined quotas. A member who remains in noncompliance of disk space quotas after seven school days of notification will have their files removed by a system administrator.

Security

Security on any computer system is a high priority, especially when the system involves many users. If a member feels that he/she can identify a security problem on the computer network(s), the member must notify a system administrator. The member should not inform individuals other than the system administrators or other designated members of the school district staff of a security problem. Professional staff may allow individuals who are not members to access the system through the staff personal account as long as the staff person does not disclose the password of the account to the individuals and understands that the staff person assumes responsibility for the actions of individuals using his/her account. Members may not otherwise allow others to use their account and password. Passwords to the system should not be easily guessable by others, nor should they be words which could be found in a dictionary. Attempts to log in to the system using either another member’s account or as a system administrator will result in termination of the account. Members should immediately notify a system administrator if a password is lost or stolen, or if they have reason to believe that someone has obtained unauthorized access to their account. Any member identified as a security risk will have limitations placed on usage of the computer network(s)/computers or may be terminated as a user and be subject to other disciplinary action.



Vandalism

Vandalism will result in cancellation of system privileges and other disciplinary measures. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the system, or any of the agencies or other network(s)/computers that are connected to the Internet backbone or of doing intentional damage to hardware or software on the system. This includes, but is not limited to, the uploading or creation of computer viruses.

Printing

The printing facilities of the computer network(s)/computers should be used judiciously. Printing for other than educational, or school related purposes is prohibited.

Violations

Violations of the Acceptable Use of Computer Network(s)/Computers and Resources may result in a loss of access as well as other disciplinary or legal action. Disciplinary action shall be taken as indicated in Policy and Regulation No. 3321, Teaching Staff Members, Acceptable Use of Computer Network(s)/Computers and Resources, Policy No. 3150, Teaching Staff Member Discipline, as well as possible legal action and reports to the legal authorities and entities.

Determination of Consequences for Violations

The particular consequences for violations of this policy shall be determined by the Technology Director (**individual responsible for computer network(s)/computers**) in matters relating to the use of computer network(s)/computers and by the Superintendent or designee in matters of discipline or employee suspension or actions by the authorities are the appropriate course of action.

Individuals violating this policy shall be subject to the consequences as indicated in Policy No. 2361 and other appropriate discipline which includes but are not limited to:

1. Use of Computer Network(s)/Computers only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;



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Acceptable Use of Computer Network(s)/Computers
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5. Revocation of computer privileges;
6. Suspension from employment;
7. Legal action and prosecution by the authorities; and/or
8. Any appropriate action that may be deemed necessary as determined by the Superintendent and approved by the Board of Education.

Decisions of the Technology Director (**individual responsible for computer network(s)/computers**) may be appealed in accordance with the appropriate employee grievance procedure.

Issued:



TEACHING STAFF MEMBERS

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Modified Duty Early Return to Work
Program – Teaching Staff Members

R 3425.1 MODIFIED DUTY EARLY RETURN TO WORK PROGRAM – TEACHING STAFF MEMBERS

The Modified Duty Early Return to Work Program shall be administered by the Human Resource, the district's designated Workers' Compensation Coordinator.

A. Filing a Claim Report

1. A staff member must file a written Workers' Compensation Report if they have been injured in the performance of their job. This Report will be available in the main office and the nurse's office in each school building and in the Coordinator's office.
2. Upon sustaining an on-the-job injury, the staff member shall immediately report the injury to their immediate supervisor and report to the school nurse. If the injured staff member is not assigned to a school building with a school nurse, the school staff member shall immediately contact the Coordinator's office. The Coordinator, or designee, will direct the injured staff member to a school's main office, a school nurse, or to the workers' compensation physician.
 - a. In the event the injury requires immediate medical treatment, the staff member may be directed to the school physician or to the hospital emergency room. In this case, the Report shall be completed by the staff member whenever practical.
 - b. In the event the staff member gets injured when schools are closed or after business hours and the staff member believes the injury requires immediate medical treatment the staff member shall:
 - (1) Go to the hospital emergency room; and
 - (2) Notify their immediate supervisor as soon as possible after the injury.
 - c. In the event the injured staff member goes to the hospital emergency room when schools are closed, the staff member must report the injury to the Coordinator the next business day. The Coordinator may direct the injured staff member to a school nurse or to the workers' compensation physician. All future medical treatment for the injured staff member shall be scheduled through the Coordinator's office.



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- d. In the event the staff member gets injured when schools are closed or after business hours and the staff member believes the injury does not require immediate medical treatment, the staff member shall:
 - (1) Immediately notify their immediate supervisor; and
 - (2) Notify the Coordinator's office the next business day.
 3. The Workers' Compensation Report shall be forwarded to the Coordinator's office as soon as it is completed by the injured staff member.
 - a. In the event the staff member requires a physician's examination and evaluation, the Coordinator's office will schedule the appointment with the workers' compensation physician's office and the staff member.
 4. Any staff member injured on-the-job and the injury causes the staff member to miss work time or prohibits the staff member from fulfilling all their job responsibilities must be examined by the workers' compensation physician. The Coordinator will authorize workers' compensation time off from work for a staff member injured on-the-job only after the staff member has been examined by the worker's compensation physician. The Coordinator may, upon certain circumstances, authorize workers' compensation time from work without requiring an examination by the workers' compensation physician.
 5. The Modified Duty Early Return to Work Policy will be attached to the Workers' Compensation Report and this Regulation will be provided to the injured staff member upon request.
- B. Physician's Workers' Compensation Examination and Evaluation
1. The Coordinator will provide the workers' compensation physician a job description and a list of required tasks for positions in the school district.
 2. Upon completing the medical examination and evaluation, the workers' compensation physician will prepare a report indicating the staff member's physical limitations, if any, that prevent the staff member from completing the staff member's job responsibilities. The workers' compensation physician's report will also include a diagnosis, to the best of the physician's ability, on the length of recovery for each limitation. The physician's report will be forwarded to the Coordinator.



3. The Coordinator will review the workers' compensation physician's report and follow-up with the workers' compensation physician and the staff member if the Coordinator needs more information to make a determination if modified duty is an option for the injured staff member.

C. Modified Duty Restriction

1. There is no permanent modified duty and all modified duty positions are temporary.
2. Upon reviewing the workers' compensation physician's report, the Coordinator will determine if temporary modified duty is appropriate for the staff member. The Coordinator may determine the staff member should be out of work until such time the staff member is able to return to work to assume all their job responsibilities. The Coordinator may also determine a date in the future for the staff member to return to work to assume temporary modified duties.
3. A medical review and examination by the workers' compensation physician may be required to continue a modified duty assignment beyond sixty calendar days.
4. The Board reserves the right to require a staff member returning from modified duty to submit to a physical examination before returning to their position to assume all the job responsibilities of their position.
5. There will be communications among the Coordinator, the injured staff member's supervisor, the staff member, the workers' compensation physician, and the workers' compensation insurance provider throughout the course of treatment and recovery of the injured staff member.
6. A tracking system will be established for documenting a staff member's status in the Modified Duty Program.

D. Assignment of Job Tasks

1. Assigning modified duty to staff members will be decided on a case-by-case basis.
2. Job tasks for staff members on modified duty will be determined and assigned within the limitations established and approved by the workers' compensation physician.



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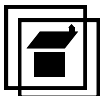
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Modified Duty Early Return to Work
Program – Teaching Staff Members

3. The injured staff member's immediate supervisor shall provide periodic status reports to the Coordinator for any staff member assigned modified duty.
 4. There is no restriction on the school district location or the type of modified duties assigned to the staff member provided it is consistent with the limitations detailed by the workers' compensation physician. These modified duties may be assigned to a full or partial day schedule depending on the staff member's limitations.
 5. The modified duties and/or responsibilities will be within the injured staff member's capabilities and a staff member will not be assigned any modified duties and/or responsibilities that require any certifications/licenses that are not possessed by the injured staff member.
- E. Staff Member Requirements
1. Staff members shall perform the job tasks designated by the workers' compensation physician in the physician's report and assigned by the Coordinator. In the event these job tasks cause discomfort, the staff member shall discontinue the specific activity and inform their immediate supervisor. The immediate supervisor will report this information to the Coordinator, who will schedule a medical appointment for the staff member.
 2. Staff members are required to follow the Coordinator's directives regarding:
 - a. Job assignments and tasks;
 - b. Attending scheduled doctors' appointments; and
 - c. Completing and transmitting reports to and from the workers' compensation physician, their immediate supervisor, and the Coordinator's office.
- F. Compliance With Laws

The Modified Duty Early Return To Work Program shall be administered consistent with the applicable federal and State laws and in accordance with provisions of collective bargaining agreements within the district.

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R 3432 SICK LEAVE

A. Eligibility for Sick Leave

1. Each person steadily employed by this district will be paid in full, to the limit of his/her entitlement, for days on which the employee is absent from work because of:
 - a. Personal disability due to the employee's illness or injury,
 - b. The employee's exclusion from school by the school district's medical authorities on account of a contagious disease, or
 - c. The employee's having been quarantined for a contagious disease in his/her immediate household.
2. Whatever the claims of disability, no day of absence shall be considered to be a sick leave day on which the employee:
 - a. Has engaged in or prepared for gainful employment with an employer other than the Board,
 - b. Has participated in a concerted work stoppage, or
 - c. Has engaged in any activity, vocational or avocational, that clearly refutes the employee's claim of disability or quarantine.

B. Call in Procedures

1. An employee who anticipates a day of disability should make every reasonable effort to so notify the Building Principal no later than the day before the absence, to allow sufficient time for the securing of substitute services.
2. Notice of the disability should include a reasonable estimate of the duration of the disability.
3. An employee who becomes aware of his/her disability on the morning of the absence must call the 6 AM.



4. An employee who becomes disabled during the school day must so inform the principal as promptly as possible and request permission to leave the school premises.
5. In all instances, the employee himself/herself should call the Principal to report sick leave. An agent may be appointed to call in sick leave only when the employee is so incapacitated as to make a personal call inadvisable or impossible.

C. Sick Leave Charges

1. A sick leave absence commences when the absence is called in pursuant to paragraph B. An employee who leaves school early because of a disability will not be charged with a sick leave day provided the absence commences after the hour of 12p. m.
2. A sick leave day once commenced may be reinstated as a working day only with the approval of the Superintendent.
3. An employee absent on sick leave on a day when the school is closed early for emergency reasons will be charged with a full sick leave day.
4. An employee scheduled for a sick leave absence on a day on which the schools do not open because of an emergency (such as a snow day) will not be charged with a sick leave day.

D. Verification of Sick Leave

1. An employee absent for reasons of disability more than _____5_____ consecutive working days or more than _____5_____ cumulative working days in any one _____7_____ [period of time] shall submit the signed statement of his/her physician indicating:
 - a. The reason for the employee's absence, as personally known to the physician; and
 - b. If the employee is not immediately returning to work, the anticipated duration of the employee's disability.
2. The Board may, at its discretion, require the employee to submit to examination by the school medical inspector or a physician designated by the school medical inspector.



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3. If the results of the examination conducted pursuant to paragraph D2 are inconsistent with the statement of the employee's physician, the two examining physicians shall agree in good faith on a third physician, who shall examine the employee and whose medical opinion shall be conclusive and binding as to the employee's disability on days claimed for sick leave.

E. Readmission After Disability

1. An employee who wishes to return to work after sick leave of more than 5 consecutive working days or more than 5 cumulative working days in any one 7 (period of time) shall submit the signed statement of his/her physician indicating the employee's fitness to perform his/her duties.
2. The Board may, at its discretion, require the employee to submit to examination by the school medical inspector or a physician designated by the school medical inspector.
3. If the results of the examination conducted pursuant to paragraph E2 are inconsistent with the statement of the employee's physician, the two examining physicians shall agree in good faith on a third physician, who shall examine the employee and whose medical opinion shall be conclusive and binding as to the employee's fitness to return to service.

F. Exhaustion of Sick Leave

1. The Human Resource will monitor each employee's sick leave bank and charge the employee's bank of accumulated sick leave with sick leave days in accordance with Policy No. 3432 and this regulation.
2. When it is apparent that an employee on extended sick leave will utilize the last sick leave day to which he/she is entitled within 10 working days, the Human Resource will so inform the employee by written notice. The notice will include a statement of the employee's right to request the Board for an extension of sick leave.
3. A request for the extension of sick leave should be submitted to the Human Resource at least 10 working days in advance of the next Board meeting. The request must be accompanied by a physician's signed statement setting forth the nature and anticipated duration of the employee's disability.



4. An employee who anticipates an extended period of disability may apply to the Board for a disability leave of absence pursuant to Policy No. 3431.
 5. Employees are reminded that sick leave extensions and disability leaves of absence are not entitlements and will be granted or denied by the Board on a case by case basis.
 6. Employees will receive no compensation or benefits during an unpaid leave of absence, except the continuation of health insurance coverage for which the employee must recompense the district.
- G. Accumulation of Sick Leave
1. Sick leave will be charged, first, to the sick leave newly available in the employee's current contract year and, when that sick leave entitlement is exhausted, to the employee's bank of accumulated sick leave.
 2. At the beginning of each contract year, up to ____10____ days of sick leave newly available but unused in the prior contract year will be carried forward and credited to a full-time employee's bank of sick leave.
 3. The unused sick leave of part-time employees will be accumulated on the basis of hours of work rather than days of work.
 - a. At the close of each school year, the number of sick leave days not used by a part-time employee will be multiplied by the number of hours the employee worked in each day or, if the employee worked irregular hours, the average number of hours in each contract day.
 - b. At the beginning of the following school year, the total number of hours accumulated will be divided by the number of hours, or average number of hours, to be worked in each contract day. The result constitutes the number of accrued sick leave days the employee may claim when he/she has exhausted the sick leave days available in the current contract year.
 - c. When a part-time employee, continuously employed in the district, is employed full-time, his/her accumulated sick leave hours will be divided by the number of hours in a full working day, and the dividend will be multiplied by the number of days he/she worked each week as a part-time employee. The product will be divided by five, the number of days in a full-time week. The resulting number, rounded up to the next full day, represents the number of accrued sick leave days in the employee's sick leave bank.



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TEACHING STAFF MEMBERS

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Sick Leave

H. Records

1. The personnel file of each person employed by this district will include an accurate record of the employee's attendance in accordance with Policy No. 3212.
2. Each employee's attendance record will record the reason for any absence.
3. The attendance record will include the number of accumulated unused sick leave days in the employee's sick leave bank.

Issued:



REGULATION

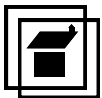
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SUPPORT STAFF MEMBERS

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R 4000 SUPPORT STAFF MEMBERS

<u>Number</u>	<u>Title</u>
R 4160	Physical Examination (M)
R 4212	Support Staff Attendance
R 4218	Substance Abuse (M)
R 4220	Evaluation of Support Staff Members
R 4321	Acceptable Use of Computer Network(s)/Computers and Resources by Support Staff Members
R 4432	Sick Leave



R 4160 PHYSICAL EXAMINATION

A. Definitions

1. “Employee” or “staff member” means the holder of any full-time or part-time position of employment.
2. “Health history” means the record of a person’s past health events obtained in writing, completed by the individual or their physician.
3. “Health screening” means the use of one or more diagnostic tools to test a person for the presence or precursors of a particular disease.
4. “Physical examination” means the assessment of an individual’s health by a professional licensed to practice medicine or osteopathy, or by an advanced practice nurse or physician assistant.
5. “Physician assistant” means a health care professional licensed to practice medicine with physician supervision.

B. Physical Examinations – Candidates for Employment Who Have Received a Conditional Offer of Employment

1. Candidates for employment who have received a conditional offer of employment shall be required to undergo a physical examination. The physical examination shall include, but is not limited to, a health history and health screenings to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA). The candidate for employment will be provided the Board’s requirements for the physical examination.
 - a. A health history shall include, but is not limited to, the candidate’s:
 - (1) Past serious illnesses and injuries;
 - (2) Current health problems;
 - (3) Allergies; and
 - (4) A record of immunizations.



b. A health screening shall include, but is not limited to:

- (1) Height;
- (2) Weight;
- (3) Pulse and respiratory rate;
- (4) Hearing screening;
- (5) Blood pressure;
- (6) Vision screening;

C. Medical Requirements Upon Employment

1. A Mantoux tuberculosis test shall be given upon employment of all newly hired staff members (full-time and part-time), and to all student teachers, school bus drivers on contract with the district, and to contractors or volunteers who have contact with students. Tuberculosis testing is not required for volunteers working with students less than twenty hours per month.

a. Tuberculosis testing is not required:

- (1) For new staff members, student teachers, and contractors of the school district with a documented negative tuberculosis test result in the last six months or a documented positive tuberculosis test, regardless of when this test was done; or
- (2) For a school district staff member transferring between school districts or from a non-public school within New Jersey with a documented tuberculosis test result upon his/her initial employment by a New Jersey school.



b. Staff members, student teachers, contractors or volunteers who have contact with students and claim a religious exemption cannot be compelled to submit to tuberculosis testing. In these instances, a symptom assessment must be done (TB-8 Form). If TB-like symptoms are reported, a physician must document that the staff member, student teacher, contractor, or volunteer does not have an active disease.

(1) The school district shall determine the criteria essential to document a valid religious exemption.

c. Procedures for the administration of the Mantoux tuberculosis test, interpretation of reactions, follow-up procedures, and reporting shall be conducted in accordance with the guidelines and requirements of the New Jersey Department of Health.

2. An individual support staff member may provide health-status information, including medications, that may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, the support staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.

D. Health Records

1. All health records of candidates for employment who have received a conditional offer of employment and of current employees, including computerized records, shall be secured, stored, and maintained separately from other personnel files.

2. Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5.

E. Employees' Physical Examination and Medical Updates

1. School employee physicals, examinations, and/or annual medical updates shall not require disclosure of HIV status.



- F. Testing for Usage of Controlled or Dangerous Substances for Candidates Who Have Received a Conditional Offer of Employment
1. Candidates for employment who have received a conditional offer of employment will be required to complete testing, conducted at the Board's expense, for the usage of controlled dangerous substances as they are defined in N.J.S.A. 2C:35-2.
 - a. Candidates will be allowed privacy during specimen collection. Control and accountability of specimens will be maintained with a chain of custody in accordance with accepted practices and as recommended by the approved laboratory. A laboratory approved by the New Jersey Department of Health will be selected by the Board for such testing.
 - b. The laboratory will conduct the test in accordance with industry standard practices for testing for controlled dangerous substances.
 - c. A Medical Review Officer, who is a licensed physician will review the final results of all positive tests to determine if there is a medical explanation for the results. The Medical Review Officer will review the candidate's medical history and may conduct a medical interview with the candidate to determine any relevant factors contributing to the results of the test. The Medical Review Officer will communicate the results of an investigation regarding positive drug tests to the candidate and to the Superintendent.
 - d. The ADA prohibits employment discrimination against qualified individuals with disabilities. Persons who use drugs illegally (the use of controlled dangerous substances (CDS) and the illegal use of prescription drugs) are not protected by the ADA.
 - e. After a conditional offer of employment, the school district administration and/or the Medical Review Officer may ask the candidate questions concerning present drug or alcohol use; however, information obtained may not be used to exclude an individual with a disability, based on the disability, unless it can be shown that the reason for exclusion meets the following three tests:



- (1) It must be job-related and cannot be met with reasonable accommodation;
 - (2) It must be consistent with the demonstrated necessity of conducting business; and
 - (3) It must be related to legitimate job criteria.
 - f. The school district (**shall**) refuse to hire a candidate based upon a test result that indicates the illegal use of drugs as confirmed by the Medical Review Officer. This action (**shall**) be taken even if the candidate claims he/she recently stopped illegally using drugs.
 2. The Superintendent will confer with the Medical Review Officer regarding all positive tests to prevent any ADA violation.
 3. Testing for controlled or dangerous substances will be required for all candidates for employment who receive a conditional offer of employment in the following job classifications in the school district:
 - a. all positions
- G. Review of Examinations and Assessments
1. The results of the physical examination of a candidate for employment who has received a conditional offer of employment will be reviewed by the school physician, who, in consultation with the Superintendent, will determine the candidate's physical and mental fitness to function with reasonable accommodation in the position for which he/she has made application. That determination will be made a part of the candidate's application.



REGULATION

ENGLEWOOD BOARD OF EDUCATION

SUPPORT STAFF MEMBERS

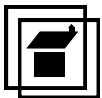
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Physical Examination

- H. Rescinding a Conditional Offer of Employment – Notice to Candidates for Employment Who Receive a Conditional Offer of Employment
1. All candidates for employment who receive a conditional offer of employment shall be informed by the district that:
 - a. An offer of employment by the Superintendent of Schools or designee is conditional upon completion of the Board's required physical examinations and assessments;
 - b. The required examinations and assessments will be used to determine the candidate's ability to perform with reasonable accommodations job-related functions pursuant to ADA; and
 - c. If it is determined upon completing the examination(s) or assessment(s) the candidate is unable to perform with reasonable accommodations job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent if the Board has not yet approved the appointment or by the Board, if the Board had approved the appointment at a Board meeting.

Adopted: 21 June 2006

Revised:



R 4212 SUPPORT STAFF ATTENDANCE

A. Reporting Intended Absence

1. A support staff member who anticipates absence from work will report/call AESOP between the hours of 6AM at least 2 hours hours before the intended absence, whenever possible.
2. The following information will be given by the caller:
 - a. The employee's name, job title, assigned school, and shift (if applicable);
 - b. The day and date of the intended absence; and
 - c. The reason for the absence.
3. Employees must call in daily each intended absence unless absence for more than one day has been approved in advance by the principal.

B. Analysis of Absence

1. Each intended absence of a support staff member shall be reported to his/her immediate supervisor, who shall determine whether or not a replacement is required for the period of absence.
2. The immediate supervisor shall determine whether the absence is acceptable or requires further verification. Reasons for verification include, but are not limited to the following:
 - a. A pattern of absences on the same day(s) of the week;
 - b. A pattern of absences before or after nonworking days;
 - c. The exhaustion or near exhaustion of accumulated sick leave; and
 - d. The habitual exhaustion of personal leave.



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Support Staff Attendance

C. Review of Absence

1. If the immediate supervisor deems any reason for absence to be unacceptable or if a staff member has been absent on sick leave more than 5 consecutive school days or absent an aggregate of more than 5 working days in any one time period for any reason, the immediate supervisor shall conduct an informal discussion with the employee to help the employee improve his/her performance. The supervisor shall keep no record of this conference.
2. If the abuse of absence continues the immediate supervisor shall:
 - a. Notify the employee in writing of the date and time for a formal conference and the reason for the conference,
 - b. Confer with the employee and, if the employee so chooses his/her representative as well,
 - c. Document the reasons for the absences and offer the employee the opportunity to verify or rebut the documentation, and
 - d. Prepare a report of the conference to be placed in the employee's file and provide the employee with the opportunity to attach written comments and documents thereto.

D. Record of Attendance

1. A record shall be kept of the attendance of each support staff member, including administrators. Any absence, for part or all of a school day, shall be recorded along with the reason for the absence. An employee's attendance record shall be part of the employee's personnel file.
2. The record will distinguish paid leave, such as sick leave, personal days, family illness, jury duty, and bereavement, from unpaid leave, such as excessive sick or personal leave. The employee's attendance record will include notation of verification of an absence where such verification is required by Policy No. 4432.
3. The record will include each employee's rate of absence as calculated monthly.



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Support Staff Attendance

4. At the end of each _____ year _____, a cumulative attendance record shall be assembled for each school and for the district. An attendance summary shall be prepared from the cumulative attendance record. The attendance summary shall show:
 - a. The rate of absence for the district and each school in the district,
 - b. The rate of absence for each employee in rate order showing highest rate first and average rate for the district,
 - c. Reasons for absence in the case of employees whose rate is more than 50 percent above the average for the district, and
 - d. The appointment of substitutes for absent employees and the wages paid to substitutes.
- E. Attendance Improvement Plan
 1. The attendance summary shall be analyzed for patterns of absence, such as excessive absenteeism in a given school or work place, among certain groups of employees, for certain specific causes, or on certain days of the week, month, or year.
 2. Specific strategies for reducing the rate of absence shall be developed and submitted to the __BOE/Superintendent_____.
 3. The Principal shall be responsible for implementing the approved plan for the improvement of staff member attendance in his/her school building.
- F. In-service Training

The Principal or immediate supervisor shall meet with the support staff members assigned to his/her building at the beginning of each school year to:

 1. Inform employees of Board policy and district regulations on attendance;
 2. Familiarize employees with the procedures to be used in reporting and verifying absences;
 3. Review with employees the cost of absenteeism to the district and the value of accumulated sick leave to the employee; and



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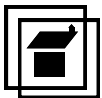
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Support Staff Attendance

4. Acquaint employees with the degree to which attendance will affect evaluation reports.
- G. Discipline
1. The record of a conference(s) dealing with excessive absenteeism may serve as an element in the evaluation of any employee's performance and may contribute to a salary recommendation.
 2. Employees disciplined under G2 who do not improve their record of attendance shall be recommended to the ___Superintendent_____ for discharge.

