

Deerfield Township Board of Education



"The Bucks"

District Policy Manual

The Policies and Regulations of the Deerfield Township Board of Education are filed herein. These documents are to be considered copies and they are current. However, these documents must be compared to those filed in the Official Policy Manual of the Deerfield Township Board of Education District Policy Manual to ensure accuracy.

The Official Policy Manual of the Deerfield Township Board of Education is on file with the Chief School Administrator.

IMPORTANT NOTICE

The Policies, Bylaws and Regulations found herein are the property of the Deerfield Township Board of Education and unauthorized copying, editing, changing, altering or deleting any of this material is strictly prohibited.

The Policies, Bylaws and Regulations included found in this document are current, however, this document is a copy of the Official Deerfield Township Board of Education District Policy Manual which is on file with the Chief School Administrator of the Deerfield Township School District.

In order to assure accuracy, verification should be made by consulting the Official Deerfield Township Board of Education District Policy Manual.

Deerfield Township Board of Education District Policy Manual

The Deerfield Township Board of Education has adopted the Policies, Bylaws and Regulations found in this document.

The Deerfield Township Board of Education District Policy Manual is divided into 8 sections (series). In brief, the content of each series is as follows:

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

Each series begins with a Table of Contents. The Table of Contents for Series 1000 follows these instructions. Scroll through the table of contents to find the policy you wish to view. At this point you may scroll through the pages of that series until you locate the policy you wish to view or you can find the policy or topic by using the embedded search engine, known as “Find” or “Search.”

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

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

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

Please refer to the Official Policy Manual to assure accuracy.

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

Deerfield Township Board of Education



"The Bucks"

District Policy Manual

Series 1000

Community Relations

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

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Deerfield Township Board of Education

District Policy Manual

Community Relations
Educational Philosophy

Series 1000
Policy 0100

Date Adopted: November 15, 2005 **Date Revised**

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The Board of Education of the school district recognizes its primary responsibility to be the preparation of all students for contributing membership in our democratic society. To accomplish this, it is the duty of the school district to strive to attain the highest possible degree of individual achievement in the areas of basic skills while providing for the unique academic and non-academic need of each student. It is with this concept in mind that the Board of Education oversees the preparation of students for entrance into receiving schools as well as maintaining vigilance over students of the municipality in the receiving secondary schools.

The educational program thus offered must integrate a sound academic program with citizenship training which instills high standards of integrity, self-respect, physical and mental health, and recognition of the rights of others while accepting personal responsibility for all actions. This program must be administered and staffed by well-trained and highly competent personnel who will work to maintain a cooperative attitude toward one another while exhibiting professional skill and sincere concern for the welfare and academic accomplishments of the students. The Board recognizes its responsibility to employ such professionals and staff members and to encourage professional growth and pride among these employees by lending support and encouragement as well as striving to achieve and maintain the most suitable and healthful physical plant for the pursuit of school activities.

To meet the unique needs of each individual, both academic and non-academic programs must contain provision for the broadest scope of individual achievement, thus offering or providing for the individual needs of all classifications of students – but attention to any one particular level of the educational spectrum should not work to the detriment of any other group. Standards in all programs must be set which call for the best from each student. Realizing the fullest individual potential while promoting opportunities for social growth and self-direction should be the aim.

The Board of Education recognizes its responsibility to promote cooperation between the school and the several community agencies responsible for the development of youth as well as its responsibility to promote understanding and cooperation with parents and other interested parties in order to prepare adjusted, self-sufficient citizens of society.

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Community Relations
Educational Philosophy

Series 1000
Policy 0100

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The Board also recognizes its role in serving the total community through programs which encourages the responsible use of professional talents and physical facilities for adult education, senior citizen program, municipally sponsored activities, PTO and other service organizations programs and recreational, physical fitness, health and safety programs for all ages.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

NJAC 6A:8-3.1 et seq Implementation of the Core Curriculum Content Standards

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

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Community Relations

Series 1000

District Goals & Objectives (T&E)

Policy 0300

Date Adopted: November 15, 2005 Date Revised

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

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

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

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

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

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

Legal References

- | | |
|------|---|
| NJSA | 10:4-6 <u>et seq.</u> Open Public Meetings Act |
| | 47:1A-1 <u>et seq.</u> Examination and copies of public records ("Open Public Records Act") |
| NJAC | 6A:30-1.4(a)1 Evaluation process for the annual review |
| | 6A:32-12.1 Reporting requirements |

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

Series 1000

Policy 1000/1010

Date Adopted: November 15, 2005 Date Revised

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

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

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

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

Legal References

- NJSA 10:4-6 et seq. Open Public Meetings Act
47:1A-1 et seq. Examination and copies of public records ("Open Public Records Act")
- NJAC 6A:30-1.4(a)1 Evaluation process for the annual review
6A:32-2.1 Definitions
6A:32-12.1 Reporting requirements
6A:32-12.2 School-level planning
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

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

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Community Relations

Series 1000

Communications With The Public

Policy 1100

Date Adopted: January 25, 2006 Date Revised: February 25, 2009

January 25, 2012

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

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

The district's budget; its audit; its annual goals and its progress toward achievement of them; its special education plans; its bilingual/ESL program; pupil progress toward achievement of the Core Curriculum Content Standards; graduation statistics and any other information shall be communicated to the public as required by law.

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

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

Avoiding Excessive Expenditures when Communicating with the Public

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

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

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Community Relations
Communications With The Public

Series 1000
Policy 1100

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

Legal References

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

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

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

Possible Cross References

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

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Community Relations
Media

Series 1000
Policy 1110

Date Adopted: November 15, 2005 Date Revised

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

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

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

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

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

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

Legal References

- NJSA 10:4-6 et seq. Open Public Meetings Act
18A:10-6 Board meetings public; frequency; hours of commencement;
adjournment, etc., for lack of quorum
18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)
47:1A-1 et seq. Examination and copies of public records ("Open Public Record Act")
- NJAC 6A:30-1.2 Definitions
6A:32-12.1 Reporting requirements
6A:32A-12.2(a)1i School-level planning

Possible Cross References

1100, 9020

Deerfield Township Board of Education District Policy Manual

Community Relations
District Publications

Series 1000
Policy 1111

Date Adopted: November 15, 2005 Date Revised

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

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

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

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
 18A:17-20 Superintendent; general powers and duties
 8A:23-1 *et seq.* audits and Auditors
 18A:36-35 School internet web sites; disclosure of certain student information prohibited
 18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:30-1.4(a)1 Evaluation process for the annual review
 6A:32-12.1 Reporting requirements
 6A:32-12.2 School-level planning

Possible Cross References

1111.1

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**Community Relations
Student Publications**

**Series 1000
Policy 1111.1**

Date Adopted: November 15, 2005 Date Revised

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

Code of Ethics for School Publications

Administration

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

Specific Provisions Governing All School Publications

1. The stories and articles shall not contain any language that is profane, obscene, offensive or suggestive.
1. The stories and articles shall not deal with any subject that by its nature would offend the taste and sensibilities of the community.
2. No individual student or faculty member may ever be singled out for censure, criticism or ridicule in a school publication.
3. No group of individuals may similarly be identified in print for such censure, criticism or ridicule in a school publication, although positive suggestions may be made in editorial columns or letters for the improvement of such organizations.

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Policy 1111.1**

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5. No religious, racial or national group shall be held up to ridicule by statement or innuendo in the school publications.
6. As a matter of courtesy and as a guarantee of accuracy, all news stories concerning a faculty member should be cleared with that faculty member; and all stories dealing with a school organization should be cleared with the sponsor of that organization.
7. No article may covertly or overtly advocate the overthrow of our democratic system of government.

Specific Provisions Regarding Special Kinds of Writing

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

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:17-20 Superintendent; general powers and duties
18A:36-35 School internet web sites; disclosure of certain student information prohibited
18A:54-20 Powers of board (county vocational schools)

Possible Cross References

1110, 1111, 1111.2

Deerfield Township Board of Education District Policy Manual

Community Relations

Series 1000

Student Publications Other Than Official

School Publications

Policy 1111.2

Date Adopted: November 15, 2005 Date Revised

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

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

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

Acceptable Materials

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

Unacceptable Materials

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

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

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Community Relations
Student Publications Other Than Official
School Publications

Series 1000

Policy 1111.2

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Special Note

Students who edit, publish, post or distribute printed, handwritten or duplicated material among fellow students within the school are responsible for the content of such publications. Libel, obscenity, profanity, personal attacks and encouragement of the violation of laws are prohibited, as is conduct that interrupts school activities or infringes on the rights of others.

Identification

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

Approved Materials

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

Places of Distribution

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

Times for Distribution

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

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

Littering

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

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Appeal

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

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
- 18A:17-20 Superintendent; general powers and duties
- 18A:36-35 School internet web sites; disclosure of certain student information prohibited
- 18A:54-20 Powers of board (county vocational schools)

Possible Cross References

1110, 1111, 1111.1

Deerfield Township Board of Education District Policy Manual

**Community Relations
Public Press, Radio & Television**

**Series 1000
Policy 1112.1**

Date Adopted: November 15, 2005 Date Revised

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

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

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

Legal References

- NJSA 10:4-6 et seq. Open Public Meetings Act
18A:10-6 Board meetings public; frequency; hours of commencement;
adjournment, etc., for lack of quorum
18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)
47:1A-1 et seq. Examination and copies of public records ("Open Public Record Act")
- NJAC 6A:30-1.2 Definitions
6A:32-12.1 Reporting requirements
6A:32A-12.2(a)1i School-level planning

Possible Cross References

1100, 9020

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Community Relations

Series 1000

Board of Education Meetings

Policy 1120

Date Adopted: November 15, 2005 Date Revised: November 16, 2006,

February 22, 2012

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

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

No person shall be referred to as educationally disabled before being formally classified by the Child Study Team. No disabled pupil shall be needlessly identified or publicly labeled. Educationally disabled students shall be referred to by the initials of the student or case number.

The Board of Education shall include a discussion of the School Ethics Act and the Code of Ethics for School Board members annually at a regularly scheduled public meeting.

In a regular Board meeting by October 30th of each year, the Chief School Administrator shall provide a report, which includes information on the following topics:

- A. The status of all capital projects in the school district's long range plan;
- B. The maximum permitted amount of the school district's reserve account
- C. Implementation of school-level plans;
- D. Achievement of performance objectives;
- E. Each school report card, including pupil performance results and student behavior data;
- F. Professional development activities;
- G. Condition of school facilities;
- H. Status of mandated program reviews;
- I. Community support data as detailed in the administrative code;
- J. The assignment plan for certified and noncertified nurses developed by the school district.

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In addition, the Board of Education shall conduct a public hearing as prescribed by law to allow the Chief School Administrator to report to the Board of Education all acts of violence and vandalism that occurred during the previous school year. The proceedings shall be transcribed and kept on file by the board. The transcription shall be made available to the public.

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

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

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

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Community Relations
Board of Education Meetings

Series 1000
Policy 1120

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Legal References

- NJSA 10:4-6 et seq. Open Public Meetings Act
18A:7C-7 School administrators report on students awarded or denied diplomas
18A:10-6 Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum
18A:12.21 School Ethics Act
18A:17-46 Act of violence; report by school employee; notice of action taken; annual report
18A:22-10 Fixing day, etc., for public hearing
18A:22-13 Public hearing; objectives; heard, etc.
18A:23-5 Meeting of board; discussion of report
- NJAC 6A:8-5.2(e) High school diplomas
6A:14-1.1 et seq. Special Education
6A:16-5.1 et seq. School safety plans
6A:16-5.2, 5.3 N.J.A.C. 6A:26 Educational Facilities
6A:26-2.2(a)7 Completion of long range facilities plans
6A:26-9.1(d) Capital reserve accounts
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:30-2.4, -3.1 N.J.A.C. 6A:32-3.2 Requirements for the Code of Ethics for district board of education members and charter school board of trustee members
6A:32-12.1 Reporting requirements
6A:32-12.2 School-level planning
6A:32-13.1 School attendance
6A:32-13.2 Dropouts
6A:32-14.1 Review of mandated programs and services

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

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

Deerfield Township Board of Education District Policy Manual

Community Relations

Series 1000

Distribution Of Materials By Pupils & Staff

Policy 1140

Date Adopted: November 15, 2005 Date Revised

Page 1 of 1

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

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

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

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

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

Legal References

- NJSA 18A:36-34 Written approval required prior to acquisition of certain survey information from students
- 18A:42-4 Distribution of literature as to candidacy, bond issues, or other public question to be submitted at election; prohibited
- 19:34-6 Prohibited actions in polling place on election day, exception for simulated voting
- 19:34-15 Electioneering within or about polling place; disorderly persons offense
- 34 CFR 98.1 - Pupil Protection Rights Amendment
- Child Evangelism Fellowship of New Jersey. vs. Stafford Township School District, No. 03-1101 (October 2004)
- Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

Deerfield Township Board of Education District Policy Manual

**Community Relations
Participation By The Public**

**Series 1000
Policy 1200**

Date Adopted: March 23, 2004

Date Revised

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Citizen Volunteers

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

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

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

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

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

The Board, Chief School Administrator, and the staff shall give substantial weight to the advice that they receive from individuals and community groups interested in the school, especially those individuals and groups that have been invited or created to advise them regarding selected problems. The Board, Chief School Administrator, and staff shall use their own best judgment in arriving at decisions.

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

Legal References

- | | |
|------|---|
| NJSA | 18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools) |
| NJAC | 6A:10A-53 et seq Establishment of School Leadership Council
6A:32-12.1 Reporting requirements |

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Community Relations

Series 1000

Community Organizations – Booster Clubs

Policy 1210

Date Adopted: November 15, 2005 Date Revised

Page 1 of 1

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

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

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

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)

Possible Cross References

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

Deerfield Township Board of Education

District Policy Manual

Community Relations

Series 1000

Ad Hoc Advisory Committees

Policy 1220

Date Adopted: November 15, 2005 **Date Revised**

Page 1 of 2

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

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

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

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

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

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

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

Deerfield Township Board of Education District Policy Manual

Community Relations
Ad Hoc Advisory Committees

Series 1000
Policy 1220

Page 2 of 2

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

Legal References

NJSA 10:4-6 et seq. Open Public Meetings Act
18A:10-6 Board meetings public; frequency; hours of commencement;
adjournment, etc., for lack of quorum

NJAC 6A:16-4.2(a) Review and availability of policies and procedures for the intervention
of student alcohol or other drug abuse
6A:32-12.1 Reporting requirements

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

34 C.F.R. 200.1 to 200.89 - Part 200

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

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

Deerfield Township Board of Education District Policy Manual	
Community Relations	Series 1000
Other School-Connected Organizations - PTO	Policy 1230
Date Adopted: November 15, 2005	Date Revised
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The Board of Education recognizes the importance and benefits of the active participation and cooperation of parent-school organizations. To this end, the following guidelines have been established for the creation and operation of parent-school organizations:

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

Deerfield Township Board of Education District Policy Manual

Community Relations

Series 1000

Other School-Connected Organizations - PTO

Policy 1230

Page 2 of 2

- I. The Board may select one of its members as advisor to the general parent/teacher organization.
- J. All banquets fund raising and other activities involving students must be approved by the appropriate school administration.
- K. Formation of these school affiliated parent/community booster clubs is subject to approval of the Board of Education.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)

Possible Cross References

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

Deerfield Township Board of Education

District Policy Manual

**Community Relations
Visits to the School**

**Series 1000
Policy 1250**

**Date Adopted: December 15, 2005 Date Revised: November 16, 2006,
August 28, 2013**

Page 1 of 3

The Board of Education welcomes and encourages visits to school by parents, Board members, other adult residents of the community, and interested educators, when appropriate. In order for the educational program to continue undisturbed when visitors are present, and to prevent the intrusion of disruptive persons into the schools, the following procedures have been established:

- A. All visitors shall be required to report to the school office upon entering the building, are to sign in and secure a visitor's pass.
- B. A "visitor" is anyone other than a student enrolled in or a staff member employed in the school. Visitors may not consult with the teaching staff or pupils during class time without the permission of the Chief School Administrator or designee.
- C. When the parental rights of a parent have been terminated by a court of appropriate jurisdiction, the legal guardian must inform the school so that the administration may apply appropriate regulations related to visitations. The Chief School Administrator shall seek confirmation of legal custodianship where necessary.
- D. Persons may not visit the school during school hours for the purpose of recommending or exhibiting books, maps, etc. to staff.
- E. Staff members must request the approval of the Chief School Administrator before inviting visitors into their classrooms.
- F. No visitor shall be allowed to deliver any address, lecture or provide instruction on any subject unless authorized by the Chief School Administrator or designee.
- G. All visitors to the school must obey no smoking regulations and any other regulations designed to ensure orderly operating of the school. All persons violating this policy shall be considered "disorderly persons" and subject to appropriate action.

After Hours Visits to the School

Visitors are not permitted to enter the school building after the school office has closed for the day or when school is not in session, other than at times when special, after hours events are being held at the school.

In order to protect pupil, district and staff property, and to ensure pupil safety and anonymity, no visitor shall be permitted to enter the school building, classrooms or other school rooms unless accompanied by an authorized district employee.

Employees are not permitted to allow entry to the school building, classrooms or other school rooms by visitors after hours. Employees who violate this policy shall be subject to disciplinary action, including termination.

Deerfield Township Board of Education

District Policy Manual

Community Relations
Visits to the School

Series 1000
Policy 1250

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Visitors who violate this policy may be considered to be trespassing and may be subject to prosecution.

Volunteers or other persons who may be in the school after hours shall not allow access to the school building, classrooms or other school rooms by others. Doing so compromises the safety, privacy and possessions of the district, employees and students. Violators of this policy may be subject to actions to be taken by the Board of Education.

School Visitation Procedure

- A. Any person wishing to visit a classroom during the school day must request permission from the building Chief School Administrator or designee 24 hours in advance.
- B. The Chief School Administrator or designee will consult the classroom teacher regarding the convenience of the proposed visit, and arrange accordingly.
- C. The time limit of visits shall be set by the Chief School Administrator.
- D. No visitor shall interrupt the presentation of a lesson, talk to the students or distract the teacher's attention from the students.
- E. For the safety and security of all students, visitors may not record, photograph or videotape students during any visitation.
- F. Visitors to classrooms with lessons being presented shall remain silent and take direction from the classroom teacher.
- G. So that the educational process is not compromised, visits to a particular classroom shall be limited to one (1) 45-minute visitation per marking period.
- H. In the event that a teacher feels the presence of a visitor in his/her classroom poses a threat or distraction to the lesson(s) being presented, the Chief School Administrator shall be notified immediately.
- I. The Chief School Administrator, at his/her discretion, may require the visitor to leave the school property, when in his/her opinion, the presence of the visitor interrupts the educational process of the students.
- J. For the safety and security of our students and staff, a visitor must report to the office before visiting a classroom. It is the duty of every teacher and staff member upon seeing a stranger in the building to ask if they have been to the office. If the visitor has not, he/she should be directed to the office and the teacher should notify the office of the presence of the visitor, immediately.
- K. All bags and vehicles of a visitor are subject to being searched.

**Deerfield Township Board of Education
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**Community Relations
Visits to the School**

**Series 1000
Policy 1250**

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Legal References

NJSA 2C:18-3 Unlicensed entry of Structures, defiant trespasser; peering into dwelling places; defenses
2C:33-2 Disorderly conduct
18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools) N.J.S.A.
26:3D-55 et seq. New Jersey Smoke-Free Air Act

Possible Cross References

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

Deerfield Township Board of Education District Policy Manual

Community Relations

Series 1000

Loitering Or Causing A Disturbance

Policy 1251

Date Adopted: November 15, 2005 Date Revised

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

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

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

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

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

Disturbances at School Events

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

The Board holds the legal authority to bar the attendance of any person whose conduct may constitute a disruption at a school event. In compliance with law, the Board directs that no alcoholic beverage be consumed at any function on school property nor that any betting occurs on school premises.

Legal References

NJSA 2C:18-3 Unlicensed entry of Structures, defiant trespasser; peering into dwelling places; defenses
2C:33-2 Disorderly conduct
18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools) N.J.S.A.
26:3D-55 et seq. New Jersey Smoke-Free Air Act

Possible Cross References

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

Deerfield Township Board of Education District Policy Manual	
Community Relations	Series 1000
Community Complaints & Inquiries	Policy 1312
Date Adopted: November 15, 2005	Date Revised
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The Board of Education welcomes inquiries about and constructive criticism of the district's programs, equipment, operations and personnel.

Complaints, questions, and suggestions concerning school personnel or the operation of the schools should follow the established "chain of command" – teacher, supervisor, Chief School Administrator, Board of Education.

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

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

When a Board member is confronted with an issue, he/she will withhold comment, commitment and/or opinion and refer the person with the complaint to inquiry to the appropriate authority.

Only in those cases where satisfactory adjustment cannot be made by the Chief School Administrator and the staff shall communications and complaints be referred to the Board of Education for resolution.

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

In carrying out the policy for the handling of complaints, the following procedures will be used:

- A. Neither the Board as a whole, nor any individual Board Member, will entertain or consider communications or complaints from school employees, parents, students, or other citizens, but shall refer such communications to the Chief School Administrator;
- B. Complaints and inquiries should be written, in as brief a form as possible and sent to the Chief School Administrator;
- C. The Chief School Administrator will make every effort to resolve the problem with the person(s) immediately involved;
- D. When satisfaction has not been received at this level, the Board will accept complaint or inquiries submitted in writing;

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Series 1000

Community Complaints & Inquiries

Policy 1312

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- E. Persons requesting a hearing of the Board shall present their complaint or grievance in written form to the Board Secretary/Business Manager in sufficient detail to permit a full understanding of the matter. After hearing the evidence submitted by the Chief School Administrator, the Board will, if it deems advisable, grant a hearing to the parties interested;
- F. School employees who are employed under a bargaining unit contract shall follow the provisions of that contract for the filing of complaints or grievances;
- G. Decisions regarding complaints and inquiries presented initially to the Board at a public meeting may be deferred, at the discretion of the Board.

It is hoped that citizens of the community will make every effort to resolve problems involving teachers or administrators with the personnel involved. The Chief School Administrator must be consulted on all matters involving school personnel and the community.

Legal References

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

Possible Cross References

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

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Community Relations

Series 1000

Gifts to School Personnel

Policy 1313

Date Adopted: November 15, 2005 Date Revised

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No school employee is to accept any commission of gift from individuals or companies seeking to sell equipment or materials required in the district's operations. These operations include the purchase of materials and supplies for the construction, repair and maintenance of the school plant; for the conducting of classes; for school organizations, such as club, etc.

This prohibition shall not be construed to prevent vendors from paying reasonable costs of providing opportunities for school officers and employees to see or hear about new ideas, equipment and/or materials.

The Board of Education shall consider as always welcome and in most circumstances more appropriate the writing of letters to staff members expressing gratitude or appreciation.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)

Possible Cross References

7230

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Community Relations

Series 1000

Fund Raising By Outside Organizations

Policy 1314

Date Adopted: November 15, 2005 Date Revised

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

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

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

Legal References

NJSA 18A:11-1 General mandatory powers and duties
52:14-15,(9c)1 Public Employee Charitable Fundraising Act

Possible Cross References

1314.1, 3453

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Community Relations

Series 1000

Soliciting Funds From & By School Personnel

Policy 1314.1

Date Adopted: January 25, 2006

Date Revised

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Solicitations by Staff

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

Solicitations of Staff

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

Solicitation by Pupils

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

Solicitations of Pupils

- A. In the interest of preventing the exploitation of pupils, solicitations by outside organizations, commercial enterprises and individuals are prohibited on school grounds both during and after school hours.
- B. Outside organizations are not permitted to advertise events or sell products through the schools or use the children to sell tickets and/or products except those events jointly sponsored with a school and school-approved parents-teacher activities, and those specifically approved by the Chief School Administrator.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
52:14-15,(9c)1 Public Employee Charitable Fundraising Act

Possible Cross References

1314, 3453

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Series 1000

Relations Between Public & Pupils

Policy 1320

Date Adopted: January 25, 2006

Date Revised

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

Pupil Participation in Public Events

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

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

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

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

The Chief School Administrator shall ensure that:

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

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:42-2 School orchestra not to compete with civilian musicians; exceptions

Possible Cross References

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

Deerfield Township Board of Education District Policy Manual

**Community Relations
Contests For Pupils**

**Series 1000
Policy 1322**

Date Adopted: March 23, 2004

Date Revised

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

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

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

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

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:42-2 School orchestra not to compete with civilian musicians; exceptions
18A:54-20 Powers of board (county vocational schools)

Possible Cross References

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

Deerfield Township Board of Education District Policy Manual

Community Relations
Public Activities Involving Staff,
Students or School Facilities

Series 1000

Policy 1324

Date Adopted: November 15, 2005 Date Revised

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

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

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:42-2 School orchestra not to compete with civilian musicians; exceptions
18A:54-20 Powers of board (county vocational schools)

Possible Cross References

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

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

Community Relations

Series 1000

Selling and Advertising on School Property

Policy 1325

Date Adopted: November 15, 2005 Date Revised

Page 1 of 1

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

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)

Deerfield Township Board of Education

District Policy Manual

Community Relations
Use Of School Facilities

Series 1000
Policy 1330

Date Adopted: November 15, 2005 Date Revised: April 25, 2012

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

The Board will permit the use of school facilities when such permission has been requested in writing and has been approved by the Board for:

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

General Requirements

The school and facilities shall be made available to the public as freely as is consistent with state statutes and policies of the Board of Education. The buildings will not normally be available during holidays or vacations, or if the programs interfere with cleaning and maintenance schedules.

All groups and organizations must submit a completed application form to the school office for approval. If approved, a permit will be issued by the Board for use of the facility.

Applicants for use permits must satisfy the Chief School Administrator that:

- A. they are responsible persons and officially represent responsible organizations;
- B. they will guarantee orderly behavior and will underwrite any damages due to their use of the premises;
- C. their program is of a nature suitable for presentation in a public school;
- D. the proposed activity is lawful and in conformity with regulations of the Board of Education.

Responsibility for use of facilities and observance of regulations shall rest upon the applicants. Custodians or other designated representatives of the Board of Education, on duty in the schools at the time, are required to report all irregularities to the Chief School Administrator.

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Inaccurate or untruthful statements made in application or violations of any district or state regulation may place the responsible persons or organizations or both on an ineligibility list. Subsequent applications of such ineligibles will be referred to the Board of Education, which will determine whether disqualification shall be temporary or permanent.

The permit holder must agree to save and hold harmless the said public schools and must agree to assume responsibility for all liabilities arising incident to occupancy. A certificate of insurance coverage should be presented at the time of application for facilities use. Insurance coverage must be at least \$500,000.

Applications not covered by these policies will be referred to the Board of Education for action.

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

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

All meetings involving children must be in charge of responsible adults, the number of supervisors varying according to the number of participants. Adequate supervision and leadership must be provided throughout the period authorized for use. Recommended ratio is 1-15 or less.

Political Activities

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

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

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

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

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

Use of school equipment in conjunction with the use of school facilities must be specifically requested in writing and may be granted by the procedure by which permission to use facilities is granted. The user of school equipment must accept liability for any damage to or loss of such equipment that occurs while it is in use. Where rules so specify, no item of equipment may be used, except by a qualified operator.

Use of any materials on floors or other parts of the building without specific approval of the Superintendent is strictly prohibited.

Organizations and groups using the building or facilities without charge must set up and restore, if moved, all furniture and equipment and leave them clean.

Any decorations shall be erected in a manner that will not be destructive of school property, and such erection shall be in accordance with local and state fire marshal regulations and approved by the Chief School Administrator or designee on duty. All decorations shall be removed from the building before 8:00 A.M. on the day after the building has been used.

Permit holder shall assume responsibility for securing necessary police supervision, if so directed by the school administration.

Permit holder shall be fully responsible for all damage or loss of school property, including that belonging to students and employees, as well as his own property, occurring during the time the building is in use under the permit.

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Permission for use of special or extra equipment must be included in the application. If such equipment is desired, it must be within the school property and arrangements made at the time of application. Extra compensation must be paid for employees to operate or supervise special or extra equipment or transfer it from another building. No equipment is to be loaned or rented for use outside public school property.

Future school facility use will not be permitted if charges are not paid within 30 days after statement has been rendered.

Basis of Charges

Charges and rentals of school property shall be determined by the status of the requesting group with regard to the following classifications:

Class A

For the purposes of this policy, Class A shall be defined as a classification of users of district facilities that includes those individuals or groups typically referred to as either not-for-profit or school based, such as, but not limited to, PTO groups, school sponsored clubs or groups, employee organizations, Boy Scouts, Girl Scouts, civic groups, senior citizen organizations, local sports teams, and other local agencies. Class A users shall not be assessed fees for the use of district facilities, but will be charged for custodial and/or cafeteria worker costs, and energy fees. Security costs will be charged if the user is non-school group.

Class B

For the purposes of this policy, Class B shall be defined as a classification of users of district facilities that includes those individuals or groups that are commercial in nature as well as those who may use the school facilities for events including but not limited to performances, such as plays, performances, concerts, or exhibitions as well as those groups who charge an admission fee. This class must pay a facility usage fee plus custodial and/or cafeteria worker costs.

The Board will set fees annually for both Class A and Class B groups. Fees may be waived at the discretion of the Board of Education.

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Application Procedures

- A. Any individual group conforming to Class A of the preceding section which plans to use school property shall obtain a permit application form from the school and complete and return it no later than thirty days prior to the event. If the group is deemed to conform to Class A status and the requested facilities are available, the Chief School Administrator or designee will notify the group prior to the event. The Chief School Administrator or designee shall act as a central clearinghouse for reserving and checking dates. The Board shall receive a report of all facility use at each regular meeting. Those groups refused Class A status may appeal in writing to the Board of Education through a letter to the Chief School Administrator.
- B. An application for a permit to use public school facilities by groups conforming to Class B status shall be filed and submitted to the office at least forty days prior to the date for which the building is to be used. The application shall include the time of the opening and closing of the event, the date and time of rehearsal, if any, and the materials, rooms and outside equipment, such as extra and special lighting to be used. The application shall contain the name, address and telephone number of the person in charge, who shall assume responsibility of the group, the purpose and scope of the activity and the number and description of the individuals to be involved. The Board of Education reserves the right to limit or deny the use of facilities if the Board feels in its judgment there is good reason for refusal.
- C. The application shall then be submitted for Board consideration at its next regular meeting. The Chief School Administrator or designee shall notify the group of the action of the Board, with a statement of the fee to be paid if approval is granted. Full payment for the use of the building shall be made at the time of permit approval.
- D. In cases where use of the building or grounds is unforeseen or necessary between Board meetings, the Chief School Administrator may grant approval upon a favorable response from the Board's Building and Property Committee. All other procedures outlined in this policy will remain in effect.

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Fees

Annually, the Board will set fees for the following:

- A. Gymnasium/Multi-Purpose Room
- B. Cafeteria
- C. Classrooms
- D. Custodian
- E. Cafeteria workers
- F. Stage hands
- G. Stage advisor
- H. Security costs
- I. Any group shall be responsible for any damage that is attributable to the group's negligence.

Sunday or holiday usage requires that all fees be doubled.

Payment

Upon approval of the Board for the use of school property a copy of the contract and a cover letter showing what fees need to be paid, and to whom, will be sent to the person in charge of the group.

- A. A check, made payable to the Board of Education shall be paid for the rent at the time of the approval of the contract.
- B. Custodians/cafeteria workers/stage advisor will be paid through the Board of Education payroll account. The organization renting the facility will be billed for district personnel time.
- C. In the event of overtime usage, a bill will be sent to the group for extra rental or other fees.

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Legal References

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

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

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

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

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

USCA 6301 et seq

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

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

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

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

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

Possible Cross References

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

Deerfield Township Board of Education

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Policy 1410

Date Adopted: Nov. 15, 2005 Date Revised: Nov. 16, 2006,
Sept. 25, 2013, Jan. 25, 2018

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The Board of Education wishes to cooperate as fully as possible with other community agencies that serve district pupils. Cooperation will include pooling resources and exchanging information with other community agencies. The Chief School Administrator shall seek to develop positive working relationships with community agencies, including but not limited to, police authorities, fire departments, New Jersey Division of Child Protection & Permanency (DCP&P), emergency room and/or squad, other school districts, and all other agencies providing services to district pupils.

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

Relations with Police and Fire Authorities

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

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

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

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

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

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

- A list of designated law enforcement authorities, including contact information, position, rank, and supervisor's contact information, of those who are authorized to activate the equipment to view the live streaming video. The list may be executed as a confidential attachment to the MOU.

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- Description of the circumstances under which the designated individuals could activate and view the live streaming video.
- A detailed plan for preventing and detecting unauthorized access to live streaming video.

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

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

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

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

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

Procedures

The following procedures shall be followed:

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

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

Emergency Room/Squad

The Chief School Administrator shall establish procedures whereby the facilities of the local hospital emergency room and local ambulance/rescue squad may be called upon.

Cooperative Arrangements with Other School Districts

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

The district in which pupils are in attendance has responsibility and authority for those pupils. In order that those pupils receive maximum benefit from their program of studies, articulation between the cooperating institutions is essential. This Board will attempt to meet periodically with the governing Board of other educational institutions, which receive from this district a significant number of pupils and send to this district a significant number of pupils.

Further, this school district shall cooperate with other school districts in the solution of common educational concerns. District staff under the direction of the Chief School Administrator, shall participate in the coordination of such areas as research, exchange of information and data, coordination of curriculum, coordination of school calendar and activities, and any others where it may be advantageous to serve a broader area than this school district. In carrying out this policy, the Chief School Administrator shall include in his reports to the Board an evaluation of the desirability and feasibility of cooperation with other school districts.

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NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
18A:11-1 General mandatory powers and duties
18A:18A-11 Joint purchases by districts, municipalities; counties; authority
18A:20-4.2 Acquisition, improvement, lease, etc., of property for school purposes;
authority of board of education
18A:20-9 Conveyance of unneeded real estate for nominal consideration; qualified
recipients; reversion
18A:20-34 Use of schoolhouse and grounds for various purposes
18A:36-25 Early detection of missing and abused children; policies of school
districts
18A:38-30 Assistance of sheriffs, police officers, etc
18A:40A-1 et seq. Substance abuse
18A:40A-11, -12, -15, -16, -17, -18 N.J.S.A. 18A:41-1 Fire drills
18A:41-5 Reporting fires
40:8A-3 et al. Authority to enter into contract for joint provision services
40:55D-8 et al. Municipal fees; exemptions

NJAC 6A:14-7.1 et seq. Receiving Schools
6A:14-8.1 et seq. Programs Operated by the Departments of Corrections and
Human Services, and the Juvenile Justice Commission
6A:16-1.1 et seq. Student Development Programs
6A:16-4.1(b)(c), 5.2, 6.1, 6.2, 10.2
6A:32-9.1(c) Athletics Procedures (General requirements)
6A:32-12.1 et seq. Annual Reporting and Planning Requirements

The New Jersey School Search Policy Manual,
Uniform State Memorandum of Agreement Between Education and Law
Enforcement Officials (1999 Revisions)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

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

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Relations With Organizations, Including

Non-Public Schools

Policy 1600

Date Adopted: November 15, 2005 Date Revised

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

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

Relations With Non-Public Schools

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

Donations To Private Organizations

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

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Non-Public Schools**

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Policy 1600

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Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:17-14.1 Appointment of school business administrators; may act as secretary; duties, etc.
18A:17-15 Appointment of superintendents; terms; apportionment of expense
18A:17-24.1 Sharing of personnel by school boards
18A:20-9 Conveyance of unneeded real estate for nominal consideration; qualified recipients; reversion
18A:20-34 Use of schoolhouse and grounds for various purposes
18A:36A-1 et seq. Charter schools
18A:54-20 Powers of board (county vocational schools)
18A:58-37.1 et seq. Textbook aid to public and nonpublic schools
18A:61C-1 Program promoting cooperation between high schools and institutions of higher education; establishment; objective; increased availability of college-level instruction; scope
18A:61C-4 Program providing college credit courses for high school students on high school campuses; establishment
40:8A-1 et seq. Interlocal Services Act
52:14-15.9cl et seq. Public Employees Charitable Fund-raising Act

NJAC 6A:8-3.1(a)2 Curriculum and instruction
6A:8-3.3(a) Enrollment in college courses
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:11-1.1 et seq. Charter Schools
6A:14-7.1 et seq. Receiving Schools
6A:16-1.1 et seq. Student Development Programs
6A:23-6.1 et seq. Purchase and Loan of Textbooks
6A:32-12 et seq. Annual Reporting and Planning Requirements

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

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

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Community Relations

Series 1000

Cooperative Arrangements & Other

Relationships With Other School Districts

Policy 1650

Date Adopted: November 15, 2005 Date Revised

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

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:17-14.1 Appointment of school business administrators; may act as secretary; duties, etc.
18A:17-15 Appointment of superintendents; terms; apportionment of expense
18A:17-24.1 Sharing of personnel by school boards
18A:20-9 Conveyance of unneeded real estate for nominal consideration; qualified recipients; reversion
18A:20-34 Use of schoolhouse and grounds for various purposes
18A:36A-1 et seq. Charter schools
18A:54-20 Powers of board (county vocational schools)
18A:58-37.1 et seq. Textbook aid to public and nonpublic schools
18A:61C-1 Program promoting cooperation between high schools and institutions of higher education; establishment; objective; increased availability of college-level instruction; scope
18A:61C-4 Program providing college credit courses for high school students on high school campuses; establishment
40:8A-1 et seq. Interlocal Services Act
52:14-15.9cl et seq. Public Employees Charitable Fund-raising Act
- NJAC 6A:8-3.1(a)2 Curriculum and instruction
6A:8-3.3(a) Enrollment in college courses
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:11-1.1 et seq. Charter Schools
6A:14-7.1 et seq. Receiving Schools
6A:16-1.1 et seq. Student Development Programs
6A:23-6.1 et seq. Purchase and Loan of Textbooks
6A:32-12 et seq. Annual Reporting and Planning Requirements

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"The Bucks"

District Policy Manual

Series 2000

Administration

**d of Education
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Concepts & Roles In Administration:

Goals & Objectives

Policy 2000/2010

Date Adopted: March 23, 2004

Date Revised

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

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

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

Legal References

NJSA 18A:7A-3 et al. Public School Education Act of 1975
18A:7F-1 et seq. Comprehensive Education Improvement and Financing Act of 1996
18A:11-1 General mandatory powers and duties
18A:12-21 et seq. School Ethics Act
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:8-1.1 et seq. Standards and Assessment
6A:28-1.1 et seq. School Ethics Commission N.J
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-1.1 et seq. School District Operations

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

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

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Administrative Staff Organization

Policy 2100

Date Adopted: October 25, 2005 **Date Revised**

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

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

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:8-1.1 et seq. Standards and Assessment
6A:9-12.3 Authorization
6A:9-12.4 School administrator
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-1.1 et seq. School District Operations

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Administrative Team Development

Policy 2110.1

Date Adopted: October 25, 2005 **Date Revised**

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

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

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

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

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

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:8-1.1 et seq. Standards and Assessment
6A:9-12.3 Authorization
6A:9-12.4 School administrator
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-1.1 et seq. School District Operations

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Series 2000

Residency Requirements

Policy 2111.4

Date Adopted: March 28, 2012 Date Revised

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

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

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

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

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

Current Employees

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

New Employees and/or Employment Candidates

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

Exemptions

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

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

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Residency Requirements

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Policy 2111.4

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

Legal References

NJSA 10:5-1 et seq. Law Against Discrimination
18A:3-15.2 Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation
18A:6-6 No sex discrimination
18A:6-7.1, -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
18A:13-40 General powers and duties of board of newly created regional districts
18A:16-1 Officers and employees in general
18A:26-1, -1.1, -2 Citizenship of teachers, etc.
18A:27-1 et seq. Employment and Contracts
52:14-7 New Jersey First Act
52:14-7a Exemptions

NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:9-8.1 et seq. Requirements for Instructional Certification
6A:9-11.1 et seq. Exceptions for the Requirements for the Instructional Certificate
6A:9-12.1 et seq. Requirements for Administrative Certification
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1 Employment of teaching staff
6A:32-4.8 Support residencies for regularly certified, inexperienced first-year principals
6A:32-5.1 Standards for determining seniority

Possible Cross References

4111.4, 4211.4

APPLICATION FOR EXEMPTION FROM THE PROVISIONS OF N.J.S.A 52:14-7a. OF THE NEW JERSEY FIRST ACT

Employee Residency Review Committee
C/O NJ Department of Labor and Workforce Development
Office of Legal and Regulatory Services
PO Box 110
Trenton, NJ 08625-0110

Tel. (609) 777-2960
Fax (609) 292-8246

OFFICIAL USE ONLY:
Application #:

The New Jersey First Act (the Act) states in pertinent part that any person may apply for an exemption from the provisions of subsection a. of the Act (a.k.a., the residency requirement) on the basis of "critical need or hardship." All such applications are to be submitted to the Employee Residency Review Committee, a five-member committee composed of three persons appointed by the Governor, a person appointed by the Speaker of the Assembly, and a person appointed by the President of the Senate.

Instructions: Complete this form and answer all questions. Type or print legibly. Attach any other documents that may support your application. Mail or fax all documents to the address listed at the top of this page.

APPLICANT INFORMATION

First Name	Last Name	M.I.	Daytime Telephone No.
Mailing Address		Floor/Apt. No.	Cell No.
City	State	ZIP Code	Alternate Telephone No.

EMPLOYER OR PROSPECTIVE EMPLOYER INFORMATION

Employer Name	Business Telephone No.
Employer Street Address	Fax No.
	e-mail
Employer Mailing Address (if different from street address)	Name and Title of Contact Person
	Contact Telephone No.

Do you wish for the Committee to notify your employer or prospective employer of this application and provide the employer an opportunity to make a written submission to the Committee regarding your application? YES NO

Would you like an opportunity to appear in-person before the Committee and make a statement in support of your written application? YES NO

APPLICATION DETAILS

Explain the hardship and/or critical need which is the basis for your exemption request. Attach additional sheets if necessary.

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Organization Chart

Policy 2120

Date Adopted: October 25, 2005

Date Revised

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

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

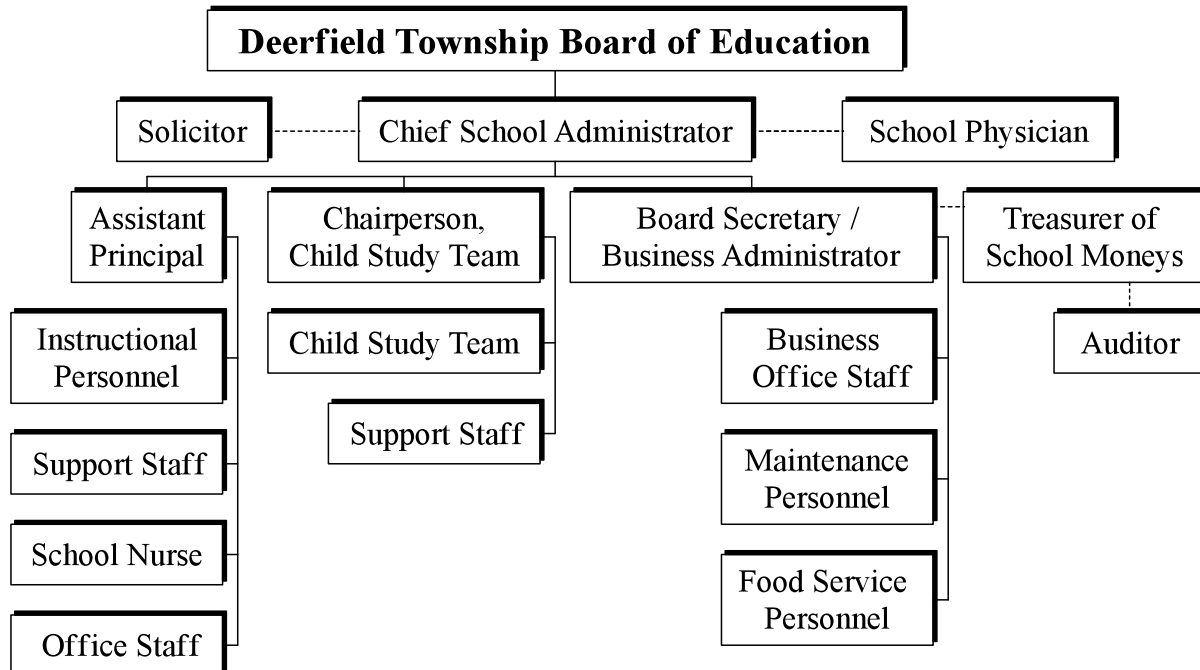
Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:9-12.3 Authorization
6A:9-12.4 School administrator
6A:32-1.1 et seq. School District Operations

Possible Cross References

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



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Lines of Responsibility

Policy 2121

Date Adopted: March 23, 2004

Date Revised

Page 1 of 1

The Board of Education shall operate under a unit control system headed by the Chief School Administrator.

The authority of the Board of Education is transmitted through the Chief School Administrator along specific paths from person to person as illustrated in the organization chart of the school district. The lines of authority represent direction of authority and responsibility. The lines are those approved by the Board of Education and are intended to establish clear understanding on the part of all personnel of the working relationships in the school system.

Personnel are expected to refer matters requiring administrative action to the Assistant Principal and/or Chief School Administrator. Personnel are expected to keep the administration informed of their activities by appropriate means.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:17-5 through -14.3 Secretaries, Asst Secretaries and School Business Administrators
18A:17-15 through -23 Superintendents and Assistant Superintendent of Schools
18A:17-24.1 et seq. Shared Administrators, Superintendents
18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:9-12.3 Authorization
6A:9-12.4 School administrator
6A:9-12.7 School business administrator
6A:32-2.1 Definitions (superintendent)

Possible Cross References

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

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Series 2000

Evaluation of Principals

Policy 2125

Date Adopted: December 16, 2013

Date Revised:

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The Board of Education believes that the evaluation of effective leadership and administration practices improves success in the achievement of the educational goals of this district, including student achievement of the Common Core State Standards for mathematics and language arts and literacy and the Core Curriculum Content Standards.

The Board of Education shall implement an effective system for the evaluation of principals, assistant principals, and vice-principals. The purpose of this evaluation shall be to promote professional excellence and improve the skills of principals, assistant principals and vice-principals; improve pupil learning and growth; and provide a basis for the review of performance.

The Board of Education is committed to establishing educator evaluation rubrics for the evaluation of administrative staff members' effectiveness and to increase student achievement. The district evaluation system shall facilitate:

- A. Continual improvement of leadership and instruction;
- B. Meaningful differentiation of performance using four performance levels;
- C. Use of multiple valid measures in determining performance levels, including objective measures of student performance and measures of professional practice;
- D. Evaluation of principals, assistant principals and vice-principals on a regular basis;
- E. Delivery of clear, timely and useful feedback, including feedback that identifies areas for growth and guides professional development; and
- F. District personnel decisions.

Training

Principals, assistant principals and vice principals shall be provided:

- A. Training on the teacher and principal practice instruments. Training shall be provided for any supervisor who will conduct observations for the purpose of evaluation of teachers, principals, assistant principals, or vice principals. Training shall be provided before the observer conducts his or her first observation for the purpose of evaluation;
- B. Annual updates and refresher training on the teacher and principal practice instruments. Training shall be provided for any supervisor who will observe teaching and/or principal practice for the purpose of increasing accuracy and consistency among observers.

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Evaluation of Principals**

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Policy 2125**

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Principal Evaluation

Principals, vice principals, or assistant principals shall be evaluated according to an evaluation rubric. The evaluation rubric shall be submitted to the Commissioner by June 1st for approval by August 1st of each year.

The components of the principal evaluation rubric shall apply to teaching staff members holding the position of principal, vice principal, or assistant principal and holding a valid and effective standard, provisional, or emergency administrative certificate.

The principal evaluation rubric shall meet the standards provided in NJSA 18A:6-123, including, but not limited to:

- A. Measures of student achievement pursuant to NJAC 6A:10-5.2 including:
 - The median school wide student growth percentile measure; and/or
 - The measure of the average student growth objective for all teachers; and
 - The measure of the administrator goals which shall be developed in consultation with their supervisor and specific and measurable to his or her job description. Administrator goals and the criteria for assessing performance based on those objectives shall be determined and recorded in the principal, vice principal, or assistant principal's personnel file by October 15 of the school year.
- B. Measures of principal practice including the following components:
 - A measure determined through a Commissioner-approved principal practice instrument; and
 - A leadership measure determined through the Department-created leadership rubric.

Principal practice component rating shall be based on the measurement of the principal, assistant principal, or vice principal's performance according to the school district's Commissioner-approved principal practice instrument. Observations pursuant to NJAC 6A:10-5.4 shall be used as one form of evidence for this measurement.

Leadership practice shall be determined by a score on a leadership rubric, which will assess the principal, vice-principal, or assistant principal's ability to improve student achievement and teaching staff member effectiveness through identified leader behaviors. The rubric will be posted on the Department of Education's website and annually maintained.

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Principal, Assistant Principal, and Vice Principal Observations

The Chief School Administrator, or his or her designee, shall conduct observations for the evaluation of principals. The Chief School Administrator shall be trained according to law on the components of the evaluation rubric including student achievement measures and all aspects of the practice instrument.

A principal, or a Chief School Administrator or his or her designee, shall conduct observations for the evaluation of assistant principals and vice principals.

For the purpose of collecting data for the evaluation of a principal, assistant principal, or vice principal, an observation may include, but is not limited to: building walk-through, staff meeting observation, parent conference observation, or case study analysis of a significant student issue.

Each tenured principal, assistant principal, and vice principal shall be observed at least two times during each school year. Each nontenured principal, assistant principal, and vice principal shall be observed at least three times during each school year, as required by NJSA 18A:27-3.1.

A post-observation conference shall follow each observation. The post-observation conference shall consist of a meeting, either in-person or remotely, between the evaluator and the principal, assistant principal or vice-principal for the purpose of evaluation to discuss the data collected in the observation.

Post-observation conferences shall include the following procedures:

- A. The supervisor who is present at the observation shall conduct a post-observation conference with the principal, assistant principal, or vice principal being observed. A post-observation conference shall occur no more than 15 teaching staff member working days following each observation;
- B. The post-observation conference shall be for the purpose of reviewing the data collected at the observation, connecting the data to the principal practice instrument and the principal, assistant principal, or vice principal's individual professional development plan, collecting additional information needed for the evaluation, and offering areas to improve effectiveness;
- C. With the consent of the observed principal, assistant principal, or vice principal, post-observation conferences for individuals who are not on a corrective action plan may be conducted via written communication, including electronic communication;

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- D. One post-observation conference may be combined with the principal, assistant principal, or vice principal's annual summary conference as long as it occurs within the required 15 teaching staff member working days following the observation.
- E. A written evaluation report shall be signed by the supervisor who conducted the observation and post-observation and the principal, assistant principal, or vice principal who was observed;
- F. The principal, assistant principal, or vice principal shall submit his or her written objection(s) of the evaluation within 10 working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report.

An additional observation and post-observation conference shall be required as part of the corrective action plan for any principal, assistant principal or vice-principal who has been rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics.

Professional Development Plans

The Chief School Administrator shall oversee and review for each principal and supervisor, professional development that links to individual, school, and district professional development goals and the school district's professional development plan.

The principals and supervisors shall fulfill the professional development requirement through the creation, implementation, and completion of a professional development plan that:

- A. Aligns with the Professional Standards for School Leaders (NJAC 6A:9-3.4) and the Standards for Professional Learning (NJAC 6A:9-15.3);
- B. Derives from the results of observations, evidence, and recommendations included in the annual performance evaluation of the Chief School Administrator, principals, or supervisors;
- C. Identifies professional goals that address specific individual, school, or district goals; and
- D. Grounds professional development activities in objectives related to improving teaching, learning, and student achievement, and in support of the school and/or district professional development plan.

If a principal, assistant principal or vice-principal has a corrective action plan, the corrective action plan shall replace content of the individual professional development plan until the next annual summary conference.

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Corrective Action Plans

A corrective action plan shall be developed for each principal, assistant principal or vice-principal rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics. The plan shall be developed by the principal, assistant principal or vice-principal evaluated and the Chief School Administrator or principal's, assistant principal's or vice-principal's supervisor.

A Chief School Administrator, or his or her designee, and the principal, as appropriate, shall conduct a mid-year evaluation of any principal, assistant principal, or vice principal who is evaluated as ineffective or partially effective in his/her most recent annual summative evaluation. If the corrective action plan was created before the start of the year, the mid-year evaluation shall occur before February 15; if the corrective action plan was created after the start of the academic year, the mid-year evaluation shall occur before the annual summary conference. The mid-year evaluation shall include, at a minimum:

- A. One observation in addition to the observations required for the regular evaluation process;
- B. One post-observation conference in addition to the post-observation conferences required for the regular evaluation process. During this post-observation conference progress toward the principal's, assistant principal's or vice principal's goals outlined in the corrective action plan shall be reviewed.

The content of the corrective action plan shall replace the content of the individual professional development plan until the next annual summary conference.

Records

All information contained in written performance reports and all information collected, compiled, and/or maintained by employees of the district for the purposes of conducting the educator evaluation process pursuant to this chapter shall be confidential. Such information shall not be subject to public inspection or copying pursuant to the Open Public Records Act, NJSA 47:1A-1 et seq. Nothing contained in this section shall be construed to prohibit the Department of Education from, at its discretion, collecting evaluation data pursuant to NJSA 18A:6-123.e or distributing aggregate statistics regarding evaluation data.

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Legal References

- NJSA 18A:4-15 General rule making power
18A:4-16 Incidental powers conferred
18A:6-20 et seq Dismissal and reduction in compensation of persons under tenure
18A:6-117 et seq Teacher Effectiveness & Accountability for the Children of NJ (TEACHNJ) Act
18A:27-3.1 through -3.3 Nontenured teaching staff; observation and evaluation, conference, purpose
18A:27-10 et seq Nontenured teaching staff member, offer of employment or notice of termination
18A: 28-5 Tenure of teaching staff members
- NJAC 6A:9-15.7 Implementation of professional development
6A:9-15.8 Requirements for school leader professional development in ethics, law and governance
6A:10-1.1 et seq Educator effectiveness
6A:10-5.1 et seq Components of principal evaluation

Possible Cross References

2131, 4112.6, 4115/4116, 4117.41, 4131/4131.1, 4212.6, 4215/4216, 4231/4231.1, 6143.1

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Administrative Positions/Job Descriptions

Policy 2130

Date Adopted: November 17, 2004 Date Revised

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All administrative and supervisory positions shall be established initially by the Board of Education upon recommendation of the Chief School Administrator. Prior to creating a new position, the Board will approve a statement of job requirements as prepared by the Chief School Administrator.