Issued:



R 4218 SUBSTANCE ABUSE

A. Definition

1. “Substance” or “substances” means alcoholic beverages, any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, or any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.
2. “Substance test” means a test conducted by a State-licensed clinical laboratory using accepted substance use practices, accepted chain of custody procedures, and testing methodology recommended by the laboratory instrument’s manufacturer.
3. “Support staff member’s supervisor” or “supervisor” means the building or district administrative staff member who is responsible for supervising the support staff member. For the purposes of this Policy and Regulation, the support staff member’s supervisor shall be the support staff member’s Principal, School Business Administrator/Board Secretary, district Director or Supervisor, or any other administrative staff member designated by the Superintendent.
4. “Under the influence” means the presence of a substance as defined in Policy 4218 and this Regulation as confirmed in a medical examination and substance test.

B. Procedures to be Followed When a Support Staff Member is Suspected to be Under the Influence of a Substance

1. The following procedures shall be used when a support staff member is suspected of being under the influence of a substance during work hours.
 - a. The support staff member’s supervisor, upon receiving a report or information a support staff member may be under the influence of a substance during work hours will:
 - (1) Immediately notify the Superintendent;



- (2) Immediately meet with the support staff member;
 - (a) The support staff member's supervisor may include another staff member in this meeting; and
 - (b) The support staff member suspected of being under the influence may include another staff member or a representative of their choice in this meeting.
- b. The support staff member's supervisor shall present to the support staff member the report or information supporting the suspicion the support staff member may be under the influence of a substance.
- c. The support staff member shall be provided an opportunity to respond to the report or information presented by the supervisor.
- d. In the event the supervisor or designee believes the support staff member may be under the influence of a substance after meeting with the support staff member, the supervisor will arrange for an immediate medical examination to include a substance test.
- e. The support staff member shall be transported to the examination and testing location by means of transportation approved by the Superintendent or designee and shall be accompanied by the support staff member's supervisor or designee.
- f. The support staff member, prior to the medical examination and substance test, will be informed by the physician or the physician's designee on the type of testing to be completed and the substances that will be tested.
- g. The support staff member may, prior to being examined and tested, disclose to the physician any prescription medicine, over-the-counter medicine or supplements, or any other reason why the support staff member's test results may be positive.
- h. A support staff member's refusal to be examined or tested in accordance with the provisions of Policy 4218 and this Regulation will be deemed as a positive test for substances.



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SUPPORT STAFF MEMBERS

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Substance Abuse

2. The medical examination and substance test shall be used by the physician to determine if the support staff member is under the influence of any substance as defined in Policy 4218 and this Regulation. The substance test procedures will provide for a confirming test using acceptable confirmation test procedures.
3. The physician shall receive the results of the substance test within twenty-four hours of the test being administered. If the results of the substance test are not available within twenty-four hours, the physician shall report the results to the Superintendent and the support staff member as soon as the test results are available.
4. If the physician determines, based upon the medical examination and the results of the substance test, that the support staff member was not under the influence of a substance during work hours, the physician will notify the Superintendent of such results and the support staff member shall return to their position in the school district. Any records or documentation related to the incident shall not be included in the support staff member's personnel file.
5. If the physician determines, based upon the medical examination and the results of the substance test, that the support staff member was under the influence of a substance during work hours, the physician will:
 - a. Discuss the results of the examination and substance test with the support staff member and provide the support staff member an opportunity to present any medical or other reasons for the physician's determination.
 - b. Provide the support staff member an opportunity to have the substance test results confirmed by a State-licensed clinical laboratory selected by the staff member and approved by the physician.
 - (1) The physician will schedule and coordinate the confirming test procedures, including the acceptable time period for the confirming test to be conducted based on the existing test results, and the time in which a confirming test result would be valid.
 - (2) The confirming substance test results must be provided to the physician within the time period required by the physician.
 - (3) Any confirming test results provided to the physician not within the time period required by the physician shall not be accepted and the support staff member shall be determined to have waived their right to have a confirming substance test considered by the physician.

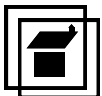


- c. After completing the requirements in a. and b. above the physician shall make a final determination whether the support staff member was under the influence of a substance during the work hours.
 - (1) If the physician makes a final determination the support staff member was not under the influence during work hours, the physician will report these results to the Superintendent and the support staff member shall return to their position in the school district and any records or documentation related to the incident shall not be included in the support staff member's personnel file.
 - (2) If the physician makes a final determination the support staff member was under the influence during work hours, the physician will report these results to the Superintendent and the support staff member will be required to meet with the Superintendent.

- C. Procedures to be Followed When a Support Staff Member is Determined to be Under the Influence of a Substance
 - 1. Any support staff member who has been determined by the physician to be under the influence of a substance during work hours shall be required to meet with the Superintendent.
 - a. The support staff member may include a staff member or a representative of their choice in this meeting.
 - 2. The Superintendent will provide the support staff member an opportunity to respond to the physician's determination.
 - 3. A support staff member who has been determined to have been under the influence of a substance during work hours will be subject to appropriate discipline which may include termination of or the filing of tenure charges for a tenured support staff member.

Issued: 21 June 2006

Revised:



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SUPPORT STAFF MEMBERS
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Evaluation of Support Staff Members

R 4220 EVALUATION OF SUPPORT STAFF MEMBERS

A. Evaluator

The observation and evaluation of support staff members will be conducted by the employee's immediate supervisor or the Principal, as specified by the _____ Superintendent _____.

B. Evaluation Criteria

1. Evaluation criteria for each position will derive from the job description for the position and relate directly to each of the tasks described. Wherever possible each set of evaluation criteria will be:
 - a. Briefly stated and focused on major responsibilities of the position as well as the employee's attitude towards the job and his/her interpersonal relations on the job;
 - b. Based on observable information rather than on factors requiring subjective judgment;
 - c. Generic, covering a number of specific positions;
 - d. Designed to make note of an employee's strengths as well as weaknesses; and
 - e. Written in the same format and in a direct, simple style.
2. Maintenance of job evaluation criteria will be the responsibility of the _____ Building Supervisor _____. Evaluation criteria will be reviewed, and
 - a. Whenever the corresponding job description is revised, or
 - b. On the request of a majority of persons holding a particular job.
3. Each support staff member will be sent a copy of the current evaluation criteria for his/her position by the _____ Principal/Human Resource _____. Any revisions will be provided to each holder of that job within _____ 5 _____ working days of its adoption.



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SUPPORT STAFF MEMBERS

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Evaluation of Support Staff Members

4. Suggested revisions to evaluation criteria by job holders will be referred initially to the job holder's immediate supervisor for review.

C. Collection of Evaluation Data

Data will be gathered by any one or more of the following evaluation methods:

1. Direct observation of the support staff member in the course of performing an assigned duty;
2. Review of a product from the support staff member that results from the performance of his/her assigned duties;
3. Interviews of the support staff member regarding his/her knowledge of assigned duties;
4. Paper and pencil instruments such as competency tests;
5. Audio visual monitoring of the support staff member in the performance of his/her assigned duties; and
6. Reference to previous performance reports.

D. Observation Frequency

1. Support staff members on a probationary status will be evaluated at least 2 times within the probationary period of 60 days.
2. Support staff members on a post-probationary status will be evaluated at least 4 times annually.

E. Evaluation Procedures

1. Each observation will total not less than 30 minutes. The evaluator shall record each separate instance of observation and the activity observed.
2. Each observation will be recorded on a separate form in triplicate.



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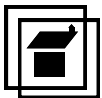
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SUPPORT STAFF MEMBERS

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Evaluation of Support Staff Members

3. A written evaluation of each support staff member will be prepared by the observer in triplicate and will be based, at least in part, on the observation(s) conducted.
 4. A copy of the evaluation will be sent to the employee at least _____24_____ hours prior to the evaluation conference.
 5. The employee and the evaluator shall hold a conference to discuss the evaluation report during which the evaluator shall point out both the weaknesses and strengths of the employee.
 6. Both the evaluator and the employee shall sign each copy of the evaluation report. By signing the evaluation report the employee implies only that he/she has read and understands the document.
 7. The employee may prepare a written disclaimer to the evaluation report which will be appended to the report provided it is received by the evaluator not more than _____2_____ working days following the conference.
 8. The evaluator shall distribute copies of the evaluation report to the ___ Principal/Human Resource _.
- F. Individual Performance Improvement Plan
1. An Individual Performance Improvement Plan will be prepared for each support staff member to correct deficiencies and to encourage improvement.
 2. Performance improvement plans will derive from the applicable evaluation criteria and focus on weaknesses identified in the evaluation report.
 3. The Individual Performance Improvement Plan will be prepared in cooperation with the employee whenever possible and shall include:
 - a. Areas of required growth,
 - b. Methods of achieving that growth,
 - c. A schedule for implementation of those methods, and
 - d. The responsibility of the support staff member and the district for implementing the plan.



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Evaluation of Support Staff Members

4. At the time a Performance Improvement Plan is prepared, a review will also be made of the effort by the staff member to achieve the prior year's plan. The degree to which the employee achieved the requirements of the previous plan will be a measure of his/her performance.
5. Copies of the Individual Performance Improvement Plan will be attached to the employee's evaluation report, given to the support staff member, and filed with the __ Human Resource.
6. It is the duty of the support staff member to implement the plan as prepared; his/her failure to do so may result in disciplinary action, including, where appropriate, dismissal.

Issued:



R 4321 ACCEPTABLE USE OF COMPUTER NETWORK(S)/COMPUTERS AND
RESOURCES BY SUPPORT STAFF MEMBERS

The school district provides computer equipment, computer services, and Internet access to its students and staff for educational purposes only. The purpose of providing technology resources is to improve learning and teaching through research, teacher training, collaboration, dissemination and the use of global communication resources. The “system administrators” referred to herein as employees of the school district who administer the school district computer network(s)/computers and the system administrators reserve the right to monitor all activity on network(s)/computer facilities/computers.

Because of the complex association between so many government agencies and computer network(s)/computers, support staff members must adhere to strict regulations. Regulations are provided here so that support staff members are aware of their responsibilities. The school district may modify these regulations at any time by publishing modified regulations on the network(s) and elsewhere.

Support staff members are responsible for good behavior on computer network(s)/computers. Communications on the computer network(s)/computers are often public in nature. Policies and Regulations governing support staff members behavior and communications apply. The school district’s network(s), Internet access and computers are provided to conduct research and as a tool for instruction and to communicate with others. Access to computer network services/computers is given to support staff members who are expected to act in a considerate, responsible and professional manner. Access is a privilege, not a right. Access entails responsibility. Individual users of the district computer network(s)/computers are responsible for their behavior and communications over the computer network(s)/computers. It is presumed that users will comply with district standards. Beyond the clarification of such standards, the district is not responsible for the actions of individuals utilizing the computer network(s)/computers who violate the policies and regulations of the Board.

Computer network(s)/computer storage areas shall be treated in the same manner as other school storage facilities. Computer network(s)/computer administrators may review files and communications to maintain system integrity and ensure that users are using the system responsibly. Users should not expect that files stored on district servers will always be private. Users should expect all files stored on district servers will be available for review by the _____ Technology Director and/or school administrators.

Within reasonable limits, freedom of speech and access to information will be honored.



Behaviors including but not limited to the following are prohibited:

1. Sending or displaying offensive messages or pictures;
2. Using obscene language;
3. Harassing, insulting or attacking others;
4. Damaging, degrading or disrupting computers, computer systems or computer network(s)/ computers;
5. Violating copyright laws;
6. Using another's password;
7. Trespassing in another's folders, work or files;
8. Intentionally wasting limited resources;
9. Employing the network(s)/computers for commercial purposes;
10. Engaging in other activities which do not advance the educational purposes for which computer network(s)/computers are provided;
11. Stealing data or other intellectual projects;
12. Forging electronic mail messages;
13. Posting anonymous messages;
14. Accessing school computers for other than educational purposes; and/or
15. Any other unethical, unacceptable, illegal and/or inappropriate activity.

Information Content and Uses of the System

Users agree not to publish on or over the system any information which violates or infringes upon the rights of any other person or any information which would be abusive, profane or sexually offensive to an average person, or which without the approval of the system administrators, contains any advertising or any solicitation of other members to use goods or services. The user agrees not to use the facilities and capabilities of the system to conduct any non-school related business or solicit the performance of any activity which is prohibited by law or is non-educational.



While most of the content available on the Internet is innocuous and much of it a valuable educational resource, some objectionable material exists. The Board will provide student access to Internet resources only in supervised environments and has taken steps to lock out objectionable areas to the extent possible, but potential dangers remain. Support staff members are advised that some systems may contain defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or otherwise illegal material and are to supervise student use of computers and the Internet. The Board and the system administrators do not condone the use of such materials and do not permit usage of such materials in the school environment. Support staff members should discipline students knowingly bringing such materials into the school environment in accordance with Board policies and regulations and inform students that such activities may result in termination of such students' accounts on the computer network(s) and their independent use of computers.

On-line Conduct

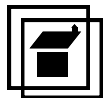
Any action by a support staff member or other user of the school district's computer network(s)/computers that is determined by a system administrator to constitute an inappropriate use of computer network(s)/computers resources or to improperly restrict or inhibit other members from using and enjoying those resources is strictly prohibited and may result in limitation on or termination of an offending member's account and other action in compliance with the Board policy and regulation. The user specifically agrees not to submit, publish, or display any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or otherwise illegal material; nor shall a user encourage the use, sale, or distribution of controlled substances. Transmission of material, information or software in violation of any local, state or federal law is also prohibited and is a breach of the Consent and Waiver Agreement.

Users agree to indemnify the _____ Englewood Public School District and the system administrators for any losses, costs, or damages, including reasonable attorneys' fees incurred by the Board relating to, or arising out of any breach of this section by the user.

Computer network(s)/computer resources are to be used by the user for his/her educational use only; commercial uses are strictly prohibited.

Software Libraries on the Network(s)

Software libraries on the network(s) are provided to support staff members as an educational resource. No support staff member may install, upload, or download software without the expressed consent of the system administrator. Any software having the purpose of damaging other members' accounts on the school district computer network(s)/computers (e.g., computer



viruses) is specifically prohibited. The system administrators, at their sole discretion, reserve the rights to refuse posting of files and to remove files. The system administrators, at their sole discretion, further reserve the right to immediately limit usage or terminate the account or take other action consistent with the Board's policies and regulations of a member who misuses the software libraries.

Copyrighted Material

Copyrighted material must not be placed on any system connected to the network(s)/computers without the author's specific written permission. Only the owner(s) or persons they specifically authorize may upload copyrighted material to the system. Members may download copyrighted material for their own use in accordance with Policy and Regulation Nos. 2531, Copying Copyrighted Materials. Any member may also noncommercially redistribute a copyrighted program with the expressed written permission of the owner or authorized person. Permission must be specified in the document, on the system, or must be obtained directly from the author.

Public Posting Areas (Message Boards/Usenet Groups)

Usenet and Internet Relay Chat Room messages are posted from systems connected to the Internet around the world and the school district system administrators have no control of the content of messages posted from these other systems. To best utilize system resources, the system administrators will determine which Usenet groups are most applicable to the educational needs of the school district and will carry these groups on the school district computer network(s). The system administrators or the school administration, at their sole discretion, may remove messages posted locally that are deemed to be unacceptable or in violation of the Board policies and regulations. The system administrators or the school administration, at their sole discretion, further reserve the right to immediately terminate the account of a member who misuses the message boards or Usenet groups.

Real-time, Interactive, Communication Areas

The system administrators, at their sole discretion, reserve the right to monitor and immediately limit the use of the computer network(s)/computers or terminate the account of a member who misuses real-time conference features (talk/chat/Internet relay chat) etc.

Electronic Mail

Electronic mail ("E-mail") is an electronic message sent by or to a member in correspondence with another person having Internet mail access. All messages sent and received on the school district computer network(s) must have an educational or administrative purpose and are subject



to review. A sender of an E-mail message should expect the E-mail messages will be reviewed by the system administrators or the school administration. Messages received by the system are retained on the system until deleted by the recipient or for a maximum of thirty calendar days. A canceled account will not retain its E-mail. Members are expected to remove old messages within thirty calendar days or the system administrators may remove such messages. The system administrators may inspect the contents of E-mail sent by one member to an addressee, or disclose such contents to other than the sender or a recipient when required to do so by the Board policy, regulation or other laws and regulations of the State and Federal governments. The Board reserves the right to cooperate fully with local, state, or federal officials in any investigation concerning or relating to any E-mail transmitted on the school district computer network(s) or computers.

Disk Usage

The system administrators reserve the right to set quotas for disk usage on the system. A member who exceeds his/her quota of disk space will be advised to delete files to return to compliance with predetermined quotas. A member who remains in noncompliance of disk space quotas after seven school days of notification will have their files removed by a system administrator.

Security

Security on any computer system is a high priority, especially when the system involves many users. If a member feels that he/she can identify a security problem on the computer network(s), the member must notify a system administrator. The member should not inform individuals other than the system administrators or other designated members of the school district staff of a security problem. Professional staff may allow individuals who are not members to access the system through the staff personal account as long as the staff person does not disclose the password of the account to the individuals and understands that the staff person assumes responsibility for the actions of individuals using his/her account. Members may not otherwise allow others to use their account and password. Passwords to the system should not be easily guessable by others, nor should they be words which could be found in a dictionary. Attempts to log in to the system using either another member's account or as a system administrator will result in termination of the account. Members should immediately notify a system administrator if a password is lost or stolen, or if they have reason to believe that someone has obtained unauthorized access to their account. Any member identified as a security risk will have limitations placed on usage of the computer network(s)/computers or may be terminated as a user and be subject to other disciplinary action.



Vandalism

Vandalism will result in cancellation of system privileges and other disciplinary measures. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the system, or any of the agencies or other network(s)/computers that are connected to the Internet backbone or of doing intentional damage to hardware or software on the system. This includes, but is not limited to, the uploading or creation of computer viruses.

Printing

The printing facilities of the computer network(s)/computers should be used judiciously. Printing for other than educational, or school related purposes is prohibited.

Violations

Violations of the Acceptable Use of Computer Network(s)/Computers and Resources may result in a loss of access as well as other disciplinary or legal action. Disciplinary action shall be taken as indicated in Policy and Regulation No. 4321, Support Staff Members, Acceptable Use of Computer Network(s)/Computers and Resources, Policy No. 4150, Support Staff Member Discipline, as well as possible legal action and reports to the legal authorities and entities.

Determination of Consequences for Violations

The particular consequences for violations of this policy shall be determined by the Technology Director (**individual responsible for computer network(s)/computers**) in matters relating to the use of computer network(s)/computers and by the Superintendent or designee in matters of discipline or employee suspension or actions by the authorities deemed to be the appropriate course of action.

Individuals violating this policy shall be subject to the consequences as indicated in Policy No. 2361 and other appropriate discipline which includes but are not limited to:

1. Use of Computer Network(s)/Computers only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;



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Acceptable Use of Computer Network(s)/Computers and
Resources by Support Staff Members

5. Revocation of computer privileges;
6. Suspension from employment;
7. Legal action and prosecution by the authorities; and/or
8. Any appropriate action that may be deemed necessary as determined by the Superintendent and approved by the Board of Education.

Decisions of the Technology Director (**individual responsible for computer network(s)/computers**) may be appealed in accordance with the appropriate employee grievance procedure.

Issued:



R 4432 SICK LEAVE

A. Eligibility for Sick Leave

1. Each person steadily employed by this district will be paid in full, to the limit of his/her entitlement, for days on which the employee is absent from work because of:
 - a. Personal disability due to the employee's illness or injury;
 - b. The employee's exclusion from school by the school district's medical authorities on account of a contagious disease; or
 - c. The employee's having been quarantined for a contagious disease in his/her immediate household.
2. Whatever the claims of disability, no day of absence shall be considered to be a sick leave day on which the employee:
 - a. Has engaged in or prepared for gainful employment with an employer other than the Board;
 - b. Has participated in a concerted work stoppage; or
 - c. Has engaged in any activity, vocational or avocational, that clearly refutes the employee's claim of disability or quarantine.

B. Call in Procedures

1. An employee who anticipates a day of disability should make every reasonable effort to so notify his/her immediate supervisor no later than the day before the absence, to allow sufficient time for the securing of any substitute services that may be required.
2. Notice of the disability should include a reasonable estimate of the duration of the disability.
3. An employee who becomes aware of his/her disability on the morning of the absence must call the _____ 6AM _____ in AESOP.



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Sick Leave

4. An employee who becomes disabled during the school day must so inform the _____Nurse_____/Principal_____ as promptly as possible and request permission to leave the school premises.
5. In all instances, the employee should call personally to report sick leave. An agent may be appointed to call in sick leave only when the employee is so incapacitated as to make a personal call inadvisable or impossible.

C. Sick Leave Charges

1. A sick leave absence commences when the absence is called in pursuant to paragraph B.
 - a. An employee who leaves school early because of a disability will not be charged with a sick leave day provided the absence commences after the hour of _____12_____p .m.
 - b. A school bus driver who reports a disability after the morning bus runs are completed will be charged only one-half a sick leave day.
2. A sick leave day once commenced may be reinstated as a working day only with the approval of the Superintendent_____.
3. An employee absent on sick leave on a day when the school is closed early for emergency reasons will be charged with a full sick leave day.
4. An employee scheduled for a sick leave absence on a day on which the schools do not open because of an emergency (such as a snow day) will not be charged with a sick leave day.

D. Verification of Sick Leave

1. An employee absent for reasons of disability more than __5_____ consecutive working days or more than _____5_____ cumulative working days in any one _____7_____ (period of time) shall submit the signed statement of his/her physician indicating:
 - a. The reason for the employee's absence, as personally known to the physician, and



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Sick Leave

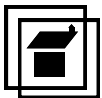
- b. If the employee is not immediately returning to work, the anticipated duration of the employee's disability.
2. The Board may, at its discretion, require the employee to submit to examination by the school medical inspector or a physician designated by the school medical inspector.
3. If the results of the examination conducted pursuant to paragraph D2 are inconsistent with the statement of the employee's physician, the two examining physicians shall agree in good faith on a third physician, who shall examine the employee and whose medical opinion shall be conclusive and binding as to the employee's disability on days claimed for sick leave.

E. Readmission After Disability

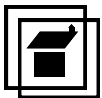
1. An employee who wishes to return to work after sick leave of more than _____5_____ consecutive working days or more than _____5_____ cumulative working days in any one _____7_____ (period of time) shall submit a signed statement of his/her physician indicating the employee's fitness to perform his/her duties.
2. The Board may, at its discretion, require the employee to submit to examination by the school medical inspector or a physician designated by the school medical inspector.
3. If the results of the examination conducted pursuant to paragraph D2 is inconsistent with the statement of the employee's physician, the two examining physicians shall agree in good faith on a third physician, who shall examine the employee and whose medical opinion shall be conclusive and binding as to the employee's fitness to return to service.

F. Exhaustion of Sick Leave

1. The _____Human Resource_____ will monitor each employee's sick leave bank and charge the employee's bank of accumulated sick leave with sick leave days in accordance with Policy No. 4432 and this regulation.



2. When it is apparent that an employee on extended sick leave will utilize the last sick leave day to which he/she is entitled within _____ 5 days _____ working days, the _____ Human Resource _____ will so inform the employee by written notice. The notice will include a statement of the employee's right to request the Board for an extension of sick leave.
 3. A request for the extension of sick leave should be submitted to the _____ Superintendent _____ at least _____ 10 _____ working days in advance of the next Board meeting. The request must be accompanied by a physician's signed statement setting forth the nature and anticipated duration of the employee's disability.
 4. An employee who anticipates an extended period of disability may apply to the Board for a disability leave of absence, during which the employee will receive no compensation or benefits, pursuant to Policy No. 4431.
 5. Employees are reminded that sick leave extensions and disability leaves of absence are not entitlements and will be granted or denied by the Board on a case by case basis.
- G. Accumulation of Sick Leave
1. Sick leave will be charged, first, to the sick leave newly available in the employee's current contract year and, when that sick leave entitlement is exhausted, to the employee's bank of accumulated sick leave.
 2. At the beginning of each contract year, up to stated in contract/law days of sick leave newly available but unused in the prior contract year will be carried forward and credited to a full-time employee's bank of sick leave.
 3. The unused sick leave of part-time employees will be accumulated on the basis of hours of work rather than days of work.
 - a. At the close of each contract year, the number of sick leave days not used by a part-time employee will be multiplied by the number of hours the employee worked in each day or, if the employee worked irregular hours, the average number of hours in each contract day.