The Board directs the Chief School Administrator to maintain a comprehensive, coordinated set of job descriptions for all positions to promote efficiency in the administration of the schools.

The Chief School Administrator shall supervise development and implementation of the procedures necessary for evaluation of certified and non-certified administrators and supervisors.

Tenured certified administrators and supervisors shall be evaluated annually by appropriate procedures consistent with NJ statutes and the Administrative Code. Non-tenured certified administrators shall be evaluated three times a year by appropriate procedures consistent with NJ statutes and the Administrative Code.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
 18A:54-20 Powers of board (county vocational schools)

NJAC 6A:9-12.3 Authorization
 6A:9-12.4 School administrator
 6A:32-1.1 et seq. School District Operations

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Chief School Administrator –

Job Description & Evaluation

Policy 2131

Date Adopted: November 17, 2004 Date Revised: January 29, 2014

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In compliance with New Jersey state law, the Board of Education shall evaluate the Chief School Administrator at least annually. Every newly appointed or elected Board Member shall complete the New Jersey School Boards Association's training program on evaluation of Superintendents within six (6) months of commencement of his/her term of office. The purpose of the evaluation shall be:

- A. To promote professional excellence and improve the skills of the Chief School Administrator;
- B. To improve the quality of the education received by the pupils served by the public schools of the district;
- C. To provide a basis for the review of the job performance of the Chief School Administrator.

Role & Responsibility of the Board in the Evaluation of the Chief School Administrator

The role and responsibility of the Board in this evaluation shall be:

- A. To complete a New Jersey School Boards Association training program on the evaluation of the Chief School Administrator within six months of the commencement of newly appointed or elected district Board Member's term of office in accordance with the provisions of NJSA 18A:17-20.3.b;
- B. To review, revise and adopt procedures suggested by the Chief School Administrator for implementation of this policy;
- C. To determine whether the services of a qualified consultant will contribute substantially to the evaluation process and to engage such a consultant as deemed appropriate to assist the Board of Education. The evaluation itself shall be the responsibility of the Board;
- D. To adopt an individual plan for professional growth and development of the Chief School Administrator based in part upon any needs identified in the evaluation. The Board of Education and the Chief School Administrator shall mutually develop this plan. The duration of the plan will be three to five years, depending on the Chief School Administrator' contract with the school district;
- E. To hold an annual summary conference between a majority of its total membership and the Chief School Administrator. The annual summary conference shall be held before the written performance report is filed. The conference shall be held in private, unless the Chief School Administrator requests that it be held in public. The conference shall include, but not be limited to, review of the following:

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Chief School Administrator –
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- Performance of the Chief School Administrator based upon the job description;
 - Progress of the Chief School Administrator in achieving and/or implementing the school district's goals, program objectives, policies, instructional priorities, State goals, and statutory requirements; and
 - Indicators of student progress and growth toward program objectives.
- F. By July 1st, subsequent to the annual summary conference, an annual written performance report, approved by a majority of the full membership of the Board of Education. This report shall include:
- Performance areas of strength;
 - Performance areas needing improvement based upon the job description and evaluation criteria in “E” above;
 - Recommendations for professional growth and development;
 - A summary of available indicators of pupil progress and growth and a statement of how these available indicators relate to the effectiveness of the overall program and the performance of the Chief School Administrator;
 - Provision for performance data which have not been included in the report prepared by the Board of Education to be entered into the record by the Chief School Administrator within 10 working days after the completion of the report.
- G. To add all written performance reports and supporting data, including, but not limited to, indicators of student progress and growth to a Chief School Administrator’ personnel file. The records shall be confidential and not be subject to public inspection or copying pursuant to the Open Public Records Act, NJSA 47:1A-1 et seq.

Role & Responsibility of the Chief School Administrator

The Board of Education shall determine the role and responsibility in consultation with the Chief School Administrator. The Chief School Administrator shall be to provide information and propose procedures for:

- A. Development of a job description and evaluation criteria, based upon the district's local goals, program objectives, policies, instructional priorities, state goals, statutory requirements, and the functions, duties and responsibilities of the Chief School Administrator. The evaluation criteria shall include but not be limited to available indicators of pupil progress;
- B. Specification of methods of data collection and reporting appropriate to the job description;

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Chief School Administrator –
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- C. Design of evaluation instruments suited to reviewing the Chief School Administrator' performance based upon the job description;
- D. Establishing an evaluation calendar to include a date for the annual conference and including appropriate information to allow proper consideration of all the items to be included in the subsequent written performance report;
- E. After the Board of Education's adoption of the annual written performance report, to provide all other appropriate information relative to evaluation of his/her performance not contained in the report.
- F. Preparation and review of the Professional Growth Plan for the administrator's professional development.

The policy shall be delivered to the Chief School Administrator upon adoption. Amendments to the policy shall be distributed within 10 working days after adoption.

Legal References

- NJSA 18A:4-15 General rule-making power
- 18A:6-10 through -17 Dismissal and reduction in compensation of persons under tenure in public school system
- 18A:12-21 et seq. School Ethics Act
- 18A:17-15 through -21 Appointment of superintendents; terms;
- 18A:17-20 Tenured and non-tenured superintendents; general powers and duties
- 18A:17-24 Clerks in superintendent's office
- 18A:17-24.1 Shared Administrators, Superintendents
- 18A:27-4.1 Appointment, transfer, removal or renewal of officers and employees; exceptions
- 18A:28-3 through -6.1 No tenure for noncitizens
- 18A:29-14 Withholding increments; causes; notice of appeals
- 40:8A-1 et seq. Interlocal Services Act

- NJAC 6A:9-12 Requirements for Administrative Certification
- 6A:28-1.1 et seq. School Ethics Commission
- 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 6A:32-4.1 et seq. Employment and Supervision of Teaching Staff
- 6A:32-4.3 Evaluation of tenured and nontenured superintendent
- 6A:32-4.4 Evaluation of tenured teaching staff members
- 6A:32-4.5 Evaluation of nontenured teaching staff members

- 8 U.S.C. 1101 et seq. - Immigration and Nationality Act
- Manual for the Evaluation of Local School Districts
- New Jersey Quality Single Accountability Continuum (NJQSAC)

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Acting Chief School Administrator

Policy 2133

Date Adopted: October 25, 2005 Date Revised

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In the absence of the Chief School Administrator, an Acting Chief School Administrator is automatically assigned according to the following order, unless otherwise designated by the Board of Education.

- a. Board Secretary/School Business Administrator
- b. Principal
- c. Assistant Principal

The role of Acting Chief School Administrator shall be the same as for the Chief School Administrator.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:9-12.3 Authorization
6A:9-12.4 School administrator
6A:32-2.1 Definitions (superintendent)

Possible Cross References

3516, 4135.16, 4235.16, 5131.6, 5141.1, 5141.2, 6114, 9311, 9313

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Administrative Positions – Review of Contracts

Policy 2200

Date Adopted: January 28, 2009 Date Revised

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In accordance with NJAC 6A:23A-3.1, the Executive County Superintendent shall review and approve the following item relative to the contracts of the Chief School Administrator and the Business Administrator:

- New employment contracts, including contracts that replace expired contracts for existing tenured and non-tenured employees;
- Renegotiations, extensions, amendments or other alterations of the terms of existing employment contracts that have been previously approved by the Executive County Superintendent; and,
- Provisions for contract extensions where such terms were not included in the original employment contract or are different from the provisions contained in the original approved employment contract.

In the absence of an Executive County Superintendent, the Assistant Commissioner for Field Services shall review and approve all above contracts.

The contract review and approval shall take place prior to any required public notice and hearing pursuant to NJSA 18A:11-11 and prior to the Board approval and execution of those contracts to ensure compliance with all applicable laws, including but not limited to NJSA 18A:30-3.5, 18A:30-9, 18A:17-15.1 and 18A:11-12.

The public notice and public hearing required pursuant to NJSA 18A:11-11 is applicable to the Board of Education, when it renegotiates, extends, amends, or otherwise alters the terms of an existing contract with the Chief School Administrator or Business Administrator. It does not apply to new contracts, including contracts that replace expired contracts for existing employees in one of these positions, whether tenured or not tenured. Nothing precludes the Board of Education from issuing a public notice and/or holding a public hearing on new contracts, including new contracts that replace expired contracts for existing tenured and non-tenured employees.

In connection with the Executive County Superintendent's review of the contract, the Board of Education shall provide the Executive County Superintendent with a detailed statement setting forth the total cost of the contract for each applicable year, including salary, longevity (if applicable), benefits and all other emoluments.

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Administrative Positions - Review of Contracts

Policy 2200

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The contract review and approval shall be consistent with the following additional standards:

1. Contracts for each class of administrative position shall be comparable with the salary, benefits and other emoluments contained in the contracts of similarly credentialed and experienced administrators in other districts in the region with similar enrollment, academic achievement levels and challenges, and grade span.
2. No contract shall include provisions that are inconsistent with the travel requirements pursuant to NJSA.18A:11-12 including but not limited to the provisions for mileage reimbursement and reimbursement for meals and lodging in New Jersey. Any contractual provision that is inconsistent with law is superseded by the law.
3. No contract shall include provisions for the reimbursement or payment of employee contributions that are either required by law or by a contract in effect in the district with other teaching staff members, such as payment of the employee's State or federal taxes, or of the employee's contributions to FICA, Medicare, State pensions and annuities (TPAF), life insurance, disability insurance (if offered), and health benefit costs.
4. No contract shall contain a payment as a condition of separation from service that is deemed by the Executive County Superintendent to be prohibited or excessive in nature. The payment cannot exceed the lesser of the calculation of three months pay for every year remaining on the contract with proration for partial years, not to exceed 12 months, or the remaining salary amount due under the contract.
5. No contract shall include benefits that supplement or duplicate benefits that are otherwise available to the employee by operation of law, an existing group plan, or other means; e.g., an annuity or life insurance plan that supplements or duplicates a plan already made available to the employee. Notwithstanding the provisions of this section, a contract may contain an annuity where those benefits are already contained in the existing contract between that employee and the district.
6. Contractual provisions regarding accumulation of sick leave and supplemental compensation for accumulated sick leave shall be consistent with NJSA 18A:30-3.5. Supplemental payment for accumulated sick leave shall be payable only at the time of retirement and shall not be paid to the individual's estate or beneficiaries in the event of the individual's death prior to retirement. Pursuant to NJSA 18A:30-3.2, a new Board of Education contract may include credit of unused sick leave days in accordance with the new Board of Education's policy on sick leave credit for all employees.

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7. Contractual provisions regarding accumulation of unused vacation leave and supplemental compensation for accumulated unused vacation leave shall be consistent with NJSA 18A:30-9. Contractual provisions for payments of accumulated vacation leave prior to separation can be included but only for leave accumulated prior to June 8, 2007 and remaining unused at the time of payment. Supplemental payments for unused vacation leave accrued consistent with the provisions of NJSA 18A:30-9 after June 8, 2007 as well as unused vacation leave accumulated prior to June 8, 2007 that has not been paid, shall be payable at the time of separation and may be paid to the individual's estate or beneficiaries in the event of the individual's death prior to separation.
8. Contractual provisions that include a calculation of per diem for 12 month employees shall be based on a 260 day work year.
9. No provision for a bonus shall be made except where payment is contingent upon achievement of measurable specific performance objectives expressly contained in a contract approved pursuant to this section, where compensation is deemed reasonable relative to the established performance objectives and achievement of the performance objectives has been documented to the satisfaction of the Board of Education.
10. No provision for payment at the time of separation or retirement shall be made for work not performed except as otherwise authorized above.
11. No contract shall include a provision for a monthly allowance except for a reasonable car allowance. A reasonable car allowance cannot exceed the monthly cost of the average monthly miles traveled for business purposes multiplied by the allowable mileage reimbursement pursuant to applicable law and regulation and NJOMB circulars. If such allowance is included, the employee cannot be reimbursed for business travel mileage nor assigned permanently a car for official district business. Any provision of a car for official district business must conform with NJAC 6A:23A-6.12 and be supported by detailed justification. No contract can include a provision of a dedicated driver or chauffeur.
12. All Chief School Administrator contracts shall include the required provision pursuant to NJSA 18A:17-51 which states that in the event the Chief School Administrator's certificate is revoked, the contract is null and void.
13. Any actions by the Executive County Superintendent undertaken pursuant to this subchapter may be appealed to the Commissioner pursuant to the procedures set forth in NJAC 6A:3.

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Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:11-12 Travel
18A:17-15.1 Superintendent's contract
18A:30-3.2 Unused sick leave
18A:30-3.5 Payment for unused sick leave
18A:30-9 Payment for accumulated vacation
18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:3 Controversies and disputes
6A:9-12.3 Authorization
6A:9-12.4 School administrator
6A:23A-3.1 Accountability Regulations
6A:23A-6.12 Accountability Regulations
6A:32-2.1 Definitions (superintendent)

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Administrative Leeway In Absence Of Board Policy

Policy 2210

Date Adopted: October 25, 2005 Date Revised

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In cases where emergency action must be taken within the school system and where the Board of Education has provided no guides for administrative action, the Chief School Administrator shall have the power to act, but those decisions shall be subject to review by the Board of Education at its next regular meeting.

It shall be the duty of the Chief School Administrator to inform the Board of Education promptly of such action and of the need for possible additional policies or revisions of existing policies.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:17-20 General powers and duties
18A:30-3.2 Unused sick leave
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:9-12.3 Authorization
6A:9-12.4 School administrator
6A:32-2.1 Definitions (superintendent)

Possible Cross References

3516, 4135.16, 4235.16, 5131.6, 5141.1, 5141.2, 6114, 9311, 9313

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Representative & Deliberative Groups

Policy 2220

Date Adopted: October 25, 2005 Date Revised

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The Board encourages staff and community participation in decision-making. The Chief School Administrator shall recommend and the Board shall establish such committees as are necessary to make recommendations for the proper functioning of the district.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:17-20 General powers and duties
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:9-12.3 Authorization
6A:9-12.4 School administrator
6A:32-2.1 Definitions (superintendent)

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Series 2000

Nondiscrimination/Affirmative Action

Policy 2224

Date Adopted: October 25, 2005 Date Revised: May 14, 2014

1 of 5

The Chief School Administrator shall recommend for employment those individuals who, in his/her opinion, are best qualified to fill the vacancy without regard to any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes.

The Chief School Administrator, in determining the candidates to be nominated shall seek information from the candidate's prior employers.

The Board of Education will continue to support its Affirmative Action Resolution of, and implement the district's equal educational opportunity policy, school and classroom practices plan and contract/employment practices plan in accordance with law and regulation.

The Board authorizes the Chief School Administrator to develop and implement a multi-year equity plan to ensure that the district provides equality in educational programs and to identify and correct, or assess and prevent, all bias, discrimination and impermissible isolation in policies, practices and facilities of the district. Upon approval of this plan by the state department of education, the Board shall adopt it by resolution. The Chief School Administrator shall report to the Board annually on progress toward goals established in the plan. A copy of the district's affirmative action/equity plans and self-evaluation of their achievement shall be available in the district office.

Affirmative Action Officer(s)

The Board shall appoint a certified member of the staff as Affirmative Action Officer(s), who shall serve as Affirmative Action/504 Officer and/or Degradation Coordinators), the Board shall adopt the job description of the Affirmative Action Officer(s), granting to him/her the responsibility to facilitate, oversee and ensure the development of implementation of school and classroom practices plans, employment and contract practices plan, school and classroom practices plan, school desegregation plan and section 504 plans, as well as related inter-program coordination. The Affirmative Action Officer(s) shall ensure that the district upholds all regulations, codes and law related to equity in the schools.

The Affirmative Action Officer(s) shall monitor compliance with this policy. The name, work location and telephone number of the district Affirmative Action Officer(s) shall annually be made known to staff, pupils and members of the community.

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Harassment

The Board of Education shall maintain an instructional and working environment that is free from harassment of any kind. Administrators and supervisors will make it clear to all staff, pupils and vendors that harassment is prohibited. Sexual harassment shall be specifically addressed in the affirmative action in-service programs required by law for all staff.

Sexual harassment shall include, but not be limited to, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- A. Submission of the conduct or communication is made a term or condition of employment;
- B. Submission to, or rejection of the conduct or communication is the basis for decisions affecting employment and assignment;
- C. The conduct or communication has the purpose or effect of substantially interfering with an individual's work performance;
- D. The conduct or communication has the effect of creating an intimidating, hostile or offensive working environment.

Sexual harassment of staff or children interferes with the learning process and will not be tolerated in the school. Harassment by Board members, employees, parents, students, vendors and others doing business with the district is prohibited. Any child or staff member who has knowledge of or feels victimized by sexual harassment should immediately report his/her allegation to the Affirmative Action Officer or building Principal. Anyone else who has knowledge of or feels victimized by sexual harassment should immediately report his/her allegation to the Chief School Administrator or Board President. Employees whose behavior is found to be in violation of this policy will be subject to the investigation procedure, which may result in discipline, up to, and including dismissal. Other individuals whose behavior is found to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the Superintendent/Board. This policy state on sexual harassment shall be distributed to all staff members.

Staff or pupils may file a formal grievance related to harassment on any of the grounds addressed in this policy. The affirmative action officer will receive all complaints and carry out a thorough investigation, and will protect the rights of both the person making the complaint and the alleged harasser.

Findings of discrimination or harassment will result in appropriate disciplinary action.

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School and Classroom Practices

In implementing affirmative action, the district shall:

- A. Identify and correct the denial of equity of educational opportunities for pupils solely on the basis of any classification protected by law;
- B. Continually reexamine and modify, as may be necessary, its school and classroom programs; location and use of facilities; its curriculum development program and its instructional materials; availability of programs for children; and equal access of all eligible pupils to all extracurricular programs.

These topics are included in the pupil and instructional policies or the district of #5145.4 Equal education opportunity, #6121 Nondiscrimination/affirmative action, and #6145 Extracurricular activities.

Contract/Employment Practices

The district directs the Chief School Administrator to ensure that appropriate administrators implement the district's affirmative action policy by:

- A. Adhering to the administrative code on selection of vendors and suppliers, informing vendors and suppliers that their employees are bound by the district's affirmative action policies in their contracts with district staff and pupils;
- B. Continuing implementation and refinement of existing practices and affirmative action plans, making certain that all recruitment, hiring, evaluation, training, promotion, personnel-management practices and collective bargaining agreements are structured and administered in a manner which furthers equal employment opportunity principles and eliminates discrimination on any basis protected by law, holding in-service programs on affirmative action for all staff in accordance with law.

These topics are included in the business and non-instructional operations, and the personnel policies of the district at #3320, #3327.

Disabled

In addition to prohibiting educational and employment decisions based on nonapplicable disabling conditions, the district shall, as much as feasible, make facilities accessible to disabled pupils, employees, and members of the community as intended by Section 504 and as specified in the administrative code.

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The Board of Education shall provide reasonable accommodations to pregnant women and those who suffer medical conditions related to pregnancy and childbirth, such as bathroom breaks, breaks for increased water intake, periodic rest, assistance with manual labor, job restructuring or modified work schedules and temporary transfers to less strenuous or hazardous work. Such accommodations that cause an undue hardship in the operation of the school district are not required.

Report on Implementation

The Chief School Administrator shall devise regulations, including grievance forms and procedures to implement the district's affirmative action policies. He/she shall report to the Board annually on the effectiveness of this policy and implementing procedures.

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Legal References

NJSA 2C:16-1 Bias intimidation
2C:33-4 Harassment
10:5-1 et seq. Law Against Discrimination
18A:6-5 Inquiry as to religion and religious tests prohibited
18A:6-6 Sexual discrimination
18A:18A-17 Facilities for handicapped persons
18A:26-1 Citizenship of teachers, etc
18A:26-1.1 Residence requirements prohibited
18A:29-2 Equality of compensation for male and female teachers
18A:37-14 through -19 Harassment, intimidation, and bullying defined
18A:36-20 Discrimination; prohibition
26:8A-1 et seq. Domestic Partnership Act

NJAC 5:23-7.1 et seq. Barrier free subcode of the uniform construction code
6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
6A:32-14.1 Review of mandated programs and services

Executive Order 11246 as amended
29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended
20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986)
School Board of Nassau County v. Arline, 480 U.S. 273 (1987)
Vinson v. Superior Court of Alameda County, 740 P.2d 404 (Cal. Sup. Ct. 1987)
State v. Mortimer, 135 N.J. 517 (1994)
Taxman v. Piscataway Bd. of Ed. 91 F. 3d 1547 (3d Cir. 1996)
Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
Saxe v. State College Area School Dist., 240 F. 3d 200 (3d Cir. 2001)
L.W. v. Toms River Regional Schools Board of Education, N.J., No. A-111-05 (Feb. 22, Comprehensive Equity Plan, New Jersey Department of Education

Possible Cross References

3320, 4111, 4111.1, 4131/4131.1, 4211, 4211.1, 4231, 4231.1, 5145.4, 6121, 6145

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Research, Evaluation & Planning

Policy 2240

Date Adopted: October 25, 2005

Date Revised: August 31, 2010

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As required by New Jersey Quality Single Accountability Continuum (NJQSAC), the Chief School Administrator shall annually direct development or review of district long and short-range goals and the plan of action to attain them. Objectives shall be developed with community participation and approved by the Board of Education; the plan of action shall be prepared in consultation with teaching staff members. The districts plans shall be discussed at a public meeting before the date required by law.

Further, the Chief School Administrator shall coordinate continual research and evaluation of programs and facilities. The master plan shall be studied and revised periodically to keep it in accord with the changing circumstances and aspirations of the district.

Legal References

NJSA 18A:7A-10 Evaluation of performance of each school
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
18A:7A-14 Review of evaluation of district performance
18A:7F-4 Periodic review of core curriculum content standard by state board; establishment of thoroughness and efficiency standards and cost per pupil
18A:7F-6 Approval of budget by Commissioner

NJAC 6A:8-1.1 et seq. Standards and Assessments
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:26-2.1 et seq. Long-Range Facilities Plans
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
6A:32-12.1 Reporting requirements
6A:32-12.2 School-level planning
6A:32-13.1 et seq. Student Behavior
6A:32-14.1 Review of mandated programs and services

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

Possible Cross References

1120, 1220, 2255, 3510, 5020, 6142.2, 6171.34, 7110, 9130

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Series 2000

**Needs Assessment of the District
& The Individual Programs/Facilities**

Policy 2241

Date Adopted: October 25, 2005 Date Revised

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The Chief School Administrator shall monitor continuously the program and equipment needs of the district and the individual programs/facilities. To this end he/she shall devise appropriate instruments to identify and prioritize these needs, and report them to the Board as necessary, but at least annually before the budget is finalized.

Legal References

NJSA 18A:7A-10 Evaluation of performance of each school
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
18A:7A-14 Review of evaluation of district performance
18A:7F-4 Periodic review of core curriculum content standard by state board; establishment of thoroughness and efficiency standards and cost per pupil
18A:7F-6 Approval of budget by Commissioner

NJAC 6A:8-1.1 et seq. Standards and Assessments
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:26-2.1 et seq. Long-Range Facilities Plans
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
6A:32-12.1 Reporting requirements
6A:32-12.2 School-level planning
6A:32-13.1 et seq. Student Behavior
6A:32-14.1 Review of mandated programs and services

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

Possible Cross References

1120, 1220, 2255, 3510, 5020, 6142.2, 6171.34, 7110, 9130

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Action Planning For Thorough & Efficient Deficiencies

Policy 2255

Date Adopted: October 25, 2005 Date Revised

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The Chief School Administrator shall be responsible for assembling all necessary documentation to meet state certification requirements.

He/she shall ensure the districts compliance with all indicators when it is within his/her power to do so. He/she shall inform the Board in a timely fashion of any areas in which Board action is required to bring the district into compliance, and suggest to the Board feasible plans of action.

In the event that the district, or a program/facility within the district, does not receive full approval in classification by the Commissioner of Education, the Board of Education shall cooperate in undertaking corrective action by the development of a remedial plan pursuant to the New Jersey Administrative Code.

Certification requirements for teaching staff members shall not be violated.

Equivalency and Waiver Procedures

The Board may apply to the Commissioner for a waiver of a specific rule or an equivalent means of implementing a rule through alternate procedures so long as the following criteria are met:

The spirit and intent of New Jersey statutes, applicable federal laws and regulations, and the administrative code are served by granting the equivalency or waiver;

The provision of a thorough and efficient education to the students in the district is not compromised as a result of the equivalency or waiver; and

There will be no risk to student health, safety or civil rights by granting the equivalency or waiver.

All applications for equivalency and waivers shall be signed by the Chief School Administrator and approved by the Board of Education.

Alternative Monitoring

If the district meets the standards set out in the administrative code in student performance and attendance, the board may decide on an alternative method of evaluation in compliance with code and statute.

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Policy 2255

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Legal References

- NJSA 18A:7A-10 Evaluation of performance of each school
18A:7A-14 Review of evaluation of district performance
18A:7F-1 et al. Comprehensive Educational Improvement and Financing Act
18A:26-2 Certificates required; exception
- NJAC 6A:5-1.1 et seq. Regulatory Equivalency and Waiver
6A:8-1.1 et seq. Standards and Assessments
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott Districts
6A:23-8.3 Commissioner to ensure achievement of the Core Curricular Content Standards
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
6A:32-12.1 Reporting requirements
6A:32-12.2 School-level planning
6A:32-14.1 Review of mandated programs and services
- No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A., 6301 et seq
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1120, 1220, 2240

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Action Planning For State Monitoring – QSAC

Policy 2256

Date Adopted: August 28, 2013

Date Revised:

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The Board of Education recognizes that it has important functions under the New Jersey state monitoring system: Quality Single Accountability Continuum (NJQSAC). The Board shall comply with the requirements of the Department of Education’s three-year monitoring system by completing the District Performance Review (DPR). The district shall be assessed in the following five key areas:

- A. Operations;
- B. Instruction and Program;
- C. Governance;
- D. Fiscal managements;
- E. Personnel.

The Chief School Administrator shall take the following steps to oversee the efficient completion of the District Performance Review every three years as required by law:

District Performance Review form shall be completed by the district committee. The Chief School Administrator shall determine the total number of people that will serve on the committee. The Chief School Administrator shall appoint the following persons to the committee, and, in his or her discretion, may include other persons on the committee with the approval of the Board of Education:

- A. Chief school administrator;
- B. One or more members of the administrative staff;
- C. One or more teaching personnel, representative of different grade levels and/or;
- D. The business administrator and assistant superintendent for curriculum and instruction, as well as other appropriate personnel;
- E. One or more member representatives of the local collective bargaining unit of the educational staff selected by the local collective bargaining unit; which may include the teaching personnel otherwise appointed in “C” above; and
- F. One or more members of the Board selected by the Board.

The Chief School Administrator shall:

- A. Ensure that the process used by the committee in completing the District Performance Review provides for participation and input by all committee members;
- B. Consult with the committee in formulating a response to all weighted quality performance indicators of each component of school district effectiveness;
- C. Ensure that the responses in District Performance Review encompass and reflect the circumstances that exist in the school district; and,

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- D. Ensure that all responses to the District Performance Review can be verified by data and supporting documentation or otherwise and provide this verification to the department upon request. In accordance with the provisions of NJAC 6A:30-3.2 District Performance Review.

Additionally, the Chief School Administrator shall ensure the district's compliance with all indicators when it is within his/her power to do so. He/she shall inform the Board in a timely fashion of any areas in which Board action is required to bring the district into compliance, and suggest to the Board feasible plans of action.

Upon completion of the proposed responses to the District Performance Review, the Board of Education shall fix a date, place and time for the holding of a public meeting, which may be a regularly scheduled meeting of the district Board of Education. The proposed responses to the District Performance Review and statement of assurance shall be presented to the Board for approval by resolution.

The Board shall ensure that:

- A. The proposed responses to the District Performance Review and statement of assurance shall be posted on its internet site, if one exists, at least five working days prior to the date fixed for the meeting, and shall make it available for examination by the public at the district Board offices or another reasonable location;
- B. Notice of the meeting shall be published as required by the Open Public Meetings Act and this notice shall inform the public that the District Performance Review and statement of assurance will be discussed at the meeting and the times and manner in which members of the public may view the proposed responses to the District Performance Review; and
- C. At the public meeting the public shall have the opportunity to comment and be heard with respect to the proposed responses to the District Performance Review. The public shall have the opportunity to submit written comments prior to the meeting, as well in accordance with the provisions of NJAC. 6A:30-3.2 District Performance Review.

If the school district fails to satisfy the evaluation criteria, the Board of Education shall cooperate in undertaking corrective action plans indicated by the executive county superintendent and pursuant to the New Jersey administrative code.

Certification requirements for teaching staff members shall not be violated.

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Action Planning For State Monitoring - QSAC

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Equivalency & Waiver Procedures

The Board may apply to the commissioner for a waiver of a specific rule or an equivalent means of implementing a rule through alternate procedures so long as the following criteria are met:

- A. The spirit and intent of New Jersey statutes, applicable federal laws and regulations, and the administrative code are served by granting the equivalency or waiver;
- B. The provision of a thorough and efficient education to the students in the district is not compromised as a result of the equivalency or waiver; and
- C. There will be no risk to student health, safety or civil rights by granting the equivalency or waiver.

All applications for equivalency and waivers shall be in accordance with NJAC 6A:5-1.4 and shall be signed by the Chief School Administrator and approved by the Board of Education.

Legal References

- NJSA 18A:7A-10 Evaluation of performance of each school
18A:7A-14 Review of evaluation of district performance
18A:7F-1 et al. Comprehensive Educational Improvement and Financing Act
18A:26-2 Certificates required; exception
- NJAC 6A:5-1.1 et seq. Regulatory Equivalency and Waiver
6A:8-1.1 et seq. Standards and Assessments
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott Districts
6A:23-8.3 Commissioner to ensure achievement of the Core Curricular Content Standards
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
6A:32-12.1 Reporting requirements
6A:32-12.2 School-level planning
6A:32-14.1 Review of mandated programs and services
- No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A., 6301 et seq
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Holiday Observance

Policy 2400

Date Adopted: October 25, 2005 Date Revised

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The Chief School Administrator and teachers of the school will be responsible for a suitable observance of legal holidays as outlined in Title 18A:36-6 to 36-13. These holidays include the following:

- Flag Day (NJAC 18A:36-6)
- Arbor Day (NJAC 18A:36-7, 18A:36-8, 18A:36-9)
- Commodore Barry Day (NJAC 18A:36-10, 18A:36-11, 18A:36-11)
- Lincoln's Birthday (NJAC 18A:36-13)
- Washington's Birthday (NJAC 18A:36-13)
- Decoration Day or Memorial Day (NJAC 18A:36-13)
- Columbus Day (NJAC 18A:36-13)
- Veterans Day (NJAC 18A:36-13)
- Thanksgiving Day (NJAC 18A:36-13)
- Martin Luther King Day (NJAC 18A:36-13)

Any other holidays that may be designated by the state

Should the holiday fall on a day that school is closed in the in-school observance shall be held as close to the actual holiday as possible.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
- 18A:36-6 through 18A:36-13.1 Various observances
- 18A:54-20 Powers of board (county vocational schools)

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"The Bucks"

District Policy Manual

Series 3000

**Business &
Non-Instructional Operations**

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Goals & Objectives

Series 3000
Policy 3000/3010

Date Adopted: September 29, 2004 Date Revised: September 23, 2009 Page 1 of 2

Fiscal Management

The Board of Education recognizes that money and money management are a necessary support of the whole school program. To make that support as effective as possible, the Board intends:

- A. To encourage advance planning through the best possible budget procedures;
- B. To explore all practical sources of dollar income;
- C. To guide the expenditure of funds so as to extract the greatest educational returns;
- D. To expect top-quality accounting and reporting procedures; to adopt and implement sound fiscal procedures. The Business Administrator/Board Secretary shall prepare a manual of procedures to ensure that all business operations of the district are carried out uniformly, efficiently and in accordance with law and Board policy;
- E. To maintain a level of per pupil expenditure sufficient to provide high quality education.

Internal Controls / Standard Operating Procedures

The Board of Education is committed to financial integrity and directs the Business Administrator to establish specific regulations and standard operating procedures for business functions which are designed to provide district administrators with reasonable assurance that the district's goals and objectives will be met and that meet the requirements of NJAC 6A:23A-6.5 through 6.13. Internal controls shall promote operational efficiency and effectiveness, provide reliable financial information, safeguard assets and records, encourage adherence to prescribed policies and comply with law and regulation.

The district may submit a written request to the Commissioner to approve an alternative system, approach or process for implementing the internal controls required in this subchapter. The application must include documented evidence that includes but is not limited to, an independent, third-party written assessment that the alternative system, approach or process will achieve the same safeguards, efficiency and other purposes as the specified internal control requirement(s).

Personnel Tracking and Accounting

The district shall maintain an accurate, complete, and up-to-date automated position control roster to track the actual number and category of employees and the detailed information for each in accordance with NJAC 6A:23A-6.8.

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Support Services

The Board of Education expects operation and maintenance of the school plant and equipment to set high standards of safety, to maintain the health of pupils and staff, to reflect the aspirations of the community, to support environmentally the efforts of the staff to provide a good education and to preserve the community's major investment.

In order to provide services that sufficiently support the educational program, the Board establishes as broad goals:

- A. To provide a physical environment for teaching and learning that is safe and pleasant for pupils, staff and public;
- B. To provide safe transportation for eligible pupils;
- C. To make nutritious meals available to pupils;
- D. To provide resources, facilities and assistance to meet the needs of the educational program as they develop.

Long Range Plans

In compliance with law, the Chief School Administrator will develop a five-year comprehensive maintenance plan. The Board will review this plan and the District's long-range facilities plan annually and will revise them as necessary with the advice of the Chief School Administrator.

Legal References

- NJSA 2C:30 4 Disbursement of public moneys, incurrence of obligations in excess of appropriation
18A:4 14 Uniform system of bookkeeping for school districts
18A:17 14.1 Appointment of school business administrator; through 14.3 duties; subcontracting; tenure acquisition
18A:17-24.1 Sharing of superintendent, school business administrator; procedure
18A:18A-1 et seq. Public School Contracts Law
18A:20-1 et seq. Acquisition and Disposition of Property
18A:33-1 et seq. Facilities in general
18A:39-1 et seq. Transportation to and from schools
40:8A-1 et seq. Interlocal Services Act
- NJAC 2:36-1.1 et seq. Child Nutrition Programs
6A:9-12.1 et. seq. Requirements for administrative certification ,
6A:23-1.1 et seq. Finance and Business Services
6A:26-1.1 et seq. Educational Facilities
6A:27-1.1 et seq. Student Transportation

Possible Cross References

3100, 3200, 3300, 3400, 3500, 3510, 3530, 3542, 3543, 3570, 3600, 9123/9124

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District Policy Manual

Business & Non-Instructional Operations
Budget Planning, Preparation & Adoption

Series 3000
Policy 3100/3110

Date Adopted: September 29, 2004 Date Revised

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The budget is the financial reflection of the educational plan for the district. The budget shall be designed to carry out that plan in a thorough and efficient manner and to maintain the facilities and honor the obligations of the district. The budget shall be in accord with statutory and regulatory mandates of the federal government, the state legislature, the State Board of Education, County Superintendent and the Board of Education.

Since the budget is the legal basis for the establishment of the school tax rate, the annual school budget process is an important means of communication within the school organization and with the residents of the district.

In reviewing budget proposals, the Board will consider priorities to be accomplished during the subsequent year, based on the needs identified through the district's planning process. The budget shall be prepared on forms prescribed by the Commissioner of Education and should be considered critically by each Board Member during its preparation.

In order to ensure adequate time for the preparation and review of the proposed budget, the Board directs the Chief School Administrator to develop a schedule of events associated with the development, presentation and adoption of the budget by the Board. This calendar of events shall conform to all dates set out in statute and shall be reviewed and adopted by the Board annually. The Chief School Administrator shall prepare a tentative budget and shall confer with the Assistant Principal, Child Study Team Chairperson, Board Committees and other district personnel, as necessary, to make the tentative budget realistic. The Board may call upon key personnel to discuss those portions of the budget that concern their areas of district operations.

It shall be the policy of this Board to inform the citizens of the community about the proposed annual school budget and provide citizens with the opportunity to discuss such budget with the Board at a public meeting of the Board. The Board shall hold at least one public meeting on the proposed budget prior to final action and in accordance with the law. Notices of the public hearing shall be made in accordance with the New Jersey Open Public Meetings Act. Legally required public hearing on the proposed budget shall be held after the County Chief School Administrator has approved the budget. The community shall be notified of and encouraged to attend all board meetings at which preliminary budget discussions will be held.

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If, as a result of the public hearing, it should be determined that changes in the budget are necessary the changes shall be made before the budget is adopted. The budget should evolve primarily from the schools' current needs, but should also consider the data collected in long-range budget planning. The budget shall provide sufficient resources for curriculum and instruction that are designed and shall be delivered in such a way that all students will have the opportunity to achieve the knowledge and skills defined by the core curriculum content standards, as well as locally defined standards.

In preparing budget requests, the responsible administrator shall include the following costs by program area:

- A. Staff
- B. Textbooks, equipment and supplies
- C. Cost and maintenance of facilities and equipment
- D. Other costs associated with the operation of each program

The district's operating budget, when presented to the Board for review, shall contain:

- A. The proposed expenditure for each line item requested for the ensuing year;
- B. The anticipated expenditure for each existing line item in the current school year;
- C. The actual expenditure for each then-existing line item from the immediately completed school year;
- D. A description of each line item;
- E. An estimate of the pupil population for the coming school year by grade;
- F. The current pupil population by grade;
- G. An estimate of the staff needed for the coming school year by grade and/or by subject;
- H. Actual staff for the current year;
- I. Anticipated revenue by sources and amounts;
- J. Amount of surplus anticipated at the end of the current school year including accumulated surplus;
- K. All other expenses projected for the coming year, anticipated for the present year, and incurred in the preceding year, on the district level;
- L. Projected impact on tax rate.

The Board may submit a separate budget proposal or proposals to the voters for additional general fund tax levies which may be in excess to that which has been

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determined necessary for all students to have an opportunity to achieve the core curriculum content standards and a thorough and efficient education.

The adoption of the budget shall be made by roll call vote and the resolution adopting the budget shall be incorporated into the official minutes of the meeting of the Board. Once adopted, the proposal represents the position of the board, and all reasonable means shall be employed by the Board to present and explain that position to all community residents and taxpayers.

The Board shall adopt any such questions by a recorded roll call majority vote of the full Board. Upon Board approval of the tentative school budget, it shall be advertised in accordance with New Jersey State Law and copies shall be made available to the public.

The proposed budget as accepted by this Board shall be set forth in detail, using the form prescribed by the state department of education, and shall be made available to the public as required by law. A brochure may be published to explain the annual school budget and will be distributed to district taxpayers, if the Board of Education deems it necessary.

The brochure should include:

- A. A summary of the proposed expenditures and anticipated revenues;
- B. General information which may enable district taxpayers to understand the proposed budget better; for example, present and projected school enrollments and assessed valuations, state aid, and teachers' salaries;
- C. An explanation of significant changes in the budget.
- D. An explanation of the tax impact of the proposed budget.

All Board Members are expected to attend the public hearing on the budget.

Once the budget has been adopted, it shall be supported by all Board Members, regardless of their positions when adopted.

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Legal References

- NJSA 18A:7F-1 et seq. Comprehensive Education Improvement and Financing Act of 1996
18A:13-17, -19, -23 Submission of budget; annual regional school election
18A:22-7, -8 through -13 Preparation of budgets
18A:22-8.6 Transportation (budget line item)/hazardous routes
18A:22-14 Fixing appropriations to be made; notice of intent to appeal (Type I districts)
18A:22-25 Borrowing against appropriations on notes (Type I districts
18A:22-26 through -31 Type II district with board of school estimate; determination; certification and raising of appropriations; notice of intent to appeal amount of appropriation
18A:22-32, -33 Type II districts without board of school estimate; determination of appropriation
19:60-1 School elections, adjustments, ballots
- NJAC 6A:8-1.1 et seq. Standards and Assessment
6A:23-8.1 et seq. Annual Budget Development, Review and Approval
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:26-10.1 et seq. Purchase and lease Agreements
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- Abbott v. Burke, 149 NJ 195 (1999)
Manual for the Evaluation of Local School Districts (September 2002)
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3160, 3220/3230, 3326

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**Business & Non-Instructional Operations
Determination of Budget Priorities**

**Series 3000
Policy 3113**

Date Adopted: September 29, 2004 Date Revised

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The Board of Education can meet only a limited number of educational needs and desires with the finite resources available to it. The laws of the State of New Jersey require that the school system be operated so that expenditures do not exceed revenues. The Chief School Administrator and Board Secretary/Business Administrator are directed to formulate the annual budget, taking into consideration the following criteria:

1. At all times, district resources, shall be used to produce the most positive effect on the students' opportunities to gain a sound basic education;
2. The budget shall be in accord with statutory and regulatory mandates promulgated by the federal government, the state legislature, the State Board of Education, County Superintendent of Schools and the Deerfield Township Board of Education;
3. The budget shall be consistent with contracts between the Board and its employee groups.

In reviewing the proposed budget, the Board will consider priorities to be accomplished during the subsequent year, based upon the needs identified through the district's planning process. Funds and resources shall be provided for their accomplishment in amounts determined by the constraints of the budget.

Legal References

- NJSA 18A:7F-1 et seq. Comprehensive Education Improvement & Financing Act of 1996
18A:11-1 General powers of the Board
18A:13-17, -19, -23 Submission of budget; annual regional school election
18A:22-7, -8 through -13 Preparation of budgets
18A:22-8.6 Transportation (budget line item)/hazardous routes
18A:22-14 Fixing appropriations to be made; notice of intent to appeal (Type I districts)
18A:22-25 Borrowing against appropriations on notes (Type I districts
18A:22-26 through -31 Type II district with board of school estimate
18A:22-32, -33 Type II districts without board of school estimate; determination of appropriation
19:60-1 School elections, adjustments, ballots
- NJAC 6A:8-1.1 et seq. Standards and Assessment
6A:23-8.1 et seq. Annual Budget Development, Review and Approval
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:26-10.1 et seq. Purchase and lease Agreements
6A:30-1.1 et seq. Evaluation of the Performance of School Districts

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Business & Non-Instructional Operations

Series 3000

Transfers Of Funds Between Line Items/Admendments/

Purchases Not Budgeted

Policy 3160

Date Adopted: October 14, 1986 Dates Revised: December 8, 1987

December 28, 1995

September 29, 2004

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Appropriate fiscal controls shall ensure that the Board does not spend more than authorized funds. The Business Administrator/Board Secretary shall keep the Board informed of the district's financial status according to law.

Except in the case of federal funds, the Board designates the Chief School Administrator to approve transfers among line items and programs as are necessary between meetings of the Board. Transfers approved by the Chief School Administrator shall be reported to the Board, ratified by a 2/3 vote of the Board, and recorded in the minutes at the next subsequent monthly meeting of the Board..

Funds may not be transferred among the major categories, i.e. current expense, capital outlay and debt service.

When the necessity arises for an unbudgeted expenditure, and there are no available funds in other line items in the same category, the procedures required by administrative code shall be initiated. In such cases, a 2/3 vote of the Board of Education shall be required for approval.

The Board may, by resolution, designate the Chief School Administrator to approve such transfers as are necessary between meetings of the Board. Transfers approved by the Chief School Administrator shall be reported to the Board, ratified by a 2/3 vote of the Board of Education and duly recorded in the minutes at the next subsequent monthly meeting of the Board.

Legal References

- NJSA 2C:30-4 Disbursing moneys, incurring obligations in excess of appropriations
- 18A:17-9 Secretary; report of appropriations, etc.; custodial duties, etc.
- 18A:18A-7 Emergency purchases and contracts
- 18A:22-8.1 Transfer of amounts among line items and program categories
- 18A:22-8.2 Prohibited transfers
- 18A:24-48 through -54 Application of proceeds to new purpose;
- NJAC 6A:23-2.1 et seq. Double Entry Bookkeeping & GAAP Accounting in Local School Districts
- 6A:23-2.2, -2.11 N.J.A.C. 6A:30-1.1 et seq.

Possible Cross References

3000, 3100/3110, 3320, 9127

Deerfield Township Board of Education District Policy Manual	
Business & Non-Instructional Operations State Funds/Federal Funds	Series 3000 Policy 3220/3230
Date Adopted: Sept. 29, 2004 Date Revised: Nov. 17, 2010, Jan. 25, 2018	
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Each year, when it is believed that the school district is eligible for federal and/or state assistance under the provisions of public laws, application for said assistance may be submitted so long as acceptance of the funds does not include conditions contrary to the policies of the Board of Education. The Chief School Administrator shall inform the Board about specific assurances that may be required in addition to those addressed in this policy, and will provide the required language for Board adoption.

When the law requires the development and implementation of administrative procedures for submitting state and federal financial reports, with specified time schedules, the Chief School Administrator and the Business Administrator/Board Secretary shall ensure that the staff has properly completed the reports and that in each instance the reports have been submitted within the specified time.

In particular, the Chief School Administrator is responsible for assuring that the District is in compliance with Education Department General Administrative Regulations (EDGAR) and all persons responsible for following those administrative regulations shall be held accountable.

The New Jersey Department of Education (NJDOE) has implemented a reimbursement request system of payment. The procedures as outlined in the NJDOE Policies and Procedures for Reimbursement of Federal and Other Grant Expenditures shall be followed by this district in submitting reimbursement requests.

Reimbursement requests by the Board Secretary/Business Administrator/designee shall be made for individual titles and awards shall be made using the NJDOE's Electronic Web-Enabled Grant System (EWEG) system.

Reimbursement requests shall be made for individual titles and awards and only one reimbursement request per month may be submitted for an individual title or award. Reimbursement requests may only be for expenditures that have already occurred or will occur by the last calendar day of the month in which the request is made.

The submission of a reimbursement request shall constitute a certification by the Board Secretary/Business Administrator that the district has previously made the appropriate expenditures and/or will make the expenditures by the last calendar day of the month in which the request is made and that the expenditures are allowable and appropriate to the cost objective(s) of the subgrant. Reimbursement requests must be in accordance with the approved grant applications.

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State Funds/Federal Funds

Series 3000
Policy 3220/3230

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The regular operating budget must include amounts anticipated to be received from state and/or federal sources, and a listing of projects describing how this money will be spent. These recommendations for expenditures will be approved by the Board before projects are submitted.

If additional amounts become available during the year, additional projects will be recommended to the Board and, with its approval, added to the budget.

Maintenance of Effort

In order to comply with the requirements of state and federal programs, the Board of Education will maintain a combined fiscal effort per student, or aggregate expenditures, of state and local funds with respect to the provision of the free public education in the Local Education Agency (LEA) for the preceding fiscal year that is not less than the required amount of the combined fiscal effort per student, or the aggregate expenditures, for the second preceding year.

Equivalence Comparability of Materials and Supplies

To be in compliance with state and federal programs, the Board of Education directs the Chief School Administrator to distribute curriculum materials and instructional supplies to the schools in such a way that the equivalence of such material is ensured appropriately within the school.

Supplement Not Supplant

Federal funds shall be used for supplementary services only and shall not be used to replace services that the district would supply eligible pupils, if state and federal funds were not available.

Parent Participation

The district shall implement parent consultation and participation, advisory councils, etc., as mandated for the specific program.

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Legal References

NJSA 18A:7F-1 et seq. Comprehensive Improvement and Financing Act of 1996
18A:7G-1 through -44 et al. Educational Facilities Construction and Financing Act
18A:34-1 Textbooks; selection; furnished free with supplies; appropriations
18A:38-7.7 through -7.14 Legislative findings and declarations (impact aid)
18A:54-20 Powers of board (county vocational schools)
18A:58-7.1 School lunch program
18A:58-7.2 School lunch program; additional state aid
18A:58-11 Emergency aid
18A:58-11.1 Loss of tuition to district due to establishment of regional district; state aid for one year
18A:58-33.6 through -33.21 Additional State School Building Aid Act of 1970
18A:58-37.1 through -37.7 Textbook Aid to Public and Nonpublic Schools
18A:59-1 through -3 Federal aid

NJAC 6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:14-1.1 et seq. Special Education
6A:23-5.1 et seq. State Aid
6A:23A-5.3 Accountability Regulations
6A:26-1.1 et seq. Educational Facilities
6A:27-8.1 et seq. State Aid
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

Abbott v. Burke, 149 N.J. 145 (1997)

Hawkins-Stafford Elementary & Secondary School Improvement Amendments of 1988 (Pub. L. 100-97)

20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

34 CFR 80 (7-1-05) monitoring districts' use of federal grant funds

34 CFR Part 85, Government-wide Debarment and Suspension

Possible Cross References

3100, 3160, 3570, 3542.31

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**Business & Non-Instructional Operations
Tuition**

**Series 3000
Policy 3240**

Date Adopted: September 29, 2004 Date Revised

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With the assistance of the Business Administrator/Board Secretary, the Chief School Administrator shall annually estimate the tuition for each sending district student attending the school. The Board of Education will approve said tuition.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:38-3 Attendance in school by nonresidents
18A:11-1 Tuition of pupils attending schools in another district
18A:46-21 Tuition

Possible Cross References

5117.7, 5118, 6178

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**Business & Non-Instructional Operations
Material/Services, Fees, Fines & Charges**

**Series 3000
Policy 3250**

Date Adopted: September 29, 2004 Date Revised

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The Board authorizes the imposition of fines for the loss, damage, or defacement of textbooks and other instructional materials.

The Chief School Administrator shall oversee preparation of a schedule of fines for lost or damaged textbooks and/or equipment.

The Business Administrator shall ensure that funds collected as fees or fines are properly recorded and safeguarded. The Chief School Administrator shall be responsible for funds donated by the Parent Teacher Organization to the school and also those generated by student activities that are deposited in the local bank.

All charges to pupils shall be kept to a minimum. No pupil shall be caused to suffer embarrassment because of financial inability to participate in any activity or project under control of the District.

The Board, on recommendation of the Chief School Administrator, shall approve reasonable charges for admission to school-sponsored events.

Legal References

NJSA 18A:34-1 Textbooks; selection; furnished free with supplies; appropriations
18A:34-2 Care and keeping of textbooks and accounting
18A:37-3 Liability of parents or guardian of minor for damage to property
18A:58-37.3 Purchase and loan of textbooks

NJAC 6A:23-2.14 Student activity funds
6A:23-2.15 School store business practice
6A:23-6.6 Charge for textbook loss or damage

Ballato v. Long Branch Board of Education 1990 S.L.D. (August 20)

Possible Cross References

3453, 3517, 5131.5, 6153, 6161.3, 6200

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Business & Non-Instructional Operations

Series 3000

Sale & Disposal Of Books, Equipment & Supplies/

Sale, Licensing & Rental of Property

Policy 3260/3270

Date Adopted: September 29, 2004 Date Revised

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The Board of Education may authorize the sale, exchange, trade or other disposition of real or personal property of the school district, when it is determined that it is no longer needed for school purposes.

Real estate property shall be leased or disposed of by sale or otherwise, in accordance with law and Board resolution. Property, the value of which does not exceed the legal limit in any one sale, and property which consists of livestock or is perishable, shall be disposed of by the Chief School Administrator in such manner as will be in the public interest and benefit the school district.

Property, the value of which exceeds the legal limit in any one sale and is neither livestock nor perishable nor is to be sold to the United States, the State of New Jersey or to any body politic in the state, shall be sold at public sale to the highest bidder in accordance with law.

All bids may be rejected if it is determined by the Board that doing so would be in the public's interest. Where the Board has rejected all bids, it may be re-advertised for subsequent public sale. If at the second sale all bids are again rejected, the personal property may be sold without additional public notice. In no event shall the negotiated price at a private sale be less than the highest price of any bid that was rejected at the preceding two public sales, and in no event may the terms or conditions of sale be changed or amended.

Any district property designated for donation or unsold after such offer may be offered without cost to charitable or nonprofit organizations having a use for such property.

The Chief School Administrator or designee shall develop procedures for the disposition of district property which include:

- A. The review of the continued usefulness of all property periodically;
- B. Recommendation for Board designation of property for sale, donation or discard;
- C. Rules for the disposition of property that ensure that all sales and donations are conducted in a fair and open manner in accordance with the public interest.

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Sale & Disposal Of Books, Equipment & Supplies/
Sale, Licensing & Rental of Property**

**Series 3000
Policy 3260/3270**

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Federally Funded Equipment and Property

When equipment and/or property procured with federal grant funds is no longer needed for the original project, or is obsolete or unusable, it shall be disposed of in strict accordance with applicable federal law and regulations.

Legal References

- NJSA 18A:7F-7(e) Appropriation by school district of undesignated fund balance; amounts allowable
18A:18A-45 Manner and method of sale (personal property)
18A:20-2 Purchase and sale of property in general
18A:20-5 Disposition of property and title of purchaser
18A:20-6 Sale at public sale; exceptions
18A:20-7 Sale at fixed minimum prices; rejection of bids
18A:20-8.1 Transfer of land for vocational school purposes
18A:20-8.2 Lease of land, or part or all of school building not necessary for school purpose; resolution; procedure
18A:20-9 Conveyance of unneeded real estate for nominal consideration; qualified recipients; reversion
18A:20-9.1 Conveyance of certain sewer lines to a municipality
18A:20-9.2 Sale of school property to nonprofit schools for the handicapped
54:4-3.6 Exemption of property of nonprofit organizations
- NJAC 6A:26-7.4 Approval for the disposal of land

Possible Cross References

3220/3230, 3280, 3440, 6171.3, 7110

Deerfield Township Board of Education District Policy Manual

**Business & Non-Instructional Operations
Gifts, Grants & Bequests**

**Series 3000
Policy 3280**

Date Adopted: September 29, 2004 Date Revised

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Only the Board of Education may accept, for the school district, any bequest or gift or money, property or goods. All gifts shall be given to the school district as a whole, and not to a particular school program. At the discretion of the Board, the gift may be used on a particular school project.