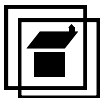


- b. At the beginning of the following contract year, the total number of hours accumulated will be divided by the number of hours, or average number of hours, to be worked in each contract day. The result constitutes the number of accrued sick leave days the employee may claim when he/she has exhausted the sick leave days available in the current contract year.
- c. When a part-time employee, continuously employed in the district, is employed full-time, his/her accumulated sick leave hours will be divided by the number of hours in a full working day, and the dividend will be multiplied by the number of days he/she worked each week as a part-time employee. The product will be divided by five, the number of days in a full-time week. The resulting number, rounded up to the next full day, represents the number of accrued sick leave days in the employee's sick leave bank.

H. Records

1. The personnel file of each person employed by this district will include an accurate record of the employee's attendance in accordance with Policy No. 4212.
2. Each employee's attendance record will record the reason for any absence.
3. The attendance record will include the accumulated unused sick leave in the employee's sick leave bank.

Issued:



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R 5000 STUDENTS

<u>Number</u>	<u>Title</u>
R 5117	Interdistrict Public School Choice
R 5240	Tardiness
R 5300	Automated External Defibrillators (AEDs) (M)
R 5306	Health Services To Nonpublic Schools (M)
R 5308	Student Health Records (M)
R 5330.04	Administering an Opioid Antidote (M)
R 5420	Reporting Student Progress (M)
R 5500	Expectations for Student Conduct
R 5511	Dress Code
R 5533	Student Smoking
R 5751	Sexual Harassment of Students (M)



R 5117 INTERDISTRICT PUBLIC SCHOOL CHOICE

A. Definitions

1. "Choice district" means a public school district established pursuant to Chapter 8 or Chapter 13 of Title 18A of the New Jersey Statutes that is authorized under the Interdistrict Public School Choice Program to open a school or schools to students from a sending district.
2. "Choice program" means the Interdistrict Public School Choice Program authorized in N.J.S.A. 18A:36B-14 et seq.
3. "Choice student" or "choice pupil" means an out-of-district student who is accepted into a choice district.
4. "Commissioner" means the New Jersey Commissioner of Education.
5. "Department" means New Jersey Department of Education.
6. "Non-public school student" or "non-public school pupil" means any student who is obtaining academic instruction outside of a public school at the time of his or her application to the choice district.
7. "Sending district" means the choice student's district of residence, charter school, or any school the student is required by law to attend.

B. Eligibility Criteria for Boards of Education

1. A Board of Education is eligible to participate in the choice program if it has classroom space available, completes an application form provided by the Department pursuant to N.J.A.C. 6A:12-1.1 et seq., and receives approval from the Commissioner to participate.

C. Eligibility Criteria for Students

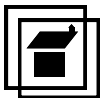
1. To be eligible to participate in the program, a student shall be enrolled at the time of application in grades pre-school through twelve in a public school of the sending district and have attended school in the sending district for at least one full year immediately preceding enrollment in a choice district including time spent at any school that a student in a particular district of residence is required by law to attend.



- a. If a student attends public school in his or her district of residence and is counted in that district's October Application for State School Aid and the student's family moves during the school year and the student attends public school in his or her new district of residence for the remainder of the school year, the student shall have satisfied the one-year eligibility requirement for application to the school choice program.
 - b. The one-year requirement shall not apply to a student applying to enroll in Kindergarten in a choice district if that student already has a sibling enrolled in and attending the choice district and if the district of residence of that student does not offer a public pre-school program.
2. A public school student who does not meet the eligibility requirements found in 1. above or a non-public school student may apply to enroll in a choice school district pursuant to N.J.S.A. 18A:36B-20.a. If a choice district allows for non-public school student enrollment, it may not make distinctions between such students on the basis of where they receive this academic instruction.
 3. Students residing out of New Jersey may not participate in the choice program.
- D. Choice Program Application Procedures
1. An eligible applicant for a choice district shall complete an Interdistrict Public School Choice Program application, which shall be made available by the New Jersey Department of Education and which shall be submitted pursuant to N.J.S.A. 18A:36B-17.
- E. Sending District Procedures
1. A sending district may not restrict the participation of its students in the choice program where the district's students provide written notice of intent to apply to a specialized educational program that is offered by the choice district and not offered in the sending district.
 2. The calculation of the enrollment of a sending district shall be based on the enrollment count as reported on the Application for State School Aid in October preceding the school year during which the restriction on enrollment shall be applicable.



- a. Students from the sending district who are already enrolled in and attending a school choice program shall not be included in the newly calculated number of students eligible to attend a school choice district.
 - b. When the multiplication of the grade level enrollment by the percentage established in the sending district's resolution adopted pursuant to N.J.S.A. 18A:36B-21.a(1) results in a number with a decimal, the number will be rounded to the next whole number.
 - c. The sending district's resolution restricting its students' participation may not be applied to the final grade level available in the sending district.
3. Where a Board of Education of a sending district has adopted a resolution pursuant to N.J.S.A. 18A:36B-21.a(1) to impose a limit on the number of its students participating in the choice program, and when student notices of intention to participate in the choice program exceed that limit, the sending district shall:
 - a. Hold a public lottery to determine the selection of students for participation in the choice program;
 - b. Notify the parent or guardian of every student who has submitted notice of intent to participate in the choice program of the date and time of the lottery;
 - c. Assign a number to each student participating in the lottery and notify the parent or guardian of the number assigned to their child(ren); and
 - d. Develop a waiting list based on the lottery.
4. Where a Board of Education of a sending district has adopted a resolution to impose a limit on the number of its students participating in the choice program, and when student notices of intention to participate in the choice program exceed that limit, before conducting the lottery, the sending district may give preference to siblings of its resident students already enrolled in and attending the choice district.
 - a. In the event the sending district elects to give preference to siblings of its resident students already enrolled in and attending the choice district and there are more sibling applicants than there are available spaces, the sending district shall conduct a lottery first for the siblings only to determine the selection of students for participation and for placement on the waiting list.



- b. In the event the sending district elects to give preference to siblings of its resident students already enrolled in and attending the choice district and there are no spaces available after granting permission to participate in the choice program to siblings of resident students already enrolled in and attending the choice district, the sending district shall conduct a lottery for the remaining applicants to assign them a place on the waiting list.
 5. Prior to any lottery that may be held, the sending district shall verify the student is enrolled in the sending district and was reported on the Application for State School Aid in October of the current school year.
 6. Prior to any lottery that may be held, the sending district shall notify the applicants of the date and time of such lottery.
 7. Any lottery held must be held prior to the deadline set by the Commissioner for written notification to the parent that the student is eligible to participate in the school choice program.
- F. Choice District Procedures for Students Meeting the Eligibility Requirements
 1. Choice districts shall admit choice students on a space available basis.
 - a. A Board of Education shall not prevent students from participating in the school choice program.
 - b. A choice district may not impose admission criteria upon prospective choice program students other than those permitted by statute.
 - c. A choice district may give preference for enrollment to siblings of enrolled students.
 - d. When a choice district receives more applications than there are spaces available, the choice district shall hold a public lottery to determine the selection of students for participation in the choice program.
 - (1) The choice district shall develop a waiting list based on the lottery.
 - (2) The choice district shall notify the parent or guardian of every student who has submitted an application to participate in the choice program of the date and time of the lottery.



- (3) The choice district shall assign a number to each student participating in the lottery and shall notify the parent or guardian of the number assigned to their child(ren).
- (4) Before conducting the lottery, the choice district may give preference to siblings of students already enrolled in and attending the choice district.
 - (a) In the event the choice district elects to give preference to siblings of students already enrolled in and attending the choice district and there are no spaces available after granting permission to participate in the choice program to siblings of students already enrolled in and attending the choice district, the choice district shall conduct a lottery first for the siblings only to determine the selection of students for participation and placement on the waiting list.
 - (b) In the event that choice district elects to give preference to siblings of students already enrolled in and attending the choice district and there are no spaces available after granting permission to participate in the choice program to siblings of students already enrolled in and attending the choice district, the choice district shall conduct a lottery first for the remaining applicants to assign them a place on the waiting list.

G. Choice Student Application Procedures

1. The Commissioner shall establish a student application timeline each year no later than September 1.
2. Within five business days of the due date set by the Commissioner pursuant to the timeline in 1. above, the choice district shall provide to the Department of Education electronic notification of the number of students who enroll.
3. The choice district shall provide written notification of receipt of each notice of enrollment to each sending district's Board of Education within ten days of the due date for receipt of such notice of enrollment from a choice student resident in that sending district.
4. A choice student applicant may seek from the Commissioner by a showing of good cause a waiver of the student application deadlines established in the timeline in 1. above.



H. Choice District Procedures for Students not Meeting Eligibility Requirements

1. If seats remain available in a choice district after exhausting the list of applicants who meet the requirements of N.J.A.C. 6A:12-2.2(a), including those on any waiting list that has been established through the application process, then the choice district may elect to fill the seats with public school students who do not meet the requirements of N.J.A.C. 6A:12-2.2(a) and with non-public school students.
2. Choice districts may accept applications from public school students who do not meet the requirements of N.J.A.C. 6A:12-2.2(a) and/or non-public school students up until the deadline set by the Commissioner.
3. Upon the receipt of an application from a public school student who does not meet the requirements of N.J.A.C. 6A:12-2.2(a) or a non-public school student, the choice district shall send a letter to the parent of the student including the following information:
 - a. Whether the choice district will consider public school students who do not meet the requirements of N.J.A.C. 6A:12-2.2(a) and non-public school students for admission to the district. If the choice district has not yet decided, it shall inform the parents of when the decision is expected to be made;
 - b. That public school students who do not meet the requirements of N.J.A.C. 6A:12-2.2(a) and non-public school students will not be considered for admission until the choice district has conducted the application cycle and has exhausted its waiting list of students who meet the requirements of N.J.A.C. 6A:12-2.2(a) for the grade level to which they have applied;
 - c. That the choice district may need to conduct a lottery to select the students to be offered admission to the choice district depending on the seats available and the number of applications received from public school students who do not meet the requirements of N.J.A.C. 6A:12-2.2(a) and/or non-public school students; and
 - d. That the parents of those public school students who do not meet the requirements of N.J.A.C. 6A:12-2.2(a) and non-public school students will be fully informed of the lottery process in the event that a lottery is required, the date it will be held, and what number has been assigned to the applicant.



I. Choice Student Enrollment

1. Once enrolled in a choice district, the choice student may remain enrolled and is not required to submit annual or periodic applications.
2. Upon acceptance of a choice student, the choice district is obligated to retain the choice student until graduation or until the choice student voluntarily withdraws.
3. In the event of termination of the choice program in that district or Statewide, any student enrolled in that choice district shall be entitled to remain enrolled in that district until graduation.
4. In the event a public school student who is currently a choice student attending school in a choice district moves to another district, that public student is eligible to remain in the choice district as a choice student without application.
5. A resident student of a choice district who moves during the school year may be allowed to remain in the choice district until the end of the school year. The student may apply to the choice program as a funded student for the next school year. If the student moves after the application deadline or otherwise is unable to receive funding as a choice student in the school district for the subsequent school year, the choice school district may enroll the student as an unfunded choice student in that year, and automatically convert the student's enrollment to a funded choice student if he or she remains in the choice program.

J. Appeals from Commissioner of Education Determinations

1. An appeal of any determination by the Commissioner not to grant an application for participation in the choice program may be filed by an eligible choice district applicant according to N.J.A.C. 6A:4.

K. Appeals from Denial of Enrollment

1. An appeal of any denial of a choice student applicant for enrollment in a choice district may be filed by the parent or legal guardian with the Commissioner in accordance with N.J.A.C. 6A:3.

L. General Provisions

1. Choice districts shall accept all credits toward graduation that were awarded by another Board of Education for each choice student it accepts.



- a. Choice districts shall award a diploma to a choice student participating in the program if that student meets the graduation requirements of the choice district and of the State of New Jersey.
2. A choice district shall establish and maintain a parent information center.
 - a. The center shall collect and disseminate information about participating programs and schools, and shall assist parents and legal guardians in submitting applications for enrollment of students in an appropriate program and school.
 - b. The information about participating programs and schools shall be posted on the choice district's website.
3. A choice district shall file reports with the Department at the end of each application cycle. A choice district's reports shall include demographic and student participation information, fiscal and programmatic information, and updates on the number of available openings.

M. Student Transportation

1. Each sending district shall have the responsibility for the transportation of enrolled choice students who are eligible for transportation services both to and from the choice school in which that student is accepted. Each sending district shall provide transportation or aid in lieu of transportation in accordance with N.J.S.A. 18A:36A-13 and N.J.A.C. 6A:27-4.

N. General Provisions

1. Choice students participating in this program shall qualify for State aid pursuant to N.J.S.A. 18A:36B-14 – Interdistrict Public School Choice Program Act. The sending district will receive transportation aid pursuant to N.J.A.C. 6A:12-8.1.
2. The sending district shall maintain fiscal responsibility for any choice student enrolled in or determined to require a private day or residential school, except that the choice district will be required to contribute any State aid received for such a student and the sending district will be responsible for the balance.

Issued:



R 5240 TARDINESS

A. Definitions

1. A student is tardy to school when the student reports to his/her assigned homeroom ___ more than 5 minutes after the beginning of the school day without approval for the delay.
2. A student is tardy to class when the student reports to his/her assigned classroom or other place of instruction ___ more than 5 minutes after the beginning of the school day without approval for the delay.
3. A student who is late to school or class for an excused purpose pursuant to Policy No. 5230 is not tardy for the purpose of this regulation.

B. Procedures for Tardy Arrivals

1. A student who is tardy to school must report to the Main office to present a written note explaining the reason for the tardiness. The student must sign in and receive a late pass for admission to class.
2. A student who is tardy to class may be sent by the teacher to the Main office to explain the reason for the tardiness and obtain a late pass for admission to class.
3. No student who arrives at school after attendance has been taken will be admitted to class without a late pass.

C. Discipline

1. A student who has been tardy to school or class three (3) instances of unexcused tardiness will equal one unexcused absence for the purpose of calculating unexcused absences for application of Board Policy No. 5410 on promotion and Policy No. 5460 on high school graduation.



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2. A student who has been tardy from school or class _____3_____ times in any _____ marking period, semester, year other) will be reported to the _____ for counseling. The student's parent(s) or legal guardian(s) will be notified and will be requested to attend a conference with the _____.
3. A student who has been tardy to school _____3_____ times in any one _____ (month, marking period, semester, year other) will be counted as absent from school one day for purposes of applying Regulation No. 5200.
4. A student who has been tardy to class _____3_____ times in any one _____ (month, marking period, semester, year other) will be counted as absent from that class one day for purposes of applying Regulation No. 5200.

LATENESS TO SCHOOL:

FIRST OFFENSE: Third time late; Prevention/Intervention; student conference and parent/guardian phone call; Administrative detention

SECOND OFFENSE: Fifth time late; parent conference; Assigned 3/4 hour detention; Academic Intervention Plan developed

THIRD OFFENSE: Seventh time late; parent conference; Review AIP; Assigned 2 of ISS

-TARDY TO CLASS:

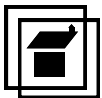
FIRST OFFENSE: Third tardy = an unexcused absence; Teacher detention; parent phone call

SECOND OFFENSE: Sixth tardy; Administrative detention; Parent conference

THIRD OFFENSE: Ninth tardy; Parent conference; AIP developed; 3/4 hour detention

*What happens at the high school; school counselors are involved at the second offense and also help develop the Academic Intervention Plan.

Issued:



R 5300 AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)

A. Automated External Defibrillator (AED)

1. Every school in the school district shall have an AED as defined in N.J.S.A. 2A:62A-24.
2. For the purposes of this Policy and Regulation, “automated external defibrillator” or “defibrillator” or “AED” means a medical device heart monitor and defibrillator that:
 - a. Has received approval of its pre-market notification filed pursuant to 21U.S.C.§360(k) from the United States Food and Drug Administration;
 - b. Is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, and is capable of determining, without intervention by an operator, whether defibrillation should be performed; and
 - c. Upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual’s heart.

B. Location and Availability of AED

1. The AED shall be made available in an unlocked location on school property with an appropriate identifying sign.
2. The AED shall be accessible during the school day and any other time when a school-sponsored athletic event or team practice is taking place in which students of the school district are participating.
3. The AED shall be within reasonable proximity of the school athletic field or gymnasium, as applicable.

C. Training Requirements for Using an AED

1. A team coach, licensed athletic trainer, or other designated staff member if there is no coach or licensed athletic trainer, who is present during athletic events or team practices, shall be trained in cardio-pulmonary resuscitation and the use of the AED in accordance with the provisions of N.J.S.A. 2A:62A-25.a.



- a. The school district shall be deemed to be in compliance with this requirement if a State-certified emergency services provider or other certified first responder is on site at the event or practice.
 2. Prior to using an AED a school employee must have successfully completed and hold a current certification from the American Red Cross, American Heart Association, or other training programs recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and the use of an AED.
 - a. The Board of Education shall not be liable for any act or omission of any lay person who uses the defibrillator in the rendering of emergency care.
 3. Each AED shall be maintained and tested according to the manufacturer's operational guidelines.
 4. The Principal or designee shall notify the appropriate first aid, ambulance, rescue squad, or other appropriate emergency medical services provider that the school has acquired an AED, the type acquired, and its location.
 5. Prior to purchasing an AED, the Superintendent or designee will provide the prescribing licensed physician with documentation that the school district has a protocol in place to comply with the requirements of 2., 3., and 4. above.
- D. Immunity from Civil Liability
1. Any person who uses an AED shall request emergency medical assistance from the appropriate first aid, ambulance, or rescue squad as soon as practicable. However, a lay person who, in good faith, fails to request such emergency medical assistance shall be immune from civil liability for any personal injury that results from that failure.
 2. The school district and its employees shall be immune from civil liability in the acquisition and use of AEDs pursuant to the provisions of N.J.S.A. 2A:62A-27.
 - a. Any person or entity who, in good faith, acquires or provides an AED, renders emergency care or treatment by the use of an AED, assists in or supervises the emergency care or treatment by the use of an AED, attempts to use an AED for the purpose of rendering emergency care or



treatment, and who has complied with the requirements of Policy and Regulation 5300, N.J.S.A. 18A:40-41.a and b, and N.J.S.A. 2A:62A-23 through 2A:62A-27 shall be immune from civil liability for any personal injury as a result of that care or treatment, or as a result of any acts or omissions by the person or entity in providing, rendering, assisting in, or supervising the emergency care or treatment.

- b. A person or entity providing or maintaining an AED shall not be liable for any act or omission involving the use of an AED in the rendering of emergency care by a lay person.
3. The immunity provided in 2. above shall include the prescribing licensed physician and the person or entity who provided training in cardio-pulmonary resuscitation and use of the AED.
4. N.J.S.A. 2A:62A-27 shall not immunize a person for any act of gross negligence or willful or wanton misconduct. It shall not be considered gross negligence or willful or wanton misconduct to fail to use a defibrillator in the absence of an otherwise pre-existing duty to do so.

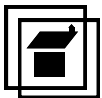
E. Emergency Action Plan

1. The Superintendent or designee shall establish and implement an Emergency Action Plan applicable to each school in the district for responding to a sudden cardiac event including, but not limited to, an event in which the use of an AED may be necessary.
 - a. The Emergency Action Plan shall be consistent with the provisions of N.J.S.A. 18A:40-41.a and, at a minimum, shall include a list of no less than five school employees, team coaches, or licensed athletic trainers in each school building who hold current certifications from the American Red Cross, American Heart Association, or other training programs recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and in the use of the AED. This list shall be updated, if necessary, at least once in each semester of the school year.
 - b. The Emergency Action Plan shall also include detailed procedures on responding to a sudden cardiac event including, but not limited to:



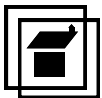
- (1) The identification of the persons in the school who will be responsible for responding to the person experiencing the sudden cardiac event;
- (2) Calling 911;
- (3) Starting cardio-pulmonary resuscitation;
- (4) Retrieving and using the AED; and
- (5) Assisting emergency responders in getting to the individual experiencing the sudden cardiac event.

Issued:



R 5306 HEALTH SERVICES TO NONPUBLIC SCHOOLS

- A. A Board of Education having nonpublic schools within the school district boundaries shall provide nursing services to students enrolled in a nonpublic school pursuant to N.J.S.A. 18A:40-23 et seq. and N.J.A.C. 6A:16-2.5.
1. The school district shall provide services to students who are enrolled full-time;
 2. Services shall be made available only to students of a nonpublic school that provided to the Board of Education a report of the type and number of services provided during the previous school year;
 3. The provision of nursing services shall include:
 - a. Assistance with medical examinations including dental screening;
 - b. Screening of hearing;
 - c. Maintenance of student health records and notification of local or county health officials of any student who has not been properly immunized; and
 - d. Scoliosis examinations of students between the ages of ten and eighteen.
- B. The Board of Education shall provide for the extension of emergency care provided to public school students and to full-time nonpublic school students who are injured or become ill at school or during participation on a school team or squad pursuant to N.J.A.C. 6A:16-2.1(a)4.
- C. The Board of Education may provide additional services to those required under A. above under the following conditions:
1. Additional medical services may be provided only when all basic nursing services required under A. and B. above have been or will be provided;
 2. Additional medical services may include the necessary equipment, materials, and services for immunizing from diseases for students who are enrolled full-time in the nonpublic school as required by N.J.A.C. 8:57-4;



3. Equipment comparable to that used in the school district may be purchased by the school district to loan without charge to the nonpublic school for the purpose of providing services under N.J.A.C. 6A:16-2.5. However, such equipment shall remain the property of the district Board of Education; and
 4. Costs of supplies comparable to that used in the school district and transportation costs may be charged to the funds allocated for each participating nonpublic school provided the costs are directly related to the required basic nursing services and the permitted additional medical services.
- D. Nursing services shall be provided by a registered nurse licensed in the State of New Jersey who is an employee of the school district, a third-party contractor, or an independent contractor.
- E. The nursing services provided to nonpublic school students shall not include instructional services.
- F. A nonpublic school may decline nursing services required or permitted under N.J.A.C. 6A:16-2.5 by submitting to the Board of Education notification signed by the Superintendent of the nonpublic school pursuant to N.J.S.A. 18A:40-29.
- G. A student who is enrolled in a nonpublic school and whose parent objects to the student receiving any service provided under N.J.A.C. 6A:16-2.5 shall not be compelled to receive the service except for a physical or medical examination to determine whether the student is ill or infected with a communicable disease pursuant to N.J.S.A. 18A:40-30.
- H. The Board of Education shall consider the provision of health services based upon the following:
1. The funding for services shall be based upon the nonpublic school enrollment on the last school day prior to October 16 of the preceding school year;
 2. The provision of services shall be only to a student of a nonpublic school that provided to the Board of Education a report of the type and number of services provided during the previous school year; and
 3. The funds expended by the Board of Education for administrative costs shall be limited to the actual costs or six percent of the funds allocated for each participating nonpublic school, whichever is less.



- I. The Superintendent or designee shall confer annually with the administrator of the nonpublic school for the following purposes:
 1. To advise the nonpublic school of the amount of funds allocated to it by the Department of Education or otherwise made available by the school district for the provision of health services for full-time students enrolled in the nonpublic school;
 2. To agree on the basic health services that shall be provided and the additional medical services that may be provided as set forth in N.J.S.A.18A:40-23 et seq.;
 3. If the Superintendent or designee and the nonpublic school administrator cannot reach agreement regarding the health services and additional medical services to be provided, the County Office of Education shall provide assistance;
 4. To assure that each nonpublic school that receives nursing services has a copy of N.J.S.A. 18A:40-23 through 31 and N.J.A.C. 6A:16-2; and
 5. To assure that a description of the provision of nursing services is reflected in the school district's Nursing Services Plan.

- J. For the purposes of monitoring and recordkeeping, the Board of Education providing health services to nonpublic schools shall submit to the Executive County Superintendent on or before October 1 annually the following information and shall provide a copy to the Superintendent of each nonpublic school within school district boundaries:
 1. A written statement verifying that the required conference was held with the nonpublic school;
 2. A copy of the contract with another agency to provide services, if applicable, and approved minutes of the Board of Education meeting approving the contract that describes the methods by which the health services will be provided to nonpublic school students for the ensuing year, including a rationale for the distribution of funds; and
 3. A description of the type and number of services that were provided during the previous school year on a Commissioner of Education approved form.

Issued:



R 5308 STUDENT HEALTH RECORDS

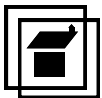
Student health records shall be maintained for each student pursuant to N.J.A.C. 6A:16-2.4. Maintenance and security of student health records shall be in accordance with N.J.A.C. 6A:32-7.4.

A. Mandated Student Health Records

1. The following mandated student health records shall be maintained:
 - a. Findings of health histories, medical examinations, and health screenings pursuant to N.J.A.C. 6A:16-2.2 and 4.3; and
 - b. Documentation of immunizations against communicable diseases or exemption from these immunizations pursuant to N.J.A.C. 8:57-4.1, 4.3, and 4.4.
2. The district will document the findings of student health histories, health screenings, and required medical examinations that are relevant to school participation on the student's health record using a form approved by the Commissioner of Education.