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

Any gift accepted by the Board or the Chief School Administrator shall become the property of the Board, may not be returned without the approval of the Board, and is subject to the same controls and regulations as are other properties of the Board. The Board shall be responsible for the maintenance of any gift it accepts, not including scholarships or memorial trust funds. Proposed gifts of equipment must be reviewed and approved for safety in the same manner in which a district-purchased is reviewed.

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

In general, teachers are not empowered to receive gifts on behalf of the schools. Prospective donors should be advised to consult the Chief School Administrator.

The Board shall not take title to real estate in the event of a gift of same without prior approval as required by law.

A letter of appreciation shall acknowledge all gifts accepted by the Board of Education. Such appreciation shall in no case be considered as a testimonial or endorsement by the school system of a product or enterprise.

Grants

Staff members are encouraged to seek out sources of grants and gifts, and bring them to the attention of the Chief School Administrator, who shall investigate the conditions of such grants and gifts and make recommendations to the Board regarding the advisability of seeking and or accepting them.

Deerfield Township Board of Education District Policy Manual

**Business & Non-Instructional Operations
Gifts, Grants & Bequests**

**Series 3000
Policy 3280**

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A complete budget breakdown must be submitted to the business office prior to drawing moneys from the grant.

Legal References

- NJSA 18A:6-33.1 through -33.12 Incentive Grants
18A:18A-15.1 Payment for goods or services; funds received from a bequest, legacy or gift
18A:20-4 Acceptance and use of gifts
18A:20-11 through -16 Property devised in trust
18A:29A-1 through -7 Governor's Annual Teacher Recognition Act
18A:71A-1 et seq. Authority Structure and General Provisions
18A:71B-1 et seq. Student Financial Aid
18A:71C-1 et seq. Student Loans
- NJAC 6A:26-7.4 Approval of land acquisition

Possible Cross References

1230, 3200, 3220/3230, 3453, 5126, 6163.1

Deerfield Township Board of Education

District Policy Manual

Business & Non-Instructional Operations
Funds Management/Investing

Series 3000
Policy 3290

Date Adopted: September 29, 2004 Date Revised

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When the Board, due to unforeseen contingencies in the current account because of the receipt of state aid, funds in advance of construction, etc., is holding unencumbered cash balances, such funds shall be invested at interest.

Funds of the Board may be invested in bonds or other obligations of the United States, bond of certain federal agencies as specified by law, bonds or obligations of the County, municipality or school district, and public depositories located within the boundaries of the State of New Jersey, provided such depositories secure public funds in accordance with state law.

The Business Administrator/Board Secretary shall include in the monthly report to the Board revenue of account of the previous month as well as all investment assets of the Board.

The use of student activities funds shall be limited to activities directly related to educational functions sanctioned and authorized by the Board of Education. Organizations such as parent-teacher associations or parent-citizen booster clubs, and groups that conduct events not sponsored by the Board of Education shall be expected to account for funds separately.

No fund raising drives may be conducted except with the express approval of the Board of Education.

Investment of Board funds is the responsibility of the Business Administrator/Board Secretary, as governed by applicable statutes, provided that no commitment of this Board may be put in default.

Funds of the Board may be withdrawn from approved public depositories, or negotiable instruments owned by the Board may be sold prior to maturity at the discretion of the Business Administrator/Board Secretary acting within the law.

The interest earned on such investments shall be combined with the general revenues of the Board.

Legal References

NJSA 18A:17-34 Receipt and disposition of money
18A:20-37 et seq Investments

Possible Cross References

1314

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District Policy Manual**

**Business & Non-Instructional Operations
Depository**

**Series 3000
Policy 3293**

Date Adopted: September 29, 2004 Date Revised

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At its annual reorganization meeting or as necessary thereafter, the Board shall select one or more banks or bank and trust companies to serve as the depository or depositories of school funds.

Upon recommendation of the Business Administrator/Board Secretary, the Board may changes its designated depositories.

Legal References

NJSA 18A:10-5 Organization meeting of the board
18A:11-1 General mandatory powers and duties

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**Business & Non-Instructional Operations
Signatures/Facsimiles**

**Series 3000
Policy 3293.1**

Date Adopted: September 29, 2004 Date Revised

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The Board shall name the persons who are authorized to sign checks on its accounts at the annual organization meeting and as becomes necessary during the year.

In order to expedite the signing of warrants issued by the district and to be signed by the official designated by law, signature plates for use in a facsimile signature machine shall be purchased. Such facsimiles shall be used only to sign approved warrants, and the plates shall be kept in safe custody.

The Business Administrator/Board Secretary shall notify the depositories the facsimile signatures will be used.

Legal References

- NJSA 18A:10-5 Organization meeting of the board
- 18A:11-1 General mandatory powers and duties
- 18A:17:31 Treasurer of school moneys
- 18A:19-1 Expenditure of funds

Possible Cross References

3326.1, 9121, 9123, 9125

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**Business & Non-Instructional Operations
Expenditures/Expending Authority**

**Series 3000
Policy 3300**

Date Adopted: October, 14, 1986 Date Revised: December 28, 1995

October 27, 2004

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The authority to spend money for district operations rests with the Board of Education, although authority to purchase goods or engage services not covered by the Board-approved contracts may be delegated within limits established by law and the Board.

The budget as approved by the voters constitutes the district spending plan for the year. The New Jersey Administrative Code (NJAC) forbids the district to operate at a deficit. When expenditure will overspend a line item within either current expense, capital outlay or debt service, available funds may be transferred from another line item within the same category. This must be done by Board resolution before the expenditure is made and requires approval by a 2/3 affirmative vote of the authorized membership of the Board of Education.

The Deerfield Township Board of Education shall not knowingly enter into a contract with any company that does not subscribe to and implement an affirmative action policy.

If the district anticipates an over-expenditure of one of three major accounts - current expense, capital outlay, or debt service - the procedures required by NJAC shall be initiated.

Legal References

NJSA 18A:4-14 Uniform system of bookkeeping
18A:11-1 General mandatory powers and duties
18A:17-9 Secretary; report of appropriations; custodial duties
18A:18A-7 Emergency contracts
18A:19-1 et seq Expenditures
18A:22-8.1 Transfer of funds
18A:22-8.2 Transfers prohibited

NJAC 6A:23 Finance and business services

Possible Cross References

3000, 3100, 3160, 3320, 3326, 3571, 3571.2

Deerfield Township Board of Education

District Policy Manual

Business & Non-Instructional Operations
Purchasing Procedures

Series 3000
Policy 3320

Date Adopted: December 8, 1987 Date Revised: December 28, 1995

October 27, 2004

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The Board of Education wishes to establish and carry out a careful system of purchasing and accounting to help provide an effective program of education while guarding against loss due to carelessness, inefficiency, theft, or improper maintenance of records.

The duties of purchasing are to be centralized under the Business Administrator/Board Secretary, who shall be familiar with and perform all his activities within the limitations prescribed by law, Board policy and legal opinions.

The Board of Education encourages the administration to:

- A. Seek advantages in savings that may accrue to this district through cooperative pricing or joint agreements for the purchase of work, materials or supplies with the governing body of other contracting units within Cumberland County or adjoining counties;
- B. Evaluate any savings which might result from the purchase of any materials, supplies or equipment under contracts entered into by the state treasury department, division or purchase and property; and
- C. Solicit contracts without competitive bidding if price quotations lower than the state contract price are obtained as provided by law.

Nothing is to be ordered independently by school personnel.

The Business Administrator/Board Secretary shall be responsible for so informing all prospective suppliers of work or materials.

Soliciting Prices/Bids and Quotations

Whenever the amount of the contract requires, by law, submission for bids, the Board of Education shall authorize the Business Administrator/Board Secretary to initiate the bidding procedure. Legal ads shall be placed and all bids shall be opened at the place and time designated in the advertisement.

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Purchasing Procedures**

**Series 3000
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The Business Administrator/Board Secretary shall:

- A. Analyze and tabulate all bids;
- B. Bring recommendations and all supporting materials before the Board at its next regular meeting.

Quotations shall be solicited when they are required by law. The Business Administrator/Board Secretary shall maintain a file of all quotations.

The Board will make all final decisions, including, when advisable, rejection of all bids. The Board Secretary/Business Administrator shall make every effort to obtain at least two and preferably three bids for each prospective purchase.

The Board of Education shall not knowingly enter into contract with any company that does not subscribe to and implement an affirmative action policy. The Board of Education shall not enter into any contract with a person, agency, or organization if it has knowledge that such person, agency or organization discriminates on the basis of race, color, creed, religion, sex, ancestry, national origin, age, social or economic status, or non-job-related handicap or disability, either in employment practices or in the provisions of benefits or services to pupils or employees. The district will seek bidders that who comply with the affirmative action requirements of the federal and state governments and the policies of this district.

When emergency situations arise between Board meetings and funds are properly budgeted, the Chief School Administrator, in consultation with the Board Secretary/Business Administrator and Board President shall be authorized to make such purchases as necessary. The Chief School Administrator shall be authorized to make such purchases in the Board Secretary/Business Administrator's absence.

Every transaction between a buyer and seller involving the transfer of property shall be by purchase order or formal contract.

Specifications governing materials are a joint responsibility of the Chief School Administrator and the Board Secretary/Business Administrator.

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Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:18A-1 et seq. Public Schools Contracts Law
18A:19-1 et seq. Expenditure of Funds; Audit and Payment of Claims
52:32-44 Business registration for providers of goods and services (definitions)
- NJAC 6A:7-1.8 Equity in employment and contract practices
6A:23-1.2 Definitions
6A:23-2.6 Supplies and equipment
6A:23-6.1et seq. Purchase and Loan of Textbooks
6A:23-7.1et seq. Management of Public School Contracts
6A:27-9.1et seq. Contracting for Transportation Services
6A:30-1.1et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services
- 20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended
by the Equal Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2224, 3300, 3326, 3327, 3570, 3571

Deerfield Township Board of Education District Policy Manual

**Business & Non-Instructional Operations
Incurring Liabilities**

**Series 3000
Policy 3321**

Date Adopted: October 27, 2004

Date Revised

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The Board has established a careful system of purchasing and accounting to help provide an effective program of education.

Therefore, except as otherwise provided in these policies, no individual Board member or member of the administration or other district employee shall commit the Board to expenditures for which the Board has not given prior approval.

In the event of emergencies requiring expenditures, the Chief School Administrator shall act in the best interests of the district and inform the Board at the earliest opportunity so it may act at the next regular meeting.

Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:18A-1 et seq. Public Schools Contracts Law
18A:19-1 et seq. Expenditure of Funds; Audit and Payment of Claims
52:32-44 Business registration for providers of goods and services (definitions)
- NJAC 6A:7-1.8 Equity in employment and contract practices
6A:23-1.2 Definitions
6A:23-2.6 Supplies and equipment
6A:23-6.1 et seq. Purchase and Loan of Textbooks
6A:23-7.1 et seq. Management of Public School Contracts
6A:27-9.1 et seq. Contracting for Transportation Services
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services
- 20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2224, 3300, 3326, 3327, 3570, 3571

Deerfield Township Board of Education District Policy Manual

**Business & Non-Instructional Operations
Purchase Orders**

**Series 3000
Policy 3322**

Date Adopted: September 24, 2008 Date Revised: September 22, 2010 Page 1 of 2

The Board of Education establishes the following approval process for any remittance of payment for invoice amounts greater than the approved purchase order issued by the Board Secretary/Business Administrator:

1. The Board Secretary/Business Administrator shall identify and investigate the reason(s) for any increase to a purchase order.
2. If it is determined that such an increase is warranted, the Board Secretary/Business Administrator shall either approve a revision to the original purchase order with the reason(s) noted, approve the issuance of a supplemental purchase order for the difference, or cancel the original purchase order and issue a new purchase order.
3. If it is found that such an increase is not warranted, the purchase order shall be canceled and returned to the appropriate vendor.
4. In no instance shall an adjustment be made to a purchase order that changes the purpose or vendor of the original purchase order or a bid award price.

The Board Secretary/Business Administrator shall review on a monthly basis edit/change reports listing all payments made in excess of the originally approved purchase order amount to ensure that all payments made are properly authorized.

Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:18A-1 et seq. Public Schools Contracts Law
18A:19-1 et seq. Expenditure of Funds; Audit and Payment of Claims
52:32-44 Business registration for providers of goods and services (definitions)
- NJAC 6A:7-1.8 Equity in employment and contract practices
6A:23-1.2 Definitions
6A:23-2.6 Supplies and equipment
6A:23-6.1 et seq. Purchase and Loan of Textbooks
6A:23-7.1 et seq. Management of Public School Contracts
6A:23A-6.10 Financial system and payment approval process
6A:27-9.1 et seq. Contracting for Transportation Services
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services
20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2224, 3300, 3326, 3327, 3570, 3571

Deerfield Township Board of Education District Policy Manual

**Business & Non-Instructional Operations
Contracts**

**Series 3000
Policy 3324.1**

Date Adopted: July 27, 2005

Date Revised

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Contracts shall be awarded to the lowest responsible bidder upon resolution of the Board unless the Board chooses to reject all bids, to re-advertise, or to purchase under a state contract.

Whenever two or more proposals or bids of equal amounts are the lowest proposals or bids submitted by responsible bidders, the Board of Education may award the contract to whichever one of the lowest bidders it may determine.

The Board shall consider the advantages of entering into a contract for more than one year when and as the law permits.

Legal References

- NJSA 18A:18A-1 et seq. Public Schools Contracts Law
18A:19-1 et seq. Expenditure of Funds; Audit and Payment of Claims
52:32-44 Business registration for providers of goods and services (definitions)
- NJAC 6A:7-1.8 Equity in employment and contract practices
6A:23-1.2 Definitions
6A:23-2.6 Supplies and equipment
6A:23-7.1 et seq. Management of Public School Contracts
6A:23A-6.10 Financial system and payment approval process
6A:27-9.1 et seq. Contracting for Transportation Services

Possible Cross References

3320, 3323

Deerfield Township Board of Education District Policy Manual

**Business & Non-Instructional Operations
Payment For Goods & Services**

**Series 3000
Policy 3326**

Date Adopted: October 27, 2004 Date Revised

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The Board of Education will authorize payment for goods and services.

Before warrants signed by the Board President, Board Secretary/Business Administrator and Treasurer of School moneys may be issued in payment of bills or claims, the bill or claim must be properly audited and approved according to law.

In general, bills or claims shall be audited by the Business Administrator/Board Secretary and approved by the Board. However, in order to provide for the prompt payment to which vendors are entitled, and which leads to more effective competitive bidding and provision of services to the district, claims duly reviewed and recommended by the Chief School Administrator for items previously approved by the Board or provided for in the budget may be approved by the Chief School Administrator. Such payments shall be reported to the Board at the next regular meeting.

Items not previously approved by the Board or provided for in the budget must be reviewed and recommended by the Chief School Administrator and presented for Board approval.

Legal References

- NJSA 18A:19-1 Expenditure of funds on warrant only; requisites
- 18A:19-2 Requirements for payment of claims; audit of claims in general
- 18A:19-3 Verification of claims
- 18A:19-4 Audit of claims, etc., by secretary; warrants for payment
- 18A:19-4.1 Account or demand; audit; approval
- 18A:19-9 Compensation of teachers, etc., payrolls
- 18A:22-8.1 Transfer of amounts among line items and program categories

- NJAC 6A:23-2.9 Petty cash funds
- 6A:23A-6.10 Financial system and payment approval process

Possible Cross References

3320, 3451,3453, 4142, 4242

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District Policy Manual

**Business & Non-Instructional Operations
Relations With Vendors**

**Series 3000
Policy 3327**

Date Adopted: March 23, 2004

Date Revised: June 26, 2013

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The Board of Education wishes to maintain good working relations with vendors who supply materials and services to the school system. Constructive efforts by the administration to seek the advice and counsel of vendors about how to improve such relationships are encouraged.

In the schools, vendors shall be seen by appointment only. Vendors who call upon a school shall be governed by Policy #1250 – Visits to the School. Teachers or supervisors of instruction who have invited vendors to call should notify the school office in advance so that proper courtesies may be extended.

No agents, canvassers, or vendors shall have access to teachers during their classes. No business concern that solicits or gains business through the school system shall use school facilities for this purpose.

Affirmative Action

The Board of Education directs Chief School Administrator and/or the Business Administrator to develop regulations that address the requirement of assurance that vendors satisfy NJAC 6A:7-1.8(b) which states that the “Board of Education shall not enter into any contract with a person, agency, or organization that discriminates on the basis of race, creed, color, gender, religion, disability, or socioeconomic status, either in employment practices or in the provision of benefits or services to the students or employees” of the district.

All vendors shall supply assurances that they do not practice discrimination as described in the administrative code. All vendors shall be informed that harassment of any kind of district pupils or employees by their representatives is prohibited.

Disbarred Vendors

When acquiring goods and services under federally sponsored programs, the district will not contract with a vendor who is currently either debarred or suspended from doing business with the Federal government. Prior to contract award, and in accordance with Federal requirements, the district /charter school contracting specialist will check the Federal Excluded Parties List System (EPLS) to ensure that the prospective contractor is not found in the EPLS. Results from the EPLS search shall be made part of the purchase order/contract documentation. Should a prospective vendor be found to be debarred or suspended by the Federal government, the Board Secretary/Business Administrator’s office will notify the Chief School Administrator of this finding and will place a hold on the supplier's registration within the district financial system.

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**Series 3000
Policy 3327**

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Legal References

NJSA 10:5-1 et seq. Law Against Discrimination
18A:6-8 Interest of school officers, etc., in sale of textbooks or supplies, royalties
18A:11-1 General mandatory powers and duties
18A:12-2 Inconsistent interests or office prohibited
18A:12-21 et seq. School Ethics Act
18A:18A-1 et seq. Public Schools Contracts Law
18A:54-20 Powers of board (county vocational schools)
52:32-44 Business registration for providers of goods and services
6A:7-1.8 Equality in employment and contract practices
6A:23A-6.3 Accountability regulations
6A:28-1.1 et seq. School Ethics Commission
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

Comprehensive Equity Plan, New Jersey State Department of Education

Possible Cross References

1250, 1313, 1330, 2224, 3320, 4119.21, 4219.21, 9270

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District Policy Manual**

**Business & Non-Instructional Operations
Reimbursement**

**Series 3000
Policy 3330**

Date Adopted: October 27, 2004

Date Revised

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Board Members and district employees shall be reimbursed for approved out-of-pocket or other expenses and mileage upon filling out the proper form and presenting to the Board Secretary/Business Administrator. The Board of Education must approve payments as per its established process.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:12-4 Compensation of members
18A:12-21 et seq. School Ethics Act

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**Business & Non-Instructional Operations
Travel Expenses**

**Series 3000
Policy 3335**

Date Adopted: Nov. 15, 2005

**Date Revised: May 31, 2007,
Sept. 24, 2008, May 27, 2015
May 25, 2016**

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The Board of Education recognizes that as a part of its responsibility for the financial operation of the school district, all reimbursable expenses incurred by district employees and Board Members may be subject to audit and scrutiny.

All travel by district employees and Board Members shall be educationally necessary and fiscally prudent and all travel and expense reimbursements shall be:

1. Directly related to and within the scope of the employee's and/or Board Member's current responsibilities;
2. For travel that promotes the delivery of instruction or furthers the efficient operation of the school district; and
3. In compliance with NJ State travel reimbursement guidelines as established by the Department of Treasury in NJOMB circular letter 06-02, except that those guidelines that conflict with the provisions of Title 18A of the New Jersey Statutes shall not be applicable.

Reports Following Travel

Following any authorized and reimbursable travel, all employees are required to submit a report to their immediate supervisors detailing the primary purpose for the travel and the key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district within 10 working days of returning from the event. Board Members shall submit similar reports to the Board President and the Board Secretary/Business Administrator by the next regular Board Meeting.

Approved Types of Travel

1. Staff Training and Seminars – include all regularly scheduled, formal residential or non-residential training functions, conducted at a hotel, motel, convention center, residential facility, or at any educational institution or facility.
2. Conventions and Conferences – are distinct from formal staff training and seminars, although some training may take place at such events. These are general programs, sponsored by professional associations on a regular basis, which address subjects of particular interest to an agency or are convened to conduct association business. The primary purpose of employee and/or Board Member attendance at conferences and conventions is the development of new skills and knowledge in a particular field related to the educational program of the school district.
3. Regular District Business – includes all regular official business travel, including attendance at meetings, conferences and any other gatherings that are not covered by the definitions included above.

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4. Retreats – includes meetings with school district employees and Board Members, held away from the normal work environment at which organizational goals and objectives are discussed. School district facilities shall be utilized for this type of event, if available.

Travel Methods

When used in these regulations, the term "transportation" is meant to include all necessary official travel on railroads, airlines, buses, taxicabs, rental cars and other usual means of transportation. The provisions of this section apply to all travel, whether for regular district business or attendance at conventions, conferences, staff training and/or seminars.

Air Travel

Air travel is authorized when it is determined that air transportation is advantageous to the conduct of district business. The most economical air travel must be used, including the use of discounted and special rates. Charges for classes of service other than economy (i.e., Business or First Class) are to be considered privileged and ineligible except when travel in such classes is less expensive than economy, avoids circuitous routings or excessive flight duration and/or would result in overall transportation cost savings.

Rail Travel

When it has been determined to be advantageous to the conduct of district business, the most economical scheduling of rail travel is to be utilized.

Cruises

Participation in a conference, meeting or training even that is presented on a cruise ship is prohibited. Travel on a cruise ship as transportation to an event is also prohibited.

Ground Travel

Necessary taxicab charges are permitted. However, travel to and from airports and downtown areas should be confined to regularly scheduled shuttle service, whenever such service is less costly than taxicab service. If shuttle service between the airport and downtown destinations is not available, taxicabs may be used.

The district shall not bear the costs for car rentals, limousine services, and/or chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendees' accommodations at the event.

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Special Conveyances

The rental or hire of a boat, aircraft or other special conveyance is allowed only when public or regular means of transportation is not available or when such regular means of transportation cannot be used advantageously in the interest of the district. In such cases, prior approval of the Chief School Administrator is required. A satisfactory explanation must accompany these requests for approval.

Personal Vehicle (Mileage Basis)

Mileage allowance in lieu of all actual expenses of transportation is allowed an employee traveling by his own automobile on official business at the rate authorized by the Board of Education or in an agreement between the Board and the employee's bargaining unit, provided such mode of travel is previously approved by the Chief School Administrator.

New contracts that specify a mileage reimbursement and that have an effective date of July 1, 2008 or later, must specify that the reimbursement rate shall be that stipulated in the NJOMB Travel Circular. All district travel reimbursement shall also be in accordance with the rate stipulated in the OMB Travel Circular.

Parking and toll charges are allowed in addition to the mileage allowance.

Routing of Travel

All travel must be by the most direct, economical and usually traveled route. Travel by other routes is allowed when official necessity is satisfactorily established in advance of such travel.

In any case where a person travels by indirect route for personal convenience, the extra expense must be borne by the individual.

Reimbursement for expenses must be based only on charges that do not exceed what would have been incurred by using the most direct, economical and usually traveled route.

Lodging, Accommodations, Meals and Miscellaneous Expenses

When travel is deemed necessary, district employees and Board Members may be reimbursed for allowable and reasonable expenses for lodging, accommodations, meals and miscellaneous expenses incurred. Annually, the Board of Education will establish reasonable and fiscally responsible rates for lodging, accommodations and meals. Unless approved in advance by the Board or the Chief School Administrator, no expenses in excess of these rates will be eligible for reimbursement.

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Meal Expenses Allowable Limits

In accordance with the provisions of Circular 16-11-OMB, which supersedes Circular 12-14-OMB, the following limits for meal expenses per individual shall not be exceeded:

- Breakfasts \$7.00
- Lunches \$10.00
- Dinners \$15.00

One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement as authorized in Department of the Treasury guidelines, except as otherwise superseded by the following:

1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the federal per diem rates as established in the federal register for the current year;
2. Lodging expenses may exceed the federal per diem rates if the hotel is the site of the convention, conference, seminar or meeting and the going rate of the hotel is in excess of the federal per diem rates. If the hotel at the site of the convention, conference, seminar, or meeting and the going rate of the hotel is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
3. Receipts are required for hotel expenses. Meal expenses under the federal per diem allowance limits do not require receipts;
4. In any case in which the total per diem reimbursement is greater than the federal per diem rate, except as stated in number 1 above, the costs will be considered to be excessive and shall not be paid by school district funds;
5. The district shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater costs benefits; and,
6. Payment or reimbursement is approved for the full cost of an official convention meal that the employee and/or Board Member attends when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement.

Out-of-state travel events shall be limited to the fewest number of Board Members or affected employees needed to acquire and present the content offered to all Board Members or staff, as applicable, at the conclusion of the event. Where the event is sponsored by a New Jersey-based organization and targeted to employees and/or Board Members of the school district, reimbursement for lodging may be permitted only where the sponsoring organization obtains a waiver pursuant to the provisions of NJAC. 6A:23A-7.11.

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Where the event is national or regional in scope and targeted to school district employees and/or Board Members from multiple states, reimbursement for lodging may only be provided if the event occurs on two or more consecutive days and where home to event commute exceeds fifty (50) miles.

Where a travel event has a total cost that exceeds \$5,000, regardless of the number of attendees, or where more than five (5) individuals from the district are to attend a travel event out-of-state, the district shall obtain the prior written approval of the Executive County Superintendent. The Executive County Superintendent shall promptly review the request and render a decision within ten (10) working days.

For all employee and Board Member travel events out of the country, regardless of cost or number of attendees, the school district shall obtain the prior written approval of the Executive County Superintendent. Such requests must be supported by detailed justification. The Executive County Superintendent shall promptly review the request and render a decision within ten (10) working days. It is expected that approvals will be rare.

Documentation for Reimbursement of Expenses

In all cases, district employees and Board Members shall complete a voucher for any and all expenses being submitted for reimbursement, along with original, dated receipts for these expenses.

The Board directs the Business Administrator/Board Secretary to review all expenses submitted for reimbursement by district employees and Board Members to ensure that they are reasonable and fully documented according to the provisions of this policy.

Filing of Documentation

The Board of Education requires that detailed documentation demonstrating compliance with this policy, including travel approvals, reports and receipts for all school district funded expenditures, as appropriate, shall be maintained on file with the Board Secretary/Business Administrator.

Reimbursement

Reimbursement will only be made upon demonstrated compliance with this policy provisions and approval requirements. The Board of Education will not ratify or approve payments or reimbursements for travel after completion of the travel event.

No employee of the Board of Education or Board Member shall receive an amount for travel and travel-related expenses in advance of the travel pursuant to NJSA 18A:19-1 et seq.

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Conflict of Interest

A Board Member shall recuse himself/herself from voting on travel if the Board Member, a member of his/her immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial involvement that may reasonably be expected to impair his/her objectivity or independence of judgment.

No Board Members shall act in his/her official capacity in any matter in which he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the school official or member of his immediate family or undertake any employment or service, whether compensated or not, that may reasonably be expected to prejudice his/her independent judgment in the execution of his/her official duties.

Annual Review

As a part of the annual budget making process, the Board Secretary/Business Administrator shall determine and the Board will approve a maximum expenditure amount allotted for travel and expense reimbursement for district employees and Board Members. In establishing this maximum expenditure amount, the Board Secretary/Business Administrator will take in to consideration that costs vary depending on the location of the off-site event. Following the adoption of the maximum annual expenditure for the district, should it become appropriate, the Board may alter the established maximum expenditure due to unforeseen costs.

Annually in the prebudget year, the Board of Education shall establish by resolution, a maximum travel expenditure amount for the budget year that the district shall not exceed in that budget year. The resolution shall also include the maximum amount established for the prebudget year and the amount spent to date.

The Board may, at its discretion, exclude travel expenditures to be supported by federal funds in the maximum travel expenditure amount. If federal funds are excluded from the established maximum travel expenditure amount, the Board of Education shall include in the Board resolution, the total amount of travel supported by federal funds from the prior year, prebudget year and projected for the budget year.

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The Board further directs the Board Secretary/ Business Administrator to establish and maintain files detailing compliance with this policy, including but not limited to travel approvals, reports, and receipts for all reimbursed expenses, as appropriate. The Board further directs the Board Secretary/Business Administrator to maintain separate accounting for district travel expenditures as necessary, to ensure compliance with the district's maximum travel expenditure amount. This may include but need not be limited to a separate or offline accounting of such expenditures or expanding the district's accounting system. The tracking system shall be sufficient to demonstrate compliance with the Board's policy and shall provide auditable information.

Approval for Travel

Travel by district employees shall not be permitted without written approval of the Chief School Administrator and prior approval by a majority vote of the full membership of the Board of Education.

Travel by Board Members shall not be permitted without prior approval by a majority vote of the full membership of the Board of Education and that travel shall be in compliance with Section 4 of P.L. 1991, c.393 (C.18A:12-24) and Section 5 of P.L. 2001, c.178 (18A:12-24.1).

The Board of Education may, at its discretion, approve at any time prior to an event, travel for multiple months as long as the Board approval, as detailed in the minutes of an official meeting of the Board, itemizes the approval by event, total cost, and number of employees and/or Board Members attending the event. General or blanket pre-approval for travel is not authorized. Approval shall be itemized by event, event total cost, and number of employees and/or Board Members attending the event.

Any person who approves any travel in violation of this policy shall be required to reimburse the district in an amount equal to three (3) times the cost associated with attending the event.

An employee or Board Member who travels in violation of this policy shall be required to reimburse the district in an amount equal to three (3) times the cost associated with attending the event.

Exclusions

Any travel caused by or subject to contractual provisions, other statutory requirements of federal regulatory requirements or travel that does not otherwise comply with the requirements set forth in this policy, but that is deemed by the Board to be necessary or unavoidable shall be excluded from the requirements of this policy. In such cases, the reason(s) for such exclusion shall be clearly set forth in detailed documentation and approved by the Board of Education.

Deerfield Township Board of Education District Policy Manual

**Business & Non-Instructional Operations
Travel Expenses**

**Series 3000
Policy 3335**

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Legal References

- NJSA 18A:2-1 Power to effectuate action
18A:4-23 Supervision of schools; enforcement of rules and 24 Determining efficiency of schools; report to state board
18A:11-1 General mandatory powers and duties
18A:12-4 Compensation of members
18A:12-24 School Ethics Act and 24.1 Code of Ethics
- NJAC 6A:23B-1.1 et. seq. Travel and Related Expense Reimbursement (Non-Abbott Districts)
6A:23A-5.9 Out of state and high cost travel
- P.L. 2005, c.132 Appropriations Act
P.L. 2007, c. 52 District accountability measures
NJ Department of Treasury NJOMB Circular A-87
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3300, 3330, 3571, 4131/4131.1, 4233, 4231/4231.1, 4233, 9200, 9250, 9270

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**Business & Non-Instructional Operations
Accounts**

**Series 3000
Policy 3400**

Date Adopted: October 27, 2004

Date Revised

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The school shall use a standard accounting system as legal in the State of New Jersey and recommended by the School Auditor.

All activity accounts in the school year are to be administered under the supervision of the Board Secretary/Business Administrator.

The accounting system shall be established according to state guidelines and reviewed by the auditor and include all generally accepted accounting practices considered necessary. These practices provide that all revenues of moneys shall be deposited intact in the bank within 24 hours of receipt.

No payments are to be made from these monies in cash.

Payments are to be made only by check.

Legal References

NJSA 18A:4-14 Uniform system of bookkeeping for school districts
18A:17-8 Secretary; collection of tuition and auditing of accounts
18A:17-35 Records of receipts and payments
18A:22-8 Contents of budget; program budget system
18A:34-2 Care and keeping of textbooks and accounting

NJAC 6A:23-2.1 et seq. Double Entry Bookkeeping and GAAP Accounting in Local School Districts
6A:23-8.1 et seq. Annual Budget Development, Review and Approval

Handbook 2R2 - Financial Accounting for Local and State School Systems
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3100, 3326, 3450, 3451, 3453, 3570, 3571, 3571.4

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**Business & Non-Instructional Operations
Inventories**

**Series 3000
Policy 3440**

Date Adopted: October 27, 2004

Date Revised

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The Business Administrator/Board Secretary shall maintain an accurate and complete inventory of all buildings, fixed equipment and contents, and their value, in order to offer proof of loss in the event of an insurance claim and to provide a continuous chain of accountability.

Legal References

NJSA 18A:11-2 Power to sue and be sued; reports; census of school children
18A:17-9 Secretary; report of appropriations, etc.; custodial duties, etc.
18A:4-14 Uniform system of bookkeeping for school districts

NJAC 6A:23-2.1 et seq. Double Entry Bookkeeping and GAAP Accounting in Local
School Districts

Possible Cross References

3530, 3570

Deerfield Township Board of Education District Policy Manual

**Business & Non-Instructional Operations
Money In School Buildings**

**Series 3000
Policy 3450**

Date Adopted: October 27, 2004

Date Revised

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All funds from athletic events or other activities of pupil organizations collected by school district employees and by pupil treasurers under the auspices of the Board shall be handled and accounted for pursuant to prudent business procedures and rules of the State Board of Education.

The Chief School Administrator or his/her designee shall be responsible for the receipt and deposit of all funds collected in the school and shall administer an accounting system for all such moneys.

In no case shall money be left overnight in the school.

The school cannot assume responsibility for money left in an individual teacher's classroom overnight. Money brought to the school office must be handled directly to the secretary.

Lost money shall be replaced by the person responsible.

Legal References

NJSA 18A:17-34 Receipt and disposition of moneys
18A:19-13 Petty cash funds
18A:19-14 Funds derived from pupil activities
18A:23-2 Scope of audit

NJAC 6A:23-2.9 Petty cash fund
6A:23-2.14 Student activity funds
6A:23-2.15 School store business practices

Possible Cross References

3250, 3293, 3400, 3451, 3453, 3571, 3571.4, 5136, 6145.4

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**Business & Non-Instructional Operations
Petty Cash Funds**

**Series 3000
Policy 3451**

Date Adopted: October 27, 2004

Date Revised

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The Board of Education authorizes establishment of imprest petty cash accounts by resolution annually. The Chief School Administrator is responsible for the proper distribution and account for funds in his/her charge.

Funds are to be used for small purchases only and not to subvert the intent of the regular purchasing procedures or for routine expenditures.

All petty cash funds shall be established by Board-approved voucher and all unused cash is to be returned to the depository at the close of each fiscal year.

The Petty Cash Account will be audited each school year.

Legal References

NJSA 18A:19-13 Petty cash funds
18A:23-2 Scope of audit

NJAC 6A:23-2.9 Petty cash fund

Possible Cross References

3320, 3326, 3571, 3571.3

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**Business & Non-Instructional Operations
School Activity Funds**

**Series 3000
Policy 3453**

Date Adopted: October 27, 2004

Date Revised

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The Board hereby authorizes the establishment and maintenance of a student activities account at school. The Chief School Administrator shall be responsible for the proper administration of the financial activities of each student activity account in accord with the provisions of state law and appropriate school district accounting practices and procedures. All monies collected shall be deposited in the student activities account shall have the signature of the faculty sponsor and the Chief School Administrator or designee responsible for the student activities account. The Business Administrator shall oversee the account in accordance with the New Jersey Administrative Code.

The annual school district audit shall include an audit of student organization funds. Payment for the audit shall be made from district funds.

Reserves may be carried over from year to year as necessary for the beginning of the following year's operation.

Moneys raised by student organizations must be expended for the benefit of students. The Chief School Administrator or designee shall be responsible for developing guidelines for the accounting of student activities funds within each school.

Legal References

NJSA 18A:19-13 Petty cash funds
18A:19-14 Funds derived from pupil activities
18A:23-2 Scope of audit

NJAC 6A:23-2.1et seq. Double Entry Bookkeeping and GAAP Accounting in Local School Districts

Possible Cross References

3280, 3450, 3571, 3571.4, 5136

Deerfield Township Board of Education District Policy Manual

**Business & Non-Instructional Operations
Operation & Maintenance Of Plant**

**Series 3000
Policy 3510**

Date Adopted: October 27, 2004 Date Revised

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The Chief School Administrator and Business Administrator/Board Secretary shall develop a multi-year comprehensive maintenance plan for Board approval, to be updated annually.

The Chief School Administrator shall develop and enforce detailed regulations for safe and sanitary maintenance of the buildings and grounds. The regulations shall also include procedures for encouraging students, parent organizations and the community to participate in the beautification of school grounds.

In addition, the Chief School Administrator shall develop and implement a maintenance program that shall include:

- A. a regular summer program of facilities repair and conditioning;
- B. critical spare parts inventory where necessary
- C. a long-range program of building maintenance

Legal References

- NJSA 13:1F-19 through -33 "School Integrated Pest Management Act"
18A:17-49 through -52 Buildings and grounds supervisors to be certified educational facilities managers
18A:22-8 Contents of budget; program budgeting system
34:5A-1 et seq. Worker and Community Right to Know Act
34:6A-25 et seq. New Jersey Public Employees Occupational Safety and Health Act
- NJAC 5:23 Barrier free subcode of the uniform construction code
6A:26-12.1 et seq. Operation and Maintenance of Facilities
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
7:30-13.1 et seq. Integrated Pest Management

Possible Cross References

3000/3010, 3516, 7110, 9130

Deerfield Township Board of Education District Policy Manual

**Business & Non-Instructional Operations
Equipment**

**Series 3000
Policy 3514**

Date Adopted: March 23, 2004

Date Revised

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Equipment purchased by the Board of Education is intended for support of the educational program.

The Chief School Administrator shall oversee the maintenance of all district educational and non-educational equipment in safe working condition. No employee or pupil shall use equipment that is found in an unsafe condition. Equipment use during school hours shall be properly supervised by appropriate teaching staff.

Specific items of equipment may be loaned or rented for community use after a written request is made to and approval granted by the Chief School Administrator. The user of district-owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use. He/she shall be responsible for its safe return.

When equipment authorized for loan requires the services of an operator, the user shall employ the services of a person designated by the district and shall pay such costs as have been set for his/her hire.

The Board shall not be responsible for any loss, damage or injury or expense that may arise during or be caused in any way by such use of district equipment.

School equipment may be removed from school property by pupils or staff members only when such equipment is necessary to accomplish tasks arising from their school or job responsibilities. The consent of the Chief School Administrator is required for such removal.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:20-34 Use of schoolhouse and grounds for various purposes
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:26-12.2 Policies and procedures for school facility operation

Possible Cross References

1330, 1410, 3250, 3510, 3516, 4143, 4147, 4243, 4247, 5142

Deerfield Township Board of Education District Policy Manual

**Business & Non-Instructional Operations
Smoking**

**Series 3000
Policy 3515**

**Date Adopted: October 27, 2004 Date Revised: January 25, 2012
August 27, 2014**

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Tobacco use is now recognized as a chronic disease and public health hazard. Tobacco use is associated with conditions such as heart disease, emphysema, asthma, high blood pressure, diabetes, and many other chronic diseases. The most effective strategy for discouraging tobacco use by young people is a wellness strategy that supports prevention, intervention, and cessation.

Tobacco Use & Possession

No student, faculty/staff member or school visitor is permitted to use any tobacco product:

- In any building, facility, or vehicle owned, leased, rented or chartered by the district;
- On any school grounds and property—including athletic fields and parking lots—owned, leased, rented, utilized (e.g., adjacent parking lots) or chartered by the Board of Education;
- At any school-sponsored or school-related event on-campus or off-campus (e.g., field trips, proms, sporting events off campus, etc).

In addition, school district employees, school volunteers, contractors or other persons performing services on behalf of the school district (e.g., bus drivers) also are prohibited from using tobacco products at any time while on duty in accordance with their contracts or in the presence of students, either on or off school grounds.

Further, no student is permitted to possess a tobacco product while in any school building, while on school grounds or property or at any school-sponsored or school-related event, or at any other time that students are under the authority of school personnel.

Definition of Smoking, Tobacco Products & Tobacco Use

For the purposes of this policy, “tobacco product” is defined to include but not limited to cigarettes, cigars, blunts, bidis, pipes, chewing tobacco and all other forms of smokeless tobacco, rolling papers, or electronic smoking device or similar product or device or any other items containing or reasonably resembling tobacco or tobacco products (excluding quit products). “Tobacco use” includes smoking, chewing, dipping, or any other use of tobacco or similar products.

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Policy 3515

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Prohibition of Smoking by Pupils

- A. Pupils are not permitted to smoke at any time in school buildings, or anywhere within school boundaries, or on school buses, or when on a school-sponsored trip or activity off school premises.
- B. Pupils are not permitted to possess tobacco products or smoking paraphernalia while on school property.
- C. Pupils who are found exhaling smoke or possessing tobacco products or smoking paraphernalia shall be subject to school discipline codes approved by the Board of Education.

Compliance for Students

In recognition that tobacco use is a public health issue and that tobacco is a gateway drug and highly addictive, the Board of Education recognizes that intervention rather than punishment is the most effective way to address violations of this policy. Students who violate the school district's tobacco-use policy will be referred to the student assistance counselor (SAC), guidance counselor, a school nurse, or other health or counseling services for all offenses for health information, counseling, and referral. Administration will consult with appropriate health organizations in order to provide student violators with access to an Alternative-to-Suspension (ATS) program. The ATS program will provide up-to-date information on the many consequences of tobacco use, offer techniques that students can use to stop tobacco use at school, and provide referrals to local youth tobacco cessation programs.

Parents/guardians will be notified of all violations and actions taken by the school. Schools may also use community service as part of the consequences. Ordinarily, and consistent with a wellness strategy, suspension will only be used after a student has three or more prior violations or refused to participate in other outlined measures.

Compliance for Faculty, Staff, and Visitors

As with students, intervention rather than punishment is the most effective way to address adult violations of this policy. Faculty or staff who violate the school district's tobacco-use policy will be referred to the Employee Assistance Program (EAP) or a tobacco cessation program. Employees who repeatedly violate the policy or do not comply with intervention or cessation referrals may be subject to consequences in accordance with district policy and their contract. Visitors using tobacco products will be informed about the policy and asked to refrain while on school property.

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Visitors who continue to violate the policy will then be asked to leave the premises. Law enforcement officers may be contacted to escort the person off the premises or cite the person for trespassing if the person refuses to leave the school property.

Prohibition of Smoking for Persons Other Than Pupils

- A. No person is permitted to smoke at any time in any building, on any school property or any school vehicle owned by the Board of Education.
- B. Sanctions for violations
 - First offense: Issuance of a verbal warning, documented in writing, if address of the offender is known. For employees the warning will include a suggestion to participate in a smoking cessation program.
 - Second offense: Issuance of a written warning if the offender's address is known. For employees this written warning will be placed in the personnel file.
 - Third or more offenses: Written complaint to the local Board of Health and/or municipal court/prosecutor. If the offender is an employee of the complainant, the documentation will be placed in the personnel file.

Employees who fail to comply with NJSA 26:3D-15 and this policy are subject to standard employee discipline procedures, in addition to the sanctions noted in B(1-3) above.

The Chief School Administrator and/or designee, is authorized to report violations, in accordance with the law to the County Board of Health and/or local municipal court/prosecutor.

Signs and Reminders

- A. Signs will be posted in a manner and location that adequately notify students, faculty/staff and visitors about the Comprehensive Tobacco-Free School Policy.
- B. At the beginning of activities that involve large numbers of visitors (e.g. athletic events, concerts, awards, ceremonies) an announcement will be made which state that smoking is prohibited in this building or on these grounds.

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Opportunities for Cessation

The administration will consult with the county health department and other appropriate health organizations (e.g., American Lung Association, American Cancer Society, etc.) to provide students and employees with information and access to support systems, programs and services (e.g., NJDHSS Quitline 1 866 NJSTOPS (657-8677) and njquitline.org) to encourage them to abstain from the use of tobacco products.

Prevention Education

The administration will consult with appropriate health organizations to identify and provide programs or opportunities for students to gain a greater understanding of the health hazards of tobacco use and the impact of tobacco use as it relates to providing a safe, orderly, clean and inviting school environment.

Procedures for Implementation

The administration will develop a plan for communicating the policy that may include information in student and employee handbooks, announcements at school-sponsored or school-related events, and appropriate signage in buildings and around campus. A process that identifies intervention and referrals for students, faculty/staff, and visitors who violate the policy will be created and communicated to all students, faculty/staff and parents.

Prevention Education for Students

The Board of Education will enforce the laws of New Jersey requiring a program of drug, alcohol, steroid, and tobacco education. The Chief School Administrator/designee shall prepare a comprehensive curriculum for such instruction in grades seven and 8 offering a minimum of 10 clock hours per school year of alcohol and other drug education in accordance with department of education chemical health guidelines, pursuant to NJSA 18A:40A-1 et seq. Drug, alcohol, steroid, and tobacco education shall be integrated with the health curriculum.

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Faculty Education & Inservice Training

All district personnel shall be alert to signs of tobacco use by pupils and shall respond to those signs in accordance with procedures established by the Chief School Administrator of schools. The Board of Education will provide inservice training to assist teaching staff members in identifying the pupil who uses tobacco and in helping pupils with tobacco-related problems in a program of rehabilitation. The Chief School Administrator will ensure that all district employees receive annual inservice training to make them aware of their responsibilities in accordance with Board of Education policies and NJAC 6A:16-3.1.

Legal References

NJSA 26:3D-55 et seq. New Jersey Smoke-Free Air Act
30:5B-5.3 Smoking in child care centers prohibited

NJAC 6A:16-1.3 Definitions
6A:16-3.1(a)7 Establishment of comprehensive alcohol, tobacco and other drug abuse programs
6A:26-1.2 Definitions
6A:26-12.2(a)4 Policies and procedures for school facility operation

No Child Left behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible Cross References

1250, 1330, 4119.23, 4219.23, 5131.6

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**Business & Non-Instructional Operations
Telephones**

**Series 3000
Policy 3515.1**

Date Adopted: October 27, 2004

Date Revised

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School telephones are to be used for school business only. They are not to be used for personal calls, except in cases of emergency.

In the interest of economy, it is desirable to plan school business in such a way that all calls can be kept to a minimum. Whenever possible, letters, rather than long distance telephone calls, should be used.

A record of all toll calls shall be kept so that we may have an accurate accounting when it becomes necessary to check the monthly bill.

Except in emergency, neither teachers nor students will be called to the telephone during class time. Messages will be delivered at a later time.

Students are not to use the school telephone, except with the approval of his/her teacher or an administrator.

Other regulations and procedures may be desired and would be administered through the Chief School Administrator.

Students are not permitted to carry or possess pagers.

Cell phones are not permitted to be used during school hours or at a school activity.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:20-34 Use of schoolhouse and grounds for various purposes
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:26-12.2 Policies and procedures for school facility operation

Possible Cross References

1330, 1410, 3250, 3510, 3516, 4143, 4147, 4243, 4247, 5142

Deerfield Township Board of Education District Policy Manual

**Business & Non-Instructional Operations
Safety**

**Series 3000
Policy 3516**

Date Adopted: October 27, 2004 Date Revised: March 31, 2010

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It is the intent of the Board of Education to implement a safety program which is designed to protect and safeguard its pupils and employees; to set standards of safety and delineate procedures designed to maintain these standards; and to develop procedures to be following in case of accident or other physical incapacitation.

The Chief School Administrator and Business Administrator/Board Secretary shall prepare rules and programs for safety and the prevention of accidents; instruct pupils in safety and accident prevention; provide protective devices where they are required for the safety of pupils and employees; and provide suitable and safe equipment where such equipment is necessary for the conduct of the educational program and the operation of the school.

The rules and programs shall include but not be limited to; pupil safety in school; employee job safety; vehicle safety programs; care of injured pupils; plant safety emergency procedures; pupil traffic safety in transit to and from school; and eye protection. They shall address as a minimum the requirements of law and the applicable rules and regulations of various departments of state government along with the guidelines mandated by the annual insurance report and this policy.

Use & Storage of Hazardous Substances

The Board of Education shall not allow the use of any hazardous substances in or on any of the buildings or grounds of this district when children are present, except in emergencies.

For the purposes of this policy, "hazardous substance" means any substance, or substance in a mixture, included on the hazardous substance list developed by the Department of Health and Senior Services pursuant to the "Worker and Community Right to Know Act," P.L.1983, c.315 (C.34:5A-1 et seq.).

In accordance with NJSA 34:5A-10.1, "hazardous substance" shall not include:

1. Any article containing a hazardous substance if the hazardous substance is present in a solid form which does not pose any acute or chronic health hazard to any person exposed to it;
2. Any hazardous substance constituting less than one percent of a mixture unless the hazardous substance is present in an aggregate amount of 500 pounds or more in a container in a public school building;

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3. Any hazardous substance which is a special health hazardous substance constituting less than the threshold percentage established by the Department of Health and Senior Services pursuant to P.L.1983, c.315 (C.34:5A-1 et seq.), for that special health hazardous substance when present in a mixture;
4. Any hazardous substance present in the same form and concentration as a product packaged for distribution and use by consumers and which is not a product intended primarily for commercial use;
5. Any fuel in a motor vehicle;
6. Tobacco or tobacco products;
7. Wood or wood products;
8. Foods, drugs, or cosmetics;
9. Hazardous substances which are an integral part of a building's structure or furnishings;
10. Products which are personal property and are intended for personal use; and,
11. Any substance used in the routine maintenance of a school building or its grounds, any substance used in a classroom science laboratory, any substance used in a school occupational training facility, including laboratories and shops, and any substance used in the normal operation of the classrooms or administrative offices of a public or private school or child care center, including any substance used in the heating or cooling of the school.

The Chief School Administrator shall inform the Board of Education when hazardous substances may be used when children are present, and the Board of Education shall determine if an emergency situation exists and such use is warranted.

If any hazardous substance is stored on any school site, the Chief School Administrator shall make available the hazardous substance fact sheet for that substance to any one who requests it.

At least two days prior to the start of any construction activity involving hazardous substances, the Chief School Administrator shall post on a bulletin board at the school a notice that such construction will take place. The notice will state the activity to be conducted and the hazardous substance(s) to be used.

The Chief School Administrator shall ensure that all parents/guardians receive a notice at least once a year informing them of the following:

1. Notice of any construction or other activities involving hazardous substances will be posted on the bulletin board of their children's school;

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2. Hazardous substances may be stored at the school at various times throughout the year;
3. Hazardous substance fact sheets for any of the hazardous substances being used or stored are available at the school.

Soil Contamination on School Property

The administration shall ensure that notice of soil contamination on school property is provided. Notice will be provided to each parent or guardian of a student enrolled at the school, and to each staff member of the school.

Notice will be provided within 10 business days of the discovery of the soil contamination, when the contamination is found by the Department of Environmental Protection or a licensed site remediation professional to exceed the department's direct contact soil remediation standards for residential use.

The notice shall include:

1. A description of the soil contamination and the conditions under which a student or staff member may be exposed to the contamination;
2. A description and timetable of the steps that have been taken and will be taken to ensure that there is no contact by any student or staff member with the contamination;
3. A description and timetable of the steps that have been taken and will be taken to remediate the soil contamination.

The notice may be provided by:

1. Written notice sent home with the student and provided to the staff member;
2. Telephone call;
3. Direct contact;
4. Electronic mail.

The district shall also post a copy of the notice in a conspicuous location near the site of the contamination to notify any other users of the school grounds of the existence of the contamination.

Implementation

Rules and procedures implementing this policy shall be reviewed and adopted by the Board as required by law and shall be disseminated to staff and pupils annually, and whenever any changes are made.

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Policy 3516**

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The Chief School Administrator and Business Administrator/Board Secretary shall be responsible for the promulgation of such rules to all personnel concerned.

Legal References

- NJSA 18A:6-2 Instruction in accident and fire prevention
18A:11-1 General mandatory powers and duties
18A:17-42 et seq. Public School Safety Law
18A:40-12.1, -12.2 Protective eye devices required for teachers, pupils and visitors
18A:41-1 et seq. Fire Drills and Fire Protection
18A:54-20 Powers of board (county vocational schools)
34:5A-1 et seq. Worker and Community Right to Know Act
- NJAC 5:23 Barrier free subcode of the uniform construction code
6A:16-1.4 District policies and procedures
6A:19-10.1 et seq. Safety and Health Standards
6A:26-1.1 et seq. Educational Facilities
6A:26-12.1 et seq.
6A:27-12.2 Accident reporting
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements

Possible Cross References

5141.1, 5142, 5142.1

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**Business & Non-Instructional Operations
First Aid**

**Series 3000
Policy 3516.31**

Date Adopted: October 27, 2004

Date Revised

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In cases of injury to, or sudden illness of, a student, school employee or visitor, the responsibility of the Board and its personnel lies in giving emergency care and first aid until medical help can be obtained if necessary.

The Board directs the Chief School Administrator to develop procedures for the proper handling and reporting of such emergencies and to disseminate them to all personnel.

Legal References

- NJSA 18A:6-2 Instruction in accident and fire prevention
- 18A:16-6 Indemnification of employees
- 18A:11-1 General mandatory powers and duties
- 18A:17-42 et seq. Public School Safety Law
- 18A:40-12.5 Emergency administration of epinephrine
- 18A:40-7 Nebulizer required
- 18A:54-20 Powers of board (county vocational schools)

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Business & Non-Instructional Operations

Series 3000

Management of Life-Threatening Food Allergies

Policy 3516.6

Date Adopted: December 16, 2008 Date Revised

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The Board of Education strives to provide a safe environment to all pupils, employees, and visitors who have allergic/anaphylactic reactions to various food items that may be found in the school.

The purpose of this policy is to minimize the risk of exposure of pupils with severe allergies to potentially life-threatening allergens without depriving the pupil with severe allergies of normal peer interactions or placing unreasonable restrictions on the activities of other pupils while in school.

The Board of Education directs the Chief School Administrator or his/her designee to develop a system of identifying pupils with life threatening allergies that will prepare the school personnel to deal with occurring life-threatening reactions, despite precautions taken.. The Board of Education also believes that staff members involved with pupils should be instructed as to the potentially severe, life-threatening nature and proper treatment of the specific allergic condition.

An allergy action plan and identification sheet shall be developed with the pupil's name, specific allergy, warning signs of reactions and emergency treatments.

The Board of Education acknowledges that it is difficult, if not impossible, to completely avoid all allergy causing foods or other life-threatening allergens because they can be hidden or accidentally introduced. Therefore, the Board of Education does not support a ban on any particular allergen. This policy has been promulgated in an effort to minimize the risk of exposure of pupils with severe allergies to potentially life-threatening allergens.

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

- A. Allergen means a substance that provokes an allergic response and includes bee or wasp venom, certain food and latex and other chemicals.
- B. Injector means a syringe and needle that contain a pre-measured dose of epinephrine or adrenaline and includes epi-pens and other preloaded auto-injectors.
- C. Severe allergy means a severe allergic reaction or anaphylactic response to an allergen, which, if left untreated can lead to sudden death.
- D. Life-threatening means an illness or condition that requires an immediate response to specific symptoms or sequelae that if left untreated may lead to potential loss of life, such as, but not limited to, the use of an inhaler to treat an asthma attack or the use of an adrenalin injection to treat potential anaphylactic reaction.

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Management of Life-Threatening Food Allergies

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Responsibility of Parents/Guardians

Parents/guardians must:

- A. Advise the Principal and School Nurse about the pupil's severe allergy;
- B. Provide and keep emergency contact information current;
- C. Assist the Principal and School Nurse by asking the pupil's physician to provide a doctor's order;
- D. Provide the School Nurse with a case containing at least one unexpired injector or other medication as prescribed by a physician and, if the pupil is approved for self-administration of medication, that the pupil has a case or medication readily available, while at school, on field trips or at other school events and activities,
- E. Check expiration dates of medication and injectors and replace them as necessary; and,
- F. Provide medically-approved snacks and/or lunches for the pupil.

Responsibility of Pupils with Severe Allergies

Pupils with severe allergies must:

- A. Not exchange and/or eat food items provided by others;
- B. Wash their hands before eating;
- C. Learn to recognize symptoms of a severe allergic reaction;
- D. Promptly inform a teacher or staff member as soon as accidental ingestion or exposure to an allergen occurs or symptoms of a severe allergic reaction appear; and,
- E. If the pupil is approved for the self-administration of medication, keep an injector or medication available at all times.

Responsibility of the School Nurse

The School Nurse is responsible for planning the coordination and management of pupils who have life-threatening allergies.

The School Nurse must:

- A. Advise the parents/guardians of the pupil with severe allergies of this policy;
- B. Consult with and advise the parents/guardians of the pupils with severe allergies and the school community of school-specific procedures regarding severe allergies, and administration of medication at school,
- C. Request and ensure that the parents/guardians and primary physician sign the authorization to administer medication;
- D. Advise all staff members of pupils who have potentially life-threatening allergies as soon as possible; and,

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The School Nurse is encouraged to involve the pupil's parents/guardians in all phases of planning. The School Nurse must ensure that a Severe Allergy Alert Form is developed for each pupil with severe allergies in cooperation with the parents/guardians, the pupil's physician and where the School Nurse deems it necessary, other staff or consultant.

The Chief School Administrator/designee will ensure that appropriate medication is taken on all field trips.

Educating the School Community

The Chief School Administrator must ensure:

- A. That all specifically selected teaching and non-teaching staff and lunchroom supervisors receive annual training on a regular basis, in the recognition of a severe allergic reaction, if applicable;
- B. That lunchroom staff are aware of the procedure and receive annual training in the recognition of a severe allergic reaction and the use of injectors and the emergency plan, if applicable; and,

With the consent of the parent/guardian, the Chief School Administrator and the teacher must ensure that the pupil's classmates are provided with information on severe allergies. Intimidation and bullying will not be tolerated.

Responsibility of Teachers

Teachers of pupils with severe allergies must:

- A. Assist the School Nurse to facilitate communication with other parent/guardians instructing them to avoid allergenic foods and substances for classroom events; and,
- B. Leave information about pupils with severe allergies in an organized, prominent and accessible format for substitute teachers.

Responsibility of Teachers and Lunchroom Supervisors

The teacher and the lunchroom supervisor of a pupil with severe allergies must:

- A. Know the School's emergency response protocol;
- B. Encourage pupils not to share or trade food items; and,
- C. Encourage the pupil with severe food allergies to eat only what he/she brings from home.

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Emergency Response Protocol

The Chief School Administrator must ensure that:

- A. An emergency response protocol is developed for the school, including collection and storage of injectors, education of all parties, procedures to be followed, location of the medications, field trip and lunchroom procedures.
- B. Any injectors provided by parents/guardians and which are not in the pupil's possession are appropriately stored in a secure area of the School Nurse's office; and,
- C. He/she is aware of the location of and has access to the injectors.

Annual Training of Staff

All staff members shall be trained annually in the use of an epi-pen and the emergency administration of epinephrine.

Legal References

FCS Instruction 783-2, Revision 2
42 USC 12183(b) Americans with Disabilities Act
1973 Vocational Rehabilitation Act, Section 504
20 USC 1413 Individuals with Disabilities Education Act
20 USC 1232g Family Education Rights and Privacy Act
FCS Instruction 783-2, Revision 2

Possible Cross References

5142.21, 61153

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Vandalism

Wanton destruction of school property or equipment or unauthorized removal of same shall be reported at once to the appropriate administrator, who will report incidents of illegal entry, theft of school property, vandalism, or damage to school property from other causes, by phone to the Chief School Administrator and Business Administrator/Board Secretary as soon as discovered.

Every resident of the district, all staff members, pupils, and the police department are asked by the Board to cooperate in reporting any incidents of vandalism of property belonging to this Board and the names of the person or persons believed to be responsible.

The Business Administrator/Board Secretary shall then forward the bill for the cost of such damage or damages to the responsible party or parties and to their parents if they are minors, requiring payment of the amount. If the vandalism is committed by a pupil or pupils enrolled in the district's school, the violators shall be subject to the Student Code of Conduct.

The Business Administrator/Board Secretary shall devise procedures to keep building and equipment secure and district pupils and personnel safe from intruders. Such procedures may include employment of school law enforcement officers as permitted by statute.

All necessary steps shall be taken and police cooperation and action shall be sought to protect school property from theft and vandalism.

Theft, willful damage to school property, and unlawful entry into the school building are criminal acts, punishable by law.

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Policy 3517

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Legal References

NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
2A:53A-15 Liability of parent or guardian for willful destruction of property by
infant under 18
2C:39-5 Unlawful possession of weapons
18A:17-46 Act of violence; report by school employee; notice of action taken;
annual report
18A:25-2 Authority over pupils
18A:36-5.1 School Violence Awareness Week
18A:37-1 et seq. Discipline of Pupils

NJAC 6A:14-2.8 Discipline/suspension/expulsion
6A:16-1.1 et seq. Programs to Support Student Development

"H.A." v. Warren Hills Regional School District, 1976 S.L.D. 336

See also Commissioners' Decisions indexed under "Pupils - Punishment of" in
Index

to N.J. School Law Decisions

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

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

Unsafe School Choice Option Policy, New Jersey Department of Education, June
30, 2003

Possible Cross References

1120, 3250, 3517, 4148, 4248, 5114, 5119, 5119.3, 5124, 5131, 5131.4, 5131.6,
5131.7, 6114, 6172

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**Business & Non-Instructional Operations
Property Records**

**Series 3000
Policy 3518**

Date Adopted: October 27, 2004

Date Revised

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The Board of Education shall maintain an accurate and complete inventory of all buildings, fixed equipment and contents, and the valuation thereof in order to offer proof of loss in the event of an insurance claim. Every five years the Board shall contract an outside independent appraisal agency to conduct a reappraisal of all school property.

Property shall be inventoried by physical count annually to coincide with the re-issuance of policies. Valuations shall be placed thereon in conformity with insurance requirements. Property records shall also be updated by reference to purchase orders and withdrawals. Consumable supplies shall be maintained on a continuous inventory basis.

Portable capital equipment of \$2,000 unit value or more shall be inventoried annually and any loss reported to the Board.

Legal References

NJSA 18A:4-14 Uniform system of bookkeeping for school districts
18A:7A-11 Annual report of local school
18A:17-7 through -12 Secretary to give notices and keep minutes, etc.
18A:17-28(e) Duties of business manager
18A:17-35 Records of receipts and payments
18A:17-36 Accounting; monthly and annual reports
47:3-15 et seq. Destruction of Public Records Law

NJAC 6A:16-5.3 Incident reporting of violence, vandalism and substance abuse
6A:23-2.1 et seq. Double Entry Bookkeeping and GAAP Accounting in Local School Districts
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
15:3-2.1 et. seq. Records Retention

Possible Cross References

3570, 4112.6, 4212.6, 5125, 9330

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**Business & Non-Instructional Operations
Insurance & Indemnification**

**Series 3000
Policy 3530**

Date Adopted: June 26, 2013

Date Revised:

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Liability Insurance

The Board of Education recognizes the risk it faces in the ordinary course of conducting a school program and chooses to insure itself against certain liabilities as a result of said risks.

The Board of Education shall in accordance with law insure its employees against injury or death resulting in the course of their employment and chooses also to insure:

- A. Members of the Board of Education, officers, and employees of the district against liability for damages for death, injury to person, or damage or loss of property caused by the negligent act or omission of the member, officer, or employee when acting within the scope of his/her office or employment;
- B. Its students in beauty culture, health occupations, and culinary services for professional liability;
- C. Against any major liability arising from the use of a motor vehicle by an employee or student of the district in the performance of district business; and,
- D. Children in the preschool program from any injury or death occurring during their time at school or in transit to or from school.

The Board of Education shall provide appropriate insurance for the indemnification of officers and employees, including student teachers, from damages, losses, and expenses from civil suit brought against such persons on grounds arising out of and in the course of their employment or position with this Board of Education as authorized by this policy.

Property Insurance

The Board of Education recognizes its responsibility under law to keep all insurable property of this school district, real and personal, insured against loss or damage by fire and has adopted as policy the extension of that coverage to windstorms, explosions, smoke, vandalism, boiler, burglary and water damage, as well.

In accordance with the above, the Board of Education shall secure the proper and necessary insurance through an agent of its choice or by direct negotiation with an insurance company or companies if it does not use the service of an agent.

Indemnification of Legal Expenses Incurred by School Board Members

The Board of Education shall indemnify Board Members whenever a civil administrative, criminal or quasi-criminal action or other legal proceeding has been or shall be brought against him/her for any act or omission arising out of and in the course of the

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performance of his/her duties as a member of a Board of Education. In the case of a criminal or quasi-criminal action when such action results in final disposition in favor of the Board Member, the Board of Education shall defray all costs of defending such action, including reasonable counsel fees and expenses, together with the costs of appeal, if any, and shall save harmless and protect such persons from any financial loss resulting there from. Indemnification for exemplary or punitive damages shall not be mandated and shall be governed by this policy.

Indemnification & School Employees / Board Members

Indemnification in a Civil Matter

Whenever any civil or administrative action or other legal proceeding has been or shall be brought against an employee of this district, including any student teacher or person assigned to other professional pre-teaching field experience for any act or omission arising out of and in the course of the performance of the duties of such office, position, employment or student teaching or other assignment to professional field experience, the Board of Education shall defray all costs of defending such action, including reasonable counsel fees and expenses, together with the costs of appeal, if any, and shall save harmless and protect such person from any financial loss resulting there from. However, no employee shall be entitled to be held harmless or have his/her defense cost defrayed in a disciplinary proceeding instituted against him/her by the Board of Education or when the employee is appealing an action taken by the Board of Education; and

In the case of a civil matter, there is no requirement that the individual seeking indemnification be successful in the litigation. The test, which must be satisfied in determining whether the Board of Education must indemnify an employee, is whether the employee's act or omission, which is the subject of the litigation, arises out of and in the course of the performance of his/her duties. The employee shall not be indemnified for costs and expenses incurred in a disciplinary proceeding, which generally takes the form of an administrative proceeding.

Indemnification & Criminal Matters

In order to be indemnified for costs and expenses incurred in a criminal or quasi-criminal matter, an employee must meet a higher standard than that which is established for civil and administrative matters. Accordingly, should any criminal or quasi-criminal action be instituted against the employee for any such act or omission and should such proceeding be dismissed or result in a final disposition in favor of the employee, the Board of Education shall reimburse him/her for the cost of defending such proceeding, including

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reasonable counsel fees and expenses of the original hearing or trial and all appeals. No employee shall be entitled to be held harmless or have his/her defense cost defrayed as a result of a criminal or quasi-criminal complaint filed against the employee by or on behalf of the Board of Education. The employee must be able to prove that the criminal matter ended in a favorable disposition, and that the employee was acting in the course of performing his/her own duties.

Indemnification for Exemplary or Punitive Damages

The Board of Education shall not indemnify Board Members and employees for exemplary or punitive damages resulting from the Board Members' and employees' civil violation of State or federal law if, in the opinion of the Board of Education, the act or acts committed by the Board Member or employee upon which the damages are based did not constitute actual fraud, actual malice, willful misconduct or an intentional wrong.

The Board of Education may arrange for and maintain appropriate insurance to cover all damages, losses and expenses as authorized by this policy.

Legal References

- NJSA 18A:12-20 Indemnification of members of boards of education against cost of defense
- 18A:16-6.1 Indemnity of officers and employees in certain criminal, quasi-criminal actions
- 18A:18A-42(c) Multiyear contracts
- 18A:20-25 Insurance of property
- 59:10-4 Local public entities; authority to indemnify

Possible Cross References

1330, 3510, 5141.1, 5142, 6114

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**Business & Non-Instructional Operations
Liability Insurance**

**Series 3000
Policy 3532**

Date Adopted: October 27, 2004

Date Revised

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The Board recognizes the risks it faces in the ordinary course of conducting a school program and chooses to insure itself against certain liabilities as a result of said risks.

The Board shall, in accordance with law, insure its employees against injury or death resulting in the course of their employment and chooses also to:

- a. insure members of the Board, officers, and employees of the district against personal liability for damages for death, injury to person, or damage or loss of property, caused by the negligent act or omission of the member, officer, or employee when acting within the scope of his office or employment.
- b. insure against any major liability arising from the use of a motor vehicle by an employee or student of the district in the performance of district business.

Legal References

NJSA 18A:12-20 Indemnification of board members
18A:16-6 Indemnity of officers and employees
18A:20-25 through -33 Insurance

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Property Insurance**

**Series 3000
Policy 3532.2**

Date Adopted: October 27, 2004

Date Revised

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The Board recognizes its responsibility under law to keep all insurable property of this school district, real and personal, insured for its replacement value against loss or damage by fire and has adopted as policy the extension of that coverage to theft, water damage, glass breakage, explosion, boiler damage, smoke, windstorm and vandalism.

In placing the insurance coverage the Board shall be guided by the price of such coverage, the ability of the insurer to meet prescribed obligations promptly and fully, the reputation and past performance of the agent of the insurer and the desirability of distributing the insurance coverage of the district through an agent of record.

The Board may appoint annually an insurance advisor who may be the agent of record and who shall:

- a. review the insurance program of the district, consider alternatives, and report recommendations to the Board
- b. recommend specific insurance placement and prepare specifications for same
- c. assist the Board in the establishment and maintenance of property, valuation, and insurance records
- d. provide annually safety and fire inspections
- e. process all claims
- f. recommend such measures as may reduce the cost of insurance premiums including assumption of risk, loss prevention, and transfer of risk

Legal References

NJSA 18A:12-20 Indemnification of board members
18A:16-6 Indemnity of officers and employees
18A:20-25 through -33 Insurance

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Unsafe Conditions**

**Series 3000
Policy 3540.3**

Date Adopted: October 27, 2004

Date Revised

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It shall be the policy of the Board of Education that no transportation service shall be provided to any public or private schools to which resident students attend on such days as it is deemed unsafe to operate the district school due to inclement weather, unsafe road conditions, or other circumstances. It shall be the duty of the Chief School Administrator to determine when these conditions exist.

Legal References

NJSA 18A:25-2 Authority over pupils - bus driver
18A:39-1 et seq. Transportation to and from schools

Policies and Procedure Manual for Pupil Transportation NJ State Department of
Education
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3516, 3541.1, 5142

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**Business & Non-Instructional Operations
Transportation**

**Series 3000
Policy 3541**

**Date Adopted: Nov.17, 2004 Date Revised: Nov. 17, 2010,
Aug. 30, 2012, Oct. 16, 2013,
May 28, 2014, Sept. 23, 2015
April 27, 2017, April 24, 2018**

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General Statement of Policy

It is the intention of this policy to transport safely, economically and in reasonable comfort, the children living in the community of Deerfield, taking into consideration the relation of the locations of the pupils' homes and the school under the following conditions:

- A. The distance to be traveled to and from the school
- B. The hazards involved over the route to be traveled
- C. The state of the child's health
- D. Provisions for transportation to meet the requirements of the instructional program
- E. The maintenance of conditions while pupils are on the bus that are conducive to the best interests of the pupils.

Responsibilities

- A. The responsibility for the operation of the transportation system shall be that of the Chief School Administrator who will be responsible to the Board.
- B. This responsibility shall include the formation of all bus routes, changes in routes, bus evacuation drills, inspections, establishment of bus stops, and other related matters.
- C. The transportation contractor shall work with and be responsible to the Chief School Administrator.
- D. The Chief School Administrator shall keep the County Superintendent, the State Department of Education and the Board informed regarding all transportation matters.
- E. The Chief School Administrator shall continuously evaluate the transportation operation including routes, timing, drivers, road conditions, performance of contract, etc.

Safety and Conduct

Good pupil conduct contributes to safety and helps to avoid accidents that may result from the distraction of the driver. It also reduces the number of accidents in which pupils injure themselves or each other. Students will observe the following:

- A. Enter or leave the bus when the door is fully opened.
- B. Avoid pushing upon entering or leaving the bus.
- C. Take assigned seat, fasten seat belt and remain seated until the bus arrives at the stop.

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- D. Keep feet and belongings under the seat. This includes books and clothing.
- E. Keep hands off the property and person of other students.
- F. Do not throw items while in the bus or out of the window at any time.
- G. Avoid all boisterous, loud talk and other noises that might distract the driver.
- H. Do not tamper with the emergency door or other bus fixtures.
- I. Conscientiously observe all rules and respond quietly to the driver's instructions.
- J. The bus represents an integral part of the school system and, as such, the same standards of conduct that apply to the school also apply to a school bus. In keeping with New Jersey State Law, Chapter 18A:25-2, the following procedures for students deemed unmanageable shall be in effect:
 - 1. First Offense: Student will be reported to the administration. A letter and/or telephone call to the student's parents/guardians will inform them of the problem as well as what procedure will be followed if a second or third offense occurs during the school year.
 - 2. Second Offense: Same as first offense. In addition, student may be assigned an administrative detention.
 - 3. Third Offense: Same as first offense. Student may be assigned up to three administrative detentions.
 - 4. Fourth Offense: Student will be reported to the administration. A parent conference will be requested. Student bus privileges may be suspended for one to three days.
 - 5. Fifth Offense: Same as fourth offense. Student bus privileges will be suspended for up to five days. Student will appear before the Board of Education for an expulsion hearing. At that time, the Board will decide if the student will be expelled from the bus for the remainder of the school year. Bus expulsion will be carried from year to year.
 - 6. School administration has the authority to bypass any of the foregoing steps if the student's conduct is serious enough to warrant such action.

Bus Stops

- A. Students shall be picked up and returned to designated bus stops, a list of such stops shall be registered in the school office and all bus stops shall be located within the geographic boundaries of the school district.
- B. Each junction of a main road with a side road not traveled by the bus may be a bus stop. In areas of sparse population, a pupil's home may be a bus stop. In areas of denser population, pupils are to walk to assigned bus stops located at intervals along the route. These policies will allow for exceptions.

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- C. When children are to be left off the bus at any but their regularly scheduled discharge points, a request shall be made in writing by the pupil's parent/guardian and the Chief School Administrator/designee shall verify and approve each request. The bus driver is to be given the approved request the pupil boards the bus and follow its instructions.
- D. All students will be transported to the school.
- E. Routes and operating schedules shall be coordinated with the overall school program, especially in regard to opening and dismissal times of the school.
- F. Under no circumstances will a bus stop (either pick up or drop off) be located outside of the boundaries of the school district.

Transportation will be provided to/from in-district daycare(s) based on the following guidelines:

- A. Parents/guardians must submit a Bus Stop Request form during the accepted two (2) periods per school year.
- B. Requests will be granted on a first come, first served basis.
- C. The number of requests granted will be determined by the number of available seats on the applicable route *minus* five (5) seats for students residing on that route.

Jointure for Pupil Transportation - Multiple Bus Stops Regulations

(Effective: September 1, 2013)

For the purposes of this policy, "multiple bus stops" shall be defined as a pick up (beginning of the school day) location that differs from the drop off (end of school day) location for a particular student or a pick up location and/or a drop off location that varies.

The primary concern of the Board of Education is the safety and welfare of the students being transported on school buses to and from school and therefore, the district will make every effort to accommodate student transportation arrangements as long as there are seats available on the bus according the following regulations as they pertain to multiple bus stops for individual students of the district:

- A. In general, the bus stop designated as the student's pick up location shall be the same bus stop designated as the student's drop off location;
- B. Students are not permitted to ride another bus or board or disembark at a different bus stop other than their own designated bus stop;
- C. Bus drivers are not permitted to allow any student ride on his/her bus other than students who are assigned to;
- D. Parents/guardians may submit a request to have the bus stop designated as their child's pick up or drop off location be at differing locations;

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- E. All such requests shall be completed in writing on a form provided by the district;
- F. Changes are limited to one (1) pick up location and one (1) drop off location for an entire period;
- G. Requests will be accepted two (2) periods per school year;
 - Period 1: Requests for changes from September 1st through January 31st will only be considered if a properly completed form is submitted by the 3rd Friday in August
 - Period 2: Requests for changes from February 1st through June 30th will only be considered if a properly completed form is submitted by the 3rd Friday in January
- H. No requests, such as day-to-day or week-to-week bus stop changes will be granted;
- I. The administration shall notify the parents/guardians as to the outcome of their request within 3 calendar days of the receipt of the request.

Parental Responsibility for Preschool, Kindergarten, & First Grade Students

Preschool, Kindergarten and First grade students, unless accompanied by an older sibling, must be met at the assigned bus stop by a parent/guardian or known adult, when arriving home. If no one is at the bus stop, the Preschool, Kindergarten, and First Grade student(s) will be returned to the school and a parent/guardian shall be required to pick the child up there.

First Offense: Warning Letter to parent/guardian;

Second Offense: Warning letter to parent/guardian and request for parent/guardian meeting;

Third Offense: Letter to parent/guardian, temporary suspension from bus service until meeting with the Assistant Principal and/or Chief School Administrator; and,

Third Offense: Letter to parent/guardian and temporary suspension of bus service until Board of Education hearing on the matter.

Changes in Bus Routes

- A. When conditions develop that make necessary the changing of the established bus routes, such changes shall be approved by the Chief School Administrator and the Board.
- B. Route changes may be made by the transportation coordinator with the approval of the Chief School Administrator and the Board.
- C. In all cases, students involved with the route or bus stop changes shall be notified 24 hours in advance of any changes whenever possible.

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Special Trips

- A. School activities such as field trips, and other instruction or extracurricular requirements will necessitate the making of arrangements for special bus trips.
- B. Parent Approval – Whenever a pupil trip is contemplated, where transportation is involved, it is mandatory that written permission be obtained from the parent or guardian. Also, the consent of the Chief School Administrator and the Board of Education will be required.
- C. School Sponsored Curriculum Trips
 - 1. The Board of Education will approve all school sponsored curriculum trips.
 - 2. Arrangements and costs are to be arranged with the transportation contractor in advance.
 - 3. The Chief School Administrator/designee shall make arrangements for special buses, etc.

Disciplinary Action

- A. The driver shall be in full charge of the bus at all times and shall be responsible for order; he/she shall never exclude a pupil from the bus, but if unable to manage any pupil, shall report the student to the Chief School Administrator/designee in writing on the proper forms.
- B. A pupil may be excluded from the bus according to the provisions of the school disciplinary code.

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Legal References

NJSA 18A:7F-25 Transportation aid
18A:22-8.6 Transportation (budget line item)
18A:39-1 et seq. Transportation To and From Schools
18A:46-19.6 Transportation to location or maintenance of vehicular classrooms to obtain services; payment of cost
18A:46-23 Transportation of pupils; special classes; handicapped children; state aid
39:3-10.9 et al. New Jersey Commercial Drivers License Act
39:3-27 Free registration of certain vehicles; transfer to other motor vehicles

NJAC 6A:27-1.1 et seq. Student Transportation
6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Parents for Student Safety, Inc., v. Morris Bd. of Ed., 1986 S.L.D. (February 5), St. Bd. rev'g 1984 S.L.D. (August 24), aff'd App. Div., unreported decision (docket no. A-3257- 85-T7, decided February 17, 1987) certif. den. 108 N.J. 180 (1987)
Wayne Board of Education v. Kraft et al., 139 NJ 597 (1995)
Policies and Procedure Manual for Pupil Transportation NJ State Department of Education
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Transportation Routes & Services

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Policy 3541.1

Date Adopted: July 27, 2005

Date Revised

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The Board of Education directs the Chief School Administrator to supervise the development and provide safe and reasonably expeditious transportation for:

- A. Pupils who live remote from the school as defined by New Jersey law;
- B. Educationally handicapped pupils in accordance with their IEP;
- C. Pupils participating in Board approved extracurricular activities or field trips;
- D. Pupils whose route to the school is deemed hazardous by the Board;
- E. Other pupils as required by law.

The criteria to be used in designing routes and assigning pupils to them shall include:

- A. The distance to be traveled to and from school;
- B. The age and state of health of the child;
- C. The requirements of the instructional program;
- D. The hazards involved on the route to be traveled such as, but not limited to:
 - 1. No sidewalks and
Speed limit in excess of 35 miles per hour and/or
Traffic volume of a main thoroughfare
 - 2. With sidewalks but,
Speed limit in excess of 40 miles per hour and/or
Traffic volume of a main thoroughfare
 - 3. In addition to the above situations, unsafe road hazards include:
 - a. Blind curves
 - b. Steep inclines
 - c. Bridges
 - d. Railroad tracks
 - e. Roadways with no shoulders
 - f. Adverse roadway conditions (heavy crowning, poor lighting and maintenance)
 - g. Higher crime rate
 - 4. Unsafe roadways to cross:
 - a. Any roadway with four or more lanes
 - b. Divided highways
 - c. Main thoroughfares with speed limits of 35 miles per hour
 - d. State highways
 - e. County highways
 - f. Railroad tracks

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Transportation Routes & Services**

**Series 3000
Policy 3541.1**

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Transportation to and from school shall be provided by law to eligible nonpublic school pupils. All pupils riding on district buses shall be required to observe the district's bus conduct regulations or risk loss of the privilege of such transportation.

Buses, whether contracted or district-owned, shall be kept in optimum condition and shall conform to all state safety regulations.

Bus routes must be acted upon by the Board and submitted to the office of the County Superintendent of Schools.

Legal References

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

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**Business & Non-Instructional Operations
Transportation Aides**

**Series 3000
Policy 3541.2**

Date Adopted: October 27, 2004 Date Revised

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Placement of aides on the transportation vehicles will be considered if circumstances warrant.

Legal References

NJAC 6A:27-1.1 et seq. Student Transportation
6A:27-12.1 et seq Drivers and Aides

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**Business & Non-Instructional Operations
Community & Parent Services**

**Series 3000
Policy 3541.25**

Date Adopted: October 27, 2004

Date Revised

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Students may be allowed to ride a school bus at the end of the day other than the one that they rode to school in order to get to another destination on a regularly scheduled every day basis or occasional basis. This privilege will be extended only in cases where:

- 1) The bus is not overcrowded and room exists.
- 2) A parent request for the service is on file at the school by both the parent requesting the change and the parent accepting responsibility for the change.
- 3) The administration has assigned the student to the bus and duly recorded this.
- 4) The destination of the student is not beyond the normal bus route already established.
- 5) The bus service contractor is aware of this arrangement and has no logical reason for denying such service.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

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District Policy Manual

Business & Non-Instructional Operations
Use of District Vehicles

Series 3000
Policy 3541.26

Date Adopted: January 28, 2009 Date Revised

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The Board of Education, upon the recommendation of the Chief School Administrator may authorize, at its discretion, by an affirmative vote of the Board's full membership, the lease, lease-purchase or purchase and assignment of district vehicles for the conduct of official district business. The vehicles may be assigned either to individuals or to units within the organization for pool use according to the following classifications:

1. Vehicles may be assigned permanently and individually to the Superintendent, Board Secretary/Business Administrator or other supervisory employees who based on their job duties may be called upon on a 24 hour, seven-day a week basis. No individual assignment shall be made for the primary purpose of commuting.
2. A unit may be permanently assigned one or more district pool vehicles only if employees of the unit will collectively use the vehicle or each vehicle for more than an average of 750 miles per month on official district business. Pool vehicles shall not be used for the purpose of commuting and shall remain at a district facility when not in official use.
3. Board Members or employees may be temporarily assigned a district vehicle for travel events.
4. The Board of Education directs that the Board Secretary/Business Administrator or his/her designee is assigned the functions of district vehicle coordinator.
5. Vehicle use logs shall be maintained for all individual and pool assignments in order to accurately record all usage of each vehicle, including the driver, mileage, and starting and destination points.
6. All complaints of a potential misuse shall be investigated and appropriate disciplinary action taken.
7. All changes to vehicle assignment, whether pool or individual, shall require prior written approval of the Superintendent and the authorization of an affirmative majority vote of the full Board.
8. No luxury vehicle, one which exceeds the greater of \$30,000 or any current dollar limit established in Internal Revenue Service law or regulation, shall be purchased, lease-purchased or leased by the district. If a vehicle is assigned to the Chief School Administrator, it may be a full size or intermediate, four-door sedan of the non-luxury class. All other vehicles shall be compact sedans, unless special passenger, cargo, equipment, or use requirements make the standard vehicle unsuitable for documented district needs.
9. The district vehicle shall be used primarily for business purposes, however, incidental and reasonable personal use is permitted.
10. All damage to district vehicles, regardless of cause, shall be reported within 24 hours to the vehicle coordinator and the employee assigned to file insurance claims.

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11. No physical alterations shall be made to a vehicle without prior Board approval.
12. Drivers of district vehicles shall possess a valid driver's license to operate a vehicle in New Jersey.
13. When a vehicle is due for routine maintenance in accordance with the manufacturer's schedule, the driver of an individually assigned vehicle or, in the case of a pool vehicle, the vehicle coordinator shall be responsible for ensuring that the vehicle receives the scheduled service.
14. A driver assigned a district vehicle shall be responsible for the security of the vehicle and its contents.
15. Drivers shall be personally responsible for all fines accrued as a result of traffic violations related to operation of district vehicles.
16. The driver, or the driver's supervisor, if the driver is incapacitated, of a district vehicle involved in an accident resulting in damage to the district vehicle or other vehicle shall file, within 24 hours of the accident, a detailed written report with the vehicle coordinator and the district staff member responsible for making insurance claims.
17. Police shall be immediately notified of an accident by the driver or vehicle coordinator, if the driver is incapacitated. A copy of the police report shall be submitted to the vehicle coordinator and the district staff member responsible for making insurance claims as soon as possible.
18. If a district vehicle is misused in any of the following ways, the driver's driving privileges for district vehicles shall be suspended or revoked, and additional disciplinary action shall be taken as appropriate.
 - Frequent violation of traffic laws,
 - Flagrant violation of the traffic laws.
 - Operation of a vehicle which the police or insurance company determined was the cause of an accident.
 - Use of a vehicle for unauthorized use whether personal use, business use, or commuting.
 - Violation of these rules or district policy governing the assignment, use, operation, repair, and/or maintenance of vehicles. This includes the failure to submit a vehicle for routine maintenance as called for in the manufacturer's routine maintenance schedule.
 - Operation of a vehicle while impaired to any degree, or under the influence of alcohol or narcotics as defined by State statutes.

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- Use of a district vehicle by an unauthorized individual while assigned to an employee.
- Use of a district vehicle to transport any person or child, other than in the course of their assigned duties and responsibilities.
- Use of radar detectors in district vehicles.

The Board shall establish a policy for progressive, uniform, and mandatory disciplinary actions to be applied as necessary.

Legal References

NJAC 6A:23A-6.12 Vehicle assignment and use

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Business & Non-Instructional Operations

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District Vehicle Tracking, Maintenance & Accounting Policy 3541.27

Date Adopted: January 28, 2009 Date Revised

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The Board of Education directs the Board Secretary/Business Administrator to develop a system for the management, control and regulatory supervision of school district vehicles including, but not limited to, the following:

1. Vehicle inventory control record including:
 - Vehicle make, model and year,
 - Vehicle identification numbers (VIN),
 - Original purchase price,
 - Date purchased,
 - License plate number,
 - Person assigned or pool if not individually assigned,
 - Driver license number of person assigned and expiration date,
 - Insurer and policy number of person assigned, and
 - Usage category such as regular business, maintenance, security or pupil transportation.
2. Driving record of operators of district vehicles including:
 - Name of driver,
 - Driver license number and expiration date,
 - Insurer and policy number of person assigned,
 - Motor vehicle code violations,
 - Incidents of improper or non-business usage,
 - Accidents, and
 - Other relevant information.
3. Record of maintenance, repair and body work for each district vehicle including:
 - Vehicle make, model and year,
 - Vehicle identification numbers (VIN),
 - Original purchase price,
 - Date purchased,
 - License plate number,
 - Usage category such as regular business, maintenance, security or pupil transportation,
 - Manufacturer's routine maintenance schedule,
 - Category of work performed (routine maintenance, repair or body work),
 - Purchase order number,
 - Date work was performed,
 - Detailed description of work performed,
 - Mileage on date work was performed, and
 - Cost of work performed.

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Legal References

NJAC 6A:23A-6.11 Vehicle tracking, maintenance and accounting

6A:23A-6.12 District vehicle assignment and use

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**Business & Non-Instructional Operations
Pupil Transportation**

**Series 3000
Policy 3541.3**

Date Adopted: October 27, 2004

Date Revised

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In the interest of safety, the Deerfield Township Board of Education directs that all pupils attending the Deerfield Township School shall be transported in buses provided by licensed contractors or the district itself. The amount of the minimum acceptable Certificate of Insurance shall be reviewed annually by the Board and revised as necessary on the recommendation of the Chief School Administrator.

The Chief School Administrator shall develop regulations to implement this policy, including, but limited to:

1. Determination of routes to provide the shortest trip for each student consistent with economy;
2. Determination of stops to give the most students the shortest walk to the bus stop, except that there shall be no less than three-tenths of a mile between stops;

Legal References

NJSA 18A:7F-25 Transportation aid
18A:22-8.6 Transportation (budget line item)
18A:39-1 et seq. Transportation To and From Schools
18A:46-19.6 Transportation to location or maintenance of vehicular classrooms to obtain services; payment of cost
18A:46-23 Transportation of pupils; special classes; handicapped children; state aid
39:3-10.9 et al. New Jersey Commercial Drivers License Act
39:3-27 Free registration of certain vehicles; transfer to other motor vehicles

NJAC 6A:27-1.1 et seq. Student Transportation
6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Parents for Student Safety, Inc., v. Morris Bd. of Ed., 1986 S.L.D. (February 5), St. Bd. rev'g 1984 S.L.D. (August 24), aff'd App. Div., unreported decision (docket no. A-3257- 85-T7, decided February 17, 1987) certif. den. 108 N.J. 180 (1987)
Wayne Board of Education v. Kraft et al., 139 NJ 597 (1995)
Policies and Procedure Manual for Pupil Transportation NJ State Department of Education
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Business & Non-Instructional Operations
Student Transportation In Private Vehicles

Series 3000
Policy 3541.31

Date Adopted: November 17, 2004 **Date Revised**

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In recommending arrangements for pupil transportation to and from school-related activities, the Chief School Administrator shall consider the type of activity, the total number of pupils involved, and the availability of appropriate vehicles. Groups of students too small in number to make economical use of Type I or Type II vehicles may be transported in privately owned passenger vehicles driven by qualified school personnel, state employees and parents/guardians.

Transportation by Volunteer Drivers

The Business Administrator and Chief School Administrator may supplement the transportation resources of the district by identifying qualified school personnel and parents/guardians who are willing to provide transportation for district pupils to and from school-related activities.

Qualifications shall include:

- A. A valid New Jersey (or other state) driver's license with no convictions for moving violations;
- B. A private passenger vehicle of eight or fewer capacity, with a current New Jersey or other state inspection sticker; and a private passenger vehicle with a seat belt for each passenger; and
- C. Evidence of at least statutorily required insurance coverage.

The Business Administrator and Chief School Administrator shall develop and the Board shall adopt detailed regulations to ensure that:

- A. District approval of activities involved;
- B. District determination of drivers and assignment of pupils to them;
- C. Pupil safety in pickup, transit and drop off;
- D. Adequate supervision of pupils at the activity.

Transportation of Pupils by District Employees as Part of Assigned Duties

District employees who transport pupils in a private vehicle during working hours as a part of their assigned duties shall:

- A. Have a current New Jersey (or other state) driver's license with no convictions for moving violations;
- B. A private passenger vehicle of eight or fewer capacity, with a current New Jersey or other state inspection sticker; and a private passenger vehicle with a seat belt for each passenger; and
- C. Conform to all safety practices set forth in the regulations of this policy.

Implementation of this policy shall be in conformity with applicable negotiated contract.

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Student Transportation In Private Vehicles**

**Series 3000
Policy 3541.31**

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Board of Education Members, the school administrators, teachers, and other employees who routinely or by special assignment use their personal vehicles for any school purpose shall be held harmless from any liability that may be incurred because of such transportation, while working within the scope of employment, except that the school district shall not be liable to reimburse the employee for any additional premiums due to his/her vehicle's insurance, that results from an accident that occurs during such transportation.

Cost of damage to a Board Member's, administrator's, teacher's or employee's vehicle resulting from an accident or vandalism while he/she is performing designated school missions, shall be defrayed within the limits of the Board's insurance policy coverage.

Employees are not authorized or expected to transport students in their personal automobiles unless explicitly authorized by the Chief School Administrator.

Legal References

- NJSA 18A:16-6 Indemnity of officers and employees against civil actions
18A:39-20.1 Transportation to and from related school activities in private vehicle with capacity of eight or less; authorization of qualified school personnel, state employees or parents
- NJAC 6A:27-7.6 Transportation to and from related school activities
6A:27-7.7 Parent transporting his or her own child or children

Possible Cross References

5020, 6131.1, 6145, 6145.1, 6145.2, 6153

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**Business & Non-Instructional Operations
Educationally Disabled Transportation**

**Series 3000
Policy 3541.32**

Date Adopted: October 27, 2004 Date Revised

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The transportation of educationally disabled students shall be the responsibility of the school district. Bus routes shall be developed in cooperation with the receiving district.

The Chief School Administrator shall annually formulate and promulgate to all staff members and students and their parents rules and regulations to govern the safety of the children on the buses and at points of embarkations and debarkation. Rules for the acceptable conduct of pupil passengers will be created and disseminated and the bus drivers will be instructed to report infractions of those rules to the appropriate administrator.

Vehicles used to transport educationally disabled children shall comply with the requirements of statute and the rules of the State Board of Education. Bus drivers shall observe the procedures established therein.

Legal References

- NJSA 18A:25-2 Authority over pupils - bus driver
18A:39-1 et seq. Transportation to and from schools
18A:39-22.1 School bus used to transport developmental disabilities client permitted
18A:39-20.1 Transportation to and from related school activities in private vehicle with capacity of eight or less; authorization of qualified school personnel, state employees or parents
- NJAC 6A:27-5.1 Special needs students transportation
6A:27-7.6 Transportation to and from related school activities
6A:27-7.7 Parent transporting his or her own child or children

Possible Cross References

3516, 5142

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Business & Non-Instructional Operations

Series 3000

Transportation Safety

Policy 3541.33/3541.35

Date Adopted: October 27, 2004

Date Revised

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The safety and welfare of pupils shall be the first consideration in all matters pertaining to transportation. The Board directs the Chief School Administrator to provide regulations and forms for the immediate reporting of all incidents involving any vehicle used to transport students that include any of the following:

- A. Physical injury to anyone concerned, no matter how minor
- B. Property damage of any kind, even if the financial loss is negligible
- C. Failure of any mechanical function of a district-owned vehicle during operations, even if no injury or damage results

It shall be the responsibility of the Chief School Administrator to direct an investigation on the report and to comply with the law. The information gained shall be considered in evaluating subcontractor performances, and in scheduling inspection of vehicles.

Emergency evacuation drills shall be conducted regularly throughout the school year to acquaint the pupil riders thoroughly with emergency situations. An emergency evacuation drill shall be held as soon as possible after the opening day of school and then at least twice a year.

All vehicles used to transport children, shall be maintained in such condition as to provide safe and efficient transportation service with a minimum of delays and disruption due to mechanical or equipment failure.

All vehicles used to transport children, shall conform with state standards for such vehicles.

All passengers on buses equipped with seat belts shall wear properly adjusted and fastened seat belts or other child restraint systems at all times while the bus is in operation.

Drivers of all Type I and Type II school vehicles used to transport district pupils must be licensed by the State of New Jersey as bus drivers and meet all other requirements of law. Bus drivers are responsible for the safety of pupils entering, riding, and departing their vehicle.

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Legal References

- NJSA 18A:6-7.1 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
18A:25-2 Authority over pupils
18A:39-1 et seq. Transportation To and From Schools
39:3-10.9 et seq New Jersey Commercial Driver License Act
39:3B-1.1 et seq. School Buses, Equipment and Regulations
- NJAC 6A:27-1.1et seq. Student Transportation
- 34 CFR Part 85.100 et seq., Government-wide Debarment and Suspension (non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)
49 U.S.C. § 31306 et seq.- Omnibus Transportation Employee Testing Act of 1991
- 49 C.F.R. Part 40.1 et seq. - Procedures for Transportation Workplace Drug Testing Programs
49 C.F.R. Part 382.101 - Controlled Substance and Alcohol Use and Testing
49 C.F.R. Part 391.1 et seq. - Qualification of drivers
Policies and Procedures Manual for Pupil Transportation, N.J. State Department of Education

Possible Cross References

3516, 5142

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Business & Non-Instructional Operations
Food Service

Series 3000
Policy 3542

Date Adopted: October 27, 2004

Date Revised

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The Board of Education within its financial means, endeavors to provide a nutritious food service program in a manner that allows the food service facilities and programs to be used to provide a nourishing lunch to all school children.

The Chief School Administrator shall ensure that pupils and parents are informed concerning good nutrition practices in an effort to promote better nutrition in food service operations.

In planning menus for the food service operations, the different nutritional needs and problems of various groups should be considered, and information about nutritional and calorie content of foods offered should be both posted and distributed with school menus.

The School Lunch Program:

- A. Shall operate on a nonprofit basis, with prices to be approved by the Board as necessary;
- B. Shall be operated in strict compliance with all laws and regulations pertaining to health, sanitation and safety; internal accounting; employment practices; nutritional standards; costs of lunches; and periodic reporting;
- C. Shall charge school personnel a price in accordance with state school nutrition guidelines;
- D. Shall restrict the sale of federally defined “junk foods” in schools that operate the National School Lunch Program from the beginning of the school day until the end of the last lunch period.

The sale of all foodstuffs in the school must be approved by the Board of Education. Nutritious snacks, such as fresh fruit, fruit juice, nuts, seeds, yogurt, cheese, raisins and skim milk, shall be made available where possible. The sale of foods of low nutritional value (candy and other “junk foods”) for fund raising projects must be approved by the Chief School Administrator.

The Business Administrator/Board Secretary has overall responsibility for the administration and operation of the school lunch program in keeping with federal and state laws and the policies and directives of the Board.

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Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:18A-5 Exceptions to requirement for advertising
18A:18A-6 Standards for purchase of fresh milk; penalties; rules and regulations
18A:33-3 through -5 Cafeterias for pupils
18A:54-20 Powers of board (county vocational schools)
18A:58-7.1 through -7.2 School lunch program

NJAC 2:36-1.1 et seq. Child Nutrition Programs
6A:23-2.6 Supplies and equipment
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
6A:32-14.1 Review of mandated programs and services

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3542.31, 5131

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Series 3000

Free Or Reduced-Price Lunches / Breakfasts / Milk

Policy 3542.31

Date Adopted: October 27, 2004 Date Revised: June 22, 2017

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It is the policy of the Board of Education that this school district participates in any federal or state subsidized food program for the benefit of eligible pupils.

Eligibility shall be as determined by the guidelines of the subsidizing agency. The Board requires that all regulations of the subsidizing agency be observed, especially those that preserve the privacy of eligible pupils.

Offer Versus Serve

In order to reduce plate waste and food costs relating to reimbursable meals, the Upper Deerfield Township School District will participate in the Offer Versus Serve program, as described in this policy.

Food service staff members shall be trained annually in the provisions of this policy.

Lunch Offer Versus Serve

Students receiving reimbursable lunches may decline a certain number of food components in the meal.

A school lunch eligible for federal reimbursement shall offer five (5) food components in the appropriate amounts per grade grouping:

- Fruit;
- Vegetable;
- Milk;
- Grain; and,
- Meat/Meat Alternate.

Students may decline two (2) of the five (5) required food components, but must select at least ½ cup of either fruit (or fruit combination) or a ½ cup of vegetable (or vegetable combination) or ½ cup of a fruit/vegetable combination.

After selecting the ½ cup of fruit or vegetable requirement, students must select at least two (2) additional full components in the full amounts (per age/grade grouping) required amount to count toward the reimbursable Offer Versus Serve meal.

The student's decision to accept all five (5) food components or to decline two (2) food components shall not affect the price charged for the meal. The lunch is priced as a unit. If students do not choose enough food items to comprise a reimbursable meal, a-la-carte prices will be charged.

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School staff shall not make exceptions to this policy, such as requiring every student to take a particular food component. It is the student's choice to select any three (3), four (4) or all five (5) components of the reimbursable meal.

Breakfast Offer Versus Serve

Students receiving reimbursable breakfasts may decline a certain number of food components in the meal.

A school breakfast eligible for federal reimbursement shall offer four (4) food items from the three (3) food components in the appropriate amounts per grade grouping:

- Fruit or vegetable or juice;
- Milk;
- Grains, including optional Meat/Meat Alternate

Students may decline one (1) of the four (4) items offered.

The student's decision to accept all four (4) food items or to decline one (1) food item shall not affect the price charged for the meal. The breakfast is priced as a unit. If students do not choose enough food items to comprise a reimbursable meal, a-la-carte prices will be charged.

School staff, including food service staff, shall not make exceptions to this policy, such as requiring every student to take a particular food component. It is the student's choice to select any three (3) or all four (4) components of the reimbursable meal.

Legal References

- | | |
|------|--|
| NJSA | 18A:33-3 Cafeterias for pupils |
| | 18A:33-4 School lunch; availability to all children |
| | 18A:33-5 Exemptions |
| | 18A:33-10 Establishment of school breakfast program in certain schools |
| | 18A:33-11 Implementation of school breakfast program by district |
| | 18A:58-7.1 through -7.2 School lunch program |
| NJAC | 2:36-1.2 Policy and agreement for school nutrition programs |
| | 2:36-1.8 Review and evaluation |

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Wellness & Nutrition

Series 3000
Policy 3542.35

Date Adopted: April 26, 2006 **Date Revised: June 26, 2007,**
January 28, 2015, June 22, 2016

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

Therefore, the Board of Education is committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity, and will ensure that:

- A. All students will have opportunities, support, and encouragement to be physically active on a regular basis.
- B. Foods and beverages sold or served at school will meet the nutrition recommendations of the *U.S. Dietary Guidelines for Americans, the Healthy, Hunger-Free Kids Act of 2010* and the USDA nutrition standards for National School Lunch, School Breakfast and/or After School Snack Programs.
- C. Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.
- D. Meal periods shall be scheduled at appropriate times (Lunches will be served between 10:00 AM and 2 PM).
- E. All food preparation areas shall have had regular health inspections and received satisfactory approvals.
- F. To the maximum extent practicable, all schools in the district will participate in available federal school meal programs (including the School Breakfast Program, National School Lunch Program including- after-school snacks, Summer Food Service Program, Fruit and Vegetable Snack Program, and Child and Adult Care Food Program).
- G. Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services.
- H. The Board will engage students, parents, teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing district-wide nutrition and physical activity policies.

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Goals for the Promotion for Nutrition Within the District

The following activities will be coordinated within district:

- Age-appropriate materials will be posted where food and beverages are served to students encouraging the value of good nutrition;
- During the school year, the lunch program will have promotional days where at least one (1) new nutritional alternative menu item will be featured as part of the menu pattern meal component;
- Staff members will promote this nutritional alternative during meals with appropriate hand-outs regarding any nutritional menu item alternative(s);
- The Chief School Administrator/designee will encourage serving food products that meet the nutritional standards of the Healthy, Hunger-Free Kids Act of 2010 when used as an incentive or reward for student accomplishments, club or activity within the school;
- Designated staff members will coordinate obtaining student input on menu planning that will include taste testing of new nutritional food, satisfaction surveys, to promote nutrition awareness;
- Food service staff will place the healthier food items in the service line where students are more likely to choose them;
- Parents/guardians will be provided the nutritional standards of the the Healthy, Hunger-Free Kids Act of 2010;
- Parents/guardians will be encouraged to pack lunches and snacks that meet the nutritional standards as specified in the Healthy, Hunger-Free Kids Act of 2010;

The Chief School Administrator/designee shall develop procedures and regulations process for measuring the effectiveness for the implementation of this policy. He/she shall also designate personnel with the responsibility for ensuring the school is complying with the policy. In addition, the Chief School Administrator shall designate a district administrator to oversee and ensure that the district complies with the provisions of this policy and that the policy is implemented correctly for each are beverages are offered, including vending machines and the school store(s), if applicable.

Nutritional Education

The Chief School Administrator/designee will ensure that there will be at least one presentation per school year promoting good nutrition and nutrition education. These presentations may be provided through classroom visits from school staff members trained in nutrition, school-wide or group assembly programs, during health/physical

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education classes during the school year, or any other presentation manner. This requirement may be provided as part of nutrition education provided to students as part of the district's curriculum.

The Chief School Administrator/designee will post the nutritional guidelines of the Healthy, Hunger-Free Kids Act of 2010 where food and beverages are served.

The school lunch menu will include nutritional information, activities, recipes, and/or any other information that encourages the selection of healthy food items.

Physical Activity

In the elementary grades of the district:

- All students shall receive health/physical education under the supervision of a properly certified teaching staff member;
- The Chief School Administrator/designee will ensure there is age-appropriate equipment and supplies available during recess time for students to participate in physical activities;
- Students will be encouraged by school staff members supervising student recess time to participate in some type of physical activity, which may include, but not be limited to: walking; playing games that require physical activity, such as kick ball, volleyball, baseball, basketball, etc.; rope jumping; and/or using playground equipment;
- The Chief School Administrator will encourage classroom teachers to incorporate brief, physical activity breaks into the school day to establish an environment that promotes regular physical activity throughout the school day. He/she shall also coordinate special events highlighting physical activity, that may include field days, walk-a-thons, and activity tournaments or competitions;
- The Chief School Administrator/designee may involve parents, community members, and students in the planning of these events

In the middle school grades of the district:

- All students shall receive health/physical education under the supervision of a properly certified teaching staff member;
- Middle school students may be offered opportunities to participate in after-school intramural and/or interscholastic team activities coordinated and under the supervision of school staff members;

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- After-school activities and clubs where physical activity for students is included as a key component to the activity's or club's purpose may be provided by the Board. This may include, but not be limited to, gardening clubs, walking clubs, and exercise classes.

Other School-Based Activities

The district will establish a Wellness Committee comprised of the Chief School Administrator/designee, a health/physical education teacher, the school nurse, at least two (2) parents/guardians, at least two (2) students, and at least one (1) food service staff member.

The Chief School Administrator/designee will coordinate information being disseminated to students and parents promoting the school lunch program, nutrition, and nutrition education.

The school district will celebrate a School Wellness Week, as determined by the Chief School Administrator/designee and will have special activities throughout the week to promote nutrition and physical activity. These special activities will be planned and coordinated by the Wellness Committee.

The Chief School Administrator/designee will encourage fund-raising activities that promote physical activity such as walk-a-thons, teacher-student activity competitions, family activity nights, and school dances.

Annual Progress Report

The goals for nutrition promotion, nutrition education, physical activity, and other school-based activities that promote student wellness shall be evaluated annually by the Chief School Administrator/designee and Wellness Committee in an Annual School Progress Report provided to the Chief School Administrator/designee by June 30th of each school year.

The Annual Progress Report shall present the extent to which the district is in compliance with this policy, any recommended changes to this policy, and an action plan for the following school year to achieve the school's annual goals and objectives.

Guidelines for All Foods and Beverages

The Board of Education requires that the district to comply with the federal school meal nutrition standards and the smart snacks in accordance with the requirements specified in the Healthy, Hunger-Free Kids Act of 2010.

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The nutritional standards shall apply to all foods and beverages sold in each school in the district as part of the menu pattern meal, a la carte, in school stores, snack bars, or vending machines. The food requirements for any food sold in schools must meet a range of calorie and nutrient requirements as outlined in the Healthy, Hunger-Free Kids Act of 2010

The school district will comply with the Healthy, Hunger-Free Kids Act of 2010 beverage requirements and beverage portion requirements for elementary and middle school students. Potable water shall be made available to children at no charge in the place where breakfast, lunch, and afterschool snacks are served during meal service.

On-campus fundraisers involving food or beverage items must meet the Smart Snack standards of the Healthy, Hunger-Free Kids Act of 2010. These nutrition standards do not apply to non-school hours, weekends, and off-campus fundraising events.

The Chief School Administrator shall be responsible to providing support for staff members so they have the skills and knowledge to implement the provisions of this policy.

The Board of Education will support the implementation of nutrition education throughout the school day and during after school programs, in order to promote a consistent message to parents/guardians and students.

Healthy Snack Guidelines

The following additional nutrient requirements shall also apply:

1. Calorie Limits – Snack Items \leq 200 calories; Entrée Items \leq 350 calories
2. Sodium Limits - Snack Items \leq 230 mg.*; Entrée Items \leq 480 mg.
3. Fat Limits - Snack Items \leq 35% of calories; Entrée Items \leq 10% of calories;
Trans fat: zero grams
4. Sugar Limit - \leq 35% of weight from total sugars in foods

* On July 1, 2016, snack items must contain \leq 200 mg. sodium per item.