B. Maintenance of Student Health Records

1. The school district shall maintain student health records in accordance with N.J.A.C. 6A:32-7.4 as follows:
 - a. Student health records may be stored electronically or in paper format. When records are stored electronically, proper security and backup procedures shall be administered;
 - b. Student health records, whether stored on paper or electronically, shall be maintained separately from other student records, until such time as graduation or termination whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated record; and
 - c. Student health records shall be accessible during the hours in which the school program is in operation.



C. Transferring Student Health Records

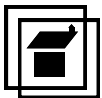
The school district shall ensure compliance with the requirements of N.J.A.C. 6A:32-7 – Student Records and Policy and Regulation 8330 when transferring student health records.

D. Restrictions for Sharing Student Health Information

1. Any Board of Education employee with knowledge of, or access to, the following health information shall comply with restrictions for sharing information as required by Federal and State statutes and regulations.
 - a. Information that identifies a student as having HIV infection or AIDS shall be shared only with prior written informed consent of the student age twelve or greater, or of the student’s parent as required by N.J.S.A. 26:5C-1 et seq. and only for the purpose of determining an appropriate educational program for the student.
 - b. Information obtained by the school’s alcohol and other drug program which would identify the student as an alcohol or other drug user may be disclosed only for those purposes and under those conditions permitted by 42 CFR Part 2.
 - c. Information provided by a secondary school student while participating in a school-based alcohol or other drug counseling program that indicates a parent, guardian, or other person residing in the student’s household is dependent upon or illegally using a substance shall be shared only for those purposes and conditions permitted by N.J.S.A. 18A:40A-7.1.

E. Access to Student Health Records

1. Access to and disclosure of information in the student’s health record shall meet the requirements of the Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g and 34 CFR Part 99, incorporated herein by reference, as amended and supplemented, and N.J.A.C. 6A:32-7 et seq., Student Records.
2. The school district shall provide access to the student health records to licensed medical personnel not holding educational certification who are working under contract with or as employees of the school district only to the extent necessary to enable the licensed medical personnel to perform their duties.



- a. Secretarial or clerical personnel under the supervision of the certified school nurse shall be permitted access to those portions of the student's health record necessary for entry and recording of data and for conducting routine clerical tasks as outlined in N.J.S.A. 18A:40-3.4 and N.J.A.C. 6A:32-7.5.

Nothing in N.J.A.C. 6A:16-2.4 or in Policy and Regulation 5308 shall be construed to prohibit school personnel from disclosing to students or adults in connection with an emergency the information contained in the student health record if the release is necessary to protect the immediate health or safety of the student or other persons pursuant to N.J.A.C. 6A:32-7.4.

Issued:



R 5420 REPORTING STUDENT PROGRESS

A. Purpose

The purpose of reporting the educational progress of students is to:

1. Inform parent(s) or legal guardian(s) of the progress children have made in school;
2. Apprise students of their progress in school;
3. Prompt teachers to make periodic, formal assessments of each student's progress;
4. Provide a cumulative record of a student's progress through the educational system; and
5. Enable each student to gain a positive sense of his/her intellectual, social, emotional, and physical abilities and growth toward effective citizenship.

B. Frequency

1. Report cards will be issued at the following intervals:

Grade levels Frequency

2. The schedule of dates on which report cards will be issued will be published in the parent and student handbooks distributed by each school so that parents or legal guardians can anticipate the receipt of a report card.
3. Parent(s) or legal guardian(s) and students will be notified in writing of the possibility of a failing grade at the mid point of the marking period.



4. Parent(s) or legal guardian(s) and students will be notified in writing of the possibility of a student's retention at grade level in accordance with Policy No. 5410.
 5. Notices given pursuant to B2 and B3 will be sent home with the student in grades _____ and will be mailed to the parent(s) or legal guardian(s) in grades _____.
 6. Nothing in this regulation should discourage teachers from implementing various forms of communication, as frequently as the circumstances dictate, to keep parent(s) or legal guardian(s) informed of the educational progress of their children.
- C. Report Card Form
1. The form of report cards will be periodically reviewed by the __Curriculum Director_____ (curriculum council, Principal, coordinator, other) in order to ensure that report cards effectively and accurately report student progress.
 2. Grades will be determined in accordance with Regulation No. 2624.
 3. At the elementary level, report cards will report individual academic, personal, and social growth as well as work and study habits.
 - a. The kindergarten report card will stress the degree of mastery of skill achieved.
 - b. The primary grades _____ report card will record a specific symbol for both effort and degree of mastery of specific skills.
 - c. The intermediate grades _____ report card will record both effort and degree of mastery of specific skills and will include the instructional level achieved by the student in reading, spelling, and mathematics.
 4. At the middle school and high school levels, report cards will record student achievement in academic subjects, as well as the student's personal growth and development.
 5. Report cards at all levels will record the student's absences and tardiness.



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6. Report card forms will include space for the classroom or homeroom teacher's personal comments on the student's personal growth and development.
7. Report card forms will include space for the parent(s) or legal guardian(s) signature, comments, and request for a conference with the teacher.

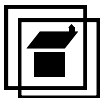
D. Distribution and Return

1. Report cards will be sent home with students.
 - a. The report card of a student who is absent on the day report cards are issued may be held and sent home with the student on the following school day.
 - b. The report card of a student who is absent for an extended period of time will be mailed to the parent(s) or legal guardian(s).
2. Report cards must be signed by the student's parent(s) or legal guardian(s) and returned within _____5_____ school days of the date on which they were issued.
3. Teachers will maintain a check list to determine which report cards, if any, have not been returned within the allotted time. If a report card is overdue, the ___main office _____ will call the parent(s) or legal guardian(s).

E. Parent Teacher Conferences

Parent teacher conferences will be conducted in accordance with Policy No. 9280.

Issued:



R 5500 EXPECTATIONS FOR STUDENT CONDUCT

The following specific behaviors exemplify the conduct expected of students, in accordance with Policy No. 5500.

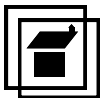
- A. Students will prepare themselves mentally and physically for the process of learning by:
 - 1. Being well-nourished, rested, clean, and properly dressed and groomed;
 - 2. Being free of drugs and alcohol and refraining from smoking; and
 - 3. Developing attitudes that will prepare them for listening, participating, and learning.

- B. Students will respect the person, property, and intellectual and creative products of others by:
 - 1. Being always honest, forthcoming, and courteous;
 - 2. Displaying care for the property of others;
 - 3. Acknowledging the intellectual work of others when it is incorporated into their work;
 - 4. Accepting the rights of others to their own opinions and beliefs;
 - 5. Resolving disputes and differences peacefully;
 - 6. Displaying loyalty and good sportsmanship; and
 - 7. Helping to maintain school facilities that are neat and clean.

- C. Students will take responsibility for their own behavior and learning by:
 - 1. Recognizing that academic endeavor is the primary purpose of school attendance;
 - 2. Completing all homework, classwork, and assigned projects on time;
 - 3. Preparing for each class by bringing necessary supplies and equipment;
 - 4. Making personal choices that are based on sound reasoning and decision-making;



5. Accepting constructive criticism; and
 6. Acknowledging and accepting the consequences of their own actions.
- D. Students will use time and other resources responsibly by:
1. Attending school regularly and promptly and striving for a perfect attendance record;
 2. Using study periods and library time for school work; and
 3. Using books and other equipment appropriately.
- E. Students will share responsibilities when working with others by:
1. Cooperating with others in the work of the group;
 2. Contributing talents and services as appropriate;
 3. Accepting leadership when appropriate; and
 4. Respecting the rights and opinions of others in a group setting.
- F. Students will meet the requirements of each course of study by:
1. Participating actively and appropriately in the scheduled class;
 2. Following the rules and procedures established for the class by the teacher;
 3. Bringing to class the textbook, clothing, and other materials necessary for participation; and
 4. Observing school rules for the safe handling of class equipment and materials.
- G. Students will monitor their own progress toward school objectives by:
1. Carefully planning courses of study and schedules;
 2. Promptly seeking staff assistance as required; and
 3. Maintaining records of progress.



- H. Students will communicate with parent(s) or legal guardian(s) and appropriate school staff members about school matters by:
1. Discussing progress in school with parent(s) or legal guardian(s) and relaying necessary information to parent(s) or legal guardian(s);
 2. Transmitting school letters, forms, and notices to parent(s) or legal guardian(s) and returning required responses to school staff members;
 3. Conferring with appropriate staff members when a problem occurs; and
 4. Developing with parent(s) or legal guardian(s) a clear idea of their educational goals.

Issued:



R 5511 DRESS CODE

The following dress code has been developed in accordance with Policy No. 5511 and in consultation with

_____ staff members and students of this district.

A. General Rules

1. Students are expected to be clean and well groomed in their appearance.
2. Students are expected to avoid dress and grooming that is likely to create a material and substantial disruption to the school environment.
3. Dress or grooming that jeopardizes the health or safety of the student or of other students or is injurious to school property will not be tolerated.

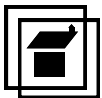
B. Prohibited Clothing and Articles

The following garments and articles are prohibited in school and at school-sponsored indoor events:

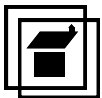
1. Extremely low-cut, tight fitting or transparent clothes, bare midriffs, and suggestive clothing;
2. Skirts, dresses, and pants that end higher than mid-thigh;
3. Outdoor jackets, coats, or hats except when entering or leaving the building and when there is a defect in the heating system;
4. Bare feet, unsafe footwear, cleated shoes, and footwear intended for the beach;



5. Patches and decorations that are offensive or obscene;
6. Undershirts (underwear) worn without an outer shirt;
7. In the classroom, clothing required for physical education classes;
8. Clothing that is overly soiled, torn, worn, or defaced;
9. Nonprescription sunglasses, glazed, and tinted glasses, except as prescribed by the student's doctor;
10. Portable audio or video devices;
11. Beepers and other summoning devices, except as permitted in Policy No. 2360;
12. Clothing, apparel and/or accessories which indicate affiliation with any gang associated with criminal activity or have references to alcohol, controlled dangerous substances, or tobacco;
13. Clothing containing profanity or sexual references or innuendoes;
14. Clothing which includes racial or ethnic violence;
15. Hats, hoods, visors, headbands and other headgear; and
16. Any clothing that is likely to create a material and substantial disruption to the school environment.



2. A school uniform policy has been requested by the school Principal, staff, and parent(s)/legal guardian(s) of students in each school listed above.
3. The Board held a public hearing prior to the adoption and implementation of this Policy for each school listed above.
4. This Policy shall not be implemented in an individual school for at least three months after Board approval and after providing notice to the parent(s)/legal guardian(s) of the students in the school.
5. The school uniform to be worn in each school listed above shall be selected by the Principal and a representative committee of staff and parent(s)/legal guardian(s) of the students attending the school. The school uniform to be worn shall be presented to the Board by the Principal for Board approval.
6. Footwear **is** included as part of the school uniform.
7. A description of the required school uniform for each school listed above shall be maintained in the Principal's office at each school.
8. The school uniform to be worn to school shall be purchased by the parent(s)/legal guardian(s) directly from the vendors who have been determined to provide the approved uniform clothing.
9. The Board believes the cost of school uniforms will result in less expense for each student than not wearing school uniforms. However, each school, working with the school's parent organization, will develop fundraising opportunities, community donation programs, and corporate sponsorships to defray the cost of the school uniforms for economically disadvantaged students.
10. This School Uniform Policy does not prohibit students who participate in nationally recognized youth organizations (Girl Scouts, Boy Scouts, etc.) that are approved and/or recognized by the Board, from wearing organization uniforms to school on days the organization has a scheduled meeting or for a scheduled and specific purpose for wearing such organization uniform approved in advance by the Principal.
11. A parent(s)/legal guardian(s) may request an exemption for their child wearing the school uniform by completing the Application for School Uniform Policy Exemption stating a bona fide religious or philosophical objection to wearing the school uniform.



- a. The Application requires the applicant to indicate the objection with specificity and to provide the alternative dress the student will wear to school to be in compliance with the bona fide objection.
 - b. The Principal will designate a committee of school staff members to consider all exemption requests and the committee will grant exemptions upon a finding that the objection is based in a deeply held religious or philosophical belief.
12. A student who does not wear a school uniform to school without permission and/or an exemption, shall be subject to the following:

Incident

1st	_____Discussion_____
2nd	_____Discussion/Parent Call
3rd	Discussion/Parent Call/1 Detention
4th	Discussion/Parent Call/2 Detention
5th or more	Discussion/Parent Call/1 Day of Suspension

13. A student shall not be determined non-compliant with this Policy in the event the student is determined by the Principal or designee, to be exercising his/her First Amendment rights, and has permission to be excused from the school uniform requirement from the Principal, or designee, or is granted an exemption pursuant to Policy 5111.
14. A student will not be penalized academically or otherwise discriminated against nor denied admittance to school if the student is granted permission to be excused from the school uniform requirement by the Principal, or designee, or is granted an exemption.
15. In the event a Principal, the school's staff, and parent(s)/legal guardian(s) of students in a school that is not listed above in this Policy desire to have this Policy implemented in their school building, the Principal must request approval from the Superintendent to implement the public hearing requirements of N.J.S.A. 18A:11-8. The Superintendent will coordinate the scheduling of a public hearing with the Board President.



16. The Board of Education will evaluate the effectiveness of this Policy on an annual basis before the end of each school year. The Principal of each building with a school uniform provision will compile a report to the Superintendent to be presented to the Board. The report shall indicate the influence school uniforms had on the school's learning environment. This report shall be presented to the Board by June 30. The Board will consider the report for each school and may revise this Policy, if applicable.
17. The Building Principal of all schools listed above will distribute a copy of this Policy:
 - a. To all parent(s)/legal guardian(s) of all students in the school;
 - b. To parent(s)/legal guardian(s) of all students entering the school from another school in the district; and/or
 - c. To parent(s)/legal guardian(s) of all students entering the school during the school year from another school district.

D. Physical Education

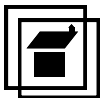
- ___ 1. Students shall wear the following types of clothing for physical education classes:
 - a. Athletic style shorts and/or sweatpants.
 - b. A shirt for indoor activities and a sweatshirt or appropriate outerwear for outdoor activities in cool weather.
2. Snug belts, cut-offs, jeans, loose jewelry, and dirty or torn clothing and accessories are prohibited.
3. Students must wear sneakers or rubber-soled athletic shoes; slip-on shoes, hard-soled shoes, and bare feet are prohibited in gym class.
4. Students are not required by the teacher to shower after a gym class.



E. Enforcement

1. Teaching staff members will report perceived violations of the dress code to the Building Principal or designee, who will interpret and apply the code.
2. Students who publicly represent the school or a school organization at an activity away from the school district are required to dress in full accordance with the reasonable expectations of the staff member in charge of the activity. Students unwilling to comply with this requirement will disqualify themselves from participation.
3. Students will not be permitted to attend a school-related function, such as a field trip, after-school activity unless they are attired and groomed in accordance with this dress code and the reasonable expectations of the staff member in charge.
4. The Principal may waive application of the dress code for special school activity days.
5. A student whose dress or grooming has been found by the Principal or designee to violate this Regulation may appeal the determination to the Superintendent.

Issued:



R 5533 STUDENT SMOKING

The Board of Education is committed to maintaining a smoke-free environment on school grounds, at events sponsored by the Board away from school, and on any transportation vehicle supplied by the Board of Education. The school administration and all school staff members shall strictly enforce this smoking prohibition and will work together to ensure students do not smoke in violation of Board Policy 5533 and the law.

A. Notice Provisions

1. A sign shall be posted in every school building indicating smoking is prohibited in any school building or on school grounds. The sign shall also indicate violators will be subject to a fine.
2. Each school's student handbook will indicate smoking is prohibited on school grounds, at events sponsored by the Board away from school, and on any transportation vehicle supplied by the Board of Education.
3. A public address announcement will be made, when practicable, at school-sponsored events indicating smoking is prohibited in school buildings and on school grounds.

B. Reporting Procedures

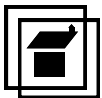
1. Any teaching staff member who observes a student smoking in violation of Policy 5533 shall inform the student to cease smoking and report the violation to the Principal or designee.
2. Any support staff member who observes a student smoking in violation of Policy 5533 shall either inform a teaching staff member, who shall report the violation to the Principal or designee or the support staff member may report the violation directly to the Principal or designee.
3. The Principal or designee will investigate each report received from a staff member and make a determination whether the student has violated Board Policy 5533.



C. Violation Consequences

1. In the event the Principal or designee determines a student has violated Policy 5533, the student will be assigned appropriate discipline in accordance with the school's student discipline/code of conduct.
2. The Principal or designee will notify the student's parent(s) or legal guardian(s) when discipline is being imposed for a violation of Policy 5533.

Issued:



R 5751 SEXUAL HARASSMENT OF STUDENTS

Sexual harassment of students is prohibited by the Board of Education. The Superintendent and school district staff will use the following methods to investigate and resolve allegations of sexual harassment of students engaged in by school employees, other students (peers), or third parties.

A. Definitions

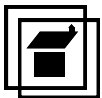
1. Quid Pro Quo Harassment - When a school employee explicitly or implicitly conditions a student's participation in an educational program or activity or bases an educational decision on the student's submission to unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the student resists and suffers the threatened harm or submits and thus avoids the threatened harm.
2. Hostile Environment Sexual Harassment - Sexual harassing conduct (which can include unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature) by an employee, by another student, or by a third party that is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.
3. Notice - The school district has notice if it actually "knew, or in the exercise of reasonable care, should have known" about the harassment. If an agent or responsible employee of the school district received notice, the school district is deemed to have notice. The school district may receive notice in many different ways:
 - a. A student may have filed a grievance or complained to a teacher about fellow students harassing him/her.
 - b. A student, parent, or other student may have contacted other appropriate school personnel.
 - c. An agent or a responsible employee of the school district may have witnessed the harassment.
 - d. The school district may obtain information in an indirect manner such as staff, community members, newspapers, etc.



4. Constructive Notice - A school district will be in violation if the school district has “constructive notice” of a sexually hostile environment and fails to take immediate and appropriate corrective action. Constructive notice exists if the school district “should have” known about the harassment and if the school district would have found out about the harassment through a “reasonable diligent inquiry.”
5. Gender-based Harassment - Gender-based harassment that includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender, but not involving conduct of a sexual nature, may be a form of sex discrimination if it is sufficiently severe, persistent, or pervasive and directed at individuals because of their gender.
6. Title IX of the Education Amendments of 1972 - Title IX applies to all public school districts that receive federal funds and protects students in connection with all the academic, educational, extra-curricular, athletic, and other programs of the school district, whether they take place in the school facilities, on the school bus, at a class or training program sponsored by the school at another location, or elsewhere. Title IX protects any “person” from sex discrimination; accordingly both male and female students are protected from sexual harassment engaged in by school district employees, other students, or third parties. Title IX prohibits sexual harassment regardless of the gender of the harasser even if the harasser and the student being harassed are members of the same gender. Although Title IX does not specifically prohibit discrimination on the basis of sexual orientation, sexual harassment directed at gay or lesbian students may constitute sexual harassment as prohibited by Title IX. Harassing conduct of a sexual nature directed toward gay or lesbian students may create a sexually hostile environment and therefore be prohibited under Title IX.
7. Grievance Procedure - The grievance procedure provides for prompt and equitable resolution of discrimination complaints, including complaints of sexual harassment. The grievance procedure provides the school district with a mechanism for discovering sexual harassment as early as possible and for effectively correcting problems.
8. Office Of Civil Rights (OCR) - The OCR of the United States Department of Education has federal government’s enforcement authority of Title IX.



9. Unwelcomeness - In order to be actionable as harassment, sexual conduct must be unwelcomed. Conduct is unwelcomed if the student did not request or invite it and “regarded the conduct as undesirable or offensive.” The school district will be concerned about the issue of welcomeness if the harasser is in a position of authority.
10. Acquiescence - Acquiescence in the conduct or the failure to complain does not always mean the conduct was welcome. The fact that a student may have accepted the conduct does not mean that he/she welcomed it. The fact that a student willingly participated in conduct on one occasion does not prevent him/her from indicating that the same conduct has become unwelcome on a subsequent occasion. On the other hand, if a student actively participates in sexual banter and discussions and gives no indication he/she objects, then the evidence generally will not support a conclusion that the conduct was unwelcomed.
11. Sufficiently Severe, Persistent, or Pervasive Conduct - In determining whether conduct is sufficiently severe, persistent, or pervasive, the conduct should be considered from a subjective and objective perspective. In making this determination, all relevant circumstances should be considered:
 - a. The degree to which the conduct affected one or more students’ behavior. The conduct must have limited a student’s ability to participate in or benefit from his/her education or altered the conditions of the students educational environment.
 - b. The type, frequency, and duration of the conduct.
 - c. The identity of and relationship between the alleged harasser and the subject or subjects of the harassment.
 - d. The number of individuals involved.
 - e. The age and gender of the alleged harasser and the subject or subjects of the harassment.
 - f. The size of the school, location of the incidents, and context in which they occurred.
 - g. Other incidents at the school.
 - h. Incidents of gender-based, but non-sexual harassment.



B. Grievance Procedure

The following Grievance Procedure shall be used for an allegation(s) of Harassment of Students by School Employees, Other Students, or Third Parties:

1. Reporting of Sexual Harassment Conduct

- a. Any person with any information regarding actual and/or potential sexual harassment of a student by any school employee, other students, or third parties must report the information to the school Building Principal, their immediate supervisor or the Affirmative Action Officer.
 - (1) If the Building Principal deems it appropriate, he/she may immediately notify the parent(s) or legal guardian(s) of the alleged harasser(s) or alleged victim(s) upon receipt of any information prior to notifying the Affirmative Action Officer.
 - (2) The Building Principal will not disclose the name(s) of the alleged harasser(s) or alleged victim(s) to the other party.
- b. The school district can learn of sexual harassment through other means such as from a witness to an incident, an anonymous letter or telephone call.
- c. Nothing in the Policy and Regulation on Student Sexual Harassment shall preclude the Building Principal, or designee, from complying with the provisions of Policy No. 5600 - Student Discipline in order to maintain the health, safety and welfare of staff and/or students.
- d. A report from the school Building Principal or an immediate supervisor will be forwarded to the school district Affirmative Action Officer within one working day, even if the school Building Principal or immediate supervisor feels sexual harassment conduct was not present.
- e. Upon receipt of an allegation and/or report, the Affirmative Action Officer shall immediately notify the parent(s) or legal guardian(s) of any alleged harasser(s) and victim(s) for which a report has been filed even if the Building Principal has previously notified the parent(s) or legal guardian(s).



f. The Affirmative Action Officer shall notify the parent(s) or legal guardian(s) of all involved students and any other involved individuals of the process to be followed in investigating a report or complaint.

2. Affirmative Action Officer's Investigation

a. Upon receipt of any report of potential sexual harassment conduct, the Affirmative Action Officer will begin an immediate investigation. The Affirmative Action Officer will promptly investigate all alleged complaints of sexual harassment, whether or not a formal grievance is filed and steps will be taken to resolve the situation, if needed. This investigation will be prompt, thorough, and impartial. The investigation will be completed no more than ten working days after receiving notice.

b. When a student or the parent(s) or legal guardian(s) of a student provides information or complains about sexual harassment of the student, the Affirmative Action Officer will initially discuss what actions the student or parent(s) or legal guardian(s) is seeking in response to the harassment.

c. The Affirmative Action Officer's investigation may include, but is not limited to, interviews with all persons with potential knowledge of the alleged conduct, interviews with any students who may have been sexually harassed by any school employee, other students, or third parties and any other reasonable methods to determine if sexual harassment conduct existed.

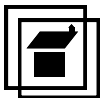
d. The Affirmative Action Officer will request, if relevant to an investigation, the parent(s) or legal guardian(s) of any student involved in the investigation to assist in the investigation to determine if sexual harassment conduct exist(ed).

e. The Affirmative Action Officer will provide a copy of the Board Policy and Regulation to all persons who are interviewed with potential knowledge and to any other person the Affirmative Action Officer feels would be served by a copy of such documents.

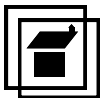
f. The Affirmative Action Officer will explain the avenues for formal and informal action, including a description of the grievance procedure that is available for sexual harassment complaints and an explanation on how the procedure works.