Accompaniments such as cream cheese, salad dressing and butter must be included in the nutrient profile as part of the food item sold. This helps control the amount of calories, fat, sugar and sodium added to foods

This policy does not apply to medically authorized special needs diets pursuant to 7 CFR Part 210, school nurses using Foods of Minimal Nutritional Value (FMNV) during the

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course of providing health care to individual students or special needs students whose Individualized Education Plan (IEP) indicates their use for behavior modification.

Adequate time shall be allowed for student meal service and consumption. Schools shall provide a pleasant dining environment. The Board of Education recommends that physical education or recess be scheduled before lunch whenever possible.

Notification

At a minimum, a copy of this policy shall be posted in the cafeteria(s), school store(s) and provided to the parent group(s) of the school district.

Parents/guardians shall be provided information supporting the provisions of this policy and promoting healthy choice awareness.

All staff members shall be provided with a copy of this policy annually or following any revision to it.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:18A-4.1 f.,h. Use of competitive contracting in lieu of public bidding;
18A:18A-6 Standards for purchase of fresh milk; penalties; rules and regulations
18A:33-3 through -5 Cafeterias for pupils
18A:33-9 through -14 Findings, declarations relative to school breakfast programs
18A:58-7.1 through -7.2 School lunch program
- NJAC 2:36-1.1 et seq. Child Nutrition Programs
6A:16-5.1(b) School safety plans
6A:23-2.6 Supplies and equipment
6A:32-12.1 Reporting requirements
6A:32--14.1 Review of mandated programs and services
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
Healthy, Hunger-Free Kids Act of 2010
Sec. 204 at the Federal Child Nutrition and WIC Reauthorization Act of 2004 (P.L. 108-265)
42 U.S.C. 1751 et seq. Richard B. Russell National School Lunch Act
42 U.S.C. 1771 et seq. Child Nutrition Act of 1966
7 C.F.R. Part 210 Medically authorized special needs diets
7 C.F.R. Part 210.10 Foods of minimum nutritional value
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1200, 1220, 3000/3010, 3450, 3510, 3542, 3542.31, 3542.44, 4222, 5131, 9123, 9124

Deerfield Township Board of Education District Policy Manual

**Business & Non-Instructional Operations
Biosecurity Management Plan**

**Series 3000
Policy 3542.40**

Date Adopted: May 31, 2007

Date Revised:

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The Board of Education recognizes its responsibility to protect the health of the pupils, staff, and visitors to this school district as well as providing a safe school environment and secure foodservice program. Therefore, the Board hereby directs the establishment of a Biosecurity Management Plan designed to keep school meals free from intentional contamination and enable the administration and foodservice personnel to respond to threats or incidents of bioterrorism.

The Biosecurity Management Plan:

- Establishes lunch program policies and procedures that minimize the risk of intentional contamination of food and reduce the risk of illness or death in the school community;
- Assigns key personnel to specific roles and duties pertaining to the Biosecurity Management Plan;
- Sets procedures aimed at preventing threats and incidents of product tampering and food contamination;
- Includes appropriate response actions to be taken should an incident occur,
- Provides documentation of actions planned and/or taken;

Implementation of the Biosecurity Management Plan shall be the responsibility of the food service director with the oversight of the Chief School Administrator/designee.

Legal References

NJAC 2:36-1.13 Biosecurity for School Food Service

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**Business & Non-Instructional Operations
Meals on Credit / Charged Meals**

**Series 3000
Policy 3542.46**

Date Adopted: June 22, 2017

Date Revised

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While the Board of Education understands that there may be occasions when students fail to bring the required meal money to school, the cafeteria personnel are not empowered to extend unlimited credit to students.

In accordance with the provisions of state law, if any money is owed for a student's school meals, the designated administrator shall contact the student's parent/guardian and provide notice of the debt before discontinuing meal service.

The designated administrator shall allow a period of ten (10) school days for the parent/guardian to pay the amount due.

If the parent/guardian does not make full payment by the end of the ten (10) school days, a second letter will be sent by the designated administrator, stating that the student will not be served a school meal beginning five (5) school days from the date of the second notice, unless payment is made in full.

Students may receive an alternate meal during the period that regular meals have been suspended. This alternative meal shall provide adequate nutritional benefits to the student and will be prepared in consideration of any food allergies the student may have.

Provided the designated administrator has sent the required letters to parents/guardians, as noted above, after three (3) meal charges, students will not be permitted to participate in the school breakfast program until meal charges are paid in full.

Any and all payments submitted by parents/guardians to cover charged meals shall be accounted for by the designated employee.

Notification

A copy of this policy shall be provided in writing to all households at the start of each school year and to households whose children transfer into the district during the school year. It is recommended that a copy of the policy be included in student handbooks and/or online. Multiple methods of communication with parents/guardians should be used whenever possible.

Additionally, all staff members shall be provided with a copy of this policy to ensure proper enforcement.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

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**Business & Non-Instructional Operations
Copyrighted Materials**

**Series 3000
Policy 3543.11**

Date Adopted: October 27, 2004 Date Revised

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It is the intent of the Board of Education to adhere to the provisions of the current copyright laws and Congressional guidelines.

The Board recognizes that unlawful copying and use of copyrighted materials contributes to higher costs for materials, lessens the incentives for development of quality educational materials and fosters an attitude of disrespect for law which is in conflict with the educational goals of this school system.

The Board of Education directs that district employees adhere to all provisions of Title 17 of the United States Code, entitled “Copyrights”, and other relative federal legislative and guidelines related to the duplication, retention, and use of copyrighted materials.

The Board further directs that:

1. Unlawful copies of copyrighted materials may not be produced on district owned equipment.
2. Unlawful copies of copyrighted materials may not be used with district owned equipment, within district owned facilities, or at district-sponsored functions.
3. The legal and/or insurance protection of the district will not be extended to employees who unlawfully copy and use copyrighted materials.

Employees who make copies of copyrighted materials in their jobs are expected to be familiar with published provisions regarding fair use and public display, and are further expected to be able to provide to their supervisor, upon request, the justification under The Copyright Act of 1976, as amended, is codified at 17 U.S.C. Sec.101 et seq. Section 107 or 110 of United States Code 17 for copies that have been made or used.

Employees who use copyrighted materials that do not fall within fair use or public display guidelines will be able to substantiate that the materials meet one of the following tests:

1. The materials have been purchased from an authorized vendor by the individual employee or the Board of Education and a record of the purchase exists.
2. The materials are copies covered by licensing agreement between the copyright owner and the Board of Education or the individual employee.
3. Materials are being reviewed or demonstrated by the user to reach a decision about possible future purchase of licensing and a valid agreement exists that allows for such use.

Although there continues to be controversy regarding interpretation of the copyright laws, this policy represents a sincere effort to operate legally.

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Copyrighted Materials**

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Legal References

NJSA 18A:11-1 General mandatory powers and duties

The Copyright Act of 1976, as amended and codified as 17 U.S.C. Sec.101 et seq.
Section 107 or 110 of United States Code 17

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District Records & Reports

Series 3000
Policy 3570

Date Adopted: October 27, 2004 Date Revised

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In accordance with the provisions of P.L. 2001, c.404, the Deerfield Township Board of Education will provide reasonable access, inspection, copying and examination of all public records except those specifically exempted by law.

For the purpose of this policy, Board records shall be defined as, “any paper, written or printed book, document drawing, map, plan, photograph, microfilm, data processed or image processed, stored or maintained electronically or by sound-recording or in a similar device or any copy thereof, that has been made, maintained or kept on file in the course of the Board’s official business and/or that has been received in the course of the Board’s official business.”

Exemptions

Documents, records and/or information that are exempted from public access include:

1. In general, the portion of any document that discloses the social security number, credit card number, unlisted telephone number or driver license number of any person;
2. Personnel or pension records, except that an individual’s name, title, position, salary, payroll record, length of service, date of separation and the reason therefore, and the amount and type of any pension received are considered government records;
3. Inter-agency or intra-agency advisory consultative or deliberative material;
4. Any record within the attorney-client privilege;
5. Administrative or technical information regarding computer hardware, software or networks that, if disclosed, would jeopardize computer security;
6. Emergency or security information or procedures for any building or facility that, if disclosed, would jeopardize security;
7. Information that, if disclosed would give an advantage to competitors or bidders;
8. Information relating to any sexual harassment complaint;
9. Information relating to any grievance filed by or against an individual in connection with collective negotiations;
10. Information that is a communication between the Board and its insurance carrier, administrative service organization or risk management office; and
11. Information that is to be kept confidential pursuant to a court order.

Custodian of Board Records

The Custodian of Board Records shall be the Board Secretary/Business Administrator.

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Responsibility of the Custodian of School Records

The Custodian of Board Records must permit Board records to be inspected, examined, and copied during regular business hours. The district position of Board Secretary/Business Administrator is officially designated by this action custodian of Board records. The Board Secretary/Business Administrator is required to keep and maintain all records and documents belonging to the Board except those required by the Treasurer of School Moneys.

Timely Access

In general, the Custodian of Board Records has a duty to provide access to a Board record immediately. However, there may be instances where the requested record(s) may be archived. In that case, the Custodian of Board Records will attempt to provide the requested record(s) within seven (7) business days after receiving the request. In general, failure to respond within seven (7) business days may be deemed a denial of the request.

Redaction of Records

In general, before providing public access, the Custodian of School Records has a duty to redact any information that discloses the social security number, credit card number, unlisted telephone number, driver license number and/or other exempted information.

Form for Requesting Records

The custodian shall adopt a form for the public to use to make requests for Board records. The form must provide the following:

1. Space for the name, address and telephone of the requestor;
2. Space for a brief description of the record sought;
3. Space for the custodian to indicate which record will be made available, and fees (if any), to be charged;
4. Specific directions and procedures for requesting the record;
5. A statement as to whether prepayment of fees (if any) are required;
6. An indication that, in general, the custodian has seven (7) business days after receiving the request to respond;
7. A statement of the requestor's right to challenge a decision denying access and the procedure for filing an appeal;
8. Space for the requestor to sign and date the form;
9. Space for the custodian to sign and date the form if the request is fulfilled or denied.

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Fees Charged for Copying Records

The Board may assess fees for providing copies of records. If the Custodian of School Records can demonstrate that the actual cost for duplicating a record exceeds these rates, he/she shall charge the actual cost per page. Under certain circumstances, special service fees may also be charged.

Appeal of Denial or Access to Records

A person who is denied access to a Board Record may file suit in Superior Court or may file a complaint with the newly created Government Records Council within the New Jersey Department of Community Affairs.

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Legal References

NJSA 10:4-6 et seq. Open Public Meetings Act
18A:4-14 Uniform system of bookkeeping for school districts
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
18A:11-2 Power to sue and be sued; reports; census of school
18A:11-2b N.J.S.A. 18A:17-7 through -12 Secretary to give notices and keep minutes, etc.
18A:17-28(e) Duties of business manager
18A:17-35 Records of receipts and payments
18A:17-36 Accounting; monthly and annual reports
18A:17-46 Act of violence; report by school employee; notice of action taken; annual report
18A:36-19 Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
47:1A-1 et seq. Examination and copies of public records ("Open Public Records Act")
47:3-15 et seq. Destruction of Public Records Law

NJAC 2:36-1.1 et seq. Child Nutrition Programs
6A:16-5.3 Incident reporting of violence, vandalism and substance abuse
6A:23-2.1 et seq. Double Entry Bookkeeping and GAAP Accounting in Local School Districts
6A:27-7.9 Vehicle records
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A: 32-7.1 et. seq. Student Records
6A:32-12.2 School level planning
15:3-2.1 et. seq. Records Retention

Annual Data Collection Plan, New Jersey State Department of Education Records Retention Schedule, New Jersey State Department of Education
Matawan Regional Teachers Association v. Matawan-Aberdeen Bd. of Ed., 212 N.J. Super. 328 (Law Div. 1986)
Laufgas v. Barnegat Twp. Bd. of Ed., 1987 S.L.D. 2442, aff'd St. Bd. 1988 S.L.D. 2496
Horner v. Kingsway Regional, 1990 S.L.D. 752 Beatty v. Chester Bd of Ed, 1999 S.L.D. (Sept.)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

4112.6, 4212.6, 5125, 9330

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**Business & Non-Instructional Operations
Audit**

**Series 3000
Policy 3571.4**

Date Adopted: October 27, 2004 Date Revised

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An audit of the accounts of the school district shall be made annually by a public school accountant selected by the Board of Education. The audit examination shall be conducted in accordance with statute and generally accepted auditing standards and shall include all funds over which the Board has direct or supervisory control.

An auditor's fee shall be established in each fiscal year. The Board of Education shall select an auditing firm experienced in school accounting and willing to perform the required services for the established fee.

Within 30 days following the receipt of the annual audit, the Board of Education will, at a regular meeting, cause the recommendations of the auditor to be read and to be discussed, and the discussion noted in the minutes of the meeting. The Board will direct the implementation of the auditor's recommendations.

The Auditor must provide a copy of the most recent review to the Board of Education.

Legal References

NJSA 18A:6-68 Bookkeeping and accounting system (educational services commission)
18A:18A-1 et seq. Public School Contracts Law
18A:23-1 et seq. Audits and auditors

NJAC 6A:23-1.2 Definitions
6A:23-2.2(i) Principles and directives for accounting and reporting
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.2 School level planning

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

4112.6, 4212.6, 5125, 9330

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**Business & Non-Instructional Operations
Pest Management**

**Series 3000
Policy 3575**

Date Adopted: July 27, 2004

Date Revised

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The New Jersey School Integrated Pest Management Act of 2002 requires schools to implement a school integrated pest management policy. As per this policy, the Board of Education directs the Chief School Administrator to implement Integrated Pest Management (IPM) procedures to control pests and minimize exposure of children, faculty, and staff to pesticides. In addition, the Board of Education shall adopt and maintain an IPM plan developed by the Chief School Administrator/designee as part of this policy.

Definition

For the purposes of this policy, Integrated Pest Management shall be defined as a sustainable approach to managing pests by using all appropriate technology and management practices in a way that minimizes health, environmental, and economic risks. IPM includes, but is not limited to, monitoring pest populations, consumer education, and when needed, cultivation practices, sanitation, solid waste management, structural maintenance, physical, mechanical, biological and chemical controls.

Integrated Pest Management Procedures

Implementation of IPM procedures will determine when to control pests and whether to use mechanical, physical, cultural, biological or chemical methods. Applying IPM principles prevents unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment.

In preparing the IPM, the Chief School Administrator will consider the full range of management options, including no action at all. Non-pesticide pest management methods are to be used whenever possible. The choice of using a pesticide shall be based on a review of all other available options and a determination that these options are not effective or not reasonable. When it is determined that a pesticide must be used, low impact pesticides and methods are preferred and shall be considered for use first.

Development of IPM Plans

The school IPM plan is a blueprint of how the Deerfield Township School System will manage pests through IPM methods. The IPM plan states the district's goals regarding the management of pests and the use of pesticides. It reflects the school's site-specific needs. The IPM plan shall provide a description of how each component of the school IPM policy will be implemented at the school. The Chief School Administrator, in

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Policy 3575**

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collaboration with the building Principal, shall be responsible for the development of the IPM plan for the school.

IPM Coordinator

The Chief School Administrator shall designate an integrated pest management coordinator, who is responsible for the implementation of the school integrated pest management policy. The Board of Education shall approve the selection of the named IPM Coordinator upon recommendation of the Chief School Administrator.

Education /Training

All school personnel will be educated about potential pest problems and IPM methods used to achieve the pest management objectives.

The IPM Coordinator, other school staff and pesticide applicators involved with implementation of the school IPM policy will be trained in appropriate components of IPM as it pertains to the school environment.

Students, parents/guardians will be provided information on this policy and instructed on how they can contribute to the success of the IPM program.

Record keeping

Records of pesticide use shall be maintained on site to meet the requirements of the state regulatory agency and the Board of Education.

Records shall also include, but are not limited to, pest surveillance data sheets and other non-pesticide pest management methods and practices utilized.

Notification/Posting

The Chief School Administrator, under the direction of the Board of Education, is responsible for timely notification to students' parents or guardians and the school staff of pesticide treatments pursuant to the School IPM Act.

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Re-entry

Re-entry to a pesticide treated area shall conform to the requirements of the School IPM Act.

Pesticide applicators

The IPM coordinator shall ensure that applicators follow state regulations, including licensing requirements and label precautions, and must comply with all components of the School IPM Policy.

Evaluation

Annually, the Chief School Administrator will report to the Board of Education on the effectiveness of the IPM plan and make recommendations for improvement as needed.

The Board of Education directs the Chief School Administrator to develop regulations/procedures for the implementation of this policy.

Legal References

- NJSA 13:1F-19 through -33 "School Integrated Pest Management Act"
18A:17-49 through -52 Buildings and grounds supervisors to be certified educational facilities managers
18A:22-8 Contents of budget; program budgeting system
34:5A-1 et seq. Worker and Community Right to Know Act
34:6A-25 et seq. New Jersey Public Employees Occupational Safety and Health Act
- NJAC 5:23 Barrier free subcode of the uniform construction code
6A:26-12.1 et seq. Operation and Maintenance of Facilities
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
7:30-13.1 et seq. Integrated Pest Management

The School Integrated Pest Management Act of 2002

Possible Cross References

3000/3010, 3516, 7110, 9130

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Business & Non-Instructional Operations

Series 3000

**Evaluation of Business &
Non-Instructional Operations**

Policy 3600

Date Adopted: September 23, 2009

Date Revised:

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The school district shall evaluate business processes annually and allocate available resources appropriately in an effort to establish a strong control environment.

The Business Administrator/Board Secretary shall identify processes that when performed by the same individuals are a violation of sound segregation of duties. The Business Administrator/Board Secretary shall segregate the duties of all such processes among business office staff based on available district resources, assessed vulnerability and the associated cost-benefit

The following functions shall be segregated and completed by different employees in all districts:

- A. Human resources and payroll
- B. Purchasing and accounts payable

The district shall include in the Comprehensive Annual Financial Report (CAFR) detailed organizational charts for the central office that tie to the districts' position control logs, including, but not limited to, the business, human resources and information management functions.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

NJAC 6A:23A-6.5 Segregation of duties

Possible Cross References

3000/3010, 3200, 3300, 3400, 3500, 3510, 3530, 3541, 3542, 3542.1, 3570, 7110, 9330

Deerfield Township Board of Education



"The Bucks"

District Policy Manual

Series 4000

**Instructional &
Support Personnel**

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Last Updated: April 24, 2018

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**Instructional & Support Personnel
Code of Ethics**

**Series 4000
Policy 4110.22**

Date Adopted: November 17, 2004 Date Revised

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Preamble

The educators, both teachers and administrators, employed by the Board of Education believe in the worth and dignity of man. Each educator recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic citizenship. All educators regard as essential to these goals the protection of the freedom to both learn, and to teach; and the guarantee of equal educational opportunity for all. The educator accepts personal responsibility to practice the profession according to the highest ethical standards.

All educators recognize the magnitude of the responsibility they have accepted in choosing a career in education, and engage themselves, individually and collectively with other educators to judge their colleagues, and to be judged by them in accordance with the provisions of this code.

Principle 1—Commitment to the Student and Parents/Guardians

All educators measure their success by the progress of all students toward realization of their potential as worthy and effective citizens. The educator, therefore, works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals. Educators recognize the concerns of parents/guardians and attempt to demonstrate these concerns in the best interest of children.

In fulfilling their obligation to the students and parents/guardians, educators:

1. Shall not deliberately suppress or distort subject matter for which they bear personal responsibility;
2. Shall respect the confidence of each pupil; information given in confidence should be passed only to authorized persons or agencies that are attempting to aid the pupil unless disclosure is required by law;
3. Shall respect the basic responsibility of parents/guardians for their children, seek to establish friendly and cooperative relationships with the home, and shall be discreet with information received from parents/guardians;

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4. Shall not use classroom privileges and prestige to promote personal gain, selfish interests, partisan politics, or sectarian religious views;
5. Shall strive to help pupils develop sound moral, ethical, emotional, social and intellectual foundations;
6. Shall strengthen the democratic activities of the school and show all pupils that American citizenship involves responsibilities as well as privileges;
7. Shall demonstrate their primary responsibility is to the pupil;
8. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety;
9. Shall conduct professional business in such a way that they do not expose the student to unnecessary embarrassment or disparagement;
10. Shall not on the grounds of race, color, creed, or national origin exclude students from participation in, or deny them benefits under any program, nor grant any discriminatory consideration of advantage;
11. Shall not tutor for remuneration students assigned to their classes.

Principle II --Commitment to the Public

Educators hold a position wherein the public trust is embodied. As a trustee of democratic ideals and of the American heritage, the educator strives to strengthen appreciation for education and its potential service in the making of a strong country.

In fulfilling their obligation to the public, educators:

1. Shall not misrepresent an institution or organization with which they are affiliated, and shall take adequate precautions to distinguish between personal views and institutional/organization policy;
2. Shall not knowingly distort or misrepresent the facts concerning educational matters in direct and indirect public expressions;
3. Shall strive to maintain a positive public image in the educational program of the school;
4. Shall perform the duties of citizenship and participate in community activities;

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5. Shall not interfere with a colleague's exercise of political and citizenship rights and responsibilities;
6. Shall not use institutional privileges for private gain or to promote political candidates or partisan political activities;
7. Shall accept no gratuities, gifts or favors, nor offer any favor, service, or thing of value to obtain special advantage.

Principle III –Commitment to the Profession

In fulfilling their obligations to the profession, educators:

1. Shall accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities;
2. Shall not use coercive means or promise special treatment in order to influence professional decisions of colleagues;
3. Shall withhold, protect and safeguard information acquired about colleagues in the course of employment, unless disclosure serves legitimate professional purposes;
4. Shall not misrepresent any professional qualification;
5. Shall not knowingly distort evaluations of colleagues;
6. Shall endorse the principle that the profession must accept responsibility for the conduct of its members and understands that as educators own individual conduct will be regarded as representative of the profession;
7. Shall maintain an attitude and personal appearance that strengthens public respect for the teaching profession and for the school;
8. Shall properly and efficiently use and protect all school properties, equipment and materials;
9. Shall be loyal to the nation, the state and the school system;
10. Shall adhere to the conditions of a contract until the contract has been terminated by mutual consent, or has otherwise been legally modified;
11. Shall exercise their right to participate in the democratic processes, which help determine school policy. Once policy is determined, all educators are then obligated to support it;

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12. Shall conduct school affairs through defined channels of the school system;
13. Shall be considerate and loyal in their relationships with fellow educators and take pride in their achievements;
14. Shall regard public criticism of fellow educators as unprofessional;
15. Shall report to the appropriate school authority any matters which involve the best interests of the school;
16. Shall seek continued professional growth.

Principle IV—Commitment to Professional Employment Practices

The educator regards the employment agreement as a pledge to be executed both in spirit and in fact in a manner consistent with the highest ideals of professional service. All educators believe that sound professional relationships with governing Boards are built upon personal integrity, dignity and mutual respect.

In fulfilling their professional obligations to education, all educators:

1. Shall apply for, accept offer or assign a position or responsibility on the basis of professional preparation and legal qualifications;
2. Shall apply for a specific position only when it is known to be vacant, and shall refrain from underbidding or commenting adversely about other candidates;
3. Shall not knowingly withhold information regarding a position from an applicant or misinterpret an assignment or conditions of employment;
4. Shall not prompt notice to the employing agency of any change in availability of service, and the employment agent shall give prompt notice of change in availability;
5. Shall adhere to the terms of a contract or appointment, unless these terms have been legally terminated, falsely represented, or substantially altered by unilateral action of the employing agency;
6. Shall conduct professional business through legitimate channels;
7. Shall not delegate tasks of a certified professional unqualified personnel;
8. Shall use all work time for the purpose for which it is intended.

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Principle V—Commitment to Confidentiality

It is the desire of all educators and the Board to rectify any misunderstanding between the teachers, the Board of Education, and the school district by direct discussions informally among the affected parties. It is only when such informal discussions fail to resolve the differences, shall either party employ more formal procedures. Before more formal procedures are employed, at least 15 days written notice should be given to the other party.

Principle VI—Commitment to High Standards

It is the intent of this policy to prescribe our commitment to high ethical standards, but it is not feasible to describe every possible infraction, which violates those standards. Our commitment to high ethical standards means, therefore, that since each educator must be a mature, responsible decision-maker, the propriety or impropriety of any action depends not only on the goodness of the ends sought, but also upon the efficacy of the means used to achieve those ends. In short, each educator must apply the criterion, “what would a reasonable person do?” in each decision-making situation.

Legal References

- NJSA 18A:6-75 through -78 Establishment and operation; teacher performance evaluation project
18A:16-1 Officers and employees in general
18A:27-3.1 Nontenured teaching staff; observation and evaluation; conference; purpose
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:27-5 Written contracts of employment required

Possible Cross References

4112.8, 4117.5, 4118.2, 4119.22, 4138, 4138.2

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**Instructional & Support Personnel
Absences For Jury Duty**

**Series 4000
Policy 4110.5**

Date Adopted: November 17, 2004 Date Revised

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Any full time school employee who is summoned for jury duty or subpoenaed as a witness must, apply through the office of the Chief School Administrator to be granted leave for such purpose. The Chief School Administrator may, at his/her discretion and as circumstances warrant, rearrange the employee's work schedule and/or grant leave with pay, minus any remuneration received for such court duty that coincides with the hours for which the employee is being paid by the Board.

Legal References

NJSA 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

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Series 4000

Recruitment, Selection & Hiring

Policy 4111

Date Adopted: November 17, 2004 Date Revised: May 14, 2014,

May 24, 2018

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The Board believes that the quality of the professional staff in large part determines the quality of the education offered district pupils. Therefore, the Chief School Administrator shall have the responsibility of locating and recruiting the best-qualified candidates to provide for the identified needs of district pupils.

Provisional teaching candidates shall be given equal consideration with all other candidates for teaching positions. The Chief School Administrator shall follow all requirements of the administrative code in providing the necessary training program for all teachers hired with provisional certificates.

Beginning in the 2002-2003 academic year, all teachers hired/employed by the Board of Education for programs in the district supported with Title 1, Part A funds shall be highly qualified, as defined by federal law. All teachers of core academic subjects (English, reading/language arts, mathematics, science, foreign languages, civics, government, economics, arts, history, and government) hired by the Board shall be qualified by 2005-2006.

It shall be the duty of the Chief School Administrator to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the initiation of a criminal history check, proof of citizenship or eligible alien status, and certification for the type of position for which nomination is made.

The Chief School Administrator shall recommend for employment those individuals who, in his/her opinion, are best qualified to fill the vacancy without regard to any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes.

The Chief School Administrator, in determining the candidates to be nominated shall seek information from the candidate's prior employers.

The Board of Education shall provide reasonable accommodations to pregnant women and those who suffer medical conditions related to pregnancy and childbirth, such as bathroom breaks, breaks for increased water intake, periodic rest, assistance with manual labor, job restructuring or modified work schedules and temporary transfers to less strenuous or hazardous work. Such accommodations that cause an undue hardship in the operation of the school district are not required.

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**Instructional Personnel
Recruitment, Selection & Hiring**

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Policy 4111**

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The Chief School Administrator shall prepare and maintain job descriptions that define the duties, responsibilities and qualifications required for each position. The Board shall adopt those job descriptions required by law or code and others as appropriate.

The Board shall affirm employment and initial placement on the salary guide by a majority vote of the full membership of the Board.

The Board will appoint teaching staff members only from nominations made by the Chief School Administrator. Should a nominee be rejected, it shall be the duty of the Chief School Administrator to make other nominations.

In accordance with the provisions of PL 2018 c5, as of June 1, 2018, all applicants for a position involving regular contact with students must provide:

- a contact list of their current and former employers within the last 20 years that were schools or involved direct contact with children;
- a written authorization allowing the former employers to release requested information;
- a written statement as to whether the applicant has ever been the subject of, or disciplined for, any child abuse or sexual misconduct concerning any student; and,
- a written statement as to whether the applicant ever had a license or certificate suspended or revoked in connection with child abuse or sexual misconduct with a student.

Former employers are indemnified for providing this information.

In addition, the law stipulates that the district is required to contact the references to verify the applicant's employment history, and previous employers have 20 days to disclose requested information. The applicant may receive a provisional contract of up to 90 days while the investigation is proceeding. Any information provided is not considered a public record and not subject to an OPRA request. The district will not be subject to liability for claims brought by an applicant who is not offered employment or whose employment is terminated because required information could not be verified.

The law further stipulates that beginning on June 1, 2018, all applications for positions involving regular contact with students must include a notification of the penalties for willfully providing false information regarding this information.

Violation of this law by the applicant may result in discipline, including termination and/or a civil penalty of not more than \$500.00.

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Recruitment, Selection & Hiring**

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Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:3-15.2 Fraudulently issued, obtained, forged or altered degree or certification;
use in connection with business or occupation
18A:6-5 Inquiry as to religion and religious tests prohibited
18A:6-6 No sex discrimination
18A:6-7.1, -7.5 Criminal history record; employee in regular contact with pupils;
grounds for disqualification from employment; exception
18A:6-76.1 Deadline for notification to students of requirements of provisional
certificate and induction program
18A:11-1 General mandatory powers and duties
18A:13-40 General powers and duties of board of newly created regional districts
18A:16-1 Officers and employees in general
18A:26-1, -1.1, -2 Citizenship of teachers, etc.
18A:27-1 et seq. Employment and Contracts
26:8A-1 et seq. Domestic Partnership Act
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:9-6.1 et seq. Types of Certificates
6A:9-8.1 et seq. Requirements for Instructional Certification
6A:9-11.1 et seq. Exceptions for the Requirements for the Instructional Certificate
6A:9-12.1 et seq. Requirements for Administrative Certification
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and
Increasing Efficiency in Abbott School Districts
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1 Employment of teaching staff
6A:32-4.8 Support residencies for regularly certified, inexperienced first-year
principals
6A:32-5.1 Standards for determining seniority
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by
the Equal Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
Old Bridge Education Association v. Old Bridge Township Bd. of Ed.
Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1547 (3d Cir. 1996)
The Comprehensive Equity Plan, New Jersey Department of Education

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Series 4000

Nondiscrimination / Affirmative Action /

Sexual Harassment

Policy 4111.1

Date Adopted: November 17, 2004 Date Revised: May 14, 2014

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The Board of Education guarantees to all persons equal access to all categories of employment, retention and advancement in this district, regardless of any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes.

An affirmative action/equity program shall be a part of every aspect of employment not limited to but including upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation including fringe benefits; employment selection or selection for training and apprenticeships; promotion; or tenure.

The Board-designated affirmative action officer shall identify and recommend correction of any existing inequities, and any that occur in the future.

Harassment and Favoritism

The Board of Education is an affirmative action employer and holds all its employees responsible for maintaining a working environment that is free from all discriminatory practices. Harassment or favoritism on any basis included in the Board's statement of equal access to employment, retention and advancement is prohibited.

Administrators and supervisors shall be familiarized with the actions that constitute harassment and favoritism. This material shall be included in the legally mandated affirmative action in-service training for all employees, and shall be clear and specific (see policy 2224). When harassment has been determined to have taken place, disciplinary action will follow. All such determinations shall be reported to the Board.

Sexual Harassment

The Board of Education shall maintain a working environment that is free from sexual harassment.

- A. Sexual harassment shall consist of unwelcomed sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when made by any member of the school staff to a student when made by any member of the school staff to another staff member or when made by any student to another student or when made by a student to a staff member, when:

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1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, or when
 2. Submission to or rejection of such conduct by an individual is used as the basis of academic or employment decisions affecting that individual, or when
 3. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment or education environment.
- B. Sexual harassment, as set forth in Section A, may include, but is not limited to the following:
1. verbal harassment or abuse
 2. pressure for sexual activity
 3. repeated remarks to a person with sexually demeaning implications
 4. unwelcomed touching suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, job, etc.

Administrators and supervisors will make it clear to all staff that sexual harassment is prohibited. No supervisory employee shall threaten or insinuate, either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation, compensation, assignment or advancement. No supervisory employee shall promise or suggest, either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any term or condition of employment of an employee. Sexually harassing conduct committed by non-supervisory personnel is also prohibited.

Staff may file a formal grievance related to sexual harassment. The Board will receive all complaints and carry out a prompt and thorough investigation and will protect the rights of both the person making the complaint and the alleged harasser.

Students may also file formal grievances related to sexual harassment (refer to Parent/Student Handbook – grievance policy).

A substantiated charge against a staff member in the Deerfield Township School District shall subject such staff member to disciplinary action, such as a letter of reprimand, withholding of an increment or possible discharge.

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Sexual Harassment**

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A substantiated charge against a student in the Deerfield Township School District shall subject that student to student disciplinary action, including suspension or expulsion, consistent with the student disciplinary code.

Notice of this policy will be circulated to the school and departments of the Deerfield Township School District on an annual basis and incorporated in teacher and parent handbooks. It may also be distributed to all originations in the community having cooperative agreements with the public schools. Failure to comply with this policy may result in termination of the cooperative agreement. Training sessions on this policy and the preventions of sexual harassment shall be held for teachers and students in the school on an annual basis.

“Whistleblower” Protection

The Board prohibits discrimination or retaliation against any school employee who does any of the following:

- A. Disclose or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the Board that the employee reasonably believes is in violation of a law, or a rule or regulation established pursuant to law;
- B. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, rule or regulation established pursuant to law by the Board; or
- C. Objects to, or refuses to participate in any activity, policy, or practice which the employee reasonable believes is in violation of law, rule or regulation; is fraudulent or criminal; or is incompatible with public health, safety or welfare.

The Board shall ensure that notices are posted conspicuously in each school, informing employees that they are protected under the “Conscientious Employee Protection Act”.

Report on Implementation

The Chief School Administrator shall devise regulations, including grievance forms and procedures to implement this policy. He/she shall be responsible for informing staff annually of the identity and location of the affirmative action officer and the implementing procedures.

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NJSA 10:5-1 et seq. Law Against Discrimination
18A:6-5 Inquiry as to religion and religious tests prohibited
18A:6-6 No sex discrimination
18A:18A-17 Facilities for handicapped persons
18A:26-1 Citizenship of teachers, etc.
18A:26-1.1 Residence requirements prohibited
18A:29-2 Equality of compensation for male and female teachers
26:8A-1 et seq. Domestic Partnership Act
34:19-1 et seq. Conscientious Employee Protection Act

NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

Executive Order 11246 as amended
29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended
20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended
by the Equal Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986)
School Board of Nassau County v. Arline, 480 U.S. 273 (1987)
Vinson v. Superior Court of Alameda County, 740 P.2d 404 (Cal. Sup. Ct. 1987)
Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1547 (3d Cir. 1996)
Saxe v. State College Area School Dist., 240 F. 3d 200 (3d Cir. 2001)
The Comprehensive Equity Plan, New Jersey State Department of Education
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2130, 2131, 2224, 3320, 4111, 4112.2, 4112.4, 4112.5, 4112.6, 4112.8, 4121, 4147,
5120, 5145.4, 6121

Deerfield Township Board of Education District Policy Manual

**Instructional Staff
Residency Requirements**

**Series 4000
Policy 4111.4**

Date Adopted: March 28, 2012 Date Revised

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

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

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

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

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

Current Employees

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

New Employees and/or Employment Candidates

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

Exemptions

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

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

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**Instructional Staff
Residency Requirements**

**Series 4000
Policy 4111.4**

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

Legal References

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

Possible Cross References

2111.4, 4211.4

APPLICATION FOR EXEMPTION FROM THE PROVISIONS OF N.J.S.A 52:14-7a. OF THE NEW JERSEY FIRST ACT

Employee Residency Review Committee
C/O NJ Department of Labor and Workforce Development
Office of Legal and Regulatory Services
PO Box 110
Trenton, NJ 08625-0110

Tel. (609) 777-2960
Fax (609) 292-8246

OFFICIAL USE ONLY:
Application #:

The New Jersey First Act (the Act) states in pertinent part that any person may apply for an exemption from the provisions of subsection a. of the Act (a.k.a., the residency requirement) on the basis of "critical need or hardship." All such applications are to be submitted to the Employee Residency Review Committee, a five-member committee composed of three persons appointed by the Governor, a person appointed by the Speaker of the Assembly, and a person appointed by the President of the Senate.

Instructions: Complete this form and answer all questions. Type or print legibly. Attach any other documents that may support your application. Mail or fax all documents to the address listed at the top of this page.

APPLICANT INFORMATION

First Name	Last Name	M.I.	Daytime Telephone No.
Mailing Address		Floor/Apt. No.	Cell No.
City	State	ZIP Code	Alternate Telephone No.

EMPLOYER OR PROSPECTIVE EMPLOYER INFORMATION

Employer Name	Business Telephone No.
Employer Street Address	Fax No.
	e-mail
Employer Mailing Address (if different from street address)	Name and Title of Contact Person
	Contact Telephone No.

Do you wish for the Committee to notify your employer or prospective employer of this application and provide the employer an opportunity to make a written submission to the Committee regarding your application? YES NO

Would you like an opportunity to appear in-person before the Committee and make a statement in support of your written application? YES NO

APPLICATION DETAILS

Explain the hardship and/or critical need which is the basis for your exemption request. Attach additional sheets if necessary.

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Series 4000

Contract – Nontenured Personnel

Policy 4112

Date Adopted: November 17, 2004 Date Revised

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In accordance with law and for the mutual protection of the district and the employee, every teaching staff member who has not achieved tenure shall be required annually to sign an employment contract. The contract shall be executed by the President of the Board of Education on behalf of the Board and shall contain a termination clause of 60 days' notice.

Each employment contract shall include:

- A. The term of employment, including beginning and ending dates;
- B. The salary at which the person is employed;
- C. The intervals at which the person is employed;
- D. A provision for termination of contract on notice duly given;
- E. Such other matters as may be necessary to a full and complete understanding of the contract.

Should an employee be offered in error a contract for a salary which differs from that approved by the Board, the salary approved by the Board shall be the salary paid.

The Chief School Administrator shall issue salary notification to all tenured and non-tenured personnel indicating the name of the employee and giving a concise explanation of their contractual salary for the coming year. All salary notification statements shall be signed by the Board Secretary/Business Administrator and the Board of Education.

All terms and conditions of the contract shall conform with requirements of state law and the State Board of Education.

Legal References

- NJSA 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc; employment thereunder
- 18A:27-5 Written contracts of employment required
- 18A:27-6 Contents of contracts
- 18A:27-7 Contract forms
- 18A:27-8 Filing of contracts
- 18A:28-8 Notice of intention to resign required

Camden Board of Education v. Nelson Alexander, et als. (A-34/35-02)
Cresskill Bd. Of Ed. v. Cresskill Ed. Assn., 362 NJ Super. 7 (App.Div. 2003)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Deerfield Township Board of Education

District Policy Manual

**Instructional & Support Personnel
Certification**

**Series 4000
Policy 4112.2**

Date Adopted: November 17, 2004 Date Revised: September 25, 2013 Page 1 of 3

The certification of teachers and other personnel in the public schools of New Jersey is a protective measure for the children, the community, and the staff members themselves. All personnel hired shall have proper certification as required by the New Jersey State Board of Education. The Chief School Administrator will take appropriate steps to avoid employment of teachers with revoked or suspended certificates.

Validity of certification must be verified with the office of the Executive County Superintendent.

The Chief School Administrator must receive valid evidence of proper certification or qualifications to pursue the alternative route to certification before presenting a candidate to the Board of Education.

District Reporting Requirements

Pursuant to the provisions of NJAC 6A:9-17.4(a), the Chief School Administrator shall notify the New Jersey Board of Examiners when:

- Tenured teaching staff members who are accused of criminal offenses or unbecoming conduct resign or retire from their positions;
- Nontenured teaching staff members who are accused of criminal offenses or unbecoming conduct, resign, retire or are removed from their positions;
- A certificate holder fails to maintain any license, certificate or authorization pursuant to the provisions of NJAC 6A:9-4.1(b) that is mandated in order for the holder to serve in a position; or
- He or she becomes aware that a certificate holder has been convicted of a crime while in the district's employ;
- The Chief School Administrator has received a report from the Division of Child Protection and Permanence (DCP&P) substantiating allegations of abuse or neglect or establishing "concerns" regarding a certificated teaching staff member.

In the event the New Jersey State Board of Examiners issues an order to show cause based on the information that the school district provided about the certificate holder, it shall be the responsibility of the school district to cooperate with the Board of Examiners in any proceeding arising from the order to show cause.

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Provisionally Certified Teachers

The Board of Education encourages the employment of provisionally certified teachers for service in their first and second years of employment. The building principal or other appropriately certified administrator shall observe and evaluate all provisionally certified teachers in the first year of employment in conformance with the schedule described in the administrative code.

Mentoring Novice Teachers

In order to enhance student achievement of the Core Curriculum Content Standards by enhancing the skills of inexperienced teachers, identifying exemplary teaching skills and practices necessary for excellent teaching and assist novice teachers in adjusting to the challenges of teaching, the Board of Education shall ensure the development of a mentoring plan for all novice teachers employed in the district.

The plan shall provide each novice teacher with in-person contact with a mentor teacher (who may be a retired teacher or administrator) who shall provide confidential support and guidance to the novice teacher. The plan shall be developed by the local Professional Development Committee, approved by the Board of Education, and aligned with the professional standards for teachers as set forth in administrative code. Included in the plan shall be criteria for selection and training of mentor teachers. Implementation of the district mentor plan shall be in compliance with the administrative code and included in the district annual report.

The Board of Education shall annually submit a report with required data to the State Department of Education on the effectiveness of the local mentoring plan. State funds appropriated for the novice teacher mentoring program shall be applied in accordance with law and code.

Special Education

All personnel serving students with disabilities shall be appropriately certified and licensed, where a license is required.

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Legal References

NJSA 18A:6-38 Powers and duties of the board; issuance and revocation of certificate; rules and regulations
18A:6-39 Issuance of certificates to non-citizens
18A:6-76.1 Deadlines for notification to students of requirements of provisional certificate and induction program; submission of induction program plan to school districts and Department of Education; coordination of mentor training program
18A:26-1, -2,-8.1,-9 Citizenship of teachers, etc.
18A:26-2.1 et al. Supervisory certificate required for appointment as director of athletics
18A:27-2 Employment without certificate prohibited
18A:29-1 Uncertified teacher denied salary
18A:40A-4 Preservice training of future teachers; teaching certificate requirements

NJAC 6:30-2.1(a)8 Purpose and program descriptions (Adult education programs
6A:9-1.1 et seq. Professional Licensure and Standards
6A:9-17.4 District reporting responsibilities
6A:10A-2.2 Preschool programs
6A:14-1.1 et seq. Special Education
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1(d) Employment of teaching staff
6A:32-12.1 et seq. Reporting requirements

Old Bridge Education Association v. Old Bridge Township Bd. of Ed., 1986
S.L.D. 1917

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2131, 4010, 4111, 6130, 6141, 6142.1, 6156, 6163.1, 6164.2, 6171.4, 6200

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**Instructional Personnel
Tax Shelter Annuities**

**Series 4000
Policy 4112.3**

Date Adopted: November 17, 2004 Date Revised

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The Board of Education recognizes the importance of providing the opportunity for employees to participate in a tax shelter annuity through the districts payroll process.

The guidelines for tax shelter annuities in the district shall be as follows:

1. The approved agency or agencies shall be designated by the Board.
2. The Board shall direct the Board Secretary to make payroll deductions and transmit such to the agency.
3. Any questions or clarifications of these programs shall be addressed by employees to the Board Secretary/Business Administrator. Any enrollment or information sessions relative to the programs shall be conducted after regular school hours.
4. The Board accepts no liabilities for the performance of either the funds or the agencies.

Legal References

NJSA 17B:17-5 Annuity defined
18A:66-127 Employees of board of education, agreement to reduce salary for purchase of annuity
18A:66-128 Reduction of salary for obtaining certain benefits

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**Instructional Personnel
Credit Union**

**Series 4000
Policy 4112.35**

Date Adopted: June, 22, 2005 Date Revised: March 23, 2011

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The Board of Education recognizes the importance of providing the opportunity for employees to participate in a personal savings plan through the districts payroll deduction process.

The guidelines for Credit Union payroll deductions in this district shall be as follows:

1. The approved agency shall be designated by the Board of Education in accordance with pertinent negotiated contracts.
2. The Board shall direct the Board Secretary to make payroll deductions and transmit such to the designated credit union each payroll period.
3. All enrollments for the program shall be accomplished in September or February of each school year.
4. Any questions or clarifications of these programs shall be directed to the credit union by employees. Any enrollment or information sessions relative to the programs shall be conducted after regular school hours.
5. The Board accepts no liabilities or responsibility for the performance of the designated credit union.

Legal References

NJSA 18A:66-128 Reduction of salary for obtaining certain benefits
18A:16-9 Responsibility of board
18A:19-9 et seq Compensation of teachers; payroll
18A:66-19 Payroll deductions
18A:66-127 Employees agreement to reduce salary for purchase of annuity
18A:66-128 Reduction of salary for obtaining certain benefits
43:3C-9 Payroll deductions
52:18A:107 et seq, Payroll deductions

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Health Examinations**

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Policy 4112.4**

Date Adopted: November 17, 2004 Date Revised

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Examinations

The Board of Education guarantees to all persons equal access to all categories of employment. A required pre-employment examination shall be used only to determine if the applicant is able to perform, with reasonable accommodation, job-related functions.

A full or part-time employment in the School District the candidate shall be required to undergo a physical examination which shall include but not be limited to:

1. A health history completed by the candidate or their physician which shall include:
 - a. Past serious illness, injuries and surgery
 - b. Current health problems
 - c. Allergies
 - d. Record of immunizations
2. Health screenings including:
 - a. Height and weight
 - b. Blood pressure
 - c. Pulse and respiratory rate
 - d. Vision screening, hearing screening and Mantoux test for tuberculosis
3. A medical evaluation which shall include but not be limited to, a record of immunizations.

In the event that the prospective employee in question had, as a condition of employment in another NJ school district during the same school year, undergone an identical physical examination and can provide the Chief School Administrator a copy of a certificate to verify this, then, in that case, the Chief School Administrator, at his/her discretion, may excuse the prospective from obtaining a new physical examination.

Each school employee shall submit an updated health history with an assurance statement presented annually within a time frame established by the Board of Education.

An employee who refuses to submit annually an updated health history with an assurance statement shall undergo a physical examination pursuant to applicable state laws and regulations.

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Confidentiality of employee medical records including computerized records shall be assured. The school district shall regulate access, compilation and maintenance of employee health records in compliance with federal and state statutes governing the collection, maintenance, disclosure and security of employee medical records. It shall be the responsibility of the Chief School Administrator to establish procedures to ensure the security of employee health records maintained in this school district.

The section of the medical record which contains the health history, e.g. medications or current health status to assure ready access in a medical emergency, may be shared with the Principal and school nurse with the consent of the employee.

When an employee is requested to submit to any examination other than the annual physical examination, he/she shall be provided with:

- A. A written statement of reasons for the request;
- B. An opportunity for a Board hearing, if so requested (said hearing shall be in private and confidential unless the employee requests otherwise);
- C. Adequate prior notice of the date of the hearing;
- D. Copies of statements or affidavits relied on by the Board prior to the hearing;
- E. An opportunity to be represented at the hearing by counsel or other persons of the employee's choice;
- F. An opportunity to present witnesses on his behalf.

Reports of these examinations shall include a statement by the examining physician as to any physical or mental condition noted likely to prevent the person examined from performing all duties and responsibilities of the position sought or occupied, or creating a risk to the health or welfare of pupils or other employees, or a statement that no such condition exists.

All records and report of such examinations shall be filed with the district medical inspector as confidential information but shall be available to and reported to appropriate health agencies as required by law.

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In the event an employee of the Board has been determined to have a mental abnormality, substance abuse problems or communicable disease, and if in the opinion of the district medical inspector such condition makes the employee unfit for continued employment, the Board may remove the employee from further service as provided by law or grant leave as provided by law during the period of unfitness. An employee determined to be unfit must provide the Board with satisfactory proof of recovery before reinstatement will be allowed.

In order to protect the pupils and staff in the district schools, all regulations of the State Department of Education, the State Department of Health and the Local Board of Health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases. Staff who have been identified as having a communicable disease shall not be permitted continued employment unless they qualify under the above agencies' rules pertaining to periods of incubation, communicability, quarantine and reporting.

Occupational Containment of Bloodborne Pathogens

The Board is committed to provide a safe and healthful work environment for the staff. In pursuit of this endeavor, an Exposure Control Plan (ECP) shall be provided to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with federal regulations.

The ECP is a key document to assist the district in implementing and ensuring compliance with the OSHA Bloodborne pathogens standard, thereby protecting employees. This ECP includes:

- A. Identification of tasks, procedures and job classifications where occupational exposure to blood occurs;
- B. Procedures for evaluating the circumstances surrounding an exposure incident;
and
- C. The schedule and method for implementing the specific sections of the standard, including:

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1. Methods of compliance;
2. Hepatitis B vaccination (employee shall receive and have documentation before employment);
3. Post-exposure evaluation and follow-up;
4. Hazard communication requirements;
5. Effective employee training;
6. Record keeping.

The ECP shall be reviewed annually to ensure that it reflects the use of the most current medical technology.

Implementation and Dissemination

The Chief School Administrator, in consultation with the District Medical Inspector, and school nurse shall prepare regulation to implement this policy in compliance with law and code. All employees shall receive this policy and be made aware of all requirements for health examinations

Legal References

- NJSA 2C:35-1 et seq. Comprehensive Drug Reform Act of 1987
18A:16-2 Physical examinations; requirement
18A:16-3 Character of examinations
18A:16-4 Sick leave; dismissal
18A:16-5 Records of examinations
18A:40-10 Exclusion of teachers and pupils exposed to disease
18A:66-39 Disability retirement
26:4-1 "Communicable disease" defined
26:4-6 Prohibiting attendance of teachers or pupils
26:4-15 Reporting of communicable diseases by physicians
26:5c-1 et seq. AIDS Assistance Act
- NJAC 6A:16-2.1 Health services policy and procedure requirements
6A:32-6.1 et seq. School Employee Physical Examinations
8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV
12:100-4.2 Safety and Health Standards for Public Employees
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
29 CFR 1910.1030 - Bloodborne Pathogen Standard
School Board of Nassau County v. Arline, 480 U.S. 273 (1987)
Warren v. Warren Fire Officers Association, 10 NJPER 15022
HIV Policy and Practice: Regulatory Requirements for New Jersey Public Schools
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

4111, 4112.6, 4117.50, 4117.52, 4119.23, 4150

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Criminal History Verifications

Policy 4112.5

Date Adopted: November 17, 2010 Date Revised

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Pursuant to N.J.S.A. 18A:6-7.1 et. seq. and N.J.S.A. 18A:39-19.1, all employees of a public school district under the supervision of the State Department of Education who hire or contract for the services of any employees having regular pupil contact must submit a criminal background check.

In order to provide for the proper security of the children of this district by prohibiting employment of unfit persons in the schools, the Board of Education directs the Superintendent of Schools to establish procedures necessary for the implementation of the school employee criminal history review consistent with statute and code.

Further, the Board directs that all employees subject to the criminal history check successfully clear this process prior to appointment unless the Superintendent of Schools determines that the circumstances and/or needs of the district warrant an exception.

Legal References

NJSA 18A:6-7.1 et seq Criminal history record checks for final candidates for school employee positions
18A:39-19.1 Criminal records of school bus drivers; effect

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Personnel Records**

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Policy 4112.6**

Date Adopted: November 17, 2004 Date Revised

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Orderly administration of the school district and compliance with state and federal law require the compilation of information about all employees of the district. The Board of Education recognizes that there is a distinction between those personnel records which are clearly a matter of public concern, and those which must be considered privileged until such time as they are opened to the public by the NJ Commission of Education or the courts.

The Chief School Administrator may consult with the Board Attorney regarding which personnel records are mandated to be kept by law, and those to be kept for administrative purposes. The Chief School Administrator and the Board Attorney shall be responsible for limiting administrative records to those that are consistent with New Jersey and federal law.

In accordance with federal law, the Chief School Administrator shall establish procedures to release information upon request regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents/guardians for any teacher or paraprofessional who is employed by a school receiving Title 1 funds and who provides instruction to their children.

The Chief School Administrator shall establish the necessary regulations for maintaining both public and confidential employee records.

- A. The public file shall consist of an alphabetic index of all those presently employed by the district in whatever capacity. The information in this file shall be limited to name, title, position, salary, payroll record, length of service, and, if applicable, date of separation and rehire. The Chief School Administrator shall devise procedures for making this file available to the public in accordance with the Open Public Records Act.
- B. The confidential file shall consist of an individual personnel folder for each current employee. The information in this file shall include all records mandated by state and federal law; evaluation of performance; record of attendance; original application filed by the employee; transcript of certification; original salary and increments; date of tenure; notations of commendation and disciplinary actions consistent with law. This file is available for examination:
 - 1. At any time, by the Chief School Administrator or the supervisory personnel he/she designates;
 - 2. During regular business hours, by the employee or his personally authorized representative, in accordance with regulations;
 - 3. During regular business hours, or at any meeting of the Board or any committee thereof, by any member of the Board in connection with any assigned Board responsibility or duty.

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- C. Employee health records shall be maintained separately from other personnel files and in strict confidentiality. Only the employee, the chief medical inspector and the Chief School Administrator shall have access to an employee's medical file. To assure ready access in a medical emergency, the section of the medical record that contains the health history may also be shared with the building principal and the school nurse with the consent of the employee.
- D. Staff emergency contact cards for all employees shall be maintained by the Chief School Administrator/designee and updated annually.

Legal References

- NJSA 18A:6-7 Oaths of persons employed in teaching capacities
18A:6-7a Removal from personnel files of reference to complaint of child abuse or neglect determined to be unfounded
18A:6-11 Written charges; written statement of evidence; filing; statement of position by employee; certification of determination; notice
18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)
47:1A et seq. Examination and copies of public records ("Open Public Records Act")
47:3-15 et seq. Destruction of Public Records Law
- NJAC 6A:32-6.1 et seq. School Employee Physical Examinations
12:100-4.2 Safety and health standards for public employees occupational exposure to bloodborne pathogens (Adoption by reference)
29 CFR 1910.1030 - Bloodborne Pathogen Standard
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Executive Order No. 9, September 30, 1963; modified by Executive Order No. 11, November 15, 1974
Citizens for Better Education v. Camden Bd. of Ed., 124 N.J. Super. 523 (App. Div. 1973)
Trenton Times Corp. v. Trenton Bd. of Ed., 138 N.J. Super. 357 (App. Div. 1976)
Nero v. Hyland, 76 N.J. 213 (1978), rev'd 146 N.J. Super. 46 (App. Div. 1977), 136 N.J. Super. 537 (Law Div. 1975)
Brick Township Education Association v. Brick Township Bd. of Ed., 1974 S.L.D. 111
Sayreville Education Association v. Sayreville Bd. of Ed., S.L.D. 197
White v. Galloway Township Bd. of Ed., 1977 S.L.D. 900, aff'd St. Bd. 1977
Witchel v. Cannici and the Passaic Bd. of Ed., 1966 S.L.D. 159
Mendell v. Cimmino and the Kinnelon Bd. of Ed., 1970 S.L.D. 185
Cordano v. Weehawken Bd. of Ed., 1974 S.L.D. 316, appeal dismissed St. Bd. 1974
Horner v. Kingsway Regional Board of Education, 1990 S.L.D. 752
Lacey Township Board of Education v. Lacey Township Education Association, 130 N.J. 312 (1992) Beatty v. Chester 1999 S.L.D. August 31

Possible Cross References

3570, 4111, 4112.4/, 4115/4116, 5141.4

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Instructional Personnel Nepotism	Series 4000 Policy 4112.8
Date Adopted: Nov. 17, 2004 Date Revised: Jan. 28, 2009, Oct. 28, 2015, March 30, 2016, Jan. 25, 2018	
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In order to avoid the reality and the appearance of conflict of interest in its employment, and in accordance with NJAC 6A:23A-6.2, the Board of Education will not appoint a relative of a Board Member or of an Administrator, as defined by statute, to any employment position in this district, and directs that no person who is a relative of a Board Member or administrator shall be placed in nomination for any vacant position. Nor shall any person be considered for employment in any position in which he/she would come under the direct or indirect supervision of any relative.

Definitions

For the purpose of this policy the following definitions shall apply:

“Nepotism” shall be defined as the showing of favoritism to an employee or candidate for employment based on the existence of a “conflicted relationship” with a Board Member or Chief School Administrator.

“Conflicted relationship” includes but is not limited to an immediate family member, a relative, and any other relationship that create a justifiable impression that the public trust may be violated.

“Conflicted Board Member/administrator” shall mean any Board Member or administrator with a conflict of interest, regardless of the source of conflict as identified in the definitions below.

“Relative” shall be defined as an individual’s spouse, civil union partner, domestic partner, or the parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, of the individual or of the individual’s spouse, civil union partner or domestic partner, whether the relative is related to the individual or the individual’s spouse, civil union partner or domestic partner, by blood, marriage or adoption.

“Immediate family” shall be defined as Board Member or school administrator, their spouse, civil union partner, domestic partner, child, parent or sibling residing in the same household, whether related by blood, marriage or adoption.

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“Other” when describing relationships between individuals and Board Members or the Chief School Administrator includes but is not limited to in-law, cousin, cohabitating partner, and step daughter-in-law and any other personal or professional relationship that creates the justifiable impression that the public trust is being violated.

In accordance with the provisions of NJSA 18A:12-24(b), Board Members may not provide any unwarranted privilege, advantage or employment in the district. However, there shall be no presumption of a conflict simply because a Board Member a Board Member’s family member works in the district. Should a Board Member and his/her family member, as described herein, enter into a business arrangement or if the family member were to be granted unwarranted privilege, advantage or employment in the district, a conflict would then be apparent and the Board Member would be required to comply with all pertinent sections of this policy.

A person employed by the district on the effective date of this policy or the date a relative becomes a Board Member or administrator shall not be prohibited from continuing to be employed in the person’s current position or, in the case of a reduction in force, in any position to which that person has a legal entitlement.

No Board Member or administrator of this district, shall use or attempt to use his/her official position to secure unwarranted privileges, advantages or employment for himself, members of his/her immediate family or others.

The district may seek approval from the Executive County Superintendent to promote such an existing employee where such promotion is justified by the needs of the district to ensure implementation of the Core Curriculum Content Standards and upon a demonstration that the existing employee is the most qualified candidate for the position after full advertising and interviewing has occurred.

Pursuant to NJSA 18A:27-4.1, the Chief School Administrator shall not recommend to the Board of Education any relative of a Board Member or Chief School Administrator unless the person is subject to the exception noted above.

Employment and Supervision of a Relative

The Board of Education, in order to avoid both the reality and the appearance of conflict of interest in employment, will not initially appoint a relative of a Board Member or of the Chief School Administrator to any employment position in this district.

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The Chief School Administrator shall not recommend to the Board for initial hire any relative of a Board Member or of the Chief School Administrator, unless the person is subject to the exception below. Nor shall any person be considered for employment in any position in which he/she would come under the direct or indirect supervision of any relative. Where it is not feasible to eliminate such a direct or indirect supervisory relationship, appropriate screens and/or alternate supervision/reporting mechanisms shall be put in place.

No conflicted administrator shall supervise, or exercise authority over personnel matters in which the administrator has a conflict. No Board Member shall deliberate or vote on a matter involving the member's conflicted relationship. Nor should the Board Member be present for any confidential discussion of employment matters in which they have a conflict. Neither should the Board Member receive confidential information pertaining to a matter in which they have a conflict.

Exceptions Regarding Employment

Persons who are employees of the Board on the date that this policy initially becomes effective or the date a relative becomes a Board Member or Chief School Administrator shall not be prohibited from continuing to be employed in the district. This includes employees who must be renewed annually by the Board. The Chief School Administrator may recommend those employees for reemployment, transfer, promotion or removal.

A relative of a Board Member or Chief School Administrator may be initially employed by the district provided that the district has obtained the approval from the executive county Chief School Administrator. Such approval shall be granted only upon demonstration by the school district that it conducted a thorough search for candidates and that the proposed candidate is the only qualified and available person for the position. Per diem substitutes and student employees may be excluded from the initial hiring aspects of this nepotism policy.

Participation in Employment Related Matters

Conflicted Board Members may not participate in employment matters concerning the Chief School Administrator, principal or any administrator or supervisor(s) in the chain of command between the employee and Chief School Administrator.

Prohibited activities for conflicted Board Members include hiring of the selection agency, criteria, job description, voting to advertise for applicants, search committee, vote to hire and any evaluation and contract discussion post-hire.

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Conflicted Board Members may not be present in closed session when discussions regarding the administrators take place and should not be privy to executive session materials until such time as the minutes are made available to the general public.

Board Member/Chief School Administrator Participation in Negotiations

In-District Bargaining Units

When a Board Member or school administrator is in a conflicted relationship that prohibits participation in collective negotiations, that Board Member or school administrator shall not participate in any way in negotiations. This includes, but is not limited to, setting negotiation parameters, being a member of the negotiating team, receiving negotiations updates, voting on the proposed agreement and post-contract participation in grievances. Nor shall that Board Member or school administrator be present with the Board in closed session when negotiation strategies are being discussed. A school administrator may provide technical information that is necessary to the collective bargaining process when no one else can provide that information.

Board Members or the Chief School Administrator are similarly precluded from participation in negotiations with any bargaining unit whose members have supervisory authority over a family member or other conflicted connection.

Out-of-District Similar Statewide Bargaining Units

When a Board Member or school administrator is in a conflicted relationship with an individual who is a member of an out-of-district similar statewide union with which the Board is negotiating, that Board Member or school administrator shall not participate in any way in negotiations. This includes, but is not limited to:

- Developing negotiation parameters;
- Being a member of the negotiating team;
- Receiving confidential negotiations information updates prior;
- Voting on the contract; and
- Grievance participation.

A school administrator may, however provide technical information that is necessary to the collective bargaining process when no one else in the district can provide that information.

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When a Board Member or school administrator is in a conflicted relationship involving a relative who is a member of an out-of-district similar statewide union with which the Board is negotiating, there is no conflict unless the relative has a union leadership position in the state-wide union or local union that has the ability to affect negotiations. Union leadership positions in the state-wide union or local union that have the ability to affect negotiations include but are not limited to:

- Officer;
- Grievance chairperson;
- Building representative;
- Negotiation committee member.

A school official who has a conflicted relationship with any employee of the district or an employee in another out-of-district similar statewide union as of the effective date of this policy shall declare such relationship to the Board immediately.

Doctrine of Necessity

When a quorum of the Board has conflicted interests, the doctrine of necessity may be invoked in order to allow conflicted Board Members to participate in the negotiation process and vote. The doctrine of necessity may be invoked for the negotiation team or superintendent search committee only when the Board of Education has fewer non-conflicted Board Members than are required, pursuant to statute, to take action. The Board shall only invoke the doctrine of necessity after consultation with the Board attorney. When invoking the doctrine of necessity, the Board shall state publically that it is invoking the doctrine of necessity with the reasons for doing so and the specific nature of the conflicts of interest. The Board shall read the resolution invoking the doctrine of necessity at a regularly scheduled public meeting, post the notice of the resolution for 30 days and provide the School Ethics Commission with a copy of the resolution.

Implementation

The connections and relationships that create a conflict of interest for an individual Board Member's participation in Board decisions are subject to changes that result from commissioner rulings or changes in law. Therefore, the Board shall consult with the Board attorney as necessary and appropriate for guidance and clarification related to the implementation of this policy.

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Legal References

- NJSA 18A:12-2 Inconsistent interests or office prohibited
18A:12-21 et seq. School Ethics Act
18A:16-1 Officers and employees in general
18A:27-4.1 Appointment, trans, removal renewal of officers employees; exceptions
- NJAC 6A:4-1.1 et seq. Appealable decisions
6A:23A-1.2 et seq. Fiscal accountability; definitions
6A:23A-6.2 et seq. Fiscal accountability; nepotism
6A:28-1.1 et seq. School Ethics Commission
- In the Matter of the Election of Dorothy Bayless to the Board of Education of the Lawrence Township School District, 1974 S.L.D. 603, reversing 1974 S.L.D. 595
Shirley Smiecinski v. Board of Education of the Twp of Hanover, Morris County
Scola v. Ringwood Bd. of Ed., 1978 S.L.D. 413
Salerno v. Old Bridge Board of Ed., 1984 S.L.D. (April 28)
Larsen v. Woodbridge Board of Ed., 1985 S.L.D. (March 18)
Scannella v. Scudillo, School Ethics Decision, Complaint No. C-14-93,
In the Matter of Frank Pannucci, 2000 S.L.D. March 1, State Board Rev'g
Commissioner 97 NJAR 2d (EDU) 339
School Ethics Commission, Advisory Opinion
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)
School Ethics Commission, Advisory Opinion, A01-93
School Ethics Commission, Advisory Opinion, A021-93
School Ethics Commission, Advisory Opinion, A10-93
School Ethics Commission, Advisory Opinion, A107-94
School Ethics Commission, Advisory Opinion, A33-95
School Ethics Commission, Advisory Opinion, A03-95
School Ethics Commission, Advisory Opinion, A01-98
School Ethics Commission, Advisory Opinion, A14-00
School Ethics Commission, Advisory Opinion, A01-93
School Ethics Commission, Advisory Opinion, A03-13
School Ethics Commission, Advisory Opinion, A01-13
School Ethics Commission, Advisory Opinion, A15-93
School Ethics Commission, Advisory Opinion, A22-13
School Ethics Commission, Advisory Opinion, A10-14
School Ethics Commission, Advisory Opinion, A11-14
School Ethics Commission, Advisory Opinion, A43-14
School Ethics Commission, Advisory Opinion, A03-15
School Ethics Commission, Advisory Opinion, A05-15
School Ethics Commission, Advisory Opinion, A24-17
School Ethics Commission, Advisory Opinion, A35-17

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Assignment / Transfer**

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Policy 4113/4114**

Date Adopted: March 23, 2004

Date Revised

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The Chief School Administrator shall make certified staff assignments in the manner best calculated, in his/her judgment, to enhance the educational program.

Teaching, supervisory and administrative personnel are subject to assignment and transfer after recommendation of the Chief School Administrator and approved by the Board of Education. Procedures for such transfers shall comply with provisions of current negotiated agreements and state and federal law.

In accordance with the law of New Jersey, the Board of Education directs the Chief School Administrator to assign teachers, administrators and auxiliary personnel to the school in such a way that equivalence of personnel is ensured within the school.

The Chief School Administrator may use his/her discretion to make temporary assignments of existing employees to cover long-term absences of other staff members. It is the policy of the Board that these temporary assignments will be in the best interest of the school district and its pupils.

It is the policy of the Board that twelve-month employees are expected to work a full school day on such days as school is in session less than full time due to a scheduled non-emergency activity (workshop, in-service, staff meeting, etc.). The Chief School Administrator may dismiss twelve-month employees after less than a full school day's work in any situation where he/she deems their continued attendance to be of little or no value to the educational program being considered at that time.

Part-time teachers shall be scheduled by the Chief School Administrator and in the case of emergency school closings, part-time teachers may be scheduled to work on alternate days than those on which they would have been scheduled in order to effect no loss of instructional time due to school closing.

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Legal References

- NJSA 18A:25-1 Transfer of teaching staff members
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions
18A:59-1 through -3 Apportionment and distribution of federal funds; exceptions
34:13A-1 et seq. New Jersey Employer-Employee Relations Act
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services
- 42 U.S.C.A. 2000d - 2000d4 - Title VI of the Civil Rights Act of 1964
20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act
Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100-297)
34 CFR 200.1 to 200.89 - Part 200
34 CFR Part 204
Ridgefield Park Education Association v. Ridgefield Park Board of Education, 78 N.J. 144 (1978)
The Comprehensive Equity Plan, New Jersey State Department of Education Division
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2224, 4111, 4111.1, 5145.4, 6160

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Supervision & Evaluation

Policy 4115/4116

Date Adopted: November 17, 2004 Date Revised: December 16, 2013 Page 1 of 11

Supervision

The Chief School Administrator shall develop procedures for the supervision of the teaching and administrative staff in performance of their duties that shall not be limited to the observations required for evaluation. Such supervision may include, but need not be limited to, review of lesson plans and teacher-made examinations; regularly scheduled curriculum conferences; and brief, informal classroom observations.

The Board acknowledges that the purpose of supervision is to ensure that the curriculum is taught in every classroom and to improve teacher performance in the classroom so that all students have an opportunity to achieve the New Jersey Common Core Content Standards / Core Curriculum Content Standards. Supervising practices will include, but not be limited to, effective feedback from administrators to enhance the opportunities for student achievement of the New Jersey Common Core Content Standards / Core Curriculum Content Standards.

Each teacher employed in this district as of the effective date specified in code shall be responsible for fulfilling requirements for continuing education and for making annual progress toward the goal of 20 hours per year of state-approved professional development. Each teacher's professional development plan (PDP) shall incorporate appropriate steps toward this goal and shall be designed to assist teachers in obtaining and maintaining the knowledge and skills essential to student achievement of the New Jersey Common Core Content Standards / Core Curriculum Content Standards. The professional development plan shall describe specific activities designed to provide guidance for that teacher in improving his/her performance. Such activities may include, but are not limited to, seminars, course work, day-long workshops, and classes on certain instructional approaches. Although supervisors shall develop professional development plans in collaboration with teachers, the Chief School Administrator shall maintain final authority in determining their appropriate content.

Supervisory assistance and support in achieving the 20 hours per year of state-approved continuing education shall be offered in the context of the district's evaluation process, negotiated agreements, other policies, student safety and well-being, continuity of instruction, and budgetary constraints.

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The Chief School Administrator shall develop procedures for supervision of the teaching and administrative staff in the performance of their duties that shall not be limited to the observations required for evaluation. Such supervision may include, but need not be limited to, review of lesson plans and teacher-made examinations; regularly scheduled curriculum conferences; and brief, informal classroom observations. The supervisor shall note the teacher's satisfactory fulfillment or non-fulfillment of continuing education requirements identified in the professional development plan.

This policy shall be distributed to each teaching staff member at the beginning of his/her employment.

Evaluation

The Board of Education believes that the effective evaluation of teaching staff is essential to the achievement of the educational goals of this district, including student achievement of the New Jersey Common Core Content Standards / Core Curriculum Content Standards. The purpose of this evaluation shall be to promote professional excellence and improve the skills of teaching staff members; improve pupil learning and growth; and provide a basis for the review of staff performance.

The Board encourages a positive working environment in which the professional growth that results from staff participation in the evaluation process is considered of major importance. Therefore, the administration shall develop evaluation instruments flexible enough to identify the needs, strengths, and improvement objectives of each staff member.

The Chief School Administrator shall develop an evaluation instrument.

Criteria must include but need not be limited to consideration of pupil progress; instructional skills; subject knowledge; professional conduct and growth; human relations skills; classroom management skills. These criteria shall also apply to requirements for continuing education and shall be incorporated into each teacher's professional development plan. The individual professional development plans shall be aligned to professional development standards for teachers.

The evaluation procedures shall provide continuous, constructive, cooperative interaction and communication between the teaching staff member and his/her supervisor/evaluator, thus ensuring a valid basis for performance review. All procedures for the evaluation of teaching staff members shall be in compliance with law and regulation.

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All evaluative procedures shall include review of each teacher's progress toward achievement of the state-required goal of 20 hours per year of professional development. Evaluative procedures shall recognize that the purpose of this goal is to assist teaching staff in obtaining and maintaining the knowledge and skills essential to student achievement of the New Jersey Common Core Content Standards / Core Curriculum Content Standards. In any instance where an individual teacher fails to make annual progress toward meeting the 20 hours per year requirement, or where a professional fails to satisfy the requirement fully, the district administration shall take appropriate remedial action, applying sound and accepted principles of progressive supervision as well as by using existing laws and rules to the fullest extent.

The district administration shall annually report all instances of noncompliance and actions taken to address them to the State Department of Education. The Board of Education shall cooperate with the County Professional Development Board and the Executive County Superintendent in evaluating its program and progress toward goals.

The Chief School Administrator shall provide each teaching staff member with a copy of the evaluation instrument prior to the first day of class in accordance with current negotiated agreement.

The Chief School Administrator shall report at least annually on the effectiveness of the evaluation system and shall recommend means to improve it whenever desirable.

The Chief School Administrator shall, in the implementation of this policy, develop procedures in consultation with teaching staff members for:

The collection and reporting of data that are appropriate to the job description and minimally include the observation of classroom instruction;

- A. Observation conferences between the teaching staff member and the supervisor; the preparation of a written evaluation for each of the observations of nontenured staff members; and a written evaluation for each of the observations of a tenured staff member;
- B. The preparation of individual professional development plans that include specific guidance to the teacher on activities that would contribute to his/her obtaining and maintaining the knowledge and skills essential to student achievement of the New Jersey Common Core Content Standards / Core Curriculum Content Standards;

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- C. The preparation by the supervisor of an annual written performance report which shall include areas of strength, areas needing improvement based upon the job description; a professional development plan developed by the supervisor and teacher; a summary of available indicators of pupil progress and growth; a statement of how the indicators relate to the effectiveness of the teacher's overall program and performance; and a provision allowing the staff member, ten days after signing the report, to enter into the record performance data which is not included in the report by the supervisor;
- D. The conduct of the annual summary conference which shall include a review of the staff member's performance based upon his/her job description; a review of the staff member's progress toward the professional development plan objectives; a review of available indicators of pupil progress; and a review of the annual written performance report that will signed within five working days of the review;
- E. The signing of the annual written performance report by the properly certified supervisor/evaluator and the staff member.

All such procedures shall conform to law.

This policy and related procedures shall be reviewed at least yearly, and any necessary revisions made before re-adoption by the Board.

Evaluation of Tenured Teaching Staff

The Board of Education recognizes that a program of continuous evaluation of tenured teaching staff members is essential to the improvement of the educational program. Therefore a program for the evaluation of all tenured teaching staff members shall be established in accordance with the rules of the New Jersey State Board of Education and state law.

In accordance with New Jersey law, tenured teachers shall be subject to a minimum of three classroom observations annually as described in detail below.

The purpose of the evaluations shall be to:

1. Promote professional excellence and improve the skills of teaching staff members;
2. Improve student learning and growth;
3. Provide a basis for the review of performance of tenured teaching staff members.

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The Chief School Administrator and the professional staff shall have the responsibility for developing and implementing a plan for the evaluation of tenured teaching staff members in accordance with this policy and the guidelines.

Guidelines for the Evaluation of Tenured Teaching Staff

1. **Rules and Regulations:** Only certified administrative and supervisory personnel shall assume the responsibility for collecting and reporting data concerning the performance of tenured teaching staff members. If necessary and/or appropriate, additional supervisory personnel shall be used for this purpose.
2. **Job Descriptions and Evaluation Criteria:** The Chief School Administrator shall develop job descriptions and evaluation criteria based upon goals, program objectives and instructional priorities and shall submit them to the Board of Education for approval.
3. **Data Collection and Reporting:** The Chief School Administrator/designee shall collect and report data concerning the performance of teaching staff members by observation of classroom instruction, visitation to an assigned work station, other appropriate observations of performance, and from teacher conferences. Such data shall be in writing and filed in the personnel file of each tenured teaching staff member.
4. **Observation conferences:** Observation conferences between the Chief School Administrator/designee and teaching staff members shall be conducted following each formal observation within 10 days after the formal observation is completed.
5. **Annual Summary Conference:** An annual summary conference between the Chief School Administrator/ Principal and teaching staff members shall be held before a written performance report is filed. The conference shall include, but not be limited to:
 - Review of the performance of the teaching staff member based upon the job description;
 - Review of the teaching staff member's progress toward the objectives of the professional development plan written at the previous annual conference;
 - Review of available indicators of students' progress and growth toward the program objectives;
 - Review of annual written performance report and the signing of said report within 5 working days of review.
2. **Annual Written Performance Report:** The annual written performance report shall be prepared by the Chief School Administrator or Principal who has been delegated the responsibility for, and has participated in the evaluation of the teaching staff member. The performance report shall include but not be limited to the following:

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- Performance areas of strength:
- Performance areas needing improvement based upon the job description:
- An individual professional development plan written by the Chief School Administrator or Principal and the teaching staff member;
- A summary of available indicators of student progress and growth, and a statement of how these indicators relate to the effectiveness of the overall program and the performance of the individual teaching staff member;
- Provision of performance data that have not been included in the report prepared by the Chief School Administrator or Principal to be entered into record by the evaluator within 10 working days after the signing of the report.

A copy of the annual written performance report shall be retained by the tenured teaching staff member and a copy shall be retained in the personnel file of the teaching staff member.

Definitions

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

1. Appropriately certified personnel means personnel holding a supervisor's, principal's or school administrator's certificate from the New Jersey Department of Education.
2. Indicators of student progress and growth means the results of formal and informal assessment of students. Indicators of student progress shall be multiple measures and shall include but not be limited to, teacher observation, parental or guardian interview, formal and informal evaluation techniques, cumulative student performance data and state testing results.
3. Individual professional development plan is a written statement of actions developed by the Chief School Administrator or Principal and the teaching staff member to correct deficiencies that may be present or to continue professional growth, timelines for the their implementation and the responsibilities of the individual teaching staff member and the district implementing the plan.
4. Job descriptions means a written specification of the function, duties and responsibilities, the extent and the limits of authority, and work relationships within and outside the school and district.
5. Observation conference means a discussion between the Chief School Administrator/Principal and teaching staff member to review a written report of the performance data collected in formal observations and its implications for the teaching staff member's annual evaluation.

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6. Observation means a formal visitation to an assigned work station by a certified individual for the purpose of formally collecting data on the performance of a teaching staff member's assigned duties and responsibilities and of a duration appropriate to the same.
7. Performance report means a written appraisal of the teaching staff member's performance prepared by an appropriately certified individual.
8. Teaching staff member means a member of the professional staff who holds a valid certificate issued by the New Jersey State Board of Examiners, which is appropriate to the position for which the individual is employed.
9. Evaluation criteria means the knowledge, disposition and performances included in the Professional Standards for Teachers.

Evaluation of Nontenured Teaching Staff

Performance evaluation is an essential professional activity and is part of the teaching/learning process. The major process of the district's program of non-tenured teacher evaluation shall be to assist nontenured teachers to develop and to strengthen their professional abilities through an assessment of their strengths and weaknesses. Evaluation shall be a process that will offer nontenured teachers professional guidelines, suggest ways to overcome difficulties, make recommendations and provide a determination of the progress of their professional performances.

Each nontenured teacher in the district will be involved in the evaluation process conducted by the administration according to this policy, administrative guidelines, and negotiated agreement.

The administration has the responsibility of making a thorough, fair and objective evaluation of all nontenured teachers. In addition to promoting the growth and effectiveness of each nontenured teacher, the evaluation shall lead to the strengthening of the entire staff and the total educational program.

Nontenured teacher evaluations shall be ongoing and shall consider the following aspects of the teaching and learning process:

1. Teachers shall understand the central concepts, tools of inquiry, structures of the discipline, especially as they relate to the New Jersey Common Core Content Standards / Core Curriculum Content Standards, and design developmentally appropriate learning experiences making the subject matter accessible and meaningful to all students;

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2. Teachers shall understand how children and adolescents develop and learn in a variety of school, family and community contexts and provide opportunities that support their intellectual, social, emotional and physical development;
3. Teachers shall understand the practice of culturally responsive teaching;
4. Teachers shall understand instructional planning, design long and short-term plans based upon knowledge of subject matter, students, community and curriculum goals, and shall employ a variety of developmentally appropriate strategies in order to promote critical thinking, problem solving and the performance skills of all learners;
5. Teachers shall understand and use multiple assessment strategies and interpret results to evaluate and promote student learning and to modify instruction in order to foster the continuous development of students;
6. Teachers shall understand individual and group motivation and behavior and shall create a supportive, safe and respectful learning environment that encourages positive social interaction, active engagement in learning and self-motivation;
7. Teachers shall adapt and modify instruction to accommodate the special learning needs of all students;
8. Teachers shall use knowledge of effective verbal, nonverbal and written communication techniques and the tools of information literacy to foster the use of inquiry, collaboration and supportive interactions;
9. Teachers shall build relationships with parents, guardians, families and agencies in the larger community to support students' learning and well-being; and,
10. Teachers shall participate as active, responsible members of the professional community, engaging in a wide range of reflective practices, pursuing opportunities to grow professionally and establishing collegial relationships to enhance the teaching and learning process.

In accordance with New Jersey law, nontenured teachers shall be subject to a minimum of three classroom observations annually, as described in detail below. All nontenured teachers shall be provided with copies of the statute and administrative code upon initial employment.

As soon as possible, after each observation, but in no instance more than 10 days, the nontenured teacher will be provided with a copy of the evaluation at a conference with the administration.

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The conference will present the nontenured teacher and the administrator with an opportunity to discuss matters pertaining to the nontenured teacher's growth and development in professional abilities and to make an assessment of the nontenured teacher's strengths and weaknesses. The conferences may also include a discussion of student growth and achievement. Whenever specific deficiencies have been noted and further evaluations determine their continued existence, nontenured teachers shall have the right to meet with the administration to discuss said evaluations.

Satisfactory evaluations shall be a prerequisite to the granting of increments in salary and the continued employment of all nontenured teachers.

All such procedures shall conform to law.

Achieve NJ – Teacher Evaluation & Support

In accordance with the requirements of the TEACHNJ Act, a new system of teacher evaluations shall be utilized beginning with the 2013-2014 school year. This system relies on multiple measures of performance to evaluate teachers, including components of both student achievement and teacher practice.

The district shall comply with all aspects of this evaluation system, including, but not limited to:

1. The Student Growth Percentiles (SGPs) as described and required;
2. Student Growth Objectives (SGOs) as described and required;
3. Teacher practice, as measured by performance on a teacher practice instrument, such as Danielson, Marzano, etc. used to gather evidence primarily through classroom observations.

Based on classroom observations, evaluation scores (the combination of the multiple measures of teacher practice and student growth), teachers shall earn one of four ratings:

1. Highly Effective;
2. Effective;
3. Partially Effective; or,
4. Ineffective.

All teachers shall receive individual professional development plans based on their individual ratings. Teachers, who are rated Ineffective or Partially Effective shall work with the principal or Chief School Administrator to create a Corrective Action Plan with targeted professional development for the subsequent year.

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In order to maintain tenure, all teachers (regardless of hire date) must continue to earn a rating of Effective or Highly Effective.

Tenured teachers shall receive three (3) observations each year, which will consist of three (3) short observations (20 minutes, with a post-conference). At least one of these observations shall be unannounced. At least one of these observations shall require a pre-conference. Long observations, beyond the minimum requirements, do not require pre-conferences. It is recommended, but not required, that multiple observers conduct the observations.

Non-tenured teachers shall receive three (3) observations each year, which will consist of two (2) long observations (40 minutes) and one (1) short observation (20 minutes, during the first two (2) years of employment and two (2) short observations (20 minutes) and one (1) long observation (40 minutes, during the third and fourth years of employment with a post-conference). Long observations for non-tenured teachers shall require a pre-conference. Long observations, beyond the minimum requirements, do not require pre-conferences. At least one of these observations shall be unannounced. It is required that multiple observers conduct the observations of non-tenured teachers.

After the first year, teachers who receive an Ineffective or Partially Effective rating are required to have one additional observation and multiple observers are required.

Distribution of Policy

This policy shall be distributed to each nontenured staff member. Any amendments to this policy shall be distributed within 10 days of its adoption.

Administrative Guidelines

The Chief School Administrator shall develop administrative guidelines for the implementation of this policy. Such guidelines shall be consistent with this policy

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Legal References

NJSA 18A:4-15 General rule-making power
18A:4-16 Incidental powers conferred
18A:6-10 et seq. Dismissal and reduction in compensation of persons under tenure in public school system
18A:11-1 General mandatory powers and duties
18A:27-3.1 through -3.3 Non-tenured teaching staff; observation and evaluation; conference; purpose
18A:27-10 et seq. Nontenured teaching staff member; offer of employment for next succeeding year or notice of termination before May 31
18A:28-5 Tenure of teaching staff members
18A:29-14 Withholding increments; causes; notice of appeals

NJAC 6:30-2.1(a)8 Purpose and program descriptions
6A:32-4.1(e) (f) Employment of teaching staff
6A:32-4.4 Evaluation of tenured teaching staff members
6A:32-4.6 Procedure for appearance of nontenured teaching staff members before a district board of education upon receipt of a notice of nonreemployment
6A:32-5.1 et seq. Standards for determining seniority
6A:9-15.1 et seq. Required Professional Development for Teachers
6A:32-4.4 Evaluation of tenured teaching staff member
6A:32-4.5 Supervision of instruction: observation and evaluation of nontenured teaching staff members

Lacey Township Bd. of Ed. v. Lacey Township Education Association, 130 N.J. 312 (1992), aff'g 259 N.J. Super. 397 (App. Div. 1991)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2130, 2131, 4000, 4010, 4112.6, 4117.41, 4131/4131.1, 4215/4216, 6143.1, 6200

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**Instructional Personnel
Separation**

**Series 4000
Policy 4117**

Date Adopted: March 24, 2005 Date Revised

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Notice as per employee contracts shall be given in cases of dismissal by the Board of Education or resignation by the employee. Service personnel who, for any cause, are unable to report for duty at their appointed times shall notify their immediate supervisor as soon as possible. Employees who repeatedly fail to give such notice shall lose their right to continued employment.

All notices to and from employees shall be in accordance with law.

Legal References

NJSA 18A:27-3.1 Non-tenured teaching staff; observation and evaluation; conference; purpose
18A:27-3.2 Teaching staff member; notice of termination; statement of reasons; request; written answer
18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions
18A:27-9 Teaching after notice of termination of contract
18A:27-10 et seq. Nontenure teaching staff member; offer of employment for next succeeding year or notice of termination before May 31
18A:28-8 Notice of intention to resign required
18A:66-43 Retirement of service age limits
18A:66-44 Service retirement allowances

NJAC 6A:32-4.1 et seq. Employment of teaching staff
6A:32-4.6 Procedure for appearance of nontenured teaching staff members before a district board of education upon receipt of notice of nonreemployment

Donaldson v. North Wildwood Bd. of Ed., 65 N.J. 236 (1974)

Hicks v. Pemberton Township Board of Education, 1975 S.L.D. 332

Velasquez v. Brielle Board of Education, 97 N.J.A.R. 2d (EDU) (August 6), aff'g on different grounds Comm'r 96 N.J.A.R. 2d (EDU) (April 4)

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Retirement**

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Policy 4117.1**

Date Adopted: March 24, 2005 Date Revised

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Retirement shall be at the option of the employee in accordance with the rules and regulations of the Teachers Pension and Annuity Fund or P.E.R.S. The Board will abide by state law in the matter of retirement agreements. In the event that the Board has any jurisdiction, it will decide on a case-by-case basis.

Each year, paid employees who are retiring will be recognized by the Board at the conclusion of the school year.

Legal References

NJSA 18A:27-9 Teaching after notice of termination of contract
18A:28-8 Notice of intention to resign required
18A:66-43 Retirement of service age limits
18A:66-44 Service retirement allowances

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**Arrest Reporting Requirements
for Certificated Staff Members**

Policy 4117.27

Date Adopted: September 23, 2009 Date Revised: February 22, 2012,

January 26, 2017

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All certificated staff members who are charged, arrested or indicted for a crime or offense must submit a report to the Chief School Administrator of the charge, arrest or indictment, including (but not limited to) disorderly persons. This reporting requirement pertains to both in-state and out-of-state offenses and crimes. Pursuant to N.J.A.C. 6A:9B-4.3, the employee will make the report within fourteen (14) days. The staff member shall also report the disposition of any charges within seven (7) days of the disposition.

Failure to comply with these reporting requirements may be deemed “just cause” to revoke or suspend the certificate(s) of any certificate holder pursuant to N.J.A.C. 6A:9B-4.5.

The Chief School Administrator will make these requirements known to all new employees and to all employees on an annual basis.

For the purposes of this policy, Driving Under the Influence (DUI) and reckless driving charges are not considered to be “criminal offenses” for the purpose of notifying the Board of Examiners.

District Reporting Requirements

Pursuant to N.J.A.C. 6A:9-17.4(a), the Chief School Administrator shall notify the New Jersey Board of Examiners when:

- A. Tenured teaching staff members who are accused of criminal offenses or unbecoming conduct resign or retire from their positions;
- B. Nontenured teaching staff members who are accused of criminal offenses or unbecoming conduct, resign, retire or are removed from their positions;
- C. A certificate holder fails to maintain any license, certificate or authorization pursuant to N.J.A.C. 6A:9-4.1(b) that is mandated in order for the holder to serve in a position; or,
- D. He/she becomes aware that a certificate holder has been convicted of a crime while in the district's employ;
- E. He/she has received a report from the Department of Children and Families substantiating allegations of abuse or neglect, or establishing “concerns” regarding a certificated teaching staff member.

The district shall cooperate with the Board of Examiners in any proceeding arising from an order to show cause issued by the Board of Examiners and based on information about the certificate holder that the district provided.

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**Instructional Personnel
Arrest Reporting Requirements
for Certificated Staff Members**

Series 4000

Policy 4117.27

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Legal References

- NJSA 18A:6-7.1 Criminal history record checks for final candidates for school employee positions
18A:39-19.1 Criminal records of school bus drivers
- NJAC 6A:9B-4.3 Arrest reporting requirements
6A:9B-4.5 Grounds for revocation and suspension of certification

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**Instructional Personnel
Resignation**

**Series 4000
Policy 4117.3**

Date Adopted: March 24, 2005 Date Revised

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A certified employee shall submit his resignation in writing to the Chief School Administrator at least 60 days prior to the effective date of resignation. This date shall be approved unless the Board of Education desires to accept the resignation sooner.

The resignation becomes effective upon its formal approval by the Board of Education, and may be withdrawn by the employee at any time prior to Board action.

Any employee of the school district who terminates his employment of his own volition with exception of retirees or if released by the Board will forfeit Board granted benefits accrued during his employment.

If an employee returns to the employ of the Board of Education after having had prior service, said employee will begin with the same benefits as any other new employee, except as covered by New Jersey State law, and/or the contracted agreement between the employee and the Board of Education.

Legal References

- NJSA 18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions
18A:27-9 Teaching after notice of termination of contract
18A:27-10 et seq. Nontenure teaching staff member; offer of employment for next succeeding year or notice of termination before May 31
18A:28-8 Notice of intention to resign required
18A:66-43 Retirement of service age limits
18A:66-44 Service retirement allowances
- NJAC 6A:32-4.1 et seq. Employment of teaching staff

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Personnel Reduction / Abolishing A Position

Policy 4117.4

Date Adopted: March 24, 2005 Date Revised

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The Board of Education has the right under the state law to abolish unilaterally any existing position in whole or in part and to reduce the number of employees in any category for reasons of economy, reduction in the number of pupils, change in the administrative or supervisory organization, change in the educational program or other good cause.

Should it become necessary to reduce the number of employees in the district, the laws and regulations of the state shall be the controlling guides. If, in the case of such reduction, candidates for termination are non-tenured personnel only, the primary basis for selection for termination or reduction shall be the needs of the district's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

If, in the case of such reduction, candidates for termination or reduction in grade are tenured in this district, the state regulations regarding seniority shall be the primary basis for decision. In the event that there should be equal applicable seniority among staff members, the decision for reduction or termination shall be based on the needs of the district's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

In no case shall any choice be based on arbitrary, capricious or discriminatory reasons.

The Chief School Administrator shall prepare guidelines for restructuring positions and for determining objectively which employees are to be dismissed as a result, and shall present his/her recommendations to the Board for action.

Legal References

- NJSA 18A:28-5 Tenure of teaching staff members
- 18A:28-9 Reduction of force; power to reduce and reasons for reduction
- 18A:28-10 Reasons for dismissals of persons under tenure on account of reduction
- 18A:28-11 Seniority; board to determine; notice and advisory opinion
- 18A:28-12 Dismissal of persons having tenure on reduction; reemployment
- NJAC 6A:9-5.5 Assignment of titles
- 6A:32-5.1 Standards for determining seniority
- Dennery v. Passaic County Regional High School District Bd. of Ed., 131N.J. 626 (1993)
- Primka v. Edison, 93 NJAR 2d (EDU) 91 aff'd State Board 93 NJAR 2d (EDU) 94 aff'd App. Div. unpub. Op. Dkt. No. A-2427-92T3 Jan. 18, 1994
- Impey v. Board of Education of Shrewsbury, 142 N.J. 388 (1995)
- Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1542 (3d Cir. 1996)

Possible Cross References

2131, 4115/4116, 4117.41

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Nonrenewal Of Non-tenured Teachers

Policy 4117.41

Date Adopted: March 24, 2005 Date Revised

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The Board shall determine annually whether or not a new contract will be offered to a non-tenured teaching staff member after hearing the recommendation of the Chief School Administrator. Should the Board choose not to offer a new contract, written notice or non-renewal of employment will be sent by the Chief School Administrator. This notice will be given by the date specified by law.

A written request from a non-tenured teaching staff member for a written statement of reasons for non-reemployment will be honored by the Board of Education according to New Jersey law and code. An informal appearance before the Board may be requested in writing within 10 calendar days and shall be scheduled within 30 days from receipt of the Board's statement of reasons in accordance with the law.

It is the Board of Education's prerogative to determine the date, starting time and length of an informal appearance, the purpose of which shall be to permit the staff member a final opportunity to convince the Board of Education to offer reemployment. Written notice of date and time will be provided to the staff member at least five working days prior to the informal appearance.

The non-tenured teaching staff member may be represented by counsel or one individual of his/her choosing and may present witnesses on his/her behalf. Those witnesses are not subject to cross-examination by the Board of Education and will be excused from the hearing after making their statements.

Within three working days following the informal appearance, the Board of Education or its designee will notify the teaching staff member, in writing, of the Board's final decision.

Legal References

- NJSA 18A:27-3.1 Evaluation of performance of nontenure teacher
- 18A:27-3.2 Request for statement for reasons for non-reemployment
- 18A:27-4.1 Board of Education, procedure for certain personnel actions; recommendation of chief school administrator
- 18A:27-10 et seq Continuation and termination of employment, notice, etc
- 18A:28-9 Reduction of force; power to reduce and reasons for reduction
- 18A:28-10 Reasons for dismissals of persons under tenure on account of reduction
- 18A:28-11 Seniority; board to determine; notice and advisory opinion
- 18A:28-12 Dismissal of persons having tenure on reduction; reemployment

Possible Cross References

4115/4116, 4117.4

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**Instructional Personnel
Disciplinary Action**

**Series 4000
Policy 4117.5**

Date Adopted: March 24, 2005 Date Revised: August 30, 2012

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It shall be the policy of the Board of Education to apply the statutes of the state, the policies of this Board and the regulations of the administration with equal consideration to each staff member.

The Chief School Administrator shall prepare disciplinary rules for situations most often encountered which provide for progressive penalties including-where appropriate-verbal warnings, written warnings, non-renewal of non-tenured employees, withholding of an increment from tenured employees, dismissal of non-tenured employees and preferral of charges against tenured employees. Such rules shall ensure nondiscriminatory application, differentiate between a second offense of the initial type and a second offense unlike that for which the employee was initially reprimanded, and be in accordance with established due process procedures.

Consequences shall include:

- First Offense – Personal discussion with supervisor;
- Second Offense – Personal discussion with supervisor, and note indicating Second Offense with a copy filed in employee’s personnel file and a copy forwarded to the Board President;
- Third Offense – Consequences as stated for Second Offense and a letter stating that the matter will be forward to the Board of Education for further disciplinary action.

Disciplinary rules shall be reviewed and approved by the Board and shall include the provision that the Board reserves the right to deduct pay for required service not performed, including time lost through tardiness in accordance with its policies.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:6-10 et seq Dismissal and reduction in compensation
18A:27-4 Power of boards of education to make rules governing employment

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**Instructional Personnel
Unauthorized Absence**

**Series 4000
Policy 4117.53**

Date Adopted: March 24, 2005 Date Revised

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The Board of Education expects all employees to adhere to the policy of the Board regarding unauthorized absence from school property during work hours. Employees violating this policy by leaving school early or during periods other than lunchtime, without authorization by an Administrator, shall be subject to disciplinary action.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:6-10 et seq Dismissal and reduction in compensation
18A:27-4 Power of boards of education to make rules governing employment

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Grievance Procedure – Title IX

Policy 4118.1

Date Adopted: June, 22, 2005

Date Revised

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Complaints regarding alleged discrimination on the basis of race, color, creed, religion, sex, ancestry, age, national origin, or social or economic status must be made in writing. Forms are available from the Affirmative Action Officer.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment

Possible Cross References

2224, 3320, 5145.4, 6121

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Series 4000

Grievances Not Covered By Contract

Policy 4118.3

Date Adopted: March 24, 2005 **Date Revised**

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It is the policy of the Board of Education to discover and practice reasonable and effective means of resolving difficulties which may arise among employees; to reduce potential areas of grievances; and to establish and maintain recognized channels of communication between staff and administration. With the ultimate goal of serving the educational welfare of children, the informal grievance procedure shall provide the prompt and equitable adjustment of differences. The informal grievance procedure shall adhere to guidelines established by contract. It is essential that full cooperation be given by all employees to achieve these goals.

Each employee shall be assured the opportunity for an orderly presentation and review of concerns and grievances.

No employee shall suffer reprisals or reduction in status as a result of having presented a grievance or having represented an employee in a grievance.

It shall be the general practice to process grievance procedures during time which does not interfere with assigned duties.

An individual employee or his representative during the course of the processing of a grievance shall continue to follow administrative directives and Board policy.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment

Possible Cross References

2224, 3320, 5145.4, 6121

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**Instructional Personnel
Conflict of Interest**

**Series 4000
Policy 4119.21**

Date Adopted: March 23, 2004

Date Revised

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An employee of the Board shall not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity that is in conflict with the proper discharge of his/her duties.

An employee of the Board shall not use or attempt to use his/her position to secure unwarranted privileges or advantages for himself/herself or others.

An employee of the Board shall not act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest such as selection or purchase of any textbook or other materials on which he/she receives a royalty.

An employee of the Board shall not accept any gift, favor, service or other item of value under circumstances from which it might be reasonably inferred that such gift, service or other item of value was given or offered for the purpose of influencing him/her in the discharge of his/her duties.

Legal References

NJSA 2C:27-1 et seq. Bribery and Corrupt Influence
18A:6-8 Interest of school officers, etc., in sale of textbooks or supplies; royalties
18A:6-8.4 Right to hold elective or appointive state, county or municipal office
18A:11-1 General mandatory powers and duties
18A:12-21 et seq. School Ethics Act
18A:54-20 Powers of board (county vocational schools)
19:34-15 Electioneering within or about polling place; misdemeanor

NJAC 6A:4-1.1 et seq. Appeals
6A:28-1.1 et seq. School Ethics Commission

Green Township Education Association v. Rowe, et al., 328 N.J. Super 525 (App. Div. 2000)

Possible Cross References

1140, 1313, 4112.8, 4117.5, 4118.2, 4119.22, 4119.23, 9270

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Instructional Personnel

Series 4000

Grooming, Appearance & Dress

Policy 4119.22

Date Adopted: March 23, 2004 Date Revised: September 26, 2012

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The Board of Education expects all staff members to be neatly groomed and dressed in a professional manner and in clothing suitable for the subject of instruction, the work being performed, or the occasion.

The Board of Education believes that the appearance and dress of teaching/professional staff members is an important component of the educational program of this school district. The attitude of teaching/professional staff members about their professional responsibilities and the importance of education in the lives of their pupils are reflected in their dress and appearance. Accordingly, in order to create an atmosphere of respect for teachers/professional staff and an environment conducive to discipline and learning, the Board of Education expects all staff members to be neatly groomed and dressed in clothing suitable for the subject of instruction, the work being performed, or the occasion.

General Criteria

Attire shall meet the following criteria:

- Men and women shall dress in a manner befitting the profession. Faculty dress should up-hold the dignity of the profession and be appropriate to the type of service the teacher is performing.
- Female staff members shall wear skirts, slacks or docker-style khakis, with blouses or sweaters, dresses, skort or slack ensembles, slack suits, dress shorts or Capri's.
- All skirt, skort, or dress-like clothing shall not exceed three (3) inches above the knee while standing.
- Male staff members shall wear suits, dress pants, or docker-style khakis, dress shirts, with or without ties, collared shirts, turtlenecks or sweaters.
- Dress shorts are permitted to be worn by all staff members when the temperature is higher than 75 degrees F and deemed appropriate by the Chief School Administrator. Shorts shall be no more than 3" above the knee while standing.

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Specialized Areas

- Physical education/health teachers, while teaching physical education classes, shall wear attire that is conducive to their subject area. Jackets, T-shirts, pullover shirts, slacks, pants, jogging suits, shorts, and sneakers are examples but not a limited list of appropriate attire for physical education teachers.
- Physical education/health teachers shall cover shorts with slacks, skirts, or jogging suits upon leaving the gymnasium or other place of instruction of a physical education class. Sleeveless shirts worn in physical education classes shall be covered with an appropriate sleeved shirt, sweat shirt, sweater or other pullover shirt.
- Preschool staff shall wear attire that upholds the dignity of the profession and is appropriate to the preschool environment, while conforming to requirements listed in “General Criteria” above.
- The wearing of smocks or other special attire by teachers in the performance of their duties in specialized areas, i.e. Science, Art and nursing, shall not be deemed as a violation of this code.

Staff going on field trips should dress appropriately, according to the venue, and as representatives of the school district.

Staff attending out of district workshops and/or inservices shall adhere to this dress code.

Footwear

- Footwear shall include appropriate dress shoes, clogs, flats or sandals, boots and sneakers.
- The wearing of work boots, steel toed shoes or other special footwear as required by a job description, policy, or contract, in the performance of their duties, i.e. Maintenance, Grounds, Custodian, Food Service, shall not be deemed a violation of this code.

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Unacceptable Attire

- Torn, dirty, stained, holey, or excessively wrinkled clothing.
- Flip flops, bedroom slippers, combat boots, construction work boots, shower clogs, athletic sandals.
- See-through clothing.
- Skin-tight clothing i.e. spandex, leggings, etc.
- Low, plunging, or deep “V” necklines.
- Midriff, halters, tank, spaghetti straps, tube tops, or razorback tops or dresses.
- Beach attire, beach shoes
- Any type of undergarments as outerwear.
- Sweatshirts sweat pants and sweat suits (except as appropriate PE staff and extra assignments as deemed appropriate).
- Observable jewelry in body piercings except for the ears, and small nose studs.
- Denim jeans.
- Obscene, suggestive slogans, phrases or pictures on clothing.

The staff member’s direct supervisor shall determine whether the dress or grooming of staff members conforms to this policy. In cases where a staff member disputes the decision of his/her supervisor, he/she may appeal up to the Chief School Administrator whose decision in the matter shall be final.

The Chief School Administrator or his/her designee may relax the dress code for special occasions upon request (i.e. Spirit Days, In-Service Days, Field Trips.)

This policy shall be in effect October 1, 2012.

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Legal References

- NJSA 18A:6-10 Dismissal and reduction in compensation of persons under tenure in public school system
18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc., employment thereunder
- Hicks v. Pemberton Bd. of Ed., 1975 S.L.D. 332
Quiroli v. Linwood Bd. of Ed., 1974 S.L.D. 1035
Carlstadt Teachers Ass'n v. Carlstadt Bd. of Ed., App. Div., unreported decision (docket no. A-1469-80-T4, decided March 26, 1982), 1982 S.L.D. 1448

Possible Cross References

4117.5, 4119.2, 4119.21, 4219.22, 4119.23, 4138, 6144

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**Instructional Personnel
Conduct**

**Series 4000
Policy 4119.225**

Date Adopted: August 30, 2012 Date Revised: September 25, 2013 Page 1 of 3

Staff Conduct

The Board of Education recognizes its responsibility to protect the health, safety and welfare of all pupils within this school district. Furthermore, the Board recognizes there exists a professional responsibility for all school staff to protect the pupils' health, safety and welfare. The Board strongly believes that school staff members have the public's trust and confidence to protect the well being of all pupils attending the district schools.

The personal life of an employee is not an appropriate concern of the Board except as it may directly prevent the employee from performing his/her properly assigned functions during the workday or affect his/her professional relationship with the pupils.

In support of the Board's strong commitment to the public's trust and confidence of school staff, the Board of Education holds all school staff members to the highest level of professional responsibility in their conduct with all pupils. Inappropriate conduct and conduct unbecoming a school staff member will not be tolerated in this school district.

The conduct of school staff members in completing their professional responsibilities shall be appropriate at all times.

- Staff members shall not make inappropriate comments to pupils or about pupils and shall not engage in inappropriate language or expression in the presence of pupils.
- Staff members shall not engage in inappropriate conduct toward or with pupils.
- Staff member shall not engage or seek to be in the presence of pupils beyond the staff member's professional responsibilities.
- Staff members shall not provide transportation to a pupil in their private vehicle or permit a pupil into their private vehicle unless there is an emergency or a special circumstance that has been approved in advance by the Building Principal/immediate supervisor and the parent/legal guardian.
- Staff members shall not speak about pupils in any manner in locations that are not private, nor in front on anyone who is not permitted access to student information.

Working with students on an individual basis can be very helpful for student learning and understanding. However, it is wise to meet with individual students in public places, i.e., library, cafeteria or in the front of an open classroom in an area visible from the hallway and, generally, in the vicinity of other people.

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Teachers providing home instruction shall do so in accordance with the provisions of NJAC 6A:16-10.2(e), in that a parent or other adult 21 years of age or older who has been designated by the parent, shall be present during all periods of home instruction. A responsible adult must be present at all times while the home instructor is providing instruction.

Physical contact should be avoided and comments should be of a professional nature. These guidelines are intended to protect the student and the teacher as well as ensuring the continued good reputation of the teacher.

A staff member's conduct will be held to the professional standards established by the New Jersey State Board of Education and the New Jersey Commissioner of Education. Inappropriate conduct or conduct unbecoming a staff member may also include conduct not specifically listed in this policy, including conduct determined by the New Jersey State Board of Education, the New Jersey Commissioner of Education and/or appropriate courts to be inappropriate or conduct unbecoming a school staff member.

When an employee, either within the school or outside normal duties, creates conditions under which the proper operation of the school is affected, the Board, upon recommendation of the Superintendent of Schools, and in accordance with statute, shall determine whether such acts or lack of actions constitute conduct unbecoming a school employee, and if so, will proceed against the employee in accordance with law.

Unbecoming conduct sufficient to warrant Board review may result from a single flagrant incident or from a series of incidents.

Compensated and uncompensated (volunteers) school personnel are required to report any possible violations of this policy to their immediate supervisor, Assistant Principal or Building Principal. If the report alleges conduct by the Assistant Principal or the Building Principal or the immediate supervisor, the school staff member may report directly to the Superintendent of Schools. In addition, school personnel having reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined in NJSA 9:6-8.10 are required to immediately report to the New Jersey Division of Child Protection & Permanency (DCP&P) in accordance with NJAC 6A:16-10.1 et. seq., and inform the Assistant Principal, Building Principal or immediate supervisor after making such report. However, notice to the Building Principal/designee need not be given when the school staff member believes such notice would likely endanger the referrer or child(ren) involved or when the staff member believes that such disclosure would likely result in retaliation against the child(ren) or in discrimination against the referrer with respect to his/her employment.

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Reports may be made in writing or by verbal notification. The immediate supervisor or Building Principal will notify the Superintendent of Schools of all such reports, including anonymous reports. The Superintendent of Schools will investigate all such reports. Upon reviewing the situation, the Superintendent of Schools may take such appropriate action as necessary and as provided by law. This may include, but is not limited to notify law enforcement, notifying DCP&P in accordance with NJAC 6A:16-10.2 et. seq., and/or other measures provided for in law.

Staff members who violate this policy will be subject to disciplinary action as listed in Policy 4117.5 – Disciplinary Action.