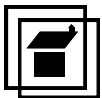
- g. Any person interviewed by the Affirmative Action Officer may be provided an opportunity to present witnesses and other evidence.
- h. The Affirmative Action Officer and/or Superintendent may contact law enforcement agencies if there is potential criminal conduct by any party.
- i. The school district administrators may take interim measures during an Affirmative Action Officer's investigation of a complaint in order to alleviate any conditions which prohibits the student from assisting in the investigation.
- j. If elementary or middle school students are involved, it may become necessary to determine the degree to which they are able to recognize that certain sexual conduct is conduct to which they can or should reasonably object and the degree to which they can articulate an objection. The Affirmative Action Officer will consider the age of the student, the nature of the conduct involved, and other relevant factors in determining whether a student had the capacity to welcome sexual conduct.
- k. The Affirmative Action Officer will consider particular issues of welcomeness if the alleged harassment relates to alleged "consensual" sexual relationships between a school employee and a student.
 - (1) If elementary or middle school (grades K-8) students are involved, welcomeness will not be an issue. Sexual conduct between a school employee and an elementary student will not be viewed as consensual.
 - (2) If secondary (grades 9-12) students are involved, there is a strong presumption that sexual conduct between a school employee and a secondary student is not consensual.
 - (3) In cases involving older secondary and post-secondary students and older secondary and post-secondary special education students, the Affirmative Action Officer will consider the following to determine whether a school employee's sexual advances or other sexual conduct could be considered welcome:
 - (a) The nature of the conduct and the relationship of the school employee to the student, including the degree of influence, authority, or control the employee has over the student.



- (b) Whether the student was legally or practically unable to consent to the sexual conduct in question.
1. If there is a dispute about whether harassment occurred or whether it was welcome (in a case which it is appropriate to consider whether the conduct could be welcome) determinations should be based on the totality of the circumstances. The following types of information may be helpful in resolving the dispute:
 - (1) Statements made by any witnesses to the alleged incident.
 - (2) Evidence about the relative credibility of the alleged harassed student and the alleged harasser.
 - (3) Evidence that the alleged harasser has been found to have harassed others may support the credibility of the student claiming harassment.
 - (4) Evidence of the allegedly harassed student's reaction or behavior after the alleged harassment.
 - (5) Evidence about whether the student claiming harassment filed a complaint or took other action to protest the conduct soon after the alleged incident occurred.
 - (6) Other contemporaneous evidence such as did the student write about the conduct and his/her reaction to it soon after it happened in diary or letter and/or tell friends or relatives.
- m. The scope of a reasonable response also may depend upon whether a student, or parent(s) or legal guardian(s) reporting harassment asks that the student's name not be disclosed to the harasser or that nothing be done about the harassment. The Affirmative Action Officer:
 - (1) Will provide an overview of harassment policy [and Title IX if applicable] to the student, parent(s) or legal guardian(s) guardian which shall include the prohibition of retaliation. In the event the student, parent(s) or legal guardian(s) request the student's name remain confidential, the Affirmative Action Officer will inform the student, parent(s) or legal guardian(s) that the request may limit the school district's ability to respond.



- (2) Will evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. The factors to be considered shall be the seriousness of the alleged harassment, the age of the student harassed, whether there have been any other complaints or reports against the alleged harasser. And the rights of the accused individual to receive information about the accuser and the allegations if a formal proceeding with sanctions may result.
 - (3) May use other means available to address the harassment. Steps that may be taken to limit the effects of the alleged harassment and prevent its reoccurrence without initiating a formal complaint and revealing the identity of the complainant. These steps may require sexual harassment training at the site where the problem occurred, taking a student survey concerning any harassment problems that may exist, or other systematic measures where the alleged harassment occurred.
 - (4) By conducting a limited investigation without revealing the name of the student sexually harassed, may be able to learn about or confirm a pattern of harassment based on claims of different students that were harassed by the same individual. The Affirmative Action Officer may place an individual on notice of allegation of harassing behavior and counsel appropriately without revealing, even indirectly, the identity of the student who notified the school district.
3. Investigation Results
- a. Upon the conclusion of the investigation, but not later than ten working days after reported, the Affirmative Action Officer will prepare a summary of findings to the parties. At the least this shall include the person(s) providing notice to the school district and the student(s) who were alleged to be sexually harassed.
 - b. The Affirmative Action Officer shall make a determination whether sexual harassment conduct was present.
 - c. If the Affirmative Action Officer concludes sexual harassment conduct was not, or is not present, the investigation is concluded.



- d. If the Affirmative Action Officer determines that sexual harassment has occurred, the school district administrators and staff shall take reasonable, age-appropriate, and effective corrective action, including steps tailored to the specific situation. Appropriate steps will be taken to end the harassment such as counseling, warning, and/or disciplinary action, as specified in student and/or staff discipline policies and regulations. The steps will be based on the severity of the harassment or any record of prior incidents or both. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the harassment.
- e. In the event the Affirmative Action Officer determines a hostile environment exists, the school district administrators and staff shall take steps to eliminate the hostile environment. The school district administrators may need to deliver special training or other interventions to repair the educational environment. Other measures may include directing the harasser to apologize to the harassed student, dissemination of information, distribution of new policy statements or other steps to communicate the message that the Board does not tolerate harassment and will be responsive to any student that reports such conduct.
- f. In some situations, the school district administrators may need to provide other services to the student that was harassed if necessary to address the effects of the harassment on that student. Depending on the type of harassment found, these additional services may include an independent re-assessment of the harassed student's work, re-taking a course with a different instructor, tutoring and/or other measures that are appropriate to the situation.
- g. The school district administrators will take steps to avoid any further sexual harassment and to prevent any retaliation against the student who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The Affirmative Action Officer will inform the sexually harassed student and his/her parent how to report any subsequent problems and make follow-up inquiries to see if there has been any new incidents or retaliation.
- h. All sexual harassment grievances and accompanied investigation notes will be maintained in a confidential file by the Affirmative Action Officer.



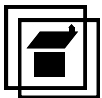
4. Affirmative Action Officer's Investigation Appeal Process
 - a. Any person found by the Affirmative Action Officer's investigation to be guilty of sexual harassment conduct, or any student who believes they were sexually harassed but not supported by the Affirmative Action Officer's investigation, may appeal to the Superintendent. The Superintendent will make his/her determination within ten working days of receiving the appeal.
 - b. Any person who is not satisfied with the Superintendent's determination may appeal to the Board. The Board will make its determination within forty-five calendar days of receiving an appeal from the Superintendent's determination.
- C. Office Of Civil Rights (OCR) Case Resolution

Parents or students not satisfied with the resolution of an allegation of sexual harassment by the school district officials or the Board may request the Office of Civil Rights (OCR) of the United States Department of Education to investigate the allegations.

 1. Any alleged victim of sexual harassment may appeal a decision of the Affirmative Action Officer, Superintendent, or the Board to the Office of Civil Rights (OCR).
 2. Any person may report an allegation of sexual harassment to the OCR at any time. If the OCR is asked to investigate or otherwise resolve incidents of sexual harassment of students, including incidents caused by employees, other students, or third parties, OCR will consider whether:
 - a. The school district has a policy prohibiting sex discrimination under Title IX and an effective Title IX grievance procedure;
 - b. The school district appropriately investigated or otherwise responded to allegations of sexual harassment; and
 - c. The school district has taken immediate and appropriate corrective action responsive to Quid Pro Quo or Hostile Environment Harassment.
 3. If the school district officials have taken the steps described in 2 above, the OCR will consider the case against the school district resolved and take no further action other than monitoring compliance with any agreement between the school district and the OCR. This shall apply in cases in which the school district was in violation of Title IX, as well as those in which there has been no violation of Title IX.

Issued: 22 October 1998

Revised:



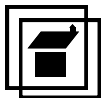
REGULATION

ENGLEWOOD BOARD OF EDUCATION

FINANCES
R 6000/page 1 of 1

R 6000 FINANCES

<u>Number</u>	<u>Title</u>
R 6160	Grants from Private Sources
R 6340	Multiple Year Contracts
R 6350	Competitive Contracting
R 6424	Emergency Contracts



R 6160 GRANTS FROM PRIVATE SOURCES

The Board of Education encourages and will accept funding from private sources, in accordance with Policy No. 6160. The following regulations govern the development and processing of private funding proposals.

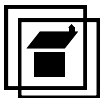
A. Sources

1. The ___Business Administrator _____ shall research sources of private funding through individuals and foundations. He/She shall prepare a list of appropriate funding sources in the community and state.
2. All school district employees are encouraged to be alert to possibilities for private resources for school aid, financial and in-kind, from community members and organizations. Any such possibility should be reported to the Business Administrator _____, who will explore the potential for aid with the employee and, as appropriate, the private resource.
3. The Business Administrator _____ will visit the directors of foundations interested in educational progress and research to explore areas of mutual interest. He/She will determine whether the foundation will support specific program grants, graduate work for teaching staff members, the construction and/or improvement of school facilities, professional growth activities, arts education, community education, community and school liaison activities, and so forth.
4. The ___ Business Administrator, in consultation with the Superintendent, will identify specific district needs and formulate proposals for funding that meet those needs.

B. Approval

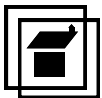
Any proposal for private funding must be submitted to the Superintendent before it is formally submitted to the Board of Education for approval. The rationale for the proposal must set forth the objectives for the funding, the proposed program statement, and the means by which the objectives will be evaluated.

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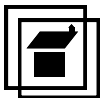


R 6340 MULTIPLE YEAR CONTRACTS

- A. All contracts for the provision or performance of goods or services will be awarded for a period not to exceed twenty-four consecutive months, except that contracts for professional services pursuant to paragraph (1) of subsection a. of N.J.S.A. 18A:18A-5 shall be awarded for a period not to exceed twelve consecutive months.
- B. The Board may award a contract for longer periods of time as follows:
1. Supplying of:
 - a. Fuel for heating purposes, for any term not exceeding in the aggregate, three years;
 - b. Fuel or oil for use of automobiles, autobuses, motor vehicles or equipment, for any term not exceeding in the aggregate, three years;
 - c. Thermal energy produced by a cogeneration facility, for use for heating or air conditioning or both, for any term not exceeding forty years, when the contract is approved by the Board of Public Utilities. For the purposes of this paragraph, "cogeneration" means the simultaneous production in one facility of electric power and other forms of useful energy such as heating or process steam; or
 2. Plowing and removal of snow and ice, for any term not exceeding in the aggregate, three years; or
 3. Collection and disposal of garbage and refuse, for any term not exceeding in the aggregate, three years; or
 4. Data processing service, for any term of not more than seven years; or
 5. Insurance, including the purchase of insurance coverages, insurance consultant or administrative services, and including participation in a joint self-insurance fund, risk management program or related services provided by a school Board insurance group, or participation in an insurance fund established by a county pursuant to N.J.S.A. 40A:10-6, or a joint insurance fund established pursuant to P.L.1983, c.372 (C.40A:10-36 et seq.), for any term of not more than three years; or



6. Leasing or servicing of automobiles, motor vehicles, electronic communications equipment, machinery and equipment of every nature and kind and textbooks and non-consumable instructional materials, for any term not exceeding in the aggregate, five years; provided, however, such contracts shall be awarded only subject to and in accordance with rules and regulations promulgated by the State Board of Education; or
 7. Supplying of any product or the rendering of any service by a company providing voice, data, transmission or switching services, for a term not exceeding five years; or
 8. Driver education instruction conducted by private, licensed driver education schools, for any term not exceeding in the aggregate, three years;
 9. Provision or performance of goods or services for the purpose of conserving energy in the buildings owned by any local Board of education, the entire price of which shall be established as a percentage of the resultant savings in energy costs, for a term not to exceed fifteen years; except that these contracts shall be entered into only subject to and in accordance with guidelines promulgated by the Board of Public Utilities establishing a methodology for computing energy costs;
 10. Any single project for the construction, reconstruction or rehabilitation of any public building, structure or facility, or any public works project, including the retention of the services of any architect or engineer in connection therewith, for the length of time authorized and necessary for the completion of the actual construction;
 11. Laundry service and the rental, supply and cleaning of uniforms for any term of not more than three years;
 12. Food supplies and food services for any term of not more than three years;
 13. Purchases made under a contract awarded by the Director of the Division of Purchase and Property in the Department of the Treasury for use by counties, municipalities or other contracting units pursuant to section 3 of P.L.1969, c.104 (C.52:25-16.1), for a term not to exceed the term of that contract.
- C. Any contract for services other than professional services, the statutory length of which contract is for three years or less, may include provisions for no more than one two-year, or two one-year, extensions, subject to the following limitations:



1. The contract must be awarded by resolution of the Board upon a finding by the Board that the services are being performed in an effective and efficient manner;
 2. No such contract shall be extended so that it runs for more than a total of five consecutive years;
 3. Any price change included as part of an extension shall be based upon the price of the original contract as cumulatively adjusted pursuant to any previous adjustment or extension and shall not exceed the change in the index rate for the twelve months preceding the most recent quarterly calculation available at the time the contract is renewed; and the terms and conditions of the contract remain substantially the same.
- D. All multiyear leases and contracts entered into pursuant to N.J.S.A. 18A:18A-42, including any two-year or one-year extensions, except contracts for insurance coverages, insurance consultant or administrative services, participation or membership in a joint self-insurance fund, risk management programs or related services of a school Board insurance group, participation in an insurance fund established by a county pursuant to N.J.S.A. 40A:10-6 or contracts for thermal energy authorized pursuant to subsection a. above, and contracts for the provision or performance of goods or services to promote energy conservation authorized pursuant to B.9. of this regulation shall contain a clause making them subject to the availability and appropriation annually of sufficient funds as may be required to meet the extended obligation, or contain an annual cancellation clause.
- E. All contracts shall cease to have effect at the end of the contracted period and shall not be extended by any mechanism or provision, unless in conformance with the "Public School Contracts Law," N.J.S.A. 18A:18A-1 et seq., except that a contract may be extended by mutual agreement of the parties to the contract when a Board of Education has commenced rebidding prior to the time the contract expires or when the awarding of a contract is pending at the time the contract expires.

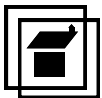
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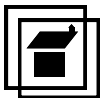
R 6350 COMPETITIVE CONTRACTING

A. Definitions

1. "Purchasing agent" means the School Business Administrator/Board Secretary or the Business Manager of the Board of Education duly assigned the authority, responsibility and accountability for the purchasing activity of the Board and having the power to prepare advertisements, to advertise for and receive bids and to award contracts as permitted by this chapter, but if there be no School Business Administrator/Board Secretary or Business Manager, such officer, committees or employees to whom such power has been delegated by the Board.
2. "Extraordinary unspecifiable services" means services which are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor.
3. "Professional services" means services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training. Professional services may also mean services rendered in the provision or performance of goods or services that are original and creative in character in a recognized field of artistic endeavor.
4. "Aggregate" means the sums expended or to be expended for the provision or performance of any goods or services in connection with the same immediate purpose or task, or the furnishing of similar goods or services, during the same contract year through a contract awarded by a purchasing agent.
5. "Bid threshold" means the dollar amount set in N.J.S.A. 18A:18A-3, above which a Board will advertise for and receive sealed bids in accordance with procedures set forth in N.J.S.A. 18A:18A-1 et seq.
6. "Contract year" means the period of twelve consecutive months following the award of a contract.



7. "Competitive contracting" means the method described in sections 45 through 49 of P.L.1999, c.440 (C.18A:18A-4.1 through C.18A:18A-4.5) of contracting for specialized goods and services in which formal proposals are solicited from vendors; formal proposals are evaluated by the purchasing agent or counsel or School Business Administrator; and the Board awards a contract to a vendor or vendors from among the formal proposals received.
8. "Goods and services" or "goods or services" means any work, labor, commodities, equipment, materials, or supplies of any tangible or intangible nature, except real property or any interest therein, provided or performed through a contract awarded by a purchasing agent, including goods and property subject to N.J.S.A. 12A:2-101 et seq.
9. "Library and educational goods and services" means textbooks, copyrighted materials, student produced publications and services incidental thereto, including but not limited to books, periodicals, newspapers, documents, pamphlets, photographs, reproductions, microfilms, pictorial or graphic works, musical scores, maps, charts, globes, sound recordings, slides, films, filmstrips, video and magnetic tapes, other printed or published matter and audiovisual and other materials of a similar nature, necessary binding or rebinding of library materials, and specialized computer software used as a supplement or in lieu of textbooks or reference material.
10. "Lowest price" means the least possible amount that meets all requirements of the request of a purchasing agent.
11. "Lowest responsible bidder or vendor" means the bidder or vendor: (1) whose response to a request for bids offers the lowest price and is responsive; and (2) who is responsible.
12. "Official newspaper" means any newspaper designated by the Board pursuant to R.S.35:1-1 et seq.
13. "Purchase order" means a document issued by the purchasing agent authorizing a purchase transaction with a vendor to provide or perform goods or services to the Board, which, when fulfilled in accordance with the terms and conditions of a request of a purchasing agent and other provisions and procedures that may be established by the Board, will result in payment by the Board.



14. "Quotation" means the response to a formal or informal request made by a purchasing agent to a vendor for provision or performance of goods or services, when the aggregate cost is less than the bid threshold. Quotations may be in writing, or taken verbally if a record is kept by the purchasing agent.
15. "Responsible" means able to complete the contract in accordance with its requirements, including but not limited to requirements pertaining to experience, moral integrity, operating capacity, financial capacity, credit, and workforce, equipment, and facilities availability.
16. "Responsive" means conforming in all material respects to the terms and conditions, specifications, legal requirements, and other provisions of the request.
17. "Concession" means the granting of a license or right to act for or on behalf of the Board, or to provide a service requiring the approval or endorsement of the Board, and which may or may not involve a payment or exchange, or provision of services by or to the Board, provided that the term concession will not include vending machines.
18. "Proprietary" means goods or services of a specialized nature, that may be made or marketed by a person or persons having the exclusive right to make or sell them, when the need for such goods or services has been certified in writing by the Board to be necessary for the conduct of its affairs.
19. "Service or services" means the performance of work, or the furnishing of labor, time, or effort, or any combination thereof, not involving or connected to the delivery or ownership of a specified end product or goods or a manufacturing process. Service or services may also include an arrangement in which a vendor compensates the Board for the vendor's right to operate a concession.

B. Competitive Contracting

Competitive contracting may be used in lieu of public bidding for specialized goods or services that exceed the bid threshold provided the process is administered by a purchasing agent, by legal counsel of the Board, or by the School Business Administrator. The Board shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services are desired to be competitively contracted. If the desired goods or services have previously been contracted for using the competitive contracting process then the original resolution of the Board will suffice. Competitive contracting may only be used for the following purposes:



1. The purchase or licensing of proprietary computer software designed for Board purposes, which may include hardware intended for use with the proprietary software, but not for general purpose computer hardware or software;
2. The hiring of a for-profit entity or a not-for-profit entity incorporated under Title 15A of the New Jersey Statutes for the purpose of the operation, management or administration of recreation or social service facilities or programs; or the operation, management or administration of data processing services;
3. Services performed by an energy services company pursuant to N.J.S.A. 40A:18A-4.1.c.;
4. Telecommunications transmission or switching services that are not part of a tariff or schedule of charges filed with the Board of Public Utilities;
5. The purchase of specialized machinery or equipment of a technical nature, or servicing thereof, which will not reasonably permit the drawing of specifications;
6. Food services provided by food service management companies when not part of programs administered by the New Jersey Department of Agriculture, Bureau of Child Nutrition Programs;
7. Driver education courses provided by licensed driver education schools;
8. At the option of the Board, any good or service that is exempt from bidding pursuant to N.J.S.A. 18A:18A-5;
9. Laboratory testing services;
10. Concessions;
11. The operation, management or administration of other services, with the approval of the Division of Local Government Services in the Department of Community Affairs.

Any purpose included in 1 through 11 above, will not be considered by a Board as an extraordinary unspecifiable service pursuant to N.J.S.A. 18A:18A-5. Unless an exception is provided for under N.J.S.A. 18A:18A-42 permitting a longer contract duration, contracts awarded under competitive contracting may be for a term not to exceed five years.

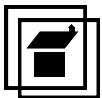


C. Requests for Proposals

1. The purchasing agent will prepare request for proposal documentation, which will include:
 - a. All requirements deemed appropriate and necessary to allow for full and free competition between vendors;
 - b. Information necessary for potential vendors to submit a proposal; and
 - c. A methodology by which the Board will evaluate and rank proposals received from vendors.
2. The methodology for the awarding of competitive contracts will be based on an evaluation and ranking, which will include technical, management, and cost related criteria, and may include a weighting of criteria. This methodology will be developed in a way that is intended to meet the specific needs of the district and where such criteria will not unfairly or illegally discriminate against or exclude otherwise capable vendors.
 - a. When an evaluation methodology uses a weighting of criteria, at the option of the Board the weighting to be accorded to each criterion may be disclosed to vendors prior to receipt of the proposals.
 - b. The methodology for awarding competitive contracts will comply with such rules and regulations as the Director of the Division of Local Government Services in the Department of Community Affairs may adopt in accordance with N.J.S.A. 18A-4.4(a).
3. At no time during the proposal solicitation process will the purchasing agent convey information, including price, to any potential vendor which could confer an unfair advantage upon that vendor over any other potential vendor. If a purchasing agent desires to change proposal documentation, the purchasing agent will notify only those potential vendors who received the proposal documentation of any and all changes in writing and all existing documentation will be changed appropriately.
4. All proposals and contracts will be subject to the provisions of section 1 of P.L.1977, c.33 (C.52:25-24.2) requiring submission of a statement of corporate ownership and the provisions of P.L.1975, c.127 (C.10:5-31 et seq.) concerning equal employment opportunity and affirmative action.



- D. Soliciting, Evaluating and Awarding Competitive Bid Contracts
1. Notice of the availability of Request for Proposal
 - a. Request for Proposal documentation will be published in an official newspaper of the Board at least twenty days prior to the date established for the submission of proposals.
 - b. The purchasing agent will promptly reply to any request by an interested vendor by providing a copy of the request for proposals.
 - c. The Board may charge a fee for the proposal documentation that will not exceed \$50.00 or the cost of reproducing the documentation, whichever is greater.
 2. Submission of Request for Proposals
 - a. Each interested vendor will submit a proposal which will include all the information required by the request for proposals.
 - b. Failure to meet the requirements of the request for proposals may result in the Board disqualifying the vendor from further consideration.
 - c. Under no circumstances will the provisions of a proposal be subject to negotiation by the Board.
 3. Competitive Contracting - Subcontracting Services
 - a. If the Board, at the time of solicitation, utilizes its own employees to provide the goods or perform the services, or both considered for competitive contracting, the Board will, at any time prior to, but no later than the time of solicitation for competitive contracting proposals, notify affected employees of the Board's intention to solicit competitive contracting proposals.
 - b. Employees or their representatives will be permitted to submit recommendations and proposals affecting wages, hours, and terms and conditions of employment in such a manner as to meet the goals of the competitive contract.



- c. If employees are represented by an organization that has negotiated a contract with the Board, only the bargaining unit will be authorized to submit such recommendations or proposals.
 - d. When requested by such employees, the Board will provide such information regarding budgets and the costs of performing the services by such employees as may be available.
 - e. Nothing will prevent such employees from making recommendations that may include modifications to existing labor agreements in order to reduce such costs in lieu of award of a competitive contract, and agreements implementing such recommendations may be considered as cause for rejecting all other proposals.
4. Evaluation of Requests for Proposals
- a. The purchasing agent will evaluate all proposals only in accordance with the methodology described in the request for proposals. After proposals have been evaluated, the purchasing agent will prepare a report in accordance with N.J.S.A. 18A:18A-4.5d evaluating and recommending the award of a contract or contracts. The report will:
 - (1) List the names of all potential vendors who submitted a proposal and will summarize the proposals of each vendor;
 - (2) Rank vendors in order of evaluation;
 - (3) Recommend the selection of a vendor or vendors, as appropriate, for a contract;
 - (4) Be clear in the reasons why the vendor or vendors have been selected among others considered; and
 - (5) Detail the terms, conditions, scope of services, fees, and other matters to be incorporated into a contract.

The report will be made available to the public at least forty-eight hours prior to the awarding of the contract, or when made available to the Board, whichever is sooner. The Board will have the right to reject all proposals for any of the reasons set forth in N.J.S.A. 18A:18A-22.



5. Award of Contract

Award of a contract will be made by resolution of the Board within sixty days of the receipt of the proposals, except that the proposals of any vendors who consent thereto, may, at the request of the Board, be held for consideration for such longer period as may be agreed.

6. Competitive Contracting Report

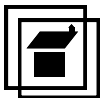
The report prepared pursuant to N.J.S.A. 18A:18A-4.5d of this section will become part of the public record and will reflect the final action of the Board. Contracts will be executed pursuant to N.J.S.A. 18A:18A-40.

7. Publication of Contracts Awarded Using Competitive Contracting

a. The Secretary of the Board will publish a notice in the official newspaper of the Board summarizing the award of a contract, which will include but not be limited to:

- (1) The nature, duration, and amount of the contract;
- (2) The name of the vendor; and
- (3) A statement that the resolution and contract are on file and available for public inspection in the office of the Secretary of the Board.