Legal References

NJSA 18A:6-10 Dismissal and reduction in compensation of persons under tenure in public school system
18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc., employment thereunder

Hicks v. Pemberton Bd. of Ed., 1975 S.L.D. 332
Quiroli v. Linwood Bd. of Ed., 1974 S.L.D. 1035
Carlstadt Teachers Ass'n v. Carlstadt Bd. of Ed., App. Div., unreported decision (docket no. A-1469-80-T4, decided March 26, 1982), 1982 S.L.D. 1448

Possible Cross References

4117.5, 4119.2, 4119.21, 4119.22, 4219.225, 4119.23, 4138, 6144

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Series 4000

Substance Abuse, Drugs, Steroids & Alcohol

Policy 4119.23

Date Adopted: March 24, 2005 Date Revised

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The Board of Education recognizes that the misuse of drugs, steroids, and alcohol is a serious problem with enormous impact upon the welfare of the entire school community. The Board is committed to the prevention of drug, steroid, and alcohol abuse and rehabilitation of drug, steroid, and alcohol abusers and implementation of an effective drug, steroid, and alcohol awareness program for staff members, as well as providing special assistance for addicted staff. The Board desires to utilize positive approaches in dealing with these problems but will resort to necessary and appropriate steps to protect the school community from harm caused by exposure to drug, steroid, and alcohol abuse.

Adoption of Policies and Procedures

- A. The Board hereby adopts these policies and procedures for the discipline, evaluation and treatment of staff members who possess, consume or who, on reasonable grounds, are suspected of being under the influence of the following substances in the work site.
 - 1. All controlled dangerous substances as identified and prohibited in N.J.S.A. 24:21-1
 - 2. All chemicals and/or chemical compounds which release toxic vapors as defined in N.J.S.A. 27A:170-25.9 and N.J.S.A. 2C:98-3
 - 3. All alcoholic beverages.
 - 4. Anabolic steroids

- B. Guidelines – All Employees
 - 1. For the purpose of this policy “worksite” shall include any school building, or any school premises and any school owned vehicles or any other school-approved vehicle used to transport students to and from school or school activities. Worksite also includes off school property during any school sponsored or school approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the school district.

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Substance Abuse, Drugs, Steroids & Alcohol

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2. The unlawful manufacture, distribution, dispensing, possession of, use of or sale of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, steroid, or any other controlled substance on or in school worksites is prohibited. Any violation may subject an employee to participation in a drug rehabilitation program and disciplinary action including but not limited to non-renewal, suspension, or termination at the discretion of the Board of Education.
3. The use of alcoholic beverages in school worksites is prohibited. Violations of this prohibition may subject an employee to disciplinary action that may include but is not limited to non-renewal, suspension, or termination at the discretion of the Board.
4. The Board of Education, as a result of criminal convictions of any criminal drug statute violation by an employee occurring outside of the worksite, may discipline said employee. Disciplinary action may include, but not be limited to non-renewal, suspension, or termination at the discretion of the Board.
5. The Chief School Administrator shall establish a drug-free awareness program that includes notice of the dangers of drug abuse in the workplace and available drug counseling programs and shall distribute this information to all employees annually. New employees shall be provided with a copy of this information prior to beginning work assignments.
6. The Chief School Administrator with the Board shall establish standards of staff conduct to include disciplinary sanctions required when staff members violate Board policies related to drug, steroid, and alcohol abuse. All disciplinary sanctions shall be implemented within the framework of the employees' contractual rights and due process. All employees shall be provided with a copy of this information annually.
7. Nothing in this policy shall be construed in any way to authorize or require the transmittal of any information or records that are in the possession of a substance-abuse counseling or treatment program include, but not limited to, the school districts own substance-abuse programs. All information concerning a staff member's involvement in a school intervention or treatment program shall be kept strictly confidential. See 42 C.F.R. 2 and N.J.A.C. 6:3-6.6.
8. The Chief School Administrator will ensure that all district employees receive annual in-service training to make them aware of their responsibilities in accordance with Board policies and N.J.A.C. 6:3-6.3 et seq.

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9. The Board will review annually the effectiveness of these policies and the Memorandum of Agreement entered into with the appropriate law enforcement agency. As part of this review, the Board will consult with the County Chief School Administrators, local community members, and the County Prosecutor's office.
10. The policies and procedures contained herein shall be made available to all staff on an annual basis.

C. Work Performance in Connection with a Federal Grant

In order for the school district to qualify for any direct federal grant, the district must certify that it will provide a drug-free workplace and maintain a good faith effort to continue to maintain a drug-free workplace. To this end, employees engaged in school worksites as a result of federal grant moneys shall in addition to complying with requirements of the programs shall be in strict compliance with this policy.

The Chief School Administrator shall notify all employees that they are to notify their respective supervisors of convictions of any criminal drug statute violation occurring in the workplace. Employees must notify their supervisors no later than five days after such conviction. To be in compliances, the district must notify the federal grant program of such conviction within 10 days of receipt of said conviction.

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Substance Abuse, Drugs, Steroids & Alcohol

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Legal References

- NJSA 2C:33-16 Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
2C:35-1 et seq. Comprehensive Drug Reform Act of 1987
18A:11-1 General mandatory powers and duties
18A:16-2 Physical examinations; requirement
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:36-32 Cigarette coin-operated vending machines; operation, installation or maintenance on property used for school purposes; fine
18A:54-20 Powers of board (county vocational schools)
26:3D-55 et seq. New Jersey Smoke-Free Air Act
- NJAC 6A:16-6.3 Reporting students or staff members to law enforcement authorities
6A:16-6.5 Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs
6A:26-12.2(a)4 Policies and procedures for school facility operation
- New Jersey Constitution, Art. IV, § VII, par. 2 Anti-Drug Abuse Act of 1988
Drug-Free Workplace Act of 1988
A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Bayonne Teachers' Assoc v BOE, City of Bayonne Office Admin Law
Fairlawn Education Assoc v Fairlawn BOE 79 NJ 574 (1979)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1330, 1410, 3515, 4117.5

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Instructional Personnel
Drug-Free Workplace

Series 4000
Policy 4119.232

Date Adopted: March 24, 2005 Date Revised

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The Board of Education prohibits the unlawful manufacture, distribution, dispensing, possession or use of any controlled dangerous substance by any person in any school building, on school grounds, or during any activity or event sponsored by the Board.

Every employee of this district must, as a condition of employment, agree to be bound by this policy. An employee who violates the prohibitions or reporting requirements of this policy will be subject to discipline, which may include dismissal, or certification of tenure charges, as appropriate. An employee whose involvement with drugs results in a conviction for a crime of the third degree or above or for an offense touching his/her position will be deemed to have forfeited his/her public employment, pursuant to N.J.S.A. 2C:51-2.

An employee who is convicted of a drug-related offense must report the conviction to the Chief School Administrator within five days of its occurrence. The Chief School Administrator will report the conviction, within ten days of the date on which notice of the conviction is received, to any federal agency from which the district has received funds through a grant.

The Board directs the Chief School Administrator to establish and maintain a program to:

1. Alert employees as to the dangers of drug abuse in the workplace;
2. Inform employees of the prohibitions against drugs set forth in this policy;
3. Inform employees of available drug counseling, rehabilitation, and assistance programs; and,
4. Warn employees of the penalties that may be imposed for violations of prohibitions set forth in this policy.

The Board will report to law enforcement officials and prosecute as appropriate any employee or visitor who violates the prohibitions of this policy. A pupil who violates this policy will be treated in accordance with law.

This policy will be distributed to each district employee, including all those engaged in the performance of services under a federal grant, and will be prominently posted in the district.

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**Instructional Personnel
Drug-Free Workplace**

**Series 4000
Policy 4119.232**

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Legal References

NJSA 2C:33-16 Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
2C:35-1 et seq. Comprehensive Drug Reform Act of 1987
18A:11-1 General mandatory powers and duties
18A:16-2 Physical examinations; requirement
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:36-32 Cigarette coin-operated vending machines; operation, installation or maintenance on property used for school purposes; fine
18A:54-20 Powers of board (county vocational schools)
26:3D-55 et seq. New Jersey Smoke-Free Air Act

NJAC 6A:16-6.3 Reporting students or staff members to law enforcement authorities
6A:16-6.5 Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs
6A:26-12.2(a)4 Policies and procedures for school facility operation

New Jersey Constitution, Art. IV, § VII, par. 2 Anti-Drug Abuse Act of 1988
Drug-Free Workplace Act of 1988

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Bayonne Teachers' Assoc v BOE, City of Bayonne Office Admin Law

Fairlawn Education Assoc v Fairlawn BOE 79 NJ 574 (1979)

Drug-Free Workplace Act of 1988, P.L. 100-690

34 CRF 85.600 et seq.

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1330, 1410, 3515, 4117.5

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**Instructional Personnel
Political Activities**

**Series 4000
Policy 4119.24**

Date Adopted: April 27, 2004

Date Revised

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The Board of Education establishes the following guidelines to govern staff members in their political activities:

1. A staff member shall not engage in political activity on school premises.
2. A staff member shall not post political circulars or petitions on school premises nor distribute such circulars or petitions to pupils nor solicit campaign funds or campaign workers on school premises.
3. A staff member shall not display any material that would tend to promote any candidate for office on an election day in a school facility that is used as a polling place.

A staff member who is a member of the State Legislature or the County Board of Chosen Freeholders is entitled by law to time off from school district duties, without loss of pay, during the time the member attends meetings of the Legislature or Board of Chosen Freeholders or any committee of those bodies. No other staff member who holds elective or appointive office is so entitled, except as such time off may be provided for by the Board policy or negotiated agreement.

The provisions of this policy do not apply to the discussion and study of politics and political issues appropriate to the curriculum, the conduct of pupil elections, or the conduct of employee representative elections.

Legal References

NJSA 18A:6-8.1 Leave of certain employees to serve in legislature
18A:6-8.1 Leave of certain employees to serve on board of chosen freeholders
18A:6-8.4 Right to hold elective or appointive state, county or municipal office

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**Instructional Personnel
Unbecoming Conduct**

**Series 4000
Policy 4119.25**

Date Adopted: March 23, 2004

Date Revised

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The personal life of an employee is not an appropriate concern of the Board except as it may directly prevent the employee from performing his/her properly assigned functions during the workday or affect his/her professional relationship with the pupils.

Unbecoming Conduct

When an employee, either within the school or outside normal duties, creates conditions under which the proper operation of the school is affected, the Board, upon recommendation of the Chief School Administrator, and in accordance with statute, shall determine whether such acts or lack of actions constitute conduct unbecoming a school employee, and if so, will proceed against the employee in accordance with law.

Unbecoming conduct sufficient to warrant Board review may result from a single flagrant incident or from a series of incidents.

Legal References

NJSA 2C:51-2 Forfeiture of public office
18A:6-10 et seq Due process for employees suspended or reassigned
18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment

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Instructional Personnel

Series 4000

**Use of District Computers, Internet,
E-mail, Social Networks & Other**

Forms of Electronic Communications

Policy 4119.26

Date Adopted: September 24, 2008 Date Revised: August 31, 2010

October 22, 2014

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The Deerfield Township Board of Education offers each staff member access to the school's computer network. This network, including all computers, printers, scanners and other related equipment is the property of the district and is to be used for educational purposes or approved school activities.

Accordingly, staff members should not expect privacy in regards to the contents of their computer files stored on the district's network, including E-mail messages sent and/or received. Staff members are advised that when they access the Internet while connected to the district's network, they are doing so through a proxy server which logs all activity, including specific World Wide Web sites visited.

Electronic Communication

School district personnel shall adhere to the following guidelines when sending or receiving messages via district owned or issued devices and the district network:

1. All messages shall pertain to legitimate school business;
2. Personnel shall not reveal district issued passwords to others. If a staff member believes that a password has been lost or stolen, or that email has been accessed by someone without authorization, he/she must contact the supervisor for technology or the principal;
3. District administrators shall have access to the employee's password or passwords for all district owned or issued devices and the use of the district network;
4. Electronic messages on school owned or issued electronic devices and the district network shall be retained for the period of time specified by the Destruction of Public Records Law and Board policy;
5. Federal copyright laws shall be observed;
6. Staff shall not send messages that contain material that:
 - May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
 - Violates the district's affirmative action policies;
 - Is personal in nature and not related to the business of the district;
 - Can be interpreted as provocative, flirtatious or sexual in nature;
 - Is confidential and not authorized for distribution;
 - Violates Board Policy on Harassment, Intimidation and Bullying.

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7. Personnel shall become familiar with the district's policies and regulation on staff and student access to networked information resources and acceptable use of technology before initiating email use;
8. Employees learning of any misuse of the email systems shall notify the supervisor for technology, principal or Chief School Administrator immediately.

Online Education

An online classroom is still a classroom. Though courses and/or assigned programs of home instruction may be online, appropriate classroom behavior is still mandatory. Respect for the participants is essential for learning and student achievement.

Staff communications with students during online education will be limited to legitimate school business as set forth under cell phones, text messages and electronic communication, above. Professional standards and etiquette shall be observed at all times.

Social Networking Websites

The Chief School Administrator/designee will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the on-line, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process. The orientation and reminders will give special emphasis to:

- A. Improper fraternization with students using social networking websites on the internet:
 - Teachers may not list current students as "friends" on networking sites;
 - All e-contacts with students should be through the district's computer and telephone system;
 - All contact by coaches with team members shall be sent to all team members;
 - Teachers should not give out their private cell phone or home phone numbers without prior approval of the district;
 - Inappropriate contact via e-mail or phone is prohibited;
- B. Inappropriateness of posting items with sexual content;
- C. Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol;

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- D. Examples of inappropriate behavior from other districts, as behavior to avoid;
- E. Monitoring and penalties for improper use of district computers and technology;
- F. The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct.

The Chief School Administrator/designee will periodically conduct Internet searches to see if teachers have posted inappropriate materials on-line. When inappropriate use of computers and websites is discovered, the Chief School Administrator/designee will download the offensive material and promptly bring that misconduct to the attention of the Board's personnel committee for review.

Cell Phones

As a general rule, school staff shall not contact students' cell phones unless directed to do so by the parent/guardian or student. School district personnel shall limit cell phone interaction with students to contact that pertains to legitimate school business.

Legitimate school business includes (but is not limited to):

1. Answering academic inquiries regarding homework, other classroom work or assignments;
2. Scheduling appointments for school related conferences and/or extra help;
3. Clarifying classroom expectations and/or assignments;
4. Notifications related to classroom, club or sports schedules, events, trips, assignments, and deadlines.

Cell phone contact with students shall be as brief and direct as possible. When brief contact is not sufficient and/or feasible to resolve the matter, where appropriate, teachers shall schedule face-to-face conferences during regular classroom and extra-help periods to confer with the student. No cell phone contact shall exceed three replies.

Staff shall not send messages that contain material that may be defined by a reasonable person as profane or obscene; messages that are racist, sexist or promote illicit, illegal or unethical activity; or messages:

- A. That violate the district's affirmative action policy;
- B. That are personal in nature and not related to the business of the district;
- C. That can be interpreted as provocative, flirtatious or sexual in nature;
- D. That contain confidential information to persons not authorized to receive that information.

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Text Messages

Any text messages by staff members, coaches and volunteers shall, as a general rule, be sent to the entire class, team, club or organization and not to any student individually. Exceptions may include situations involving confidential medical issues, emergencies or individual issues not involving the entire group. Staff shall not send messages containing material that:

1. May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
2. Violates the district's affirmative action policies;
3. Is personal in nature and not related to the business of the district;
4. Can be interpreted as provocative, flirtatious or sexual in nature;
5. Is confidential information and not authorized for distribution;
6. Violates Board Policy on Harassment, Intimidation and Bullying.

The network shall not be used to transmit political statements, or to support specific business entities.

Monitoring

The Board of Education reserves the right to review any material accessed or transmitted by users. Users should have no expectation of privacy. Certain aspects of the use of electronic environment may be recorded in logs either for the purpose of performance monitoring or for assistance in authorized legal investigations of alleged misbehavior under this policy. The actual contents of these logs will only be reviewed by authorized district administrators, appointees authorized by the Chief School Administrator or by external law enforcement officials.

Internet Sites

Staff members using district computers are cautioned that accessing inappropriate Internet sites is strictly forbidden. The Board of Education directs the Chief School Administrator/designee to restrict or to require the district Internet provider to restrict users from accessing Internet sites that are inappropriate.

Cyber-bullying

The Board of Education expressly forbids cyber-bullying. For the purposes of this policy, "cyber-bullying" shall mean using the communication capacities of computers, the Internet and/or other digital communication devices to bully others by:

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- Sending or posting cruel messages or images;
- Threatening others;
- Excluding or attempting to exclude others from activities or organizations;
- Starting or passing on rumors about others or the school system;
- Harassing or intimidating others;
- Sending angry, rude or vulgar messages directed at a person or persons privately or to an online group;
- Sending or posting harmful, untrue or cruel statements about a person to others;
- Pretending to be someone else and sending or posting material that makes that person look bad or places that person in potential danger;
- Sending or posting material about a person that contains sensitive, private or embarrassing information, including forwarding private messages or images; and/or,
- Engaging in tricks to solicit embarrassing information that is then made public.

Staff members found to be engaging in activities as describe above shall be subject to disciplinary action.

Installing Software and Downloading Files

Staff members are cautioned that installing any software program or downloading programs from the Internet without the approval of the system administrators and the Chief School Administrator is strictly forbidden

In addition, the following rules for the use of the district computers and network are to be followed at all times:

- The district computers and network are not to be used for personal purposes while on duty.
- Employees are permitted to access the system for personal use during off duty periods provided that all regulations and stipulations of this policy are scrupulously followed.
- Accessing “Chat Rooms” from the district computers and network is forbidden.
- Accessing personal email accounts from the district network is not permitted while on duty without the approval of the Chief School Administrator/designee.
- Removing installed programs is the sole responsibility of the system administrators.
- Transmitting the names or pictures of students is expressly forbidden.

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Routine maintenance and monitoring of the network may lead to discovery that the user has been or is violating the District's Acceptable Use Policy, the District's disciplinary code, or the law.

An individual search of user computer files, the e-mails sent and/or received, and the sites on the Internet which have been visited will be conducted if there is reasonable suspicion that a user has violated any federal, state or local law or the District's disciplinary code. The nature of the investigation will be reasonable and in the context of the nature of the alleged violation.

District employees shall be made aware that their personal files may be discoverable under New Jersey public records laws.

Implementation

Staff members shall be advised of this policy annually.

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Legal References

NJSA 2A:38A-1 et seq Computer system
2C:20-25 Computer-related theft
18A:7A-11 Reports by school districts
18A:6-10 Dismissal and reduction in compensation of persons under tenure
18A:11-1 General mandatory powers and duties
18A 27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:36-35 School Internet web sites; disclosure of certain student information prohibited

Hicks v. Pemberton Bd of Ed 1975 SLD 332

Quiroli v. Linwood Bd of Ed 1974 SLD 1035

Carlstadt Teachers Ass'n v. Carlstadt Bd of Ed App. Div. unreported decision
(Docket no. A-1469-80-T4, decided March 26, 1982) 1982 SLD 1448

N.J. v. T.L.O. 469 U.S. 325 (1985)

O'Connor v. Ortega 480 U.S. 709 (1987)

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

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1111, 3514, 4117.50, 4118.2, 4119.2, 4119.21, 4119.22, 4119.23, 4119.24, 4138,
4138.2, 5114, 5124, 5131, 5131.5, 5142, 6142.10, 6144, 6145.3, 6161

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**Instructional Personnel
Duties**

**Series 4000
Policy 4119.3**

Date Adopted: March 24, 2005 Date Revised

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Major duties of each professional employee are delineated below:

1. To carry out duties and responsibilities set forth by New Jersey statutes, Title 18A, and New Jersey Administrative Code.
2. To abide by rules and regulations as established by the Board of Education.
3. To carry out specific job responsibilities as established by the Board of Education.
4. To uphold rules and regulations as established by the Chief School Administrator and other school administrators.
5. To properly channel all negative criticism about the district or its employees.
6. To adhere to prescribed curricula and courses of study.
7. To adhere to the specific job description for the contracted position.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment

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**Instructional Personnel
Substitute Teachers**

**Series 4000
Policy 4121**

Date Adopted: March 24, 2005 Date Revised: February 23, 2011

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

The Board shall approve substitute personnel and the positions in which they may substitute. The employment of a substitute teacher prior to approval by the Board is authorized only when such employment is required to maintain continuity in the educational program. Retroactive approval shall be requested from the Board at the next regular meeting.

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

A substitute teacher who holds valid teaching certification credentials or a certificate of eligibility or a certificate of eligibility with advanced standing issued by the State Board of Examiners may be employed to teach subjects authorized by their credentials for up to 60 school days. Any such certified substitute teacher may be employed to teach subjects not authorized by his/her credentials for up to 40 school days.

In the event that one person is employed by this district as a substitute teacher under the same teaching assignment for more than 60 days, he/she shall be compensated at the same rate as a teacher with similar credentials on a pro-rated basis.

A substitute teacher who holds valid teaching certification credentials or a certificate of eligibility or a certificate of eligibility with advanced standing issued by the State Board of Examiners may be employed to teach subjects not authorized by his/her credentials for up to 40 school days.

A substitute teacher who holds a standard substitute teaching certificate may be hired for up to 20 consecutive school days under the same teaching assignment.

The Executive County Superintendent of Schools may grant an extension of these limits upon written application from Chief School Administrator, demonstrating the districts inability to hire an appropriately certified teacher for the vacant position within the original school day time limits.

The Chief School Administrator may apply in writing to the Executive County Superintendent of Schools for an extension of the original school day time limits written application from this district, demonstrating the districts inability to hire an appropriately certified teacher for the vacant position within the original school day time limits

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Any substitute teacher shall be entitled only to the wages approved by the Board on a per diem basis, and to no other benefits.

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

- A. Develop procedures for the assignment of substitutes;
- B. Develop methods of evaluating substitute teachers and make recommendations to the Board for the retention of substitutes who have performed their duties satisfactorily. Upon approval by the Board, these substitutes will be added to the list of substitutes who will be employed in the school.

Legal References

NJSA 18A:6-7.1 through -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
18A:16-1.1 May appoint temporary officers and employees
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:27-4.1 Appointment, transfer, removal, or renewal of officers; employees
18A:29-16 Emergency certificates; day-by-day basis substitute

NJAC 6A:9-6.5 County substitute credential
6A:32-6.1 et seq. School Employee Physical Examinations

8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986
Sayreville Education Ass'n v. Sayreville Bd. of Ed., App. Div., unreported decision (docket no. A-4899-82T2, decided April 12, 1984)
Lammers v. Bd. of Ed. of Borough of Point Pleasant, Ocean County, S/B

Possible Cross References

4111, 4112.2, 4112.4

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Student Teachers / Interns

Policy 4122

Date Adopted: March 24, 2005 **Date Revised**

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The Board of Education encourages the Chief School Administrator to cooperate with colleges and universities in the placement of teachers/administrative interns in the district school. Student teachers/administrative interns shall be placed with experienced staff members who agree to perform this service.

Student teachers/administrative interns shall comply with the requirements of law regarding health examinations.

The supervising teacher and administration shall be responsible for the conduct of student teachers while serving in the district school. The Chief School Administrator shall be responsible for administrative interns.

Student teachers shall be allowed to participate in school activities where their contributions would be appropriate to the educational program of the school.

The Chief School Administrator shall ensure the equitable distribution of student teachers/administrative interns throughout the school.

No remuneration will be provided to student teachers or administrative interns by the Board of Education.

Legal References

NJSA N.J.S.A. 18A:6-7.1 through -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
18A:11-1 General mandatory powers and duties
18A:16-2 through -5 Physical examinations; requirement
18A:16-6 Indemnity of officers and employees against civil actions
18A:16-6.1 Indemnity of officers and employees in certain criminal actions
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:9-10.2 Curriculum for teacher preparation programs
6A:9-10.3 Supervision of practicum students
6A:32-4.1(d)(e) Employment of teaching staff
6A:32-6.1 et seq. School Employee Physical Examinations

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Instructional/Non-Instructional Aides

Policy 4123

Date Adopted: July 27, 2005

Date Revised

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The Board, within its financial means, may hire aides as recommended by the Chief School Administrator.

It is the responsibility of the classroom teacher to plan for any teacher aide's constructive involvement with the class. The primary benefit must be to the pupils. Classroom aides shall be under the supervision of the classroom teacher. Non-instructional aides shall be under the supervision of appropriate personnel as assigned by the Chief School Administrator.

All aides shall be required to comply with the provisions of the law regarding health and criminal background checks.

In accordance with federal law, the Chief School Administrator shall establish procedures to release information, upon request, regarding the qualifications of classroom aides to parents/guardians for any classroom aide who is employed by any school receiving Title 1 funds and who provides instructional assistance to their children.

Qualification of Classroom Aides in Title 1 Schools

All classroom aides hired in schools that receive Title 1 funds shall be qualified in accordance with federal law. All such classroom aides must have a high school diploma or its equivalent. All such classroom aides hired after January 8, 2002, except those working as translators or solely in conducting parent involvement activities, also must meet at least one of the following criteria:

1. Completed at least two years of study at an institution of higher education;
2. Obtained an associate's (or higher) degree; or
3. Passed a formal state or local assessment demonstrating ability to assist in instructing reading, writing, and mathematics or reading readiness, writing readiness and mathematics readiness, as appropriate.

Classroom aides hired before January 8, 2002 must meet these qualifications by January 2006.

Legal References

- | | |
|------|--|
| NJSA | 18A:6-7.1 through -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception |
| | 18A:11-1 General mandatory powers and duties |
| | 18A:16-2 through -5 Physical examinations; requirement |
| | 18A:54-20 Powers of board (county vocational schools) |
| NJAC | 6A:32-6.1 et seq. School Employee Physical Examinations |
| | 6A:32-4.7 Approval of paraprofessional staff |
| | 8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986 |
| | No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq. |

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Staff Development; Inservice Education /

Visitations, Conferences

Policy 4131/4131.1

Date Adopted: March 24, 2005 Date Revised: September 25, 2013 Page 1 of 7

The Board of Education recognizes its legal obligation to provide inservice activities that are aligned with student learning and educator development needs, and school, district, and/or State improvement goals. It is the Board of Education's priority that continuing education for teaching staff focus on the improvement of teachers' and school leaders' effectiveness in assisting students in the achievement of the Common Core State Standards (CCSS) in mathematics and language arts and literacy and Core Curriculum Content Standards (CCCS).

The Chief School Administrator shall develop a comprehensive management system for staff professional improvement and shall assist staff members in the area of professional improvement by providing relevant information regarding workshops, professional meetings and course offerings. Professional learning shall incorporate coherent, sustained, and evidence-based strategies that improve educator effectiveness and student achievement, including job-embedded coaching or other forms of assistance to support educators' transfer of new knowledge and skills to their work.

Professional Development for School Leaders

For the purposes of this policy, "school leader" shall be defined as an administrator whose position requires possession of a school administrator, principal, or supervisor endorsement.

All active school leaders serving on a permanent or interim basis shall complete training on issues of school law, ethics, governance, and harassment, intimidation and bullying as required by NJSA 18A:26-8.2, and other statutory requirements related to student safety and well-being. To meet this ongoing requirement, the specific training needs of each school leader will be reviewed annually as part of the professional development planning process.

School Leaders

The Chief School Administrator, principals, and supervisors shall fulfill the professional development requirement through the creation, implementation, and completion of a professional development plan that:

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- A. Aligns with the Professional Standards for School Leaders and the Standards for Professional Learning;
- B. Derives from the results of observations, evidence, and recommendations included in the annual performance evaluation of the Chief School Administrator, principals, or supervisors;
- C. Identifies professional goals that address specific individual, school, or district goals; and,
- D. Grounds professional development activities in objectives related to improving teaching, learning, and student achievement, and in support of the school and/or district professional development plan.

Professional Development for the Chief School Administrator

The Board of Education shall oversee and review the Chief School Administrator's professional development. The professional development shall be linked to individual, school, and district professional development goals and to the district's professional development plan.

The Board of Education shall review the professional development plan. The Chief School Administrator shall provide to the Board of Education annual evidence of progress toward completion of the professional development plan and summative evidence of plan completion every three to five years, depending on the Chief School Administrator's contract with the Board of Education.

In cases where there is disagreement between a Chief School Administrator and his or her Board of Education regarding plan contents or progress toward completion, the Chief School Administrator may appeal to the Executive County Superintendent, who will have final decision-making authority on all such matters.

Professional Development for Principals, Supervisors and Other Administrators

The Chief School Administrator shall oversee and review professional development for each principal and supervisor. The professional development shall be linked to individual, school, and district professional development goals and the district's professional development plan.

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Leaders whose positions require a principal or supervisor endorsement shall have an annual plan developed in collaboration with the Chief School Administrator, or designee holding a Chief School Administrator's endorsement. Leaders whose positions require a Chief School Administrator's endorsement but who do not serve as a Chief School Administrator of the district shall have an annual plan developed in collaboration with the Chief School Administrator, or designee holding a Chief School Administrator endorsement.

The Chief School Administrator, or designee holding a Chief School Administrator endorsement, shall meet with the principal, supervisor, or other school administrator at mid-year to assess progress toward completion or modification of the plan. The Chief School Administrator, or designee holding a Chief School Administrator endorsement, shall review the status of the professional development plan as part of the principal's, supervisor's, or other district administrator's annual performance evaluation.

Evidence of Progress

Each active school leader shall be required to provide evidence of progress toward fulfillment of his or her plan including a narrative account detailing plan goals and their achievement; and documentation of professional growth activities such as school-based learning activities; training; university coursework; action research; and study groups. Study groups may include school, district, county, and/or State associations and organizations, school and district collaborative teams, and virtual learning communities.

Professional Development for Teachers

To meet the state professional development requirements, each teacher shall be guided by an individualized professional development plan (PDP), which shall include at least 20 hours per year of qualifying activities. The 20-hour annual requirement shall be reduced by a pro rata share reflecting the use of family or medical leave. It is the individual teacher's responsibility in accordance with district policies, to assure that a teacher meets the professional development requirement. There is no mandated financial obligation on the part of the district.

The content of each PDP shall be developed by each teacher's supervisor in consultation with the teacher and shall align with the Professional Standards for Teachers as described in NJAC 6A:9-3.3 and the Standards for Professional Learning in NJAC 6A:9-15.3. The PDP shall be effective for one year and shall specify, at a minimum:

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- A. One area for development of professional practice derived from the results of observations and evidence accumulated through the teacher's annual performance evaluation;
- B. As appropriate, an additional area for development of professional practice aligned to the teacher's role as a member of his or her collaborative professional learning team. The professional learning team consists of teachers, school leaders, and other administrative, instructional, and educational services staff members who commit to working together to accomplish common goals and who are engaged in a continuous cycle of professional improvement focused on;
 - Evaluating student learning needs through ongoing reviews of data on student performance; and
 - Defining a clear set of educator learning goals based on the rigorous analysis of these data
- C. As appropriate, an additional area for development of professional practice aligned with school and/or district improvement plans and goals; and
- D. Any requirements for professional development stipulated elsewhere in statute or regulation.

The progress of each teacher in meeting the goals of the PDP must be determined annually and aligned to the district process for teacher evaluation. Progress on the PDP must be discussed during a minimum of one annual conference between the teacher and his or her supervisor. Each teacher shall provide evidence of progress toward meeting the requirements of his or her individual PDP, and this evidence must be reviewed as part of each conference. The PDP shall be revised at a minimum annually but may be adjusted as necessary to support the teacher's progress. All teachers shall have an individual PDP within 30 instructional days of the beginning of their respective teaching assignments.

A teacher's individual PDP goals may necessitate more than the recommended minimum requirements. The PDP shall accommodate additional professional development as necessary. Additional hours of qualifying activities may be required for teachers in low-performing schools, as determined by the Commissioner.

The Board of Education shall ensure that all teachers receive the necessary opportunities, support, and resources to engage in ongoing professional learning and to complete the requirements of their respective PDPs.

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School-Level Professional Development Plans

The principal shall oversee the development and implementation of a plan for school-level professional development. The school-level professional development plan shall include a description of school-level and team-based professional learning aligned with identified school goals, and teacher and student learning needs. The school-level plans shall become part of the district professional development plan reviewed by the Board of Education.

The principal shall ensure that all teachers receive the necessary opportunities, support, and resources to complete professional development requirements.

District-Level Professional Development Plans

The Chief School Administrator or his or her designees shall oversee the development and implementation of plans to address the districts' professional development needs. (School districts sending to the same middle and/or high school may form a regional consortium to develop one district-wide plan based on the sending schools' plans.)

In accordance with the provisions of NJAC 6A:9-15.6, the Chief School Administrator:

- A. Review school-level professional development plans;
- B. Assess the learning needs of students, teachers, and school leaders based on educator evaluation data, school-level plans, and data from school- and district-level performances;
- C. Plan, support, and implement professional development activities that address the CCSS and the CCCS, and that align with the Standards for Professional Learning as noted in NJAC 6A:9-15.3 and the Professional Standards for Teachers and School Leaders in NJAC 6A:9-3.3 and 3.4; and
- D. Develop and update, as necessary, the district mentoring plan for new teachers as required by Policy 4112.2 Certification and NJAC 6A:9-8.4.

The Chief School Administrator shall review the district plan annually to assess its effectiveness and revise it as necessary to meet the district's learning goals for students, teachers, and school leaders. The district plan shall provide information on school-level and district-wide professional development opportunities, the resources being allocated toward their support, and a justification for the expenditures. The district plan shall also include any professional development required by statute or regulation.

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The Chief School Administrator shall be responsible for the content and implementation of the district professional development plan. The Chief School Administrator shall present the plan to the Board of Education to review for fiscal impact.

The Board of Education reserves the right to deny any plan that fails to advance district goals and objectives; is not conducive to student achievement of the Common Core State Standards or the Core Curriculum Content Standards; or contravenes current negotiated agreements, other Board of Education policies, student safety and well-being, continuity of the instructional program, or budgetary constraints.

Staff participation that may require release time and/or financial reimbursement from the Board of Education will be determined by the Board of Education after recommendation by the Chief School Administrator.

Staff members who participate in out-of-district programs at Board of Education expense shall submit a written report highlighting the main thrust and ideas observed by the participant.

Mandated Inservice Programs

The Chief School Administrator shall arrange development of appropriate inservice presentations, seminars and/or workshops on equity issues, special education, child abuse and neglect, drug/alcohol abuse awareness, handling blood and body fluids, possible hazardous substances in the workplace, crises response, school violence and other topics specifically required by federal or New Jersey law. These required presentations, seminars and/or workshops shall not count automatically toward the required 20 hours of continuing education annually.

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Legal References

NJSA 18A:7A-11 Annual report of local school district; contents
18A:7A-11e improvement of basic skills
18A:17-46 Act of violence; report by school employee; notice of action taken;
annual report
18A:27-4 Power of boards of education to make rules governing employment of
teacher, etc.; employment thereunder
18A:30-7 Power of boards of education to pay salaries
18A:31-2 Attendance at conventions of New Jersey Education Association
18A:40A-3 Initial inservice training programs; curriculum
34:5A-10 Retention of workplace surveys
34:5A-13 Employee education and training program; certification of instructors

NJAC 6A:7-1.6 Professional development
6A:14-1.2(b)13 District eligibility for assistance under IDEA Part B
6A:15-1.8 Inservice training
6A:9-15.1 et seq. Required Professional Development for Teachers
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and
Increasing Efficiency in Abbott School Districts
6A:16-1.1et seq. Programs to Support Student Development
6A:16-11.1et seq. Reporting Allegations of Child Abuse and Neglect
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1 Employment of teaching staff
6A:32-4.4 Evaluation of tenured teaching staff members
6A:32-4.5 Evaluation of nontenured teaching staff members

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
The Comprehensive Equity Plan, New Jersey State Department of Education
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

4115, 4116, 4133, 4231/4231.1, 5131.6, 5141, 6142.2, 6171.3, 6171.4

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Job Expenses

Policy 4133

Date Adopted: March 24, 2005 Date Revised

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The Board of Education will provide for the reimbursement of the actual and necessary expenses, included travel expenses incurred by an employee in the course of the performance of his or her duties for the district in accordance with this policy.

Each request for the reimbursement of expenses shall detail the reasons for the expenditure, including a full itemization of expenses. The request should also include any and all receipts for such expenditures.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment
of teacher, etc.; employment thereunder

Possible Cross References

3335

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**Series 4000
Policy 4135.16**

Date Adopted: March 24, 2005 Date Revised

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In the event of an emergency brought about a job action, including a strike, by any employee group, it shall be the policy of the Board of Education to make every effort to keep schools open and to carry out its obligation under New Jersey state law. Title 18A, to educate the children of the community.

Since there is no authorization in law for job actions, and since actions are constitutionally prohibited, including strikes, by public employees, it shall be the policy of the Board, in the event of any job action, including a strike or any other act that withholds employee services from the Board, to take appropriate legal action to deal with such a matter.

In emergency situations under this policy, all usual policy adoption procedures shall be suspended for the duration of the emergency, and the Board may adopt policies on first reading to enable the Board to maintain operation of the schools and the safety and welfare of the community, pupils and employees.

The Chief School Administrator or his/her designee shall have the authority to take such immediate emergency steps as he/she deems necessary to ensure safety and well being of pupils and employees and to protect the property of the district.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

Possible Cross References

6144

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Meetings / Committees**

**Series 4000
Policy 4136**

Date Adopted: March 24, 2005 Date Revised

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The Board considers it part of a teacher's professional responsibilities to attend such staff meetings as may be required for the proper functioning of a school, to serve on committees involved in curriculum development and textbook selection, and to participate in parent-teacher organizations and functions.

School administrators shall seek to give sufficient notice of staff meetings, hold them with reasonable frequency and length, and make committee assignments equitably, taking into account provisions of current negotiated agreements.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

Possible Cross References

2220

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Soliciting & Selling**

**Series 4000
Policy 4137**

Date Adopted: March 24, 2005 Date Revised

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No employee of the Board of Education may solicit or sell products for personal gain within the school while under active contract.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

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Non-School Employment

Policy 4138

Date Adopted: March 24, 2005 **Date Revised**

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School employees shall not engage in outside activities or perform any services other than those assigned or allowed by the district during the contractual hours of the prescribed school day.

No outside work by a staff member shall prevent him/her from properly performing assigned functions during duty hours or be prejudicial to his/her work effectiveness.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:12-24 et seq Prohibited acts
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

NJAC 6A:28-1.1 et seq School Ethics Commission

Possible Cross References

3514, 4119.21, 4138.2

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Private Tutoring**

**Series 4000
Policy 4138.2**

Date Adopted: March 24, 2005 Date Revised: May 31, 2007

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The Deerfield Township Board of Education recognizes that occasionally, for a variety of reasons, parents/guardians may request that their child receive intensive private tutoring beyond the scope of the regular instructional program and regular staff responsibilities.

Teachers employed by the Deerfield Township Board of Education shall not act as a paid tutor to any child assigned to them as a regular pupil. In addition, at no time shall a teacher act as a paid tutor for any student during school hours or while supervising an after school activity.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:12-24 et seq Prohibited acts
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
- NJAC 6A:28-1.1 et seq School Ethics Commission

Possible Cross References

4119.21, 4138, 4119.21, 4138, 6164.6, 6173

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**Instructional Personnel
Salary Guides**

**Series 4000
Policy 4141/4141.1**

Date Adopted: September 13, 1983 Date Revised: March 10, 1987

December 28, 1995

March 24, 2005

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Deerfield Township School District salary guides shall be approved each year by a majority vote of the whole Board. The current salary guide will be given to the teachers each year.

The Board shall give credit for military service up to four years.

Any teacher who attains a new level of educational achievement shall be placed on the proper level of the salary guide upon Board approval

Any staff member offered a contract to teach for ten months must perform his/her teaching responsibilities for a period of not less than one hundred days of said contract, to be considered for the next step on the salary guide in the following contract year.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:29-5.1 through-9 Salaries

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Series 4000

Salary Guide – Long Term Substitute

Policy 4141.11

Date Adopted: September 12, 1983 Date Revised: September 20, 1988

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A long term substitute shall be defined as any fully certified teacher performing all regular teaching duties including, but not limited to lesson planning, evaluation, etc. in one continuous assignment for twenty school days.

This individual shall be compensated for the first twenty days at the current Board approved per diem rate for fully certified teaching substitutes. Commencing with the twenty-first day, said individual shall be compensated at a per diem rate equal to 1/200th of the first step of the salary guide, and shall also be retroactively compensated at the same rate to day one of the assignment.

Absenteeism during the twenty day period will be reviewed by the Chief School Administrator to determine continuity of service. If continuity is not observed, credit will not be given for excused absences (days).

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

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Series 4000

Exclusion Of Pupils / Employees For Reasons of Illness Policy 4141.2

Date Adopted: March 24, 2005 Date Revised

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Communicable Diseases-Exclusion from School (Pupils and Employees)

It is sometimes necessary to exclude from school individuals who are ill or who have been exposed to a communicable disease or whose presence is detrimental to the health or cleanliness of others. The Board of Education therefore, implements this policy.

The school nurse shall instruct the teachers at the beginning of the school year, or when designated by the Board of Education about the methods employed to detect the first signs of communicable diseases and the recognized measures for the promotion of health and prevention of disease. In addition, the school nurse will instruct those teachers from whose classrooms a pupil has been excluded about the symptoms of the disease for which the pupil was excluded.

No teacher shall attempt to diagnose any illness of a pupil but shall refer suspected cases to the nurse.

Any pupil or staff member who appears to be ill or who is suspected of having a communicable disease shall be excluded from school or isolated at school to await instructions from the arrival of an adult member of the pupil's family, the school physician, and/or the school nurse.

Where there is evidence of departure from the normal health of any pupil, or staff member, or if a pupil or staff member has been exposed to a communicable disease, or if the presence of the pupil or staff member in the school is detrimental to the health or cleanliness of the pupils or staff members in the school:

- A. The Chief School Administrator or administrative designee, upon the recommendation of the school nurse or school physician, may exclude the pupil or staff member from the school.
- B. In the absence of the school nurse or school physician, the Chief School Administrator's designee may exclude the pupil or staff member from the school. In that event, the person making the exclusion must immediately notify the Chief School Administrator.
- C. The Chief School Administrator, or designee, shall notify the pupil's parent of the reason for the exclusion.

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A pupil or staff member retained at home or excluded from school shall not be readmitted to school until written evidence is presented of being free of the reason for the exclusion. Such evidence may be by a qualified physician, or school physician who has examined the pupil or staff member.

The rules of the local Board of Health or State Department of Health, New Jersey State Board of Education, or in the absence of these, the rules of the school physician pertaining to communicable disease shall apply in determining periods of incubation, communicability, quarantine, and reporting.

No pupil or staff member who is a member of a household in which a person is suffering from or been exposed to smallpox, diphtheria, scarlet fever, whooping cough, yellow fever, typhus fever, cholera, or measles, shall attend any public school during such illness, or until the attending physician, Board of Health, or school physician has certified that all danger of communicating the disease by the staff member or pupil has passed.

The school physician, and/or the school nurse, shall report all cases of communicable diseases to the local, county, or state Board of Health. The Chief School Administrator will also inform the County Superintendent.

Legal References

NJSA 18A:16-2 Physical examinations; requirement
18A:16-4 Sick leave; dismissal
18A:16-4 Records of examinations
18A:40-6 et seq Health measures in general
26:4-6 Prohibiting attendance
26:4-15 Reporting of communicable diseases

NJAC 6A:16-2.2 Required health services
6A:16-2.3 Health services personnel
8:57 Reportable communicable diseases
8:61-1.1 Attendance at school by pupils or adults infected by. Human Immuno-deficiency Virus (HIV)

Possible Cross References

1410, 4112.4, 4131/4131.1, 4212.4, 5113, 5131.6, 5141, 5141.1, 5141.4

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Series 4000

Adjustment of Pay

Policy 4142

Date Adopted: March 24, 2005 Date Revised

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In the event it becomes necessary to adjust in individual's pay as a result of error other causes, the appropriate adjustment will be made prior to the issuance of the next paycheck. The paycheck containing an error will be issued to the staff member with a letter attached indicating the adjustments to be made.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

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Series 4000

Extracurricular Positions

Policy 4143

Date Adopted: March 24, 2005 Date Revised

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Any teacher wishing to supervise an extracurricular activity should submit his/her request in writing to the Chief School Administrator as stated in the Position Notification Announcement when posted.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

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Insurance**

**Series 4000
Policy 4144**

Date Adopted: March 24, 2005 Date Revised

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Workers Compensation Physicians

The Board of Education seeks to provide the highest quality benefits while maintaining a sound fiscal policy. The intention of the workers' compensation law is to provide the best possible medical care and rehabilitation services available to employees injured while in the course of employment. In order to accomplish this, the first step is to get an accurate diagnosis and begin the proper treatment immediately; therefore, unless an emergency situation exists, each injured employee must be treated by the Board appointed physician or assigned insurance carrier doctor.

- A. In the case of an emergency situation, medical attention should be sought from the nearest or most practical facility available.
- B. In non-emergency situations, the school doctor or nurse must evaluate the injury first. He/she will refer the patient to other approved panel physician specialists if necessary.
- C. Lost work time may be authorized only by the district's doctor or the referred specialist.
- D. Failure to go to the school doctor, nurse or assigned insurance carrier doctor will result in the insurance company's denial of payment of all disability and medical benefits an employee may be entitled to.
- E. Re-examination of the employee by the school doctor or the assigned insurance carrier doctor prior to returning to school work is required.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

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Health Insurance For Non-Bargaining Unit Employees

Policy 4144.1

Date Adopted: March 24, 2005 Date Revised

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It shall be the policy of the Board of Education to provide a health insurance program for full-time, permanent employees in all classifications who are not represented by recognized bargaining groups comparable with those established by the Deerfield Township Board of Education/Deerfield Teachers Association contract.

In addition, the Board will permit employees who are on leave of absence without pay to continue enrollment in the health benefits plan, provided that such employees pay the appropriate premiums.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

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Employee Safety

Series 4000
Policy 4147

Date Adopted: March 24, 2005 **Date Revised**

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Through its overall safety program and various policies pertaining to school personnel, the Board shall seek to ensure the safety of employees during working hours.

The Board shall be vigorous in maintaining safe working conditions for employees. It shall expect employees to follow all established safety rules and regulations, such as those pertaining to the use of safety equipment, the wearing of safety clothing and protective eye devices where appropriate, and the lifting and shifting of heavy weights.

Accidents must be reported immediately to the nurse or the supervisor if the nurse is not available. An accident investigation report must be submitted in-detail to the Chief School Administrator's office by the following working day.

Legal References

NJSA 2C:7-1 et seq. Registration of sex offenders; definition; requirements
 18A:16-2 Physical examinations; requirement
 18A:40-12.1 Protective eye devices required for teachers, pupils and visitors in certain cases
 18A:40-12.2 Rules prescribing kinds, types and quality of devices
 34:5A-1 et seq. Worker and Community Right to Know Act
 34:6A-25 et seq. New Jersey Public Employees' Occupational Safety and Health Act
 34:19-1 et seq. Conscientious Employee Protection Act

NJAC 6A:26-12.5 Eye protection in schools
 6A:32-12.1(a) Reporting requirements
 12:100-4.2 Safety and Health Standards for Public Employees (Adoption by reference)

29 CFR 1910.1030 - Bloodborne Pathogen Standard
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3510, 3516, 4111.1, 4112.4, 5142

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Series 4000

Exposure Control HIV / HBV /

Bloodborne Pathogens

Policy 4147.1

Date Adopted: June, 22, 2005

Date Revised

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The Board of Education recognizes that exposure to Human Immunodeficiency Virus (HIV), Hepatitis B Virus (HBV) and other bloodborne diseases warrant serious concern for employees, at risk, for exposure to human blood and other body fluids that contain bloodborne pathogens.

The Board is committed to providing a safe and healthful school environment for our entire staff and student body. In pursuit of this goal, the Board directs the Chief School Administrator to develop an Exposure Control Plan (ECP) to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with OSHA Bloodborne Pathogens Standard, Title 29 Code of Federal Regulations 1910.1030 and N.J.A.C. 12:100-4.2.

The Exposure Control Plan ensuring compliance with the standard shall include:

- A. Employee exposure determination
- B. The procedure for evaluation circumstances surrounding an exposure incident
- C. The schedule and method for implementing the specifications of the standard, including:
 - 1. Methods of Compliance
 - 2. Hepatitis B Vaccination and post-exposure follow-up
 - 3. Training and communication of hazards to employees
 - 4. Record keeping

The Chief School Administrator is responsible for the implementation of the ECP. The Chief School Administrator will maintain and update the written ECP at least annually and whenever necessary to include new or modified tasks and procedures.

Those employees who are reasonably anticipated to have contact with or exposure to blood or other potentially infected materials are required to comply with the procedures and work practices outlined in this ECP.

The Chief School Administrator will have the responsibility for written housekeeping protocols and will ensure that effective disinfectants are purchased.

The Chief School Administrator will be responsible for ensuring that all medical actions required are performed and that appropriate medical records are maintained.

The Chief School Administrator will be responsible for training, documentation of training and making the written ECP available to employees, OSHA and NIOSH representatives.

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The Chief School Administrator will maintain and provide all necessary personal protective equipment (PPE), engineering controls (i.e., sharp containers, etc.) labels, and red bags as required by the standard.

The Chief School Administrator will ensure that adequate supplies of the aforementioned equipment are available.

During implementation of the Exposure Control Plan the Board will handle all information regarding HIV infected individuals in compliance with the States HIV/AIDS Confidentiality Law, N.J.A.C. 26:5c-5

Legal References

NJSA 18A:16-2 Physical examinations; requirement
18A:16-4 Sick leave; dismissal
18A:16-4 Records of examinations
18A:40-6 et seq Health measures in general
26:4-6 Prohibiting attendance
26:4-15 Reporting of communicable diseases

NJAC 6A:16-2.2 Required health services
6A:16-2.3 Health services personnel
8:57 Reportable communicable diseases
8:61-1.1 Attendance at school by pupils or adults infected by. Human Immuno-deficiency Virus (HIV)

29 CFR Part 1910.1030 "Bloodborne Pathogens Standards

Possible Cross References

3510, 3516

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Employee Protection**

**Series 4000
Policy 4148**

Date Adopted: March 24, 2005 Date Revised

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The Deerfield Township Board of Education directs the Chief School Administrator to develop rules and procedures to protect its employees in the performance of their duties. Such procedures shall include, but not be limited to:

1. Official channels for parent/guardian or student grievances or complaints;
2. Disciplinary regulations that reduce the possibility of student violence;
3. Reporting techniques that bring potentially problem situations to the immediate attention of the Chief School Administrator.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

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Leaves of Absence & Vacations

Policy 4150

Date Adopted: March 24, 2005 Date Revised: April 24, 2018

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The Board of Education recognizes that certain absences are justifiable and will provide for employee absences authorized by law and consistent with current negotiated agreement.

No days off without pay shall be granted for the purpose of vacation or personal leave without Board of Education approval per Policy 4151.2.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:30-1 through -6 Sick leave
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

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**Instructional Personnel
Attendance Patterns**

**Series 4000
Policy 4151**

Date Adopted: April 27, 2004

**Date Revised: Sept. 28, 2016,
April 24, 2018**

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The Board of Education believes that the regular presence of assigned personnel is vital to the success of the district's educational program. Consistent absenteeism or tardiness is unacceptable and subject to disciplinary action.

The Chief School Administrator shall develop and the Board shall adopt a plan to encourage all staff to strive for excellent attendance and punctuality records. These procedures should include a requirement that the staff member personally report all illness and request all leave at the earliest possible time. Procedures shall be in accordance with New Jersey statutes and district negotiated agreement.

A doctor's certificate is required for all illnesses and injuries for those employees who are absent *for three (3) or more consecutive days*. A doctor's certificate may be requested in cases of questionable use of sick leave benefits, even if an employee has been absent for one (1) day. A doctor's certificate shall be required for absences due to illness on days when in-service trainings or required after school meetings are held, and on days immediately preceding or following a holiday or other day off for breaks, NJEA convention, etc.

The regular and prompt attendance of teaching staff members is an essential element in the efficient operation of the school district and the effective conduct of the educational program. Because absenteeism exacts a high cost in the depletion of district resources and in the disruption of the educational program, the Board of Education is vitally interested in the attendance of each employee and considers conscientious attendance an important criterion of satisfactory job performance.

The privilege of district employment imposes on each teaching staff member the responsibility to be on the job on time every scheduled working day. This responsibility requires that the employee maintain good health standards, take intelligent precautions against accidents, both on and off the job, and manage his or her personal affairs to avoid conflict with district responsibilities.

Days off without pay will only be granted when an employee has exhausted all accumulated leave. No days off without pay shall be granted for the purpose of vacation or personal leave unless approved by the Board of Education per Policy 4151.2.

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A teaching staff member who fails to give prompt notice of an absence, misuses sick leave, fails to verify an absence in accordance with Board policy, falsifies the reason for an absence, is absent without authorization, is repeatedly tardy, or accumulates an excessive number of absences without good cause may be subject to discipline, which may include the withholding of one or both salary increments and/or certification of tenure charges.

No teaching staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for in the contract negotiated with the member's majority representative or provided in the policies of the Board of Education.

In accordance with the provisions of NJSA 18A:30-1, sick leave is defined to mean the absence from work because of a personal disability due to injury or illness or because the staff member has been excluded from school by the school medical authorities on account of contagious disease or of being quarantined for such a disease in the staff member's immediate household. No teaching staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for in the collective bargaining agreement negotiated with the member's majority representative, in an individual employment contract, or provided in the policies of the Board. In accordance with the provisions of NJSA 18A:30-4, the Chief School Administrator may require a physician's certificate to be filed with the Board Secretary/Business Administrator in order to obtain sick leave.

The Chief School Administrator, in consultation with administrative staff members, will review the rate of absence among the staff members. The review will include the collection and analysis of attendance data, the training of teaching staff members in their attendance responsibilities, and the counseling of teaching staff members for whom regular and prompt attendance is a problem.

Excessive Absenteeism

For the purposes of this policy excessive absenteeism shall be defined as follows:

- Absences greater in number than seven (7) days for ten (10) month employees and,
- Absences greater in number than nine (9) days for twelve (12) month employees.

The Chief School Administrator shall determine if any absences taken by staff members shall constitute excessive.

Job Abandonment

Pursuant to the provisions of NJAC 12:17-9.11(b), an employee who has not returned to work following an approved leave of absence of any kind, and who without good cause has not notified the designated administrator of the reasons for failing to return to work within five (5) consecutive work days shall be considered to have abandoned his/her employment. Such job

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abandonment shall subject the employee to disqualification for benefits for voluntarily leaving work without good cause attributable to such work and may subject the employee to any or all of the following:

- Progressive disciplinary measures;
- Letter of reprimand filed in the employee's personnel file;
- Suspension from employment without pay;
- Withholding of an increment;
- Filing of tenure charges;
- Termination of employment.