Issued:



R 6424 EMERGENCY CONTRACTS

- A. Any contract may be negotiated or awarded for a Board of Education without public advertising for bids and notwithstanding that the contract price will exceed the bid threshold when an emergency affecting the health or safety of occupants of school property requires the immediate delivery of goods or the performance of services, provided that the contracts are awarded in the following manner:
1. The official in charge of the building, facility, or equipment wherein the emergency occurred or such other officer or employee as may be authorized to act in place of that official, shall notify the purchasing agent and/or School Business Administrator/Board Secretary of:
 - a. The need for the performance of a contract;
 - b. The nature of the emergency;
 - c. The time of its occurrence; and
 - d. The need for invoking this section.
 2. Such notification shall be reduced to writing and filed with the purchasing agent and School Business Administrator/Board Secretary as soon as practicable.
 3. If the School Business Administrator/Board Secretary is satisfied that an emergency exists, he/she shall be authorized to award a contract or contracts for such purposes as may be necessary to respond to the emergent needs.
- B. Upon the furnishing of such goods or services, in accordance with the terms of the contract, the contractor furnishing such goods or services, shall be entitled to be paid and the Board shall be obligated for said payment. The Board shall take such action as shall be required to provide for the payment of the contract price.
- C. If conditions permit, the School Business Administrator/Board Secretary shall seek quotations from more than one source. And, if the expenditures are expected to be in excess of the bid threshold, the School Business Administrator/Board Secretary shall attempt to obtain no fewer than three quotations.



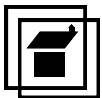
REGULATION

ENGLEWOOD BOARD OF EDUCATION

FINANCES
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Emergency Contracts

- D. When emergency conditions have eased, the School Business Administrator/Board Secretary shall utilize the regular purchasing system to obtain estimates from suppliers, vendors, and contractors for materials and/or services that will eliminate the circumstances that created the emergency.
- E. The School Business Administrator/Board Secretary shall submit a final report to the Board on every occasion an emergency contract is negotiated or awarded in accordance with the provisions of N.J.S.A. 18A:18A-7. The report shall describe:
1. The nature of the emergency;
 2. The time of its occurrence;
 3. The need for invoking this regulation;
 4. The action taken;
 5. The costs of the action;
 6. The accounts to be charged; and
 7. The plan for preventing a similar situation in the future.

Issued:



REGULATION

ENGLEWOOD BOARD OF EDUCATION

PROPERTY
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R 7000 PROPERTY

<u>Number</u>	<u>Title</u>
R 7101	Educational Adequacy of Capital Projects
R 7102	Site Selection and Acquisition
R 7230	Gifts, Grants, and Donations
R 7421	Indoor Air Quality Standards



R 7101 EDUCATIONAL ADEQUACY OF CAPITAL PROJECTS

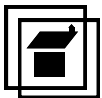
Capital projects that affect any of the following criteria for educational adequacy shall be reviewed and approved by the Division of Administration and Finance (Division). The criteria are the number, configuration, size, location, or use of educational spaces within a school facility. The review for educational adequacy shall take into consideration the suitability of the number, configuration, size, location, and use of educational spaces; built-in furniture and equipment; and provisions for the disabled.

- A. Projects Requiring Approval for Educational Adequacy – N.J.A.C. 6A:26-5.1
1. Capital projects that involve the following types of building construction work shall be approved for educational adequacy:
 - a. New school facilities including pre-fabricated facilities;
 - b. Additions to existing school facilities;
 - c. Alterations to the total number, dimension in volume and/or area, configuration or location of educational spaces or the number of any one kind of educational space; and
 - d. Installation of temporary facilities.
- B. New Jersey Schools Development Authority (Development Authority), Regular Operating District (ROD), and Other Capital Projects – N.J.A.C. 6A:26-5.1(b)
1. Both Development Authority and ROD school facilities projects, along with other capital projects, shall be subject to educational adequacy reviews. The review process and types of documents subject to review will differ depending on whether the project is a school facilities project or other capital project, and if a school facilities project, on whether it is a Development Authority project or a ROD project.
 - a. For a Development Authority school facilities project, the Development Authority on behalf of the school district shall apply for the review and approval for educational adequacy in conjunction with the application for approval of a school facilities project pursuant to N.J.A.C. 6A:26-3.

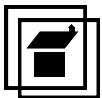


The application shall be made prior to the review and approval of capital projects for compliance with the Uniform Construction Code (UCC), N.J.A.C. 5:23, by the Division of Codes and Standards in the Department of Community Affairs, and prior to local share authorization. The educational adequacy review shall cover the following types of project documents: educational specifications; schematic plans and related documents; detailed plans and specifications; and final plans and specifications. The educational specifications, schematic plans, and related documents shall be submitted by the Development Authority on behalf of the school district at the time of project application. Detailed and final plans and specifications shall be forwarded to the Division by the Development Authority after project approval, but prior to the Division determination of final eligible costs and Department of Community Affairs review for UCC compliance.

- b. For a ROD school facilities project, school districts shall apply for the review and approval for education adequacy in conjunction with the application for approval of a school facilities project. The educational adequacy review shall cover the following types of documents: educational specifications, schematic plans and related documents, and final plans and specifications. The educational specifications, schematic plans, and related documents shall be submitted by the school district at the time of project application. Final plans and specifications shall be submitted by the school district after project approval, but prior to the UCC-compliance review.
- c. For any other capital project, school districts shall apply for the review and approval for educational adequacy in conjunction with the application for the Division review for consistency with the school district's approved LRFP. The educational adequacy review shall cover educational specifications, schematic plans and related documents, and final plans and specifications. The educational specifications, schematic plans, and related documents shall be submitted by the school district at the time the project is reviewed for consistency with the school district's approved LRFP. Final plans and specifications shall be submitted by the school district after the consistency review, but prior to the UCC-compliance review.



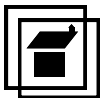
- C. Change of Use of Instructional Space, Non-Capital Project – N.J.A.C. 6A:26-5.1(c)
1. The Executive County Superintendent shall approve any change of use of instructional space that is not a capital project.
- D. Educational Specifications – N.J.A.C. 6A:26-5.2
1. Submissions of educational specifications for educational adequacy reviews shall include the following:
 - a. Details of the educational program activities and requirements for each space proposed in the capital project, and shall refer to the New Jersey Student Learning Standards wherever appropriate;
 - b. An itemized list of furniture, equipment, and support spaces required to conduct the educational program specified for each space, together with their net areas in square feet, as well as the net of the total room area required for each space;
 - c. Specific technical and environmental criteria, adjacencies, and other requirements for the educational program; and
 - d. A building-space program that indicates the number and net area in square feet of each instructional, specialized instructional, administrative, and support space in each existing or proposed building included in the capital project and/or the temporary facility.
- E. Schematic Plans and Other Related Project Documents – N.J.A.C. 6A:26-5.3
1. Submissions of schematic plans for educational adequacy reviews shall include the following:
 - a. Four sets of schematic plans showing the entire existing and proposed building drawn to a scale of not less than 1/16 inch per foot. The approved use of each space, the proposed number of occupants, and the net square feet area shall be clearly labeled on all existing and proposed spaces;
 - b. Layouts of the built-in and moveable furniture and equipment for examples of all occupied spaces drawn to a scale of not less than 1/8 inch per foot;



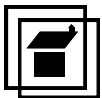
- c. Information required to demonstrate compliance with the Facility Planning Standards of N.J.A.C. 6A:26-6 including dimensions, clearances, ceiling heights, and required equipment;
 - d. Paths of travel for disabled persons;
 - e. A completed plot plan when work site is required, including the intended location of the school and a layout of the locations of all other structures, multi-purpose physical education fields, playgrounds, walkways, roadways, access roads, buffer and set back zones, parking areas, deed restrictions, easements, protective covenants, right of ways, and environmentally sensitive areas. If the land for the site is being acquired, an application also shall be submitted for approval under N.J.A.C. 6A:26-7.1; and
 - f. The signature and seal of a New Jersey licensed architect or professional engineer, if there is an architect or engineer engaged for the project, and signatures of the President of the Board of Education and the Superintendent. In the case of Development Authority school facilities projects, schematic plans shall also be signed by the Development Authority, pursuant to N.J.S.A. 59:4-6.
2. Other project documents to be submitted with the schematic plans shall include:
- a. A project cost estimate on a form provided by the Commissioner;
 - b. A project schedule;
 - c. A copy of the dated transmittal letter to the Executive County Superintendent indicating project document submission to the Division; and
 - d. A copy of the transmittal letter indicating the date of plan submission to the local planning board, where required by N.J.S.A. 40:55D-31 and N.J.S.A. 18A:18A-16, including, but not limited to, whenever the project consists of a new building, the conversion of an existing building to school use, or the building footprint, volume, pedestrian, or vehicular access are altered by the project.



- F. Detailed Plans and Specifications and Final Plans and Specifications – N.J.A.C. 6A:26-5.4
1. In the case of a Development Authority school facilities project, the Development Authority on behalf of the school district shall apply upon completion of detailed plans and specifications for final approval of the project's educational adequacy. Detailed plans and specifications shall be considered adequate for calculations of final eligible costs if the plans and specifications are at least sixty percent complete. Final approval of the educational adequacy of the project shall occur prior to the calculation of the final eligible costs of the school facilities project pursuant to N.J.A.C. 6A:26-3.5. The application for final approval shall include:
 - a. Four individually packaged sets of detailed plans, drawn to a scale of not less than 1/8 inch per foot, signed and sealed by a New Jersey licensed architect or professional engineer and signed by the President of the Board of Education, Superintendent, and the Development Authority, and specifications to sufficiently demonstrate the school facilities project conforms to schematic plans approved by the Division. To demonstrate such conformance, the submission shall include architectural floor plans, an architectural site plan, as applicable, and architectural drawings that will allow verification of ceiling heights and other applicable standards in N.J.A.C. 6A:26-6.3. If the Division determines the documents are not sufficient to demonstrate conformity with the schematic plans, it may request additional drawings and/or technical specifications;
 - b. The fee calculated according to the fee schedule pursuant to N.J.A.C. 6A:26-5.5; and
 - c. In the event there is a change affecting the number, configuration, size, location, or use of educational spaces as set forth in the detailed plans and specifications submitted to the New Jersey Department of Education, the Development Authority shall submit to the Division the application with two sets of final plans and specifications, as set forth in subparagraph 2.a. below. No additional fee will be imposed.
 2. In the case of a ROD school facilities project or another capital project, the school district shall apply upon the completion of final plans and specifications for final approval of the educational adequacy of the project. The application shall include:



- a. Four individually packaged sets of detailed plans, drawn to a scale of not less than 1/8 inch per foot, signed and sealed by a New Jersey licensed architect or professional engineer and signed by the President of the Board of Education and Superintendent, and specifications to sufficiently demonstrate the capital project conforms to schematic plans approved by the Division as described in F.1.a. above;
 - b. A properly executed copy of a "Request for Local Release of School Construction Plans" for a district that chooses to have a municipal code enforcing agency review its plans for UCC conformance. The review shall include the documentation required by the UCC in accordance with N.J.A.C. 5:23-2.15, for the requirements for application for a construction permit or for plan review, as appropriate. The Superintendent and municipal code enforcing agency chief shall sign the form, which may be obtained from the Division; and
 - c. A check, payable to the "Treasurer, State of New Jersey," for the fee calculated according to the fee schedule pursuant to N.J.A.C. 6A:26-5.5.
3. In the case of a temporary facility, the school district or the Development Authority on behalf of the school district for Development Authority school facilities projects, shall apply to the Division upon the completion of detailed plans and educational specifications for approval of the temporary facility's adequacy. Detailed plans and educational specifications shall be considered adequate for calculations of eligible costs if the plans and educational specifications are at least sixty percent complete unless otherwise provided in N.J.A.C. 6A:26-5.4. The application shall include items in accordance with N.J.A.C. 6A:26-5.4(c) as outlined below:
- a. Four sets of detailed plans, drawn to a scale of not less than 1/8 inch per foot, signed and sealed by a New Jersey registered architect or licensed engineer and signed by the President of the Board of Education and Superintendent, as well as the Development Authority in the case of a temporary facility that is part of a Development Authority school facilities project, and educational specifications to sufficiently demonstrate the educational adequacy of the temporary facility and compliance with the temporary facility standards at N.J.A.C. 6A:26-8;



- b. A completed plot plan whenever site work is required for the temporary facility. On it shall be shown the intended location of the temporary facility and a layout of all other structures, play and recreation areas, athletic fields, walkways, roadways, access roads, buffer and set-back zones, and parking areas. It also clearly shall indicate the impact that placement of the temporary facility will have on the site of the permanent school facility;
- c. A copy of the dated transmittal letter to the Executive County Superintendent indicating plan submission to the Division;
- d. A copy of the transmittal letter indicating the date of plan submission to the local planning board, whenever required by N.J.S.A. 40:55D-31 and N.J.S.A. 18A:18A-16;
- e. A temporary facility schedule addressing the relationship to the school facilities project schedule, in the event that the temporary facility is part of a school facilities project;
- f. The fee calculated according to the fee schedule pursuant to N.J.A.C. 6A:26-5.5. If the temporary facility is not part of a Development Authority school facilities project, payment shall be in the form of a check, payable to the "Treasurer, State of New Jersey";
 - (1) If the fee for the temporary facility is submitted to the Division prior to the submission of the fee for the final educational adequacy review for the school facilities project, the amount paid for the temporary facility will be credited toward the fee for the school facilities project;
- g. If the temporary facility is not part of a Development Authority school facilities project, a properly executed copy of a Request for Local Release of School Construction Plans for a school district that chooses to have a municipal code enforcing agency review its plans for conformance with the UCC. Such review shall require the documentation required by the UCC, N.J.A.C. 5:23-2.15, for the requirements for application for a construction permit or for plan review, as appropriate. The Superintendent and municipal code enforcing agency chief shall sign the form, which may be obtained from the Division; and



- h. If the temporary facility was previously used for school purposes and a certificate of occupancy for Group E, as designated by the Commissioner of the Department of Community Affairs, is in effect and no change of use is required, a floor plan with proposed occupancy in lieu of signed and sealed plans shall be submitted to the Division to meet the requirements of N.J.A.C. 6A:26-5.4.

G. Fee Schedule – N.J.A.C. 6A:26-5.5

The Division will collect fees for reviews of detailed/final plans and specifications for educational adequacy in the case of Development Authority school facilities projects and for its reviews of final plans and specifications for educational adequacy in ROD school facilities projects and other capital projects in accordance with the fee schedule outlined in N.J.A.C. 6A:26-5.5.

H. Capital Projects Not Subject to Educational Adequacy Review – N.J.A.C. 6A:26-5.6

1. For a Development Authority school facilities project not subject to educational adequacy review, the Division shall issue a preliminary project report and shall forward to the Department of Community Affairs for review the report along with drawings or narrative sufficient to delineate the scope of work, so the Department of Community Affairs may review construction documents for UCC conformance. The review shall require the documentation required by the UCC in accordance with N.J.A.C. 5:23-2.15, for the requirements for application for a construction permit or for plan review, as appropriate.
2. For a ROD school facilities project or other capital project not subject to educational adequacy review, the Division shall make a determination of the project's final eligible costs and shall forward to the Department of Community Affairs for review the determination along with drawings or narrative sufficient to delineate the scope of work, so the Department of Community Affairs may review construction documents for UCC conformance. The review shall include the documentation required by the UCC in accordance with N.J.A.C. 5:23-2.15, for the requirements for a construction-permit or plan-review application, as appropriate. If the school district has submitted to the Division a properly executed copy of a "Request for Local Release of School Construction Plans," pursuant to N.J.A.C. 6A:26-5.4(b)2, the Division shall forward the release form to the Department of Community Affairs for its action.

Issued:



R 7102 SITE SELECTION AND ACQUISITION

The school district may need to select and acquire new sites for school district facilities. Site acquisition for school purposes and every acquisition of land will be made pursuant to N.J.A.C. 6A:26-3.12 and N.J.A.C. 6A:26-7.1 through 7.3.

A. Acquisition of Land by School Districts - N.J.A.C. 6A:26-3.12

Every acquisition of land, whether by purchase, condemnation, or by gift or grant, to be used as a school site shall comply with N.J.A.C. 6A:26-7 and receive approval.

B. Approval of the Acquisition of Land - N.J.A.C. 6A:26-7.1

1. Voter Approval - N.J.A.C. 6A:26-7.1(a)

The school district may obtain voter approval for funding of land acquisition prior to the Division of Administration and Finance (Division) approval of the land acquisition. The school district shall not take any action to acquire the land prior to obtaining Division approval.

2. Submission to the Division of Administration and Finance - N.J.A.C. 6A:26-7.1(b)

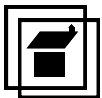
The school district, or the New Jersey Schools Development Authority (Development Authority) on behalf of the district, shall submit to the Division the following information to obtain approval under B.1. above for land in connection with a school facilities project. The following requirements do not address requirements of other State agencies having approval or permitting jurisdiction over land acquisition:

a. The following information shall be provided by the school district:

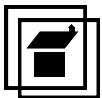
- (1) A written request that shall include a statement, signed by the Board President and the Superintendent, indicating the immediate and ultimate proposed uses of the site, in terms of building use, grade organization, and potential maximum enrollment, and whether the land is, or will be, part of a school facilities project indicated in the district's LRFP;



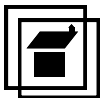
- (2) A map of the school district showing the location of the land, the location of existing schools in the school district, the attendance area to be served by the school, and the number of students who reside within the attendance area;
 - (3) Data regarding the impact of the acquisition upon racial balance within the school district's public schools;
 - (4) A full, detailed appraisal of the market value of the property prepared by a licensed professional;
 - (5) A title report on the property produced by any reputable title insurer licensed in the State of New Jersey evidencing that title is good and marketable;
 - (6) A feasibility study evidencing that school district-owned land within the attendance area to be served by the school is not available, suitable, or sufficient to be used for school purposes, but only if the school district is required to use the Development Authority and seeking approval for a new acquisition of land and not merely a new use for already school district-owned land; and
 - (7) For a school district required to use the Development Authority and seeking approval for the acquisition of land, evidence that the school district has not indemnified the seller of the land for the costs arising from the environmental remediation required for the property to be used for school purposes; acquired the land in its "as is" condition; or acquired the land under terms and conditions that would invalidate the statutory immunity of the school district from liability for the remediation costs associated with pre-existing contamination, whether discovered pre-closing or post-acquisition, under the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq.
- b. The following information shall generally be provided by a licensed architect, professional engineer, or professional planner in accordance with N.J.A.C. 6A:26-7.1(b)(2):



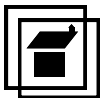
- (1) A statement from the licensed architect, professional engineer, or professional planner indicating whether the land is subject to regulation under the Coastal Wetlands Act - N.J.S.A. 13:9A-1 et seq.; the Freshwater Wetlands Act - N.J.S.A. 13:9B-1 et seq.; the Pinelands Protection Act - N.J.S.A. 13:18A-1 et seq.; the Waterfront Development Act - N.J.S.A. 12:5-3; the Green Acres Acts - N.J.S.A. 13:8A-1 et seq., N.J.S.A. 13:8A-19 et seq., N.J.S.A. 13:8A-35 et seq., and N.J.S.A. 13:8C-1 et seq.; or other statutes, regulations or executive orders administered by agencies of State or Federal government;
 - (a) If so subject, the statement shall address the steps necessary to obtain approval from the agencies, and include adequate documentation to demonstrate to the Division the approvals will be obtained and not affect the educational adequacy of the site, as set forth in B.4. and B.5. below.
- (2) A statement from a New Jersey licensed architect, professional engineer, or professional planner indicating whether the proposed use of the land to be acquired is consistent with the goals and strategies of the New Jersey State Development and Redevelopment Plan (State Plan). If inconsistent with such goals and strategies, the statement shall include adequate documentation to demonstrate to the Division there are no alternative suitable sites available in the school district that are consistent with the State Plan's goals and strategies;
- (3) A statement from a New Jersey licensed architect, professional engineer, or professional planner indicating the land to be acquired is suitable for the proposed use;
- (4) A completed, signed, and sealed plot plan of the land to be acquired showing topographical and contour lines; adjacent properties indicating current land uses; access roads; deed restrictions; easements; protective covenants; right of ways; and environmentally sensitive areas such as waterways and wetlands. The acreage and dimensions of the tract proposed for acquisition shall be included as per the application of the standards for minimum acceptable school site sizes in B.4. below;



- (5) If existing buildings or structures are located on the land to be acquired, the intended use, and/or disposition of these buildings. Any building to be acquired and used shall comply with the requirements of the Uniform Construction Code (UCC) for educational occupancy and N.J.A.C. 6A:26-5 that apply to the construction of a new building;
 - (6) Adequate documentation to demonstrate to the Division that soil conditions for structural integrity and drainage have been examined by the New Jersey licensed architect or professional engineer; and
 - (7) Adequate documentation to demonstrate to the Division that soil and groundwater conditions have been examined by a New Jersey licensed architect or professional engineer for suitability for septic systems, if applicable.
- c. The following shall be submitted by the school district in accordance with N.J.A.C. 6A:26-7.1(b)3:
- (1) A statement from a local or regional water purveyor or alternatively, a statement from a geologist or professional engineer if the source of water is groundwater, certifying that:
 - (a) The land can be adequately provided with the necessary water for the proposed maximum enrollment, and if the source of water is groundwater, that there will be sufficient groundwater available for the proposed maximum enrollment; and
 - (b) Potable water infrastructure is, or is not, in place to service the site.
 - (2) A statement from a local or county sewerage agency certifying that:
 - (a) The land can be adequately provided with the necessary and acceptable sewage disposal system for the proposed maximum enrollment, as evidenced, for example, by consistency with the locally approved wastewater management plan; and



- (b) Sewer infrastructure is, or is not, in place to service the site. If such infrastructure is not in place, adequate documentation from a professional engineer or licensed geologist to demonstrate that soil and groundwater conditions are suitable for a septic system or discharge to groundwater.
- (3) Recommendations from the New Jersey Department of Environmental Protection (NJDEP) that there are no substantial reasons why the land acquisition should not proceed within forty-five days of its receipt of an environmental site report submitted by the school district or the Development Authority on behalf of the school district addressing the items below, or evidence that forty-five days have passed since the NJDEP's receipt of the environmental site report, whichever is earlier:
 - (a) A sewer service consistency determination;
 - (b) Potable water supply;
 - (c) Coastal and freshwater wetlands;
 - (d) Green Acres land;
 - (e) Stream encroachment;
 - (f) Historical or archeological resources;
 - (g) Endangered plant species;
 - (h) Threatened or endangered animal species; and
 - (i) An environmental site assessment to determine whether there is potential contamination on the land, submitted on a form provided by the New Jersey Department of Education (NJDOE).
- d. The following shall be submitted by the school district in accordance with N.J.A.C. 6A:26-7.1(b)4:

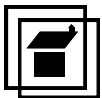


- (1) Recommendations of the planning board or the municipality in which the land is situated, and that has an approved master plan as required by N.J.S.A. 40:55D-31 and N.J.S.A. 18A:18A-16, or evidence that the applicable forty-five days or fifty-five days have passed, whichever is earlier, from the planning board's receipt of the land acquisition application. The recommendations shall be sent to the Division of Administration and Finance, Office of School Facilities, PO Box 500, Trenton, NJ 08625-0500, and forwarded promptly to the Division at the above address if received by the school district or its architect;
 - (2) The recommendation of the Executive County Superintendent based on the requirements specified in N.J.A.C. 6A:26-7; and
 - (3) Prior approvals of other agencies, such as the New Jersey Department of Agriculture, NJDEP, and the Pinelands Commission, where such approval is reasonably obtainable prior to acquisition.
3. Land Acquisition for Non-School Facility Project - N.J.A.C. 6A:26-7.1(c)
 - a. A school district that intends to acquire land not in connection with a school facilities project shall submit all of the information required under N.J.A.C. 6A:26-7.1(b) except N.J.A.C. 6A:26-7.1(b)1.ii and N.J.A.C. 6A:26-7.1(b)1.iii, and shall further be excepted from the requirements of N.J.A.C. 6A:26-7.1(d) and N.J.A.C. 6A:26-7.1(e). If the school district later intends to change the use of the land and use as a school site, the school district shall be required to submit all of the information required under N.J.A.C. 6A:26-7.1 and the aforementioned exceptions shall no longer apply.
4. School Site Size - N.J.A.C. 6A:26-7.1(d)

School site sizes shall be directly related to the acreage required for the structures and activities to be situated thereon. Except where specifically noted for multiple or shared use, the acreage shall be considered for single use.
5. School Site Size Requirements - N.J.A.C. 6A:26-7.1(e)

All school sites require sufficient acreage for the following:

 - a. The placement of the school facility;



- b. Expansion of the building to its maximum potential enrollment;
 - c. The placement of all other structures such as greenhouses, storage buildings, school bus maintenance buildings or garages, and any other above or below ground structure, which is to be placed thereon;
 - d. Multi-purpose physical education and, for preschool through grade five school facilities, a playground required to support the achievement of the New Jersey Student Learning Standards as defined by the number of physical education teaching stations applicable to the school facility pursuant to the facilities efficiency standards and the approved programmatic model;
 - e. Disabled-accessible pedestrian walkways, roadways, and parking areas on which people and vehicles access the building;
 - f. Public and service access roads onto the site including, where warranted, a one-way school bus road of thirty foot width and a two-way road of thirty-six foot width; a school bus drop-off area; and eighteen foot wide posted fire lanes for fire apparatus; and
 - g. A thirty-foot wide access around the entire building.
6. Land owned by the Board of Education that does not meet the standards of N.J.A.C. 6A:26-7.1 may be supplemented by adjacent municipally owned land if it is formally leased on a long-term basis to the Board for exclusive use during school hours and there are no deed restrictions that prohibit school district use.
 7. The Division's approval shall remain effective for three years, after which time Division approval shall again be required to be obtained prior to acquiring land.
- C. Approval of the Acquisition of Land in Certain School Districts Under the Development Authority's Auspices - N.J.A.C. 6A:26-7.2
1. The Development Authority may acquire land on behalf of a school district eligible for one hundred percent State support of final eligible costs for school facilities projects that are consistent with the school district's approved LRFP. For such school districts, the NJDOE shall require submission of all information set forth in N.J.A.C. 6A:26-7.1(b) to demonstrate compliance with N.J.A.C. 6A:26-7.1. The Development Authority may submit the required information on behalf of such school districts.