In cases of job abandonment, the Superintendent of Schools may, at his/her discretion, schedule a meeting with the employee and his/her representative and the Board's Attorney to discuss the situation and/or assess disciplinary measures.

Continued Absences

Employees who display a pattern of excessive absences (absences beyond those permitted by contract), may also be subject to the following:

- Progressive disciplinary measures;
- Letter of reprimand filed in the employee's personnel file;
- Suspension from employment without pay;
- Withholding of an increment;
- Filing of tenure charges;
- Termination of employment.

Upon the recommendation of the Superintendent of Schools, a staff member who has exhibited excessive absenteeism, shall appear before the Board of Education to address and/or explain his/her issues/situation.

If it has been determined that an employee has utilized sick leave benefits without just cause, he/she shall be subject to disciplinary action.

Provisions shall be made for public acknowledgment of exceptional staff attendance records.

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Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards to make rules governing employment of teacher, etc.;
18A:29-14 Withholding increments; causes; notice of appeals
18A:30-1 et seq. Sick Leave
- NJAC 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
Montville Education Ass'n v. Montville Bd. of Ed., 1984 S.L.D. 550, rev'd St.
Bd. 1984 S.L.D. 559, rev'd App. Div., unreported decision (docket no. A-1178-
84T7, decided December 6, 1985)
1985 S.L.D. 1972, decision on remand, St. Bd., 1986 S.L.D. 3113
Burlington Educational Ass'n v. Burlington Bd. of Ed., 1985 S.L.D. 889, aff'd St.
Bd. 1985 S.L.D. 912
Scotch Plains-Fanwood Board of Education v. Scotch Plains-Fanwood Education
Association, 270 NJ Super 444 (App. Div. 1994); rev'd. 139 NJ 141 (1995)

Possible Cross References

4150, 4251, 4151.1, 4151.6, 4151.7

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Date Adopted: April 24, 2018

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A. Absence

Under no circumstances should any person be absent from school without the advance knowledge of their immediate supervisor and/or the Building Principal. Absence from work should be anticipated insofar as possible to avoid difficulties in obtaining substitutes and inaccuracies in records and reports.

All instructional staff members will report their absences to their immediate supervisor or the Building Principal.

1. An instructional staff member will follow the absence reporting procedure the day of the absence after which the Building Principal and/or the immediate supervisor must be notified directly.
2. The following information must be provided:
 - a) The employee's name;
 - b) The day and date of the intended absence, and;
 - c) The reason for the absence.
3. Employees must follow this procedure for each intended absence unless absence for more than one day has been approved in advance by the immediate supervisor and/or the Building Principal.
4. All instructional staff members must submit to the Building Principal and/or immediate supervisor, a signed employee leave request form stating the reason for the absences on the first day back from leave. A specific reason must be given, including the nature of the illness. A doctor's certification must accompany the form when:
 - a) Three (3) or more consecutive days of absence have occurred;
 - b) Verification is requested by the Building Principal/immediate supervisor;
 - c) A the (10) month employee uses more than seven (7) sick days in one school year or a twelve (12) month employee uses more than nine (9) sick days during one school year, excluding instances when leave is taken as a result of a Board-approved extended leave (i.e., maternity, disability, Family Medical Leave) or defined in Section C of this Regulation, or
 - d) The staff member is absent on a day when in-service training is to be provided or attendance is required at an after-school meeting.
 - e) The staff member is absent the day immediately preceding or following a holiday or other day off for breaks, NJEA convention, etc.

Notwithstanding the foregoing, a doctor's certification must be provided for each absence if that requirement is a part of an employee's Attendance Improvement Plan. Any failure to abide by the terms and requirements of an Attendance Improvement Plan will be

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address in accordance with the terms of the employee's Attendance Improve Plan and this Regulation.

B. Tardiness

It is imperative that all instructional staff members report to work on time and be ready to work at the start of their designated work day. Repeated tardiness and failure to report to work on time interrupts district operations. As a result:

1. A record will be kept of all instances of tardiness by the Building Principal, the employee's immediate supervisor, or a designee, including the date of the employee's tardiness, the time the employee started work, the stated reason for the lateness, and what, if any, responsibilities were interrupted due to the employee's tardiness.
2. Once a ten (10) month employee has been tardy more than five (5) times in a school year, or a twelve (12) month employee has been tardy more than six (6) times in a school year, the Building Principal or the employee's immediate supervisor will review the frequency, nature, and severity of the employee's lateness in determining whether the employee has been excessively tardy. In making this determination, the Building Principal or immediate supervisor may also consider the effect of the employee's tardiness on district operations. Upon a determination that the employee is excessively tardy during the school year, the Building Principal or the employee's immediate supervisor will issue a letter notifying the employee of same. This letter shall be placed in the employee's personnel file.
3. An instructional staff member who is found to be repeatedly tardy or excessively tardy may be subject to discipline, which may include a District Correction Plan, the withholding of one or subsequent salary increments and/or certification of tenure charges.

C. Review of Attendance Data

1. A record shall be kept of the attendance of each instructional staff member. Any absence, for part or all of the school/work day shall be recorded along with the reason for the absence. The record will distinguish sick leave, professional days, unpaid leaves of absence, personal leave, and other leaves. The employee's attendance record will include notation of verification of an absence where such verification is required by Policy 4151. The employee's rate of absence shall be calculated and entered on his/her attendance record. An employee's attendance record shall be part of the employee's personnel file.

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2. At the end of each official year, a cumulative attendance record shall be assembled for the school.
3. An attendance summary shall be prepared from the cumulative attendance record. The attendance summary shall show the rate of absence for each school and for the district. The attendance summary shall be posted in the school.

D. Review of Absence

1. Planning

The Chief School Administrator /designee will meet with appropriate administrators to discuss the attendance summary. The attendance summary shall be analyzed for patterns of absence, such as “excessive absenteeism” in the district workplace, among certain groups of employees, for certain specific causes or on certain days of the week, month or year. Specific strategies for reducing the rate of absence shall be developed.

2. Employees Subject to Attendance Improvement Plans

Any employee who has been found to be “excessively absent” in a school year may be provided with an Attendance Improvement Plan. A determination of whether an employee has been “excessively absent” in a school year will be determined as follows:

For Ten-Month Employees

- a) Once a ten (10) month employee has used more than seven (7) sick days in a school year, the district will conduct the analysis outlined below to determine if the employee has been “excessively absent.”
- b) In order to determine if an employee has been “excessively absent,” the district will consider the following: (1) the nature of the employee’s illnesses for which the employee used more than seven (7) absences during one school year; (2) the employee’s current and past patterns of absences, if any; (3) any interruption in district operations caused by the employee’s absences and, (4) any negative impact on district operations caused by the employee’s absences.
- c) If an employee has been determined to be “excessively absent,” he/she will receive written notification of the determination, and may request special consideration and/or initiate an appeal of that determination in accordance with the procedures below.

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For Twelve-Month Employees

- a) Once a twelve (12) month employee has used more than nine (9) sick days in a school year, the district will conduct the analysis outlined below to determine if the employee has been “excessively absent.”
- b) In order to determine if an employee has been “excessively absent,” the district will consider the following: (1) the nature of the employee’s illnesses for which the employee used more than nine (9) absences during one school year; (2) the employee’s current and past patterns of absences, if any; (3) any interruption in district operations caused by the employee’s absences and, (4) any negative impact on district operations caused by the employee’s absences.
- c) If an employee has been determined to be “excessively absent,” he/she will receive written notification of the determination, and may request special consideration and/or initiate an appeal of that determination in accordance with the procedures below.

However, although consecutive absences by a twelve (12) month or ten (10) month employee for one documented illness will still count against an employee’s total available sick leave days, such absences for the purposes of this Regulation, may be treated as “one single sick day occurrence” for which consideration may, upon the request of the employee, be given. In that regard, any sick leave days taken as a result of a Board-approved extended leave (i.e., maternity, disability, Family Medical Leave Act) will automatically be considered a “one single sick day occurrence.” Extended consecutive absences for other reasons will be considered in accordance with the provisions below.

Procedures for Special Consideration and Appeal

- a) At the conclusion of the school year, an employee who is found to have been excessively absent may submit a written request that the Business Administrator conduct a review of his/her attendance record for the school year so that consideration may be given for “one single sick day occurrence.” In such a review, it is the responsibility of the employee to demonstrate and provide documentation to the Business Administrator to support and/or justify any claimed “one single sick day occurrence.” This review will be completed within twenty (20) school days of the Business Administrator’s receipt of the employee’s written request for review.

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- b) The decision of the Business Administrator may be appealed to the Chief School Administrator. However, such appeal must be in writing and must be submitted to the Chief School Administrator within five (5) school days of the employee's receipt of the Business Administrator's decision. The Chief School Administrator will issue a decision on the employee's appeal within twenty (20) school days of the employee's request for an appeal.
- c) The decision of the Chief School Administrator may then be appealed to the Board of Education. However, such appeal must be in writing and must be submitted to the Board Secretary within five (5) school days of the employee's receipt of the Chief School Administrator's decision. The Board of Education will consider the employee's appeal at its next regularly scheduled meeting. Any further appeal shall be consistent with applicable New Jersey Statutes and Regulations.

E. Attendance Maintenance

1. The Principal and/or immediate supervisor shall encourage the regular attendance of the instructional staff members in his/her building or department. He/she shall maintain contact with absent employees and confer personally with each employee who returns for an absence of any duration, impressing upon employees the district's concern for their health and well-being. The Principal and/or immediate supervisor shall, by appropriate means, recognize instructional staff members whose attendance is exemplary.
2. The Principal and/or immediate supervisor shall incorporate, and shall direct other supervisors to incorporate, an instructional staff member's attendance record in his/her evaluation.
3. The Principal and/or immediate supervisor shall report to the Chief School Administrator/designee any instructional staff member who, he/she suspects of misusing sick leave or falsifying the reasons for absence.
4. In any case of sick leave claimed, the Board of Education may require a physician's certificate to be filed with the Secretary of the Board of Education in order to obtain sick leave.

F. In-Service Training

The Principal and/or immediate supervisor shall meet with the instructional staff members assigned to his/her building/department at the beginning of each school year to familiarize employees with the following:

1. Board policy and district regulations on attendance;
2. District forms for reporting and verifying absences;

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3. Attendance counseling and the Attendance Improvement Plan;
4. The district's cost for absenteeism and the value of accumulated sick leave to the employee; and,
5. The degree to which attendance with affect evaluation reports.

G. Counseling

The Principal and/or immediate supervisor may, at his/her discretion, call a conference with an instructional staff member where the number and/or pattern of the instructional staff member's absences or the reasons offered for the instructional staff member's absences indicate a misunderstanding of the instructional staff member's responsibility to the school district for possible misuse of the privilege of paid leave.

1. Prior to the giving of any admonition or reprimand or imposition of discipline of any kind, the Principal and/or immediate supervisor shall determine the nature of the absences and consider any extenuating circumstances.
2. A written report/notice of any attendance conference shall be prepared and retained with the instructional staff member's evaluations. The instructional staff member shall, in accordance with Board policy on instructional staff member evaluation, be permitted to examine the report and affix his/her comments, if any to the report/notice.

Deerfield Township School District Personnel Series 4000 Attendance Improvement Plan

Name of Staff Member: _____

Job Title: _____

Assignment: _____

Date of Plan: _____, 20____ to _____, 20____

You are an asset to the school and a valued employee. It is important that you are present every day as the students and staff rely on you to bring continuity to the important position you hold.

During the 20____ -20____ school year, you used ____ sick days and ____ personal days. This school year, 20____ -20____, you have already used ____ sick days and ____ personal days.

Your unsatisfactory attendance must be corrected to a satisfactory level for the 20____ -20____ school year. If your attendance is not corrected, the Board of Education may be forced to take appropriate action as outlined in the attached Board Policy and Regulation, and as noted in the "Consequences" section below. Our goal is to correct your unsatisfactory attendance and improve academic achievement. For that reason, this Attendance Improvement Plan has been created for the purpose of assisting you in improving job performance in the areas specified below.

Job Responsibility

_____ (name of staff member) is currently assigned as a
 _____ (Job Title) in the _____ (assignment)

His/her responsibilities align with that of the approved district job description for _____ (Job Title).

Behavior Needing Improvement and Expectations

Your Attendance Improvement Plan is as follows:

1. You must strictly adhere to the Deerfield Township School District Board of Education's Policy and Regulation on attendance. The applicable Board Policies and Regulations are attached for your review and reference.
2. You are expected to be present in school every day unless you are sick or otherwise on an approved leave.
3. Pursuant to N.J.S.A. 18A:30-4 and the applicable Board Policy and Regulation on attendance, you are required to provide a physician's certificate for every day you claim sick leave. For your review and reference a copy of N.J.S.A. 18A:30-4 is also attached.
4. You will be "docked" for each sick day until a physician's certificate is provided.

Time Frame

This Attendance Improvement Plan is in effect immediately and is for the duration noted above. The plan may be extended or modified based upon your performance.

Consequences

At least one special performance evaluation documenting performance progress on this plan will be conducted after January 1, 20____. The option to withhold an increment pursuant to Board Policy 4117.5 (Instructional Staff) or 4217.5 (Support Staff) for the 20____ -20____ school year.

 Employee's Signature

 Date

 Building Administrator's Signature

 Date

cc: Chief School Administrator
 Personnel File
 Solicitor

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Personal Illness & Injury / Health & Hardship

Policy 4151.1

Date Adopted: March 24, 2005 Date Revised

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It is the policy of the Board of Education to provide sick leave and personal leave to school district personnel. The purpose of such sick leave is to provide income protection to school personnel in the event of illness. The purpose of personal leave is to allow, for absence from work, with pay, to take care of personal matters that must be done during the school day.

School personnel are expected to use sick leave and personal leave for the purpose that these benefits are provided.

Excessive absence from work or illness or other reasons may constitute good cause for withholding a salary increment or for dismissal proceedings under New Jersey statutes.

The Chief School Administrator and administrative staff shall develop appropriate guidelines and plans for the implementation of this policy. Such guidelines and plans shall include, but not be limited to, the following:

- A. Plans to communicate to school district personnel the intent of sick leave and personal leave and the importance of regular attendance.
- B. A system of record keeping to account for sick leave and personal days to include monthly and annual reports.
- C. A system for monitoring absence for sick leave and personal leave to prevent abuses.
- D. When appropriate to the circumstances, requesting school district staff to submit information concerning the cause of absence after three consecutive days of absence.
- E. When appropriate to the circumstances following an illness, to request a statement from a physician that the employee may return to work.

The Board will consider requests for extension of sick leave benefits on a case-by-case basis.

Legal References

NJSA 18A:16-2 through -5 Health examinations
18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:30-1, -2 Sick leave
18A:30-16 Prolonged absence beyond sick leave
34:11B-1 et seq. Federal Family Medical Leave Act
29 USCA 2601 et. seq. (Family Medical Leave Act)
Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

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Absence Beyond Sick Leave

Policy 4151.2

Date Adopted: June, 22, 2005 Date Revised: April 24, 2018

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Prolonged Absence Beyond Sick Leave

When the absence of any employee from his or her post or duty because of personal disability due to illness or injury, or because he or she has been excluded from school by the school district's medical authorities because of a contagious disease or of being quarantined of such disease in his/her immediate household, exceeds the annual sick leave together with all accumulated sick leave of that individual employee, request may be made of the Board of Education to pay any such person's salary for such length of time as may be determined by the Board of Education.

The following procedures shall apply:

- A. All requests for such prolonged, extended sick leave shall be made in writing and signed by the employee seeking such leave and such request shall have appended thereto a report from the employee's physician detailing the medical condition of the employee.
- B. The written request shall be submitted to the Board Secretary with a copy to the Chief School Administrator, at least ten days before the next regularly scheduled Board meeting for inclusion on the agenda of the Board.
- C. The Board shall consider each request on an individual basis and may consider the following factors:
 1. The length of employment of the employee within the district.
 2. Proposed length of extended sick leave.
 3. The nature of the illness/injury.
 4. Whether the employee had previously requested such leave.
 5. Whether or not the employee is on the verge of retirement because of age or disability.
 6. Number of grants of prolonged sick leave to other employees during the school term.
 7. Position/Function of the employee and potential impact to the district/students of a substitute employee.
- D. If, after individual consideration, the Board grants prolonged sick leave benefits, the Board shall state by resolution the length of time/number of days of approved paid sick leave. The pay for each approved day of sick leave shall be calculated at 1/200th of the actual salary for a ten-month employee and 1/260th of a twelve month employee's salary less the pay of a substitute if a substitute is employee or the estimated cost of a substitute if none is employed.

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- E. If paid leave is not granted, but leave is taken by the employee nevertheless, the employee's salary shall be reduced by $1/200^{\text{th}}$ if a ten-month employee and $1/260^{\text{th}}$ if a twelve-month employee.

Prolonged Absence Not Constituting Sick Leave

When the absence of any employee from his or her post exceeds the annual personal leave, request may be made of the Board of Education to pay any such person's salary for such length of time as may be determined by the Board of Education.

The following procedures shall apply:

- A. All requests for such prolonged leave shall be made in writing and signed by the employee seeking such leave.
- B. The written request shall be submitted to the Board Secretary with a copy to the Chief School Administrator, at least ten days before the next regularly scheduled Board meeting for inclusion on the agenda of the Board.
- C. The Board shall consider each request on an individual basis and may consider the following factors:
1. The length of employment of the employee within the district.
 2. Proposed length of extended leave.
 3. The reason for the request for extended leave.
 4. Whether the employee had previously requested such leave.
 5. Number of grants of prolonged leave to other employees during the school term.
 6. Position/Function of the employee and potential impact to the district/students of a substitute employee.
- D. If, after individual consideration, the Board grants prolonged leave benefits, the Board shall state by resolution the length of time/number of days approved paid leave. The pay for each such approved day of leave shall be calculated at $1/200^{\text{th}}$ of the actual salary for a ten-month employee and $1/260^{\text{th}}$ of a twelve-month employee's salary less the pay of a substitute if a substitute is employed or the estimated cost of a substitute if none is employed.
- E. If the leave is not granted, but leave is taken by the employee nevertheless, the employee's salary shall be reduced by $1/200^{\text{th}}$ of the employee's salary if a ten-month employee and $1/260^{\text{th}}$ if a twelve-month employee. In addition, other disciplinary action may be taken.

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Legal References

NJSA 18A:16-2 through -5 Health examinations
18A:30-1, -2 Sick leave
18A:30-16 Prolonged absence beyond sick leave
34:11B-1 et seq. Federal Family Medical Leave Act
29 USCA 2601 et. seq. (Family Medical Leave Act)
Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

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Maternity Leaves: Disability & Child Care

Policy 4151.4

Date Adopted: March 24, 2005 Date Revised

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Parental Leave

The Board of Education believes there is a need for promoting the economic security of its employees' families by safeguarding, to the extent possible, the jobs of those employees who choose to take a period of leave to give birth to, adopt and/or care for a new child. The Board, therefore, declares that its employees shall be entitled to such parental leave, pursuant to the terms of this policy, without risk of termination or retaliation for taking such leave.

Pregnancy-Related Disability Leave

- A. Presumptive period of disability
 1. Every female employee who anticipates giving birth to a child shall be entitled to request and be granted the use of sick leave during the presumptive period of disability resulting from pregnancy.
 2. The pregnancy-related disability can be presumed to exist four weeks prior to the birth of the child and four weeks subsequent to the birth. The Board may require certifications from duly licensed health care providers stating the anticipated and actual delivery dates in order to substantiate these presumptive periods.
- B. Should it appear that an employee's pregnancy has become a disabling condition prior to her request for any parental leave, the Board may require a physician's certificate attesting to the employee's continued ability to perform her duties. If the employee fails to produce such a certificate within the reasonable time established by the Chief School Administrator, she shall be ineligible for further service and shall be granted sick leave until such time as she provides the Board with a physician's certificate attesting to her ability to perform her duties.
 1. An employee may obtain a certificate attesting to her continuing ability to perform her duties from a physician of her choice at her own expense; or
 2. An employee may request such a certificate from the school medical inspector or designee at the Board's expense.
- C. Extension of an employee's period of disability beyond the beginning or ending dates of the presumptive period shall only be granted by the Board upon the employee's presentation of a physician's certificate attesting to the actual existence of such added disability and the beginning and anticipated ending dates of such added disability.
- D. In every instance, an employee's entitlement to disability leave resulting from a pregnancy shall be limited to the amount of sick leave which that employee has accumulated as of the initial date of disability.

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- E. In no instance shall the entitlement to disability leave established in this policy extend to any employee parent who does not suffer actual pregnancy-related disability.

Non-Disability Parental Leave

- A. In accordance with the State of New Jersey Family Leave Act, every employee who has one year or more of continuous service in the District, working no less than 21 hours per week, shall be entitled to request and be granted up to 12 weeks leave in any 12 month period for the birth, adoption and/or care of children. In addition to the leave entitlement described in this policy, every tenured employee may also be granted up to an additional 9 months leave of absence in any 12 month period for the birth, adoption and/or care of children.
- B. Non-disability parental leave may commence at any time within one year after the child's date of birth or placement for adoption by the employee.
1. In any case, when the need for non-disability parental leave is foreseeable, the employee shall present to Board with a prior written request for such leave no less than 60 days prior to the date on which the employee wishes the leave to begin. A written request submitted to the Board on less than 60 days notice shall be granted provided the employee establishes that the need for such leave was not foreseeable.
 2. The Board reserves the right to reject the beginning and/or ending date(s) of non-disability parental leave requested by an employee if said date(s) would unreasonably disrupt district operations. In any instance where the Board rejects the beginning and/or ending date(s) requested by the employee, the Board shall set an alternative beginning and/or ending date(s) for the employee's leave which are as close to those requested by the employee as is practicable and which do not unreasonably disrupt district operations.
- C. No employee shall receive his/her salary for any time that he/she is on non-disability parental leave.
- D. Pursuant to the requirements of the State Family Leave Act, the Board shall, during the first 12 weeks of an employee's non-disability parental leave, maintain an employee's coverage under any group health insurance policy, group subscriber contract or health care plan at the level and under the conditions coverage would have been provided if the employee had not taken any leave of absence. If the employee's coverage would have expired on a date occurring within this 12-week period had the employee not been on leave, the continuation of said coverage during the leave shall expire on that date as well.

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An employee shall be entitled to coverage described in this policy once in every 12 month period.

Except as provided for in this policy, no employee on non-disability parental leave (including all family and/or dependents) shall be covered by any insurance benefit or plan to which the employee would have been entitled had he/she not taken leave.

Any employee on leave who is not covered by any insurance plan or benefit pursuant to this policy may, to the extent allowable under the terms of any relevant insurance contracts, continue to be covered by any insurance plan(s) or benefits(s) under which he/she pays to the Board the amount(s) of any premium(s) incurred as a result of his/her continued coverage.

Upon his/her return to employment from any disability or non-disability leave taken pursuant to this policy:

- A. The employee shall be restored to:
 1. The position he/she held when the leave commenced; or
 2. An equivalent position of like seniority, status, benefits, salary and other terms and conditions of employment for which he/she is qualified.
- B. The issue of the employee's seniority accrual, or accumulation of service toward tenure acquisition, during his/her leave shall be decided pursuant to law.
- C. The employee's employment status as affected by any abolishment of position or reduction in force occurring the employee's leave shall be the same as if the employee had not taken leave.
 1. If the employee would have lost his/her position had he/she not been on leave, he/she shall not be entitled to reinstatement to the former or equivalent position upon termination of his/her leave.
 2. The employee shall not suffer the loss of any preferred eligibility or other recall rights as a result of his/her taking leave pursuant to this policy.

Legal References

- NJSA 18A:16-2 through -5 Health examinations
18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:30-1, -2 Sick leave
18A:30-16 Prolonged absence beyond sick leave
34:11B-1 et seq. Federal Family Medical Leave Act
- 29 USCA 2601 et. seq. (Family Medical Leave Act)
Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

Deerfield Township Board of Education District Policy Manual

**Instructional Personnel
Punctuality**

**Series 4000
Policy 4152**

Date Adopted: March 24, 2005 Date Revised: August 30, 2012

Page 1 of 1

The Board affirms that punctuality is a trait that students should aspire to and the Board recognizes that employees set examples for students. It shall be the policy of the Board of Education that all employees of the district are expected to be at their assigned area of responsibility and be ready to perform their required duties on time. Failure to do so may subject the employees to the following during any school year:

Initial Offense – Personal discussion with supervisor.

Second Offense – Personal discussion with supervisor and note indicating 2nd offense with a copy filed in employee's personnel file and to the Board President.

Third Offense – Personal discussion with supervisor and formal letter indicating 3rd offense copied to employee's personnel file and the Board President and include statement that continued lateness may result in Board disciplinary action.

The Board directs the Chief School Administrator to establish a reasonable procedure for determining those employees who fail to be at their established work location on time.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

18A:27-4 Power of boards of education to make rules governing employment

Deerfield Township Board of Education District Policy Manual

**Instructional Personnel
Accidents / Injuries**

**Series 4000
Policy 4152.2**

Date Adopted: March 24, 2005 Date Revised

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The Board directs that any incident of accident or injury to any employee that occurs during working hours shall be reported immediately to the School Nurse.

All injuries requiring first aid or other medical care shall be documented on the School Accident/Injury Form and it shall be the responsibility of the School Nurse to advise the Chief School Administrator of the nature and extent of the injury as well as any first aid applied by the Nurse. Additionally, the School Nurse shall provide the Chief School Administrator with a completed copy of the School Accident/Injury Form.

The School Nurse and/or Chief School Administrator shall be responsible for arranging for emergency transportation or treatment of the injured employee if that action is necessary. It shall be the responsibility of the School Nurse to make the determination as to whether transportation to a hospital or the School Doctor is necessary.

The School Nurse shall also be responsible for preparing and dispatching any claim forms or other forms to the appropriate insurance company or health service group.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

NJAC 6A:16-2.1 et seq Health services policy and procedural requirements

Deerfield Township Board of Education District Policy Manual

**Instructional Personnel
Family Leave**

**Series 4000
Policy 4152.3**

**Date Adopted: March 24, 2005 Date Revised: August 22, 2007,
January 25, 2012, April 24, 2018**

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In accordance with the New Jersey Family Leave Act (NJFLA) and the Federal Family and Medical Leave Act (FFMLA), the Board of Education will grant staff members up to twelve weeks leave of absence in any twelve month period upon advance notice to the district so that the staff member may provide care made necessary by the birth of a child of the staff member, the placement of a child with the staff member in connection with adoption of such child by the staff member, and the serious health condition of a spouse, parent, or child, or a serious health condition of the employee, himself/herself.

For the purposes of this policy, a twelve-month period shall be defined as 1 school year (July 1st through June 30th).

When Family Leave is requested under the FFMLA for the individual staff member's personal injury or illness, all accumulated sick and personal days must be concurrent with the twelve-week entitlement under the FFMLA.

No employee shall be required to take family leave or to extend family leave beyond the time requested. No employee shall be discriminated against for having exercised his/her rights under the Family Leave Act or discouraged from the use of family leave.

For the purposes of this policy, a "parent" is a biological, adoptive, or foster parent; stepparent, parent-in-law, a legal guardian in a parent-child relationship or a person who has the sole or joint legal or physical custody, care guardianship or visitation with a child. "Serious health condition" is an illness, injury impairment or physical or mental condition that requires inpatient care in a hospital, hospice, or residential medical facility or continuing medical treatment or continuing supervision by a health care provider. A "week" is the number of days an employee normally works each calendar week.

Eligibility

An employee shall become eligible for family leave after he/she has worked twelve months in this district during the previous twelve-month period and in accordance with the provisions of the NJFLA and the FFMLA. The calculation of the twelve-month period shall commence with the commencement of the family leave. Leave taken for the birth or adoption of a child may commence at any time within one year after the birth or adoption, regardless of when the birth or adoption occurs.

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**Instructional Personnel
Family Leave**

**Series 4000
Policy 4152.3**

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An employee on family leave shall not work full-time for another employer, unless he/she was so employed full-time prior to the commencement of family leave. An employee on family leave may work part-time up to half of the hours regularly worked for this Board prior to the family leave or part-time in any employment outside the district that commenced prior to the family leave.

Types of Leave

An employee may take family leave in consecutive weeks, as intermittent leave, or as reduced leave. An employee who requests intermittent or reduced leave shall make a reasonable effort to schedule such leave so as not to unduly disrupt the instructional program.

Intermittent leave is non-consecutive leave comprised of intervals each of which is at least one day but not more than twelve total weeks within a consecutive twelve-month period. An employee is entitled to take intermittent leave when medically necessary for the serious medical condition of a family member, but the employee and the Board must agree to intermittent leave for the birth or adoption of a child.

Reduced leave is non-consecutive leave of up to the equivalent of twelve weeks that is taken in increments of less than one full week at a time but not less than one workday, unless the Board and employee agree to a shortened workday. Reduced leave may not be scheduled for more than twelve total weeks. An employee is entitled to take only one reduced leave schedule within a twelve-month period. An employee is entitled to take reduced leave for the serious medical condition of a family member, but the employee and the Board must agree to reduced leave for the birth or adoption of a child.

Any leave time remaining after an employee has exhausted his/her entitlement to intermittent leave in any twelve-month period may be taken as consecutive leave or reduced leave, and any leave time remaining after an employee has exhausted his/her entitlement to reduced leave in any twelve-month period may be taken as consecutive leave or intermittent leave.

Notice

An employee eligible for family leave must give reasonable advance notice in writing to the Chief School Administrator, except where emergent circumstances warrant shorter notice. Whenever emergent circumstances make written notice impractical, the employee may give oral notice to the Chief School Administrator but any oral notice must be followed by written notice delivered within five days.

Deerfield Township Board of Education District Policy Manual

**Instructional Personnel
Family Leave**

**Series 4000
Policy 4152.3**

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1. Notice for leave to be taken for the birth or adoption of a child shall be given at least thirty days prior to the commencement of the leave.
2. Notice for leave to be taken for the serious medical condition of a family member shall be given at least thirty days prior to the commencement of the leave.
3. Notice for leave to be taken for the serious health condition of the employee, himself/herself.

When the Chief School Administrator is not made aware that a staff member was absent for family leave reasons and the staff member wants to request the leave be counted as family leave, the staff member must provide written notice within two working days of returning to work to have the time considered family leave in accordance with the NJFLA and FFMLA.

Benefits

Family leave under both NJFLA and FFLMA shall be unpaid leave.

In accordance with the law, the Board will maintain coverage under any group health insurance policy, group subscriber contract, or health care plan at the level and under the conditions coverage would have been provided if the employee had not been absent on family leave.

An employee returning from family leave shall be entitled to the position he/she held when leave commenced or to a similar position, full-time or part-time, within his/her certification, except as his/her entitlement to a position may have been affected by a reduction in force. The employee's tenure and seniority rights, if any, and other benefits shall be preserved, but the employee shall accrue no additional time toward tenure or seniority for the period of the leave, except as may be provided by law.

The return of a staff member prior to the expiration of the requested family leave may be permitted by the Board provided that the requested early date of return is not the day before any date school is scheduled to be closed or a day in which school is closed for vacation, holidays or other reasons. In addition, the early return of the employee shall not unduly disrupt the instructional program or require the Board to incur the cost of continuing the employment of a substitute under contract or unduly disrupt the educational program for pupils.

Family leave granted to a non-tenured employee cannot work to extend the employee's employment beyond the expiration of his/her employment contract.

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**Instructional Personnel
Family Leave**

**Series 4000
Policy 4152.3**

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Verification of Leave

The Board shall require the certification of the health care provider verifying the purpose of the requested family leave. Certification of a serious health condition shall contain the date on which the condition commenced, its probable duration, and relevant medical information known to the provider. Certification of a birth or adoption shall contain the projected date of the birth or placement. In the event the Board doubts the validity of the certification; the employee shall obtain the opinion of a second health care provider approved by the Board. If the certification and opinion disagree, the employee shall, at Board expense, obtain from a third health care provider approved by both the employee and the Board. The opinion of the third health care provider shall be final and binding.

In order that an employee's entitlement to family leave can be properly determined, the Chief School Administrator shall insure the keeping of accurate attendance records that distinguish family leave from other kinds of leave.

Legal References

- NJSA 18A:16-2 through -5 Health examinations
- 18A:11-1 General mandatory powers and duties
- 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
- 18A:30-1, -2 Sick leave
- 18A:30-16 Prolonged absence beyond sick leave
- 34:11B-1 et seq. Federal Family Medical Leave Act

- 29 USCA 2601 et. seq. (Family Medical Leave Act)
- Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

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Support Personnel

Series 4000

Absences For Jury Duty

Policy 4210.5

Date Adopted: May 2, 2005

Date Revised

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Any full time school employee who is summoned for jury duty or subpoenaed as a witness must, apply through the office of the Chief School Administrator to be granted leave for such purpose. The Chief School Administrator may, at his/her discretion and as circumstances warrant, rearrange the employee's work schedule and/or grant leave with pay, minus any remuneration received for such court duty that coincides with the hours for which the employee is being paid by the Board.

Legal References

NJSA 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

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**Support Personnel
Recruitment, Selection & Hiring**

**Series 4000
Policy 4211**

**Date Adopted: May 2, 2005 Date Revised: May 14, 2014,
May 24, 2018**

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The Board believes that the quality of the support staff in large part determines the quality of the education offered district pupils. Therefore, the Chief School Administrator shall have the responsibility of locating and recruiting the best-qualified candidates to provide for the identified needs of district pupils.

It shall be the duty of the Chief School Administrator to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the initiation of a criminal history check, proof of citizenship or eligible alien status, and certification for the type of position for which nomination is made.

The Chief School Administrator shall recommend for employment those individuals who, in his/her opinion, are best qualified to fill the vacancy without regard to any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes.

The Chief School Administrator shall prepare and maintain job descriptions that define the duties, responsibilities and qualifications required for each position. The Board shall adopt those job descriptions required by law or code and others as appropriate.

The Chief School Administrator, in determining the candidates to be nominated shall seek information from the candidate's prior employers.

The Board shall affirm employment and initial placement on the salary guide by a majority vote of the full membership of the Board.

The Board will appoint employees only from nominations made by the Chief School Administrator. Should a nominee be rejected, it shall be the duty of the Chief School Administrator to make other nominations.

The Board of Education shall provide reasonable accommodations to pregnant women and those who suffer medical conditions related to pregnancy and childbirth, such as bathroom breaks, breaks for increased water intake, periodic rest, assistance with manual labor, job restructuring or modified work schedules and temporary transfers to less strenuous or hazardous work. Such accommodations that cause an undue hardship in the operation of the school district are not required.

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In accordance with the provisions of PL 2018 c5, as of June 1, 2018, all applicants for a position involving regular contact with students must provide:

- a contact list of their current and former employers within the last 20 years that were schools or involved direct contact with children;
- a written authorization allowing the former employers to release requested information;
- a written statement as to whether the applicant has ever been the subject of, or disciplined for, any child abuse or sexual misconduct concerning any student; and,
- a written statement as to whether the applicant ever had a license or certificate suspended or revoked in connection with child abuse or sexual misconduct with a student.

Former employers are indemnified for providing this information.

In addition, the law stipulates that the district is required to contact the references to verify the applicant's employment history, and previous employers have 20 days to disclose requested information. The applicant may receive a provisional contract of up to 90 days while the investigation is proceeding. Any information provided is not considered a public record and not subject to an OPRA request. The district will not be subject to liability for claims brought by an applicant who is not offered employment or whose employment is terminated because required information could not be verified.

The law further stipulates that beginning on June 1, 2018, all applications for positions involving regular contact with students must include a notification of the penalties for willfully providing false information regarding this information.

Violation of this law by the applicant may result in discipline, including termination and/or a civil penalty of not more than \$500.00.

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Recruitment, Selection & Hiring**

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Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:3-15.2 Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation
18A:6-5 Inquiry as to religion and religious tests prohibited
18A:6-6 No sex discrimination
18A:6-7.1, -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
18A:6-76.1 Deadline for notification to students of requirements of provisional certificate and induction program
18A:16-1 Officers and employees in general
18A:26-1, -1.1, -2 Citizenship of teachers, etc.
18A:27-1 et seq. Employment and Contracts
26:8A-1 et seq. Domestic Partnership Act
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:9-6.1 et seq. Types of Certificates
6A:9-8.1 et seq. Requirements for Instructional Certification
6A:9-11.1 et seq. Exceptions for the Requirements for the Instructional Certificate
6A:9-12.1 et seq. Requirements for Administrative Certification
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1 Employment of teaching staff
6A:32-4.8 Support residencies for regularly certified, inexperienced first-year principals
6A:32-5.1 Standards for determining seniority
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
Old Bridge Education Association v. Old Bridge Township Bd. of Ed., 1986 S.L.D. 1917
Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1547 (3d Cir. 1996)
The Comprehensive Equity Plan, New Jersey Department of Education

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Series 4000

Nondiscrimination / Affirmative Action /

Sexual Harassment

Policy 4211.1

Date Adopted: May 2, 2005 Date Revised: May 14, 2014

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The Board of Education guarantees to all persons equal access to all categories of employment, retention and advancement in this district, regardless of any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes.

An affirmative action/equity program shall be a part of every aspect of employment not limited to but including upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation including fringe benefits; employment selection or selection for training and apprenticeships; promotion; or tenure.

The Board-designated affirmative action officer shall identify and recommend correction of any existing inequities, and any that occur in the future.

Harassment and Favoritism

The Board of Education is an affirmative action employer and holds all its employees responsible for maintaining a working environment that is free from all discriminatory practices. Harassment or favoritism on any basis included in the Board's statement of equal access to employment, retention and advancement is prohibited.

Administrators and supervisors shall be familiarized with the actions that constitute harassment and favoritism. This material shall be included in the legally mandated affirmative action in-service training for all employees, and shall be clear and specific (see policy 2224). When harassment has been determined to have taken place, disciplinary action will follow. All such determination shall be reported to the Board.

Sexual Harassment

The Board of Education shall maintain a working environment that is free from sexual harassment.

- A. Sexual harassment shall consist of unwelcomed sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when made by any member of the school staff to a student when made by any member of the school staff to another staff member or when made by any student to another student or when made by a student to a staff member, when:

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- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, or when
 - b. Submission to or rejection of such conduct by an individual is used as the basis of academic or employment decisions affecting that individual, or when
 - c. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment or education environment.
- B. Sexual harassment, as set forth in Section A, may include, but is not limited to the following:
1. verbal harassment or abuse
 2. pressure for sexual activity
 3. repeated remarks to a person with sexual demeaning implications
 4. unwelcomed touching suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, job, etc.

Administrators and supervisors will make it clear to all staff that sexual harassment is prohibited. No supervisory employee shall threaten or insinuate, either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation, compensation, assignment or advancement. No supervisory employee shall promise or suggest, either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any term or condition of employment of an employee. Sexually harassing conduct committed by non-supervisory personnel is also prohibited.

Staff may file a formal grievance related to sexual harassment. The Board will receive all complaints and carry out a prompt and thorough investigation and will protect the rights of both the person making the complaint and the alleged harasser.

Students may also file formal grievances related to sexual harassment (refer to Parent Handbook – grievance policy).

A substantiated charge against a staff member in the Deerfield Township School District shall subject such staff member to disciplinary action, such as a letter of reprimand, withholding of an increment or possible discharge.

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A substantiated charge against a student in the Deerfield Township School District shall subject that student to student disciplinary action, including suspension or expulsion, consistent with the student disciplinary code.

Notice of this policy will be circulated to the school and departments of the Deerfield Township School District on an annual basis and incorporated in teacher and parent handbooks. It will also be distributed to all originations in the community having cooperative agreements with the public schools. Failure to comply with this policy may result in termination of the cooperative agreement. Training sessions on this policy and the preventions of sexual harassment shall be held for teachers and students in the school on an annual basis.

Findings of discrimination in the form of sexual harassment will result in appropriate disciplinary action.

“Whistleblower” Protection

The Board prohibits discrimination or retaliation against any school employee who does any of the following:

- A. Disclose or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the Board that the employee reasonably believes is in violation of a law, or a rule or regulation established pursuant to law;
- B. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, rule or regulation established pursuant to law by the Board; or
- C. Objects to, or refuses to participate in any activity, policy, or practice which the employee reasonable believes is in violation of law, rule or regulation; is fraudulent or criminal; or is incompatible with public health, safety or welfare.

The Board shall ensure that notices are posted conspicuously in each school, informing employees that they are protected under the “Conscientious Employee Protection Act”.

Report on Implementation

The Chief School Administrator shall devise regulations, including grievance forms and procedures to implement this policy. He/she shall be responsible for informing staff annually of the identity and location of the affirmative action officer and the implementing procedures.

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Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:6-5 Inquiry as to religion and religious tests prohibited
18A:6-6 No sex discrimination
18A:18A-17 Facilities for handicapped persons
18A:26-1 Citizenship of teachers, etc.
18A:26-1.1 Residence requirements prohibited
18A:29-2 Equality of compensation for male and female teachers
26:8A-1 et seq. Domestic Partnership Act
34:19-1 et seq. Conscientious Employee Protection Act
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services
- Executive Order 11246 as amended
29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended
20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended
by the Equal Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986)
School Board of Nassau County v. Arline, 480 U.S. 273 (1987)
Vinson v. Superior Court of Alameda County, 740 P.2d 404 (Cal. Sup. Ct. 1987)
Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1547 (3d Cir. 1996)
Saxe v. State College Area School Dist., 240 F. 3d 200 (3d Cir. 2001)
The Comprehensive Equity Plan, New Jersey State Department of Education
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Support Staff

Series 4000

Residency Requirements

Policy 4211.4

Date Adopted: March 28, 2012 Date Revised

Page 1 of 2

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

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

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

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

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

Current Employees

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

New Employees and/or Employment Candidates

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

Exemptions

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

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

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**Support Staff
Residency Requirements**

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Policy 4211.4**

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

Legal References

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

Possible Cross References

2111.4, 4111.4

APPLICATION FOR EXEMPTION FROM THE PROVISIONS OF N.J.S.A 52:14-7a. OF THE NEW JERSEY FIRST ACT

Employee Residency Review Committee
C/O NJ Department of Labor and Workforce Development
Office of Legal and Regulatory Services
PO Box 110
Trenton, NJ 08625-0110

Tel. (609) 777-2960
Fax (609) 292-8246

OFFICIAL USE ONLY:
Application #:

The New Jersey First Act (the Act) states in pertinent part that any person may apply for an exemption from the provisions of subsection a. of the Act (a.k.a., the residency requirement) on the basis of "critical need or hardship." All such applications are to be submitted to the Employee Residency Review Committee, a five-member committee composed of three persons appointed by the Governor, a person appointed by the Speaker of the Assembly, and a person appointed by the President of the Senate.

Instructions: Complete this form and answer all questions. Type or print legibly. Attach any other documents that may support your application. Mail or fax all documents to the address listed at the top of this page.

APPLICANT INFORMATION

First Name	Last Name	M.I.	Daytime Telephone No.
Mailing Address		Floor/Apt. No.	Cell No.
City	State	ZIP Code	Alternate Telephone No.

EMPLOYER OR PROSPECTIVE EMPLOYER INFORMATION

Employer Name	Business Telephone No.
Employer Street Address	Fax No.
	e-mail
Employer Mailing Address (if different from street address)	Name and Title of Contact Person
	Contact Telephone No.

Do you wish for the Committee to notify your employer or prospective employer of this application and provide the employer an opportunity to make a written submission to the Committee regarding your application? YES NO

Would you like an opportunity to appear in-person before the Committee and make a statement in support of your written application? YES NO

APPLICATION DETAILS

Explain the hardship and/or critical need which is the basis for your exemption request. Attach additional sheets if necessary.

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**Support Personnel
Contract**

**Series 4000
Policy 4212**

Date Adopted: May 2, 2005

Date Revised

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In accordance with law and for the mutual protection of the district and the employee, every staff member who has not achieved tenure shall be required annually to sign an employment contract. The contract shall be executed by the President of the Board of Education on behalf of the Board and shall contain a termination clause of 60 days' notice.

Each employment contract shall include:

- A. The term of employment, including beginning and ending dates;
- B. The salary at which the person is employed;
- C. The intervals at which the person is employed;
- D. A provision for termination of contract on notice duly given;
- E. Such other matters as may be necessary to a full and complete understanding of the contract.

Should an employee be offered in error a contract for a salary which differs from that approved by the Board, the salary approved by the Board shall be the salary paid.

The Chief School Administrator shall issue salary notification to all non-tenured personnel indicating the name of the employee and giving a concise explanation of their contractual salary for the coming year. All salary notification statements shall be signed by the Board Secretary/Business Administrator and the Board of Education.

All terms and conditions of the contract shall conform with requirements of state law and the State Board of Education.

Legal References

- NJSA 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc; employment thereunder
- 18A:27-5 Written contracts of employment required
- 18A:27-6 Contents of contracts
- 18A:27-7 Contract forms
- 18A:27-8 Filing of contracts
- 18A:28-8 Notice of intention to resign required

Camden Board of Education v. Nelson Alexander, et als. (A-34/35-02)
Cresskill Bd. Of Ed. v. Cresskill Ed. Assn., 362 NJ Super. 7 (App.Div. 2003)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Series 4000

Appointment & Conditions Of Employment

Policy 4212.1

Date Adopted: May 2, 2005

Date Revised

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Application

Application for staff services shall be made through the office of the Chief School Administrator. Those applying should be interviewed by the person directly over them in the organization and the Chief School Administrator. Their recommendations shall be submitted to the Board of Education.

Eligibility

Those employed in the secretarial services, special services, maintenance, custodial or cafeteria staffs of the Deerfield Township School system must be trustworthy, of good moral character and willing to assume responsibility for her/her assigned duties.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

18A:27-4 Power of boards of education to make rules governing employment

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Credit Union**

**Series 4000
Policy 4212.35**

Date Adopted: June, 22, 2005 Date Revised: March 23, 2011

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The Board of Education recognizes the importance of providing the opportunity for employees to participate in a personal savings plan through the districts payroll deduction process.

The guidelines for Credit Union payroll deductions in this district shall be as follows:

1. The approved agency shall be designated by the Board of Education in accordance with pertinent negotiated contracts.
2. The Board shall direct the Board Secretary to make payroll deductions and transmit such to the designated credit union each payroll period.
3. All enrollments for the program shall be accomplished in September or February of each school year.
4. Any questions or clarifications of these programs shall be directed to the credit union by employees. Any enrollment or information sessions relative to the programs shall be conducted after regular school hours.
5. The Board accepts no liabilities or responsibility for the performance of the designated credit union.

Legal References

NJSA 18A:66-128 Reduction of salary for obtaining certain benefits
18A:16-9 Responsibility of board
18A:19-9 et seq Compensation of teachers; payroll
18A:66-19 Payroll deductions
18A:66-127 Employees agreement to reduce salary for purchase of annuity
18A:66-128 Reduction of salary for obtaining certain benefits
43:3C-9 Payroll deductions
52:18A:107 et seq, Payroll deductions

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Health Examinations**

**Series 4000
Policy 4212.4**

Date Adopted: May 2, 2005

Date Revised

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Examinations

The Board of Education guarantees to all persons equal access to all categories of employment. A required pre-employment examination shall be used only to determine if the applicant is able to perform, with reasonable accommodation, job-related functions.

Prior to signing an initial contract for full or part-time employment in the School District the candidate shall be required to undergo a physical examination which shall include but not be limited to:

1. A health history completed by the candidate or their physician which shall include:
 - a. Past serious illness and injuries
 - b. Current health problems
 - c. Allergies
 - d. Record of immunizations
2. Health screenings including:
 - a. Height and weight
 - b. Blood pressure
 - c. Pulse and respiratory rate
 - d. Vision screening, hearing screening and Mantoux test for tuberculosis
3. A medical evaluation which shall include but not be limited to, a record of immunizations.

In the event that the prospective employee in question had, as a condition of employment in another NJ school district during the same school year, undergone an identical physical examination and can provide the Chief School Administrator a copy of a certificate to verify this, then, in that case, the Chief School Administrator, at his/her discretion, may excuse the prospective from obtaining a new physical examination.

Each school employee shall submit an updated health history with an assurance statement presented annually within a time frame established by the Board of Education.

An employee who refuses to submit annually an updated health history with an assurance statement shall undergo a physical examination pursuant to applicable state laws and regulations.

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Confidentiality of employee medical records including computerized records shall be assured. The school district shall regulate access, compilation and maintenance of employee health records in compliance with federal and state statutes governing the collection, maintenance, disclosure and security of employee medical records. It shall be the responsibility of the Chief School Administrator to establish procedures to ensure the security of employee health records maintained in this school district.

The section of the medical record which contains the health history, e.g. medications or current health status to assure ready access in a medical emergency, may be shared with the Principal and school nurse with the consent of the employee.

When an employee is requested to submit to any examination other than the annual physical examination, he/she shall be provided with:

- A. A written statement of reasons for the request;
- B. An opportunity for a Board hearing, if so requested (said hearing shall be in private and confidential unless the employee requests otherwise);
- C. Adequate prior notice of the date of the hearing;
- D. Copies of statements or affidavits relied on by the Board prior to the hearing;
- E. An opportunity to be represented at the hearing by counsel or other persons of the employee's choice;
- F. An opportunity to present witnesses on his behalf.

Reports of these examinations shall include a statement by the examining physician as to any physical or mental condition noted likely to prevent the person examined from performing all duties and responsibilities of the position sought or occupied, or creating a risk to the health or welfare of pupils or other employees, or a statement that no such condition exists.

All records and report of such examinations shall be filed with the district medical inspector as confidential information but shall be available to and reported to appropriate health agencies as required by law.

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In the event an employee of the Board has been determined to have a mental abnormality or communicable disease, and if in the opinion of the district medical inspector such condition makes the employee unfit for continued employment, the Board may remove the employee from further service as provided by law or grant leave as provided by law during the period of unfitness. An employee determined to be unfit must provide the Board with satisfactory proof of recovery before reinstatement will be allowed.

In order to protect the pupils and staff in the district schools, all regulations of the State Department of Education, the State Department of Health and the Local Board of Health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases. Staff who have been identified as having a communicable disease shall not be permitted continued employment unless they qualify under the above agencies' rules pertaining to periods of incubation, communicability, quarantine and reporting.

Occupational Containment of Bloodborne Pathogens

The Board is committed to provide a safe and healthful work environment for the staff. In pursuit of this endeavor, an Exposure Control Plan (ECP) shall be provided to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with federal regulations.

The ECP is a key document to assist the district in implementing and ensuring compliance with the OSHA Bloodborne pathogens standard, thereby protecting employees. This ECP includes:

- A. Identification of tasks, procedures and job classifications where occupational exposure to blood occurs;
- B. Procedures for evaluating the circumstances surrounding an exposure incident; and
- C. The schedule and method for implementing the specific sections of the standard, including:

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1. Methods of compliance;
2. Hepatitis B vaccination;
3. Post-exposure evaluation and follow-up;
4. Hazard communication requirements;
5. Effective employee training;
6. Record keeping.

The ECP shall be reviewed annually to ensure that it reflects the use of the most current medical technology.

Implementation and Dissemination

The Chief School Administrator, in consultation with the District Medical Inspector, shall prepare regulation to implement this policy in compliance with law and code. All employees shall receive this policy and be made aware of all requirements for health examinations

Legal References

- NJSA 2C:35-1 et seq. Comprehensive Drug Reform Act of 1987
18A:16-2 Physical examinations; requirement
18A:16-4 Sick leave; dismissal
18A:16-5 Records of examinations
18A:40-10 Exclusion of teachers and pupils exposed to disease
26:4-1 "Communicable disease" defined
26:4-6 Prohibiting attendance of teachers or pupils
26:4-15 Reporting of communicable diseases by physicians
26:5c-1 et seq. AIDS Assistance Act
- NJAC 6A:16-1.4 et seq. District policies and procedures
6A:16-2.1 Health services policy and procedure requirements
6A:32-6.1 et seq. School Employee Physical Examinations
8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV Infection
12:100-4.2 Safety and Health Standards for Public Employees (Adoption by reference)
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
29 CFR 1910.1030 - Bloodborne Pathogen Standard
School Board of Nassau County v. Arline, 480 U.S. 273 (1987)
Warren v. Warren Fire Officers Association, 10 NJPER 15022
HIV Policy and Practice: Regulatory Requirements for New Jersey Public Schools, SDOE Division of Student Services, Sept. 1996, Doc. #P101400-31

Possible Cross References

4211, 4212.6, 4217.50, 4217.52, 4219.23, 4250

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Criminal History Verifications

Policy 4212.5

Date Adopted: November 17, 2010 Date Revised

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Pursuant to N.J.S.A. 18A:6-7.1 et. seq. and N.J.S.A. 18A:39-19.1, all employees of a public school district under the supervision of the State Department of Education who hire or contract for the services of any employees having regular pupil contact must submit a criminal background check.

In order to provide for the proper security of the children of this district by prohibiting employment of unfit persons in the schools, the Board of Education directs the Superintendent of Schools to establish procedures necessary for the implementation of the school employee criminal history review consistent with statute and code.

Further, the Board directs that all employees subject to the criminal history check successfully clear this process prior to appointment unless the Superintendent of Schools determines that the circumstances and/or needs of the district warrant an exception.

Legal References

NJSA 18A:6-7.1 et seq Criminal history record checks for final candidates for school employee positions
18A:39-19.1 Criminal records of school bus drivers; effect

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Personnel Records**

**Series 4000
Policy 4212.6**

Date Adopted: May 2, 2005

Date Revised

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Orderly administration of the school district and compliance with state and federal law require the compilation of information about all employees of the district. The Board of Education recognizes that there is a distinction between those personnel records which are clearly a matter of public concern, and those which must be considered privileged until such time as they are opened to the public by the NJ Commission of Education or the courts.

The Chief School Administrator may consult with the Board Attorney regarding which personnel records are mandated to be kept by law, and those to be kept for administrative purposes. The Chief School Administrator and the Board Attorney shall be responsible for limiting administrative records to those that are consistent with New Jersey and federal law.

In accordance with federal law, the Chief School Administrator shall establish procedures to release information upon request regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents/guardians for any teacher or paraprofessional who is employed by a school receiving Title 1 funds and who provides instruction to their children.

The Chief School Administrator shall establish the necessary regulations