- D. Approval for the Acquisition of Existing Facilities - N.J.A.C. 6A:26-7.3
1. The Board planning to acquire an existing facility through purchase, gift, lease, or otherwise shall comply with all procedures and rules pertaining to the appropriation and use of capital funds as required by N.J.S.A. 18A:20-4 and 4.2. The school district shall also have the facility approved in accordance with N.J.A.C. 6A:26-3, which applies to the acquisition of a school site and for the construction of a new facility.
 2. Facilities to be procured for temporary use shall comply with N.J.A.C. 6A:26-8 if subject to educational-adequacy review pursuant to N.J.A.C. 6A:26-5.4(c) because the facilities will house students.

Issued:



R 7230 GIFTS, GRANTS, AND DONATIONS

A. Definitions

1. “Gift” means a donation of any property, real or personal, including cash, to the school district, to any individual school or class, or to any school program.
2. “Donor” means any individual or organization that offers a gift.

B. Gift Proposals

1. A gift proposal may be made to a Principal or administrator. When a gift is proposed to any staff member, the donor shall be referred to Superintendent.
2. The Principal or administrator shall prepare and submit to the Superintendent a property donation form for any gift that cannot be accepted directly in accordance with C1. The form will include:
 - a. The name and address of the donor;
 - b. A description of the proposed gift;
 - c. The class, school, and/or program to which the donation is made;
 - d. The proposed use of the gift and its relation to the curriculum;
 - e. The proposed location of the gift;
 - f. The cost to the district, if any, for moving, installation, and maintaining the gift; and
 - g. The donor’s intention, if any, that the gift be a memorial.
3. A donor who proposes a gift of any funds amount will be invited by the appropriate Board of Education to discuss the dedication of the funds to a purchase that will enrich the school program. The donor will be encouraged to fund purchases not likely to be made with public funds.



4. Any proposed donation of funds or more will be referred to the Board who will invite the donor to confer with him/her on the dedication of the funds.
 5. Principals and administrators are encouraged to keep a list of appropriate gifts as an aid to individuals and organizations seeking gift opportunities.
- C. Acceptance of Gifts
1. The Principal of the school or the administrator of the program in which a proposed gift is to be used may accept the gift once approved by the Board of Education.
 2. The Board of Education may accept gifts of funds and gifts of property valued in Policy No. 7230 for amounts). All gifts accepted by the Superintendent will be reported to the Board.
 3. All gifts can be accepted only by resolution of the Board duly convened.
 4. The staff members who would be professionally involved in the use of the gift will be consulted on its suitability in the educational program.
 5. A gift of property may be submitted for professional assessment and evaluation before it is accepted, in order to determine the Board's potential liability for installation, maintenance, and/or repair.
 6. The district purchasing officer will be consulted as to whether a proposed gift meets necessary district specifications. A gift that does not meet district health and safety standards will not be accepted.
 7. A gift of money, whether or not it is dedicated to a specific purpose, will be accepted into the general account of the district. Any purchases made with the gift are subject to applicable state law and Board policy on advertising for bids and purchasing generally.



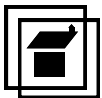
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Gifts, Grants, and Donations

8. The donor of any accepted gift of property or cash will be notified in writing of the acceptance of the gift, the value of the gift in dollar amount, and the value of the gift to the educational program of the district.
9. A gift intended as a memorial will be fittingly recognized by means (such as a plaque or ceremony) approved by the donor and the Board.
10. Capital property accepted as a gift shall be insured for its replacement value.

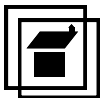
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R 7421 INDOOR AIR QUALITY STANDARDS

A. Definitions

1. “Air contaminants” - refers to substances contained in vapors from paint, cleaning chemicals, pesticides, solvents, particles, outdoor air pollutants and other airborne substances which together may cause material impairment to employees working within the enclosed workplace.
2. “Building related illnesses” - describes specific medical conditions of known etiology which can be documented by physical signs and laboratory findings. Such illnesses include sensory irritations when caused by known agents, respiratory allergies, asthma, nosocomial infections, humidifier fever, Legionnaires’ Disease, and the signs and symptoms characteristic of exposure to chemical or biologic substances such as carbon monoxide, formaldehyde, pesticides, endotoxins, or mycotoxins.
3. “Building systems” - include the heating, ventilating and air-conditioning (HVAC) system, the energy management system and all other systems in a facility which may impact indoor air quality.
4. “Department” - Department of Health and Senior Services
5. “Designated person” - a person who is designated by the administration to take necessary measures to assure compliance with indoor air quality standards.
6. “HVAC system” - means the collective components of the heating, ventilation and air conditioning systems including, but not limited to, filters and frames, cooling coil condensate drip pans and drainage piping, outside air dampers and actuators, humidifiers, air distribution ductwork, automatic temperature controls, and cooling towers.
7. “HVAC System Commissioning Report” - means a document normally prepared by an architect or engineer that provides verification that the HVAC system is operating in conformity with the design intent.
8. “Office Building” - means a building in which administrative and/or clerical activities are conducted. Examples of facilities and/or operations which are not office buildings include schools, repair shops, garages and print shops.



9. “Renovations and remodeling” - means building modification involving activities that include, but are not limited to; removal or replacement of walls, roofing, ceilings, floors, carpet and components such as moldings, cabinets, doors, and windows; paintings; decorating; demolition; surface refinishing; and removal or cleaning of ventilating ducts.

B. Compliance Program

The Superintendent will designate the ____ Business Administrator _____ who is given the responsibility to assure compliance with indoor air quality standards. The designated person will assure that at least the following actions are limited and documented:

1. Establishing and following a preventative maintenance schedule for heating, ventilating and air conditioning (HVAC) systems that are in accordance with manufacturer’s recommendations or with accepted practice for the HVAC system.
2. Implementing the use of general and local exhaust ventilation where housekeeping and maintenance activities involve the use of equipment or products that could reasonably be expected to result in hazardous chemicals or particulate exposure above the Permissible Exposure Limit (PEL).
3. When the carbon dioxide level exceeds 1,000 parts per million (ppm), the designated person will check to make sure the HVAC system is operating properly. If it is not, the designated person will take necessary steps as outlined in 1. above.
4. Check to make sure HVAC systems are working properly when the building temperatures are outside of the range of 68 to 79 degrees Fahrenheit. If it is not, the designated person will take necessary steps as outlined in 1. above.
5. If contamination of the make-up air supply is identified and documented, then the make-up inlets and/or exhaust outlets shall be re-located or the source of the contamination eliminated. Sources of make-up air contamination may include contaminants from sources such as cooling towers, sanitary vents, vehicular exhausts from parking garages, loading docks and street traffic.
6. Assure that buildings without mechanical ventilation have operable windows, doors, vents, stacks and other portals designated or used for natural ventilation are operational.



7. Promptly investigate all employee complaints of signs or symptoms that may be associated with building-related illnesses.
- C. Air Quality During Renovation and Remodeling
1. Renovation work and/or new construction that results in the diffusion of dust, stone and other small particles, toxic gases or other harmful substances in quantities hazardous to health will be safeguarded by means of local ventilation or other protective devices to ensure the safety of employees. Renovation areas in occupied buildings shall be isolated and dust and debris shall be confined to the renovation or construction area.
 2. Before use of paints, adhesives, sealants, solvents, or installation of insulation, particle board, plywood, floor coverings, carpet backing, textiles, or other materials in the course of renovation or construction, the designated person will check product labels or seek and obtain information from the manufacturers of those products on whether or not they contain volatile organic compounds such as solvents, formaldehyde or isocyanates that could be emitted during regular use. This information shall be used to select products and to determine necessary measures to be taken to comply with indoor air quality standards.
 3. The designated person will notify employees at least twenty-four hours in advance, or promptly in emergency situations of work to be performed on the building that may induce air contaminants into their work area.
- D. Recordkeeping
1. The maintenance schedule shall be updated by the designated person to show all maintenance performed on the building systems. The schedule shall include the date such maintenance was performed and the name of the person or company performing the work.
 2. The records required to be maintained by this section shall be retained for at least three years and be available on request to employees and employee representatives and Department representatives for examination and copying.
- E. Response To A Signed Complaint From The Department



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1. Within fifteen working days of receipt of the complaint notification from the Department, the designated person will respond in writing to the Department. The response may include any combination of the following:

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- a. A statement that the complaint is unfounded;
 - b. A description of any remedial action already taken;
 - c. An outline of any remedial measures planned but not yet taken, with a timeline for completion; and/or
 - d. A statement that a study of the problem, with a timetable for completion of the study, has been initiated.
2. Where remedial measures are planned or a study initiated, they shall be completed as soon as feasible. The designated person will submit, to the Department, a written report describing the remedial measures implemented and/or a copy of the study's report within fifteen working days of completion.
 3. Permits for remedial work shall be obtained as required by N.J.A.C. 5:23 (the New Jersey Uniform Construction Code). All work requiring a permit shall be performed in compliance with N.J.A.C. 5:23.
- F. In response to an employee complaint to the Department, the designated person will provide any of the following documents, if available, and requested by the Department:
1. As-built construction documents;
 2. HVAC system commissioning reports;
 3. HVAC systems testing, adjusting and balancing reports;
 4. Operations and maintenance manuals;
 5. Water treatment logs; and
 6. Operator training materials.

Issued:



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R 8000 OPERATIONS

<u>Number</u>	<u>Title</u>
R 8310	Public Records
R 8441	Care of Injured and Ill Persons (M)
R 8690	Monitoring Devices on School Vehicles



R 8310 PUBLIC RECORDS

A. Definitions (N.J.S.A. 47:1A-1.1)

"Board" means the __Englewood Public School District Board of Education, school staff, including members of the administration, and any persons acting on behalf of the Board of Education.

"Public agency" or "agency" means any of the principal departments in the Executive Branch of State Government, and any division, board, bureau, office, commission or other instrumentality within or created by such department; the Legislature of the State and any office, board, bureau or commission within or created by the Legislative Branch; and any independent State authority, commission, instrumentality, or agency. The terms also mean any political subdivision of the State or combination of political subdivisions, and any division, board, bureau, office, commission or other instrumentality within or created by a political subdivision of the State or combination of political subdivisions, and any independent authority, commission, instrumentality, or agency created by a political subdivision or combination of political subdivisions.

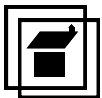
"Custodian of a government record" or "custodian" is the officer officially designated by formal action of the Board of Education.

B. Government Record or Record (N.J.S.A. 47:1A-1.1)

1. Any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of his or its official business of the Board of Education or that has been received in the course of his or its official business of the Board of Education.
2. A "government record" or "record" does not include inter-agency or intra-agency advisory, consultative, or deliberative material.
3. A "government record" or "record" does not include excluded information as outlined in N.J.S.A. 47:1A-1.1. The excluded information includes, but is not limited to, the following information which is deemed to be confidential as per N.J.S.A. 47:1A-1 et seq.:
 - a. Victims' records, except that a victim of a crime shall have access to the victim's own records;



- b. Trade secrets and proprietary commercial or financial information obtained from any source. Trade secrets shall include data processing software obtained by the district under a licensing agreement which prohibits its disclosure;
- c. Any record within the attorney-client privilege. This will not be construed as exempting from access attorney or consultant bills or invoices except that such bills or invoices may be redacted to remove any information protected by the attorney-client privilege;
- d. Administrative or technical information regarding computer hardware, software and networks that, if disclosed, would jeopardize computer security;
- e. Emergency or security information or procedures for any buildings or facility that, if disclosed, would jeopardize security of the building or facility or persons therein;
- f. Security measures and surveillance techniques that, if disclosed, would create a risk to the safety of persons, property, electronic data or software;
- g. Information that, if disclosed, would give an advantage to competitors or bidders;
- h. Information generated by or on behalf of the Board or Board employees in connection with any sexual harassment complaint filed with the Board or with any grievance filed by or against an individual or in connection with collective negotiations, including documents and statements of strategy or negotiating position;
- i. Information that is a communication between the district and its insurance carrier, administrative service organization or risk management office;
- j. Information that is to be kept confidential pursuant to court order;
- k. That portion of any document which discloses the social security number, credit card number, unlisted telephone number or driver license number of any person; except for use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private



person or entity acting on behalf thereof, or any private person or entity seeking to enforce payment of court-ordered child support; except with respect to the disclosure of driver information by the Division of Motor Vehicles as permitted by Section 2 of P.L.1997, c. 188 (C.39:2-3.4); and except that a social security number contained in a record required by law to be made, maintained or kept on file by a public agency shall be disclosed when access to the document or disclosure of that information is not otherwise prohibited by State or Federal law, regulation or order or by State statute, resolution of either or both houses of the Legislature, Executive Order of the Governor, rule of court or regulation promulgated under the authority of any statute or executive order of the Governor;

- l. Personnel and pension records of an individual, including records relating to any grievance filed by or against an individual, except the individual's name, title, position, salary, payroll record, length of service, date of separation and the reason therefore, the amount and type of pension he/she receives, and data, other than detailed medical or psychological information, that shows conformity with qualifications for employment and pensions. Personnel or pension records of any individual shall be accessible when required to be disclosed by law, when disclosure is essential to the performance of official duties of a person duly authorized by this State or the United States, or when authorized by an individual in interest;
 - m. Test questions, scoring keys, and other examination data pertaining to the administration of an examination for employment or academic examination;
 - n. Information concerning student records or grievance or disciplinary proceedings against a student to the extent disclosure would reveal the identity of the student; and
 - o. All other information listed as being confidential and not a government record as defined in N.J.S.A. 47:1A-1.1.
- C. Records of Investigation In Progress (N.J.S.A. 47:1A-3)
1. Notwithstanding the provisions of N.J.S.A 47:1A-1 et seq., where it appears the record or records which are sought to be inspected, copied, or examined shall pertain to an investigation in progress by the Board and/or administration:



- a. The right to inspection, copying and/or examination may be denied if the inspection, copying or publication of such record or records will be inimical/detrimental to the public interest. This provision will not be construed to prohibit the Board and/or custodian from opening such record or records if not otherwise prohibited by law or to prohibit access to a record that was open for public inspection, examination, or copying before the investigation commenced; and
 - b. If the Board, during the course of an investigation, obtains from another public agency a government record that was open for public inspection, examination or copying before the investigation commenced, the Board will provide the other agency with sufficient access to the record to allow the other agency to comply with requests made pursuant to N.J.S.A. 47:1A-1 et seq.
2. Notwithstanding the provisions of N.J.S.A. 47:1A-1 et seq., the information concerning a criminal investigation will be available to the public in accordance with N.J.S.A. 47:1A-3.b.
- D. Inspection, Examination and Copying (N.J.S.A. 47:1A-5 et seq.)
1. The custodian will permit the government record to be inspected, examined, and copied by any person during regular business hours. In the case of a Board of Education having a total district enrollment of 500 or fewer, the custodian will permit the records to be inspected, examined and copied during not less than six regular business hours over not less than three business days per week or the entity's regularly-scheduled business hours, whichever is less, unless the government record is exempt from public access as per N.J.S.A. 47:1A-5.a.
 2. Prior to allowing access to any government record, the custodian will redact from that record any information which discloses the social security number, credit card number, unlisted telephone number, or driver license number of any person, except:
 - a. If the record is being used by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf thereof, or any private person or entity seeking to enforce payment of court-ordered child support;
 - b. With respect to the disclosure of driver information by the Division of Motor Vehicles as permitted by section 2 of P.L.1997, c. 188 (C.39:2-3.4);



- c. That a social security number contained in a record required by law to be made, maintained or kept on file by a public agency shall be disclosed when access to the document or disclosure of that information is not otherwise prohibited by State or Federal law, regulation or order or by State statute, resolution of either or both houses of the Legislature, Executive Order of the Governor, rule of court or regulation promulgated under the authority of any statute or executive order of the Governor; and
 - d. Where an agency can demonstrate an emergent need, a regulation that limits access to government records shall not be retroactive in effect or applied to deny a request for access to a government record that is pending before the agency, the council or a court at the time of the adoption of the regulation.
- E. Copy Purchase (N.J.S.A. 47:1A-5 et seq.)
- 1. The custodian shall charge the requestor a fee for a copy or copies of a government record in accordance with the provisions of N.J.S.A. 47:1A-5.b. Except as otherwise provided by law or regulation, the fee assessed for the duplication of a government record embodied in the form of printed matter shall be \$.05 per letter size page or smaller, and \$.07 per legal size page or larger.
 - a. If the school district can demonstrate that its actual costs for duplication of a government record exceed the per page rates, the school district shall be permitted to charge the actual cost of duplicating the record. The actual cost of duplicating the record, upon which all copy fees are based, shall be the cost of materials and supplies used to make a copy of the record, but shall not include the cost of labor or overhead expenses associated with making the copy except as provided for in N.J.S.A. 47:1A-5.c. and E.2. below.
 - b. The calculation of actual costs shall be as follows:
 - (1) The custodian should contact the school district's supplier(s) to determine the cost of paper and toner. A supplier is wherever the district obtains copying materials such as paper and toner.
 - (2) The custodian should calculate or contact the copying company to determine the school district's annual school year copying volume. This volume shall not only include copies pertaining to OPRA requests, but shall include all copying on all copy machines in the district for all purposes.



- (3) The custodian should contact the copying company to determine the average paper life of one toner/ink cartridge (i.e. how many pieces of paper the ink or toner should be able to copy).
 - (4) The custodian shall maintain documentation of all information provided by the copying company or office supplier (i.e. contracts or correspondence from purchasing agent or copying company) regarding this calculation.
 - (5) The actual calculation is the total cost of paper purchased for one school year plus the total cost of toner purchased for one school year divided by the annual copying volume. This calculation can be averaged for all copy machines in the district that produce letter and legal copies.
 - (6) Actual copy costs for special copies, such as color printing or blueprints copied within the school district, shall be calculated separately.
- c. If the district's calculated per copy actual cost exceeds the enumerated rates set forth in N.J.S.A. 47:1A-5.b. and E.1. above, the school district, if challenged, must demonstrate its actual costs are indeed higher than those enumerated rates and are therefore justified.
 - d. Access to electronic records and non-printed materials shall be provided free of charge, but the district may charge for the actual costs of any needed supplies such as computer discs.
2. Whenever the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied pursuant to this Regulation is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the district **will** charge, in addition to the actual cost of duplicating the record, a special service charge that will be reasonable and will be based upon the actual direct cost of providing the copy or copies. The custodian will provide the requestor an opportunity to review and object to the charge prior to it being incurred.



3. A custodian shall permit access to a government record and provide a copy thereof in the medium requested if the district maintains the record in that medium. If the district does not maintain the record in the medium requested, the custodian will either convert the record to the medium requested or provide a copy in some other meaningful medium.
4. If a request is for a record in a medium not routinely used by the district; not routinely developed or maintained by the district or requiring a substantial amount of manipulation or programming of information technology, the district **will** charge, in addition to the actual cost of duplication, a special charge that will be reasonable and based on the cost for any extensive use of information technology, or for the labor cost of personnel providing the service, that is actually incurred by the district or attributable to the district for the programming, clerical, and supervisory assistance required, or both.
5. Immediate access ordinarily will be granted to budgets, bills, vouchers, contracts, including collective negotiations agreements and individual employment contracts, and public employee salary and overtime information.
6. The custodian will adopt a form for the use of any person who requests access to a government record held or controlled by the public agency. The form will provide:
 - a. Space for the name, address, and phone number of the requestor and a brief description of the government record sought;
 - b. Space for the custodian to indicate which record will be made available, when the record will be available, and the fees to be charged;
 - c. Specific directions and procedures for requesting a record;
 - d. A statement as to whether prepayment of fees or a deposit is required;
 - e. The time period within which the school district is required by N.J.S.A. 47:1A-1 et seq. to make the record available;
 - f. A statement of the requestor's right to challenge a decision to deny access and the procedure for filing an appeal;
 - g. Space for the custodian to list reasons if a request is denied in whole or in part;



- h. Space for the requestor to sign and date the form; and
 - i. Space for the custodian to sign and date the form if the request is fulfilled or denied.
- 7. The custodian **will** require a deposit against costs for reproducing documents sought through an anonymous request whenever the custodian anticipates that the information thus requested will cost in excess of \$5.00 to reproduce.
- 8. Request for access to a government record shall be in writing and hand-delivered or mailed to the custodian. The custodian will also accept a request for access to a government record that is transmitted electronically.
- 9. The custodian will promptly comply with a request to inspect, examine, copy, or provide a copy of a government record.
- 10. If the custodian is unable to comply with a request for access, the custodian will indicate the specific basis therefore on the request form and promptly return it to the requestor.
- 11. The custodian will sign and date the form and provide the requestor with a copy thereof.
- 12. If the custodian asserts that part of a particular record is exempt from public access pursuant to N.J.S.A. 47:1A-1 et seq. the custodian will delete or excise from a copy of the record that portion which the custodian asserts is exempt from access and shall promptly permit access to the remainder of the record.
- 13. If the government record requested is temporarily unavailable because it is in use or in storage, the custodian will advise the requestor and will make arrangements to promptly make available a copy of the record.
- 14. If a request for access to a government record would substantially disrupt school district operations, the custodian may deny access to the record after attempting to reach a reasonable solution with the requestor that accommodates the interests of the requestor and the district.



15. Any officer or employee of the district who receives a request for access to a government record will forward the request to the custodian of the record or direct the requestor to the custodian of the record.
 16. Unless a shorter time period is otherwise provided by statute, regulation, or executive order, the custodian will grant access to a government record or deny a request for access to a government record as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived.
 - a. In the event the custodian fails to respond within seven business days after receiving a request, the failure to respond will be deemed a denial of the request, unless the requestor has elected not to provide a name, address or telephone number, or other means of contacting the requestor.
 - b. If the requestor has elected not to provide a name, address, or telephone number, or other means of contacting the requestor, the custodian will not be required to respond until the requestor reappears before the custodian seeking a response to the original request.
 - c. If the government record is in storage or archived, the requestor will be so advised within seven business days after the custodian receives the request. The requestor will be advised by the custodian when the record can be made available. If the record is not made available by that time, access shall be deemed denied.
 17. A custodian will post prominently in public view in the part or parts of the office or offices of the custodian that are open to or frequented by the public a statement that sets forth in clear, concise and specific terms the right to appeal a denial of, or failure to provide, access to a government record by any person for inspection, examination, or copying or for purchase of copies thereof and the procedure by which an appeal may be filed.
- F. Challenge to Access Upon Denial (N.J.S.A. 47:1A-6)
1. A person who is denied access to a government record by the custodian, at the option of the requestor, may:
 - a. Institute a proceeding to challenge the custodian's decision by filing an action in Superior Court; or



R 8441 CARE OF INJURED AND ILL PERSONS

A. Injuries and/or Illness Requiring Immediate Attention

These regulations apply when a student, staff member, visitor, or other person on school grounds or during a school-sponsored event, activity, or field trip is injured or becomes suddenly ill. A school staff member shall take charge under these circumstances until the school nurse or another medical professional arrives on the scene.

1. The injury or illness shall be reported immediately to the school nurse or, in the absence of the school nurse, to the Principal or designee.
2. If it is evident the illness or injury is serious and immediate medical attention may be required, emergency medical assistance shall be immediately summoned by a telephone call to 911.
3. The injured or ill person shall be examined for any obvious injuries or health problems.
4. The injured or ill person shall be checked for the presence of a necklace or bracelet that identifies a particular medical problem.
5. The injured or ill person shall not be moved, except as may be necessary to remove the person from a dangerous environment.
6. The injured or ill person should be made as comfortable as possible, without moving him/her.
7. No food or liquid should be given to the injured or ill person except on the orders of the school nurse or another medical professional.
8. The injured or ill person shall be informed when emergency medical assistance has been contacted.

B. Emergency First Aid Procedures

1. The school nurse or other medical professional will administer emergency first aid to an injured student, staff member, or visitor.



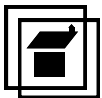
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Care of Injured and Ill Persons

2. In the event the school nurse or other medical professional is not available or before the school nurse or other medical professional arrives, the school staff member or other adult in charge may administer basic first aid to the injured or ill person until the school nurse or other trained medical professional arrives.
 - a. The school nurse will develop, in consultation with the school physician, basic emergency first aid procedures in the event a school staff member may be in the position to provide emergency first aid to an injured or ill person until the school nurse or other medical professional arrives on the scene.
 - b. The school nurse will make such basic emergency first aid procedures available to school staff members.

Adopted:



R 8690 MONITORING DEVICES ON SCHOOL VEHICLES

Recording and Notice

1. In order to maintain a safe and secure environment for all students transported on school vehicles the: _____ Business Administrator _____ **(Transportation Supervisor, Building Principal, Superintendent, Other (Specify))** may cause recording devices to be installed in any district owned or contracted vehicles and activated at specific times.
2. Monitoring devices may include sound videocameras, audio recording devices and other appropriate devices.
3. Students and drivers will not be notified when a recording device is “on board” and in use on district vehicles.
4. Each school vehicle shall have a sign, prominently displayed stating that: “Video and/or audio monitoring devices are used on school district owned and contracted vehicles and this vehicle may be monitored at any time.”
5. Recordings may be used to monitor and observe the behavior of students, teaching and support staff members and the vehicle operator.

Student Records and Notice

1. School district personnel will comply with provisions of law regarding student records requirements including the Family Education and Privacy Act and the Individual with Disabilities Education Act as applicable in the district’s use of video recordings. Video recordings considered for retention as a part of the student’s behavioral record will be maintained in accordance with established student record procedures governing access, review and release of student records.
2. The school district personnel will include annual notice in parent/student handbooks that monitoring devices may be used on school transportation vehicles transporting students to and from curricular and co-curricular activities.



Staff Records and Notice

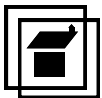
1. Recordings considered for retention as part of the employee's personnel record will be maintained in accordance with established Board personnel policies, administrative regulations and labor agreements governing access, review and release of employee personnel records.
2. The district will include notice to personnel that monitoring devices may be used on school transportation vehicles transporting students to and from curricular and/or co-curricular activities.
3. Staff will not be notified when a video camera is "on board" and in use on district vehicles.

Storage/Security

1. All recordings will be stored by the: __ Business Administrator (**Transportation Supervisor, Building Principal, Superintendent, Other (Specify)**) and secured to ensure confidentiality.
2. Recordings will be stored for sixty school days after initial recording, whereupon such recordings will be released and erased, unless there is an incident pending resolution.
3. Recordings held for review of student or staff incident will be maintained in their original form pending resolution. The recording media will then be either released for erasure or retained as necessary as a part of the student's behavioral record and/or employee's personnel record in accordance with the established district procedures.

Use

1. The decision to activate recording devices on specific vehicles and at specific times shall be made by the: _ Business Administrator (**School Business Administrator, Transportation Supervisor, Building Principal, Superintendent, Other (Specify)**).
2. Monitoring devices will be used on school transportation vehicles transporting students to and from curricular or extracurricular activities on a rotational basis at the discretion of the: Business Administrator (**School Business Administrator,**



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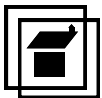
Transportation Supervisor, Building Principal, Superintendent, Other (Specify)).

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Monitoring Devices on School Vehicles

3. Staff and students are prohibited from tampering with or otherwise interfering with recording equipment. Any individual found tampering with equipment shall be subject to discipline.

Viewing or Listening

1. Initial viewing or listening to recordings will be done by the _ Business Administrator _____ (**Transportation Supervisor, Building Principal or designee, Superintendent or designee, Other (Specify)**).
2. Requests for viewing or listening will be limited to those parents or guardians, students, teaching or support staff, drivers and district officials with a direct interest in any proceedings, disciplinary or otherwise resulting from the recordings as deemed appropriate by the _____ Business Administrator ____ (**Transportation Supervisor, Building Principal or designee, Superintendent or designee, Other (Specify)**).
3. Only the portion of the video or audio recording concerning a specific incident will be made available for viewing.
4. Approval/denial for viewing or listening will be made within five working days of receipt of request and so communicated to the requesting individual(s).
5. Actual viewing or listening to the recording will be permitted at school related sites only, including the transportation office, schools, district office or as otherwise required by law.
6. All viewing will be in the presence of the Business Administrator (**Transportation Supervisor, Building Principal or designee, Superintendent or designee, Other (Specify)**).
7. A written log will be maintained by the: Business Administrator (**Transportation Supervisor, Building Principal or designee, Superintendent or designee, Other (Specify)**) of those viewing video recordings including date of viewing, reason for viewing, the date the recording was made, vehicle video-taped and driver and the signature of the viewer.



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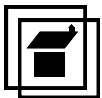
Monitoring Devices on School Vehicles

8. Video recordings remain the property of the district and may be reproduced only in accordance with law, including applicable district student records policy and procedures and district personnel records policy, procedures and applicable labor agreements.

Purchase, Maintenance, Replacement of Equipment/Supplies

1. The _ Business Administrator (**Transportation Supervisor, Building Principal or designee, Superintendent or designee, School Business Administrator, Other (Specify)**) will be responsible for the purchase, maintenance and replacement of all monitoring devices and supplies and develop a long-range video equipment and supply replacement cycle.
2. Vehicle drivers will be responsible to notify their immediate supervisor if equipment is damaged and for the care of monitoring devices while operating district vehicles.

Issued:



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R 9000 COMMUNITY

<u>Number</u>	<u>Title</u>
R 9120	Public Information Program
R 9130	Public Complaints and Grievances
R 9150	School Visitors
R 9180	School Volunteers
R 9324	Sex Offender Registration and Notification



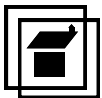
R 9120 PUBLIC INFORMATION PROGRAM

A. Standards of Presentation

1. Material released in the district's public information program should:
 - a. Be factual, topical, newsworthy, and consistent with the educational goals adopted by the Board of Education;
 - b. Represent the activities at all grade levels, subject areas, and schools and not favor one school population or activity over another;
 - c. Strive to interpret the educational program to the lay public and avoid the use of professional terminology; and
 - d. Present an integrated district-wide picture of district-wide programs rather than fragmented information.
2. Information regarding an individual student, other than information classified as directory information in Policy No. 8330, shall be released only with the express written permission of the student's parent(s) or legal guardian(s) or the adult student. Student "information" includes verbal and photographic material, whether or not the student depicted is individually identified. Directory information regarding an individual student may be released only if the student's parent(s) or legal guardian(s) or the adult student has not prohibited its release in accordance with Policy No. 8330.

B. Preparation of Information for Public Distribution

1. Information will be released in a systematic manner to avoid confusion and misunderstanding.
2. Information planned for general public consumption should first be reviewed by interested district employees.
3. News bulletins issued by individual schools or departments within the district must identify the issuing school or department as a part of the school district. Thus all letterheads, bulletins, and publications must carry the full name of the Englewood Public School District.

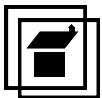


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Public Information Program

4. At least once each _____month_____, the Principal of each school should prepare a bulletin or news item of interest in his/her building.
5. The office of the __Superintendent will prepare and disseminate:
 - a. An annual calendar of Board, district, and school events open to the public;
 - b. A district newsletter, to be issued _____quarterly.
 - c. Information about the proposed budget, in accordance with Policy No. 6230;
 - d. News releases about Board activities and district-wide activities.
6. The Principal of each school will prepare, submit to the _____0_____ (see **Policy No. 9120** for title) for approval, and disseminate the following public information publications.
 - a. A student handbook will be given to each student enrolled in the school or to the student's parent(s) or legal guardian(s). The handbook will include, as appropriate to the grade levels in the school:
 - (1) The organization of the school;
 - (2) Rules for student conduct;
 - (3) Student rights and responsibilities;
 - (4) Information about school operations, health services, attendance, emergency closings, and the like;
 - (5) Descriptions of student activities and programs;
 - (6) The student grievance procedure; and
 - (7) Academic requirements.



- b. A calendar of school events will be distributed to all students, parent(s) or legal guardian(s), and staff members.
 - c. As appropriate to the grade levels of the school, a listing of course offerings and requirements will be distributed to all parents or legal guardians and students.
 - d. Programs for specific performances and athletic contests will be distributed to attendees and participants.
- C. Release of Information to the Press
1. In accordance with Policy No. 9120, information determined by the Board to be of particular community impact and interest will be released to the press only by the Board.
 2. Information regarding Board actions of lesser importance may be released to the press by the _____Superintendent_ (**see Policy No. 9120 for title**).
 3. Information regarding the activities of the schools and of individuals in the schools may be released to the press on the approval of the _____Principal_____ (**see Policy No. 9120 for title**).
 4. All inquiries from members of the press will be referred to the _____Superintendent_____ for response. A staff member who is requested to give an interview to a member of the press shall so inform the _____Superintendent, who may request to be present at the interview.
 5. In the event of an unusual development in the school district that arouses substantial public interest, the _____Superintendent will accommodate the needs of the press by establishing a temporary press center.
 - a. A room will be prepared, as close to the main office as feasible, and equipped with a telephone, computer, access to copying equipment, paper, and other equipment and supplies as may reasonably facilitate the tasks of reporters and photographers.
 - b. Members of the press will be directed to gather in the pressroom, where they will hear and may question the district's spokesperson.



- c. All information about the unusual development will be relayed through the designated district spokesperson, who should be given direct access to the information and people necessary to the gathering of accurate data.
- d. School officials who are asked to give statements to the press regarding the development should seek the assistance of the _____ Superintendent _____ in drafting their statements.

D. Displays

- 1. Displays of the accomplishments of district students and the results of educational programs may be placed in locations that afford a high level of public visibility, such as in local commercial establishments, municipal offices, health facilities, libraries, and banks.
- 2. Any display must be approved in advance by the school Principal and by the _____ Superintendent _____.
- 3. The staff member planning the display must request and receive in writing the permission of the facility in which the display will be placed. The request will clearly indicate the duration of the display, the time when it will be installed, and any particular accommodations that are necessary to the display.
- 4. A letter of appreciation shall be sent to the facility after the display is removed.

Issued:



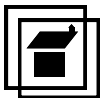
R 9130 PUBLIC COMPLAINTS AND GRIEVANCES

All complaints and grievances addressed to the Board of Education, Board members individually, school officials, or district staff members shall be referred to the Superintendent for consideration in accordance with the following procedures.

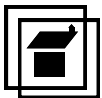
- A. Complaints Regarding a Teaching Staff Member Other Than Administrator
1. First level
 - a. The complainant will be directed to address the matter to the staff member.
 - b. The staff member will be directed to discuss the matter directly with the complainant and to make every reasonable effort to explain the difficulty and/or take appropriate action in accordance with district regulations and within his/her authority and district regulations.
 - c. The staff member will report the matter, and whatever action may have been taken to resolve the matter, to the Principal.
 2. Second level
 - a. If the matter cannot be satisfactorily resolved at the first level, the complainant may discuss the matter with the Principal.
 - b. The Principal will take all reasonable and prudent steps to resolve the complaint or to explain to the complainant why the matter cannot be resolved as the complainant wishes.
 3. Third level
 - a. If the matter cannot be satisfactorily resolved at the second level, the complainant may, within three working days (see Policy No. 9130) of his/her meeting with the Principal, submit to the Superintendent a written request for a conference. The request shall include:
 - (1) The specific nature of the complaint and a brief statement of the facts giving rise to it,



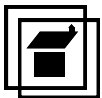
- (2) The respect in which it is alleged that the complainant or the complainant's child has been unfairly treated or adversely affected, and
 - (3) The remedy sought by the complainant.
 - b. A copy of the request for conference will be sent to the Board of Education.
 - c. Within seven working days (see Policy No. 9130) of the receipt of the request, the Superintendent shall conduct a conference, at a time convenient to the complainant, and attempt to resolve the matter informally. The time for conference will be extended if the complainant is unable to schedule a convenient meeting.
 - d. The Superintendent shall record in writing his/her disposition of the complaint and shall, within ten working days (see Policy No. 9130) of the conference, provide a copy of the written disposition to the complainant and to the Board.
4. Fourth level
- a. A complaint that is not resolved by conference with the Superintendent or that seeks a remedy beyond the Superintendent's jurisdiction may be appealed to the Board of Education.
 - b. The complainant may, within three working days (see Policy No. 9130) of his/her receipt of the Superintendent's written disposition, submit a written request for a hearing before the Board. The request will include a copy of the Superintendent's disposition at Level 3.
 - c. The Board shall, within forty-five calendar days (see Policy No. 9130) of the receipt of the request, conduct an informal hearing before a committee of Board members, in which the complainant will present his/her complaint. The Board may, on the petition of the complainant, permit the examination of witnesses. The Board may permit the teaching staff member complained of to testify in his/her own behalf.
 - d. The Board shall, within ten calendar days (see Policy No. 9130) of the hearing, advise the complainant in writing of the Board's disposition of the complaint.



- e. The complainant will be advised that the Board's decision may be appealed to the Commissioner of Education.
5. Reasonable efforts will be made to expedite a complaint that arises at the end of the school year so that the matter can be resolved before the interruption of summer vacations.
- B. Complaints About an Administrative Staff Member
1. The procedure set forth in A will be followed and the complainant will be directed to discuss the matter first with the administrator.
 2. A complaint about a Principal or a central office administrator will omit the second level of the complaint procedure. Appeal of the first level discussion will be made directly to the Superintendent in accordance with A3.
- C. Complaints About a Support Staff Member
1. The procedure set forth in A will be followed and the complainant will be directed to discuss the matter first with the support staff member.
 2. Appeal at the second level of the complaint procedure will be to the support staff member's supervisor.
 3. A complaint about a support staff supervisor will omit the second level of the complaint procedure. Appeal of the first level discussion will be made directly to the Superintendent in accordance with A3.
- D. Complaints About a Program, Practice, or Operation
1. A complaint directed to a matter of district or school policy, procedure, program, or operation, including entitlement programs established by state or federal law, should be addressed, initially, to the administrator or department head most directly concerned with the matter, in accordance with A1.
 2. A complaint that cannot be satisfactorily resolved at the first level may be appealed to the Superintendent and, thereafter, the Board in accordance with the procedures set forth in A3 and A4.



- E. Complaints About Instructional and Resource Materials
1. Complaints about textbooks, library books, reference works, and other instructional materials used in the district will be made in writing and submitted to the Superintendent.
 2. The complainant will complete and sign a complaint form available in the Principal's office. The form will include:
 - a. The title, author, and publisher of the work complained of,
 - b. The specific portions or language complained of (by page and item),
 - c. The complainant's familiarity with the work objected to,
 - d. The reasons for the objection,
 - e. The students or class for whom the work is intended, and
 - f. The way in which the work is used.
 3. Within seven working days of the receipt of the complaint form, the Superintendent shall appoint a review committee consisting of:
 - a. The head of the department in which the work is being used,
 - b. A teacher in the subject area of the work,
 - c. A library staff member,
 - d. A Board member,
 - e. A lay person knowledgeable in the area of the work, and
 - f. The Principal of a school in which the work is used.
 4. The review committee will meet to evaluate the complaint and review the material objected to. The standards used by the committee will be those set forth in Policy No. 2530.
 5. The committee will report its findings and recommendations to the Board.



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6. The Board will receive the report of the committee. If the Board acts to remove the work complained of or to limit access to the work, its action will be accompanied by a statement of reasons for the removal or limitation.
7. A copy of the committee's report and the Board's action, if any, will be given to the complainant.
8. The complainant will be informed that a decision of the Board may be appealed to the Commissioner of Education.

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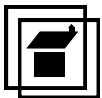
R 9150 SCHOOL VISITORS

A. Definition

“Visitor” means any person present in a school building on a school day during the hours school is in session, other than those persons whose presence is required by their enrollment in the school or employment by the Board and includes, but need not be limited to, parents or legal guardians, family members, district residents, guests, educational researchers, and members of the Board. For the purposes of this regulation, “visitor” does not include persons present in school buildings to attend meetings of the Board or events sponsored by organizations granted permission by the Board to meet in the school.

B. Registration

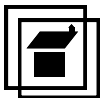
1. Every visitor is required to register in the school office.
2. A notice will be prominently posted at each entrance to the school building, advising visitors to report to the school office before advancing to any other part of the school. Additional signs should be posted in the lobby of each building to advise visitors not to proceed without registering in the school office.
3. The Principal will maintain a logbook in the main office of the school. Each visitor shall enter his/her name and the purpose of his/her visit in the logbook except that the Principal may exempt trades persons who make regular and frequent visits to the school.
4. Each visitor will be given an identification tag or badge, which must be worn while the visitor is in the school. The Principal may give a permanent identification tag or badge to a trades person who makes regular and frequent visits to the school.
5. The Principal or office personnel designated by the Principal shall arrange for an escort to accompany each visitor to his/her destination except that the Principal may permit visitors familiar with the school and personally known to the Principal to proceed unaccompanied.
6. A staff member who encounters a visitor without identification will request the visitor to report at the school office, and if feasible, conduct the visitor to the school office. A visitor who resists the request or refuses to be conducted to the school office shall be reported to the Principal immediately.



7. A teacher shall not admit a visitor to his/her classroom unless the visitor has the identifying tag or badge or is accompanied by the Principal or the Principal's designee.
8. When a visitor has completed the business of his/her visit, he/she will return directly to the school office, return the identification tag or badge, and promptly leave the building.
9. The provisions of this paragraph may be waived for parents or legal guardians attending scheduled parent-teacher conferences.

C. Permission to Visit Classroom

1. Permission to visit a classroom in session must be sought from and granted by the Principal.
2. In general, arrangements to visit a classroom should be made at least one day in advance of the intended visit.
3. If the intended visit would interfere with the planned instructional program, the Principal will so advise the visitor and suggest another time for the visit.
4. The Principal is authorized to exclude a visitor from a classroom if the Principal has reason to suspect that the visitor may disrupt the educational program or threaten the health and safety of students or staff members.
5. The parent(s) or legal guardian(s) who arrives at school without having sought advance approval of a classroom visit may be admitted to the classroom at the discretion of the Principal.
6. The Principal may arrange visits to classrooms by educators and student teachers with the cooperation and consent of the classroom teachers.
7. Teachers may invite guest speakers or observers to their classrooms with the approval of the Principal. Each such guest speaker and observer must sign the school logbook.
8. The Principal has the authority to evaluate all requests to visit a classroom. A denied request will be accompanied by an explanation of the denial. The parent(s) or legal guardian(s) who has been denied access to his/her child's classroom may appeal the Principal's decision to the Superintendent, whose determination may be appealed to the Board of Education in accordance with Policy No. 9130.



D. Limitations on Visits to School

1. Visitors are permitted in the schools only during school hours.
2. A visitor may remove a student from school only in strict accordance with Policy No. 5230.
3. A visitor may confer with a student in the school only with the approval of the Principal and in the presence of a teaching staff member.
4. A visitor to a classroom shall not interrupt the instructional program, speak to or disturb students, or distract the teacher. A visitor who wishes to confer with the teacher must make arrangements for a conference at a later date.
5. A visitor may not bring a child or children to a classroom without the express permission of the teacher and the Principal.
6. A classroom visit may ordinarily not exceed sixty minutes without the express permission of the teacher and the Principal.
7. The Principal may restrict the number of visitors to any classroom at any one time. Preference will be given to the parent(s) or legal guardian(s) of students in the classroom.

E. Disruptive Visitors

1. The Principal has complete authority to exclude from school premises any person whom he/she believes may:
 - a. Disrupt the instructional program;
 - b. Disturb teachers or students; or
 - c. Commit an illegal act.
2. A visitor whose presence or conduct is disruptive or whose conduct in the past suggests that he/she may be disruptive may be requested to leave the school premises. If the visitor so requested does not withdraw, the principal may summon assistance from the _____ Englewood Police Department.



3. A visitor who presents a serious and immediate threat to the health and safety of persons in the school may be subdued by appropriate means pending the arrival of law enforcement officers.
4. If the Principal has been alerted to dangerous persons in the vicinity of the school or has been informed that a person intends to enter the school with the intent of doing harm, the Principal may, in his/her discretion:
 - a. Assign personnel to patrol entrances to the school and deny entrance to any person not properly identified or personally known to them;
 - b. Secure the services of professional security personnel to monitor entrances; and/or
 - c. Lock all school entrances other than the main entrance so that doors cannot be opened from the outside (taking all necessary steps to ensure that doors can be opened from the inside by pressure on crash bars).

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R 9180 SCHOOL VOLUNTEERS

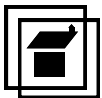
A. Assignments

The tasks to which volunteers may be assigned include, but need not be limited to, the following:

1. Duplicating tests and other materials;
2. Helping with classroom housekeeping;
3. Typing class materials, tests, and the like;
4. Setting up audio-visual and other instructional equipment, if qualified to do so;
5. Helping children remove and don outerwear and boots;
6. Supervising the playground;
7. Correcting workbooks, as qualified to do so and as appropriate to the sensitivity of the materials;
8. Reading aloud and telling stories;
9. Assisting with the school library program;
10. Assisting students locate material in reference works;
11. Assisting with the school lunch program;
12. Serving as chaperones on field trips; and
13. Serving as resource persons in a special subject area.

B. Rules of Conduct for Volunteers

1. A volunteer may serve only under the direction and supervision of a teaching staff member.
2. A volunteer should perform no duties other than those expressly assigned him/her.



3. A volunteer must respect the individuality, dignity, and worth of each student. A volunteer must never punish or rebuke a student.
4. A volunteer must not seek access to records about an individual student. A volunteer must respect the confidentiality of any information gained about an individual student, by whatever means.
5. A volunteer who imparts information to students must be mindful of the age, maturity, and sensibility of those students and exercise proper care and discretion accordingly.

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R 9324 SEX OFFENDER REGISTRATION AND NOTIFICATION

A. Definitions

1. Tier One Offender - An offender that is a “low risk of re-offense”, thus constituting a low risk of harm to the community. This offender is one who, because of the type of crime, the lack of violence in his/her behavior, the lack of a substantial criminal history and the existence of ties to the community presents no more than a possible risk of re-offense.
2. Tier Two Offender - An offender who is a “moderate risk of re-offense”, thus constituting a moderate risk of harm to the community in that the pertinent documents demonstrate that they are reasonably likely to re-offend, warranting limited notice for the protection of the public.
3. Tier Three Offender - An offender who is a “high risk of re-offense” in that the available record demonstrates that there is a probable risk of re-offense, warranting notice to the community likely to encounter the offender.
4. Likely To Encounter - Law enforcement agencies, community organizations or members of the community who are in a location or in close geographic proximity to a location which the offender visits or can be presumed to visit on a regular basis.
5. Fair Chance to Encounter - The types of interaction which ordinarily occur at that location and other attendant circumstances demonstrate that contact with the offender is reasonably certain.

B. Notification To School District From the Law Enforcement Agency/County Prosecutor’s Office

1. The Superintendent and the Building Principal(s) of the targeted schools will be notified by the Prosecutor’s Office, without the need to register to be notified, for all sex offenders classified as Tier Two or Tier Three Offenders. Local law enforcement agencies and/or the County Prosecutor’s Office will determine there is a “fair chance to encounter” the offender in determining community notification. In any event the Superintendent and the Building Principal(s) will be notified for all Tier Two and Tier Three Offenders.



2. The Building Principal(s) are entitled to receive the offender's name and a recent photograph, along with a physical description, the offense of which he/she was convicted, their address, place of employment and/or schooling, and vehicle license number.
 3. The County Prosecutor's Office determines the specific schools, community organizations and residences to receive notification.
 4. The County Prosecutor's Office and/or the appropriate law enforcement office will notify the Superintendent and the Principal of the targeted school(s). The Superintendent should not notify the target school(s) but may contact the Prosecutor's Office if the Superintendent thinks that a school in the notification area has been inadvertently omitted.
- C. School District Procedure Upon Notification from the Law Enforcement Agency/County Prosecutor's Office
1. The Building Principal(s) will have the discretion to make the determination as to which employees within the school should be informed of the notification. The Building Principal should share the notice with any person who in the course of the duties of his/her employment or assignment is regularly in a position to observe unauthorized persons in or near the property of the notified school. If any persons to be notified by the Building Principal are employees of private contractors, the Principal or the Superintendent will notify the private vendor who will provide notice to the employees. The Building Principal will take appropriate steps to educate and alert those staff members who are charged with the care and supervision of children, emphasizing that this information is intended to assist staff members in the protection of their charges, not to provide notification to the community at large.
 2. The Building Principal, in conjunction with the appropriate law enforcement agency and the County Prosecutor's Office will provide information, along with appropriate advice regarding the safeguarding of the school's children.
 3. All school district staff are prohibited from releasing any of this information to the public at large. All inquiries from community members, non-affected school staff, all parent(s) or legal guardian(s) and other members of the general public shall be directed to the appropriate law enforcement agency and/or the County Prosecutor's Office.

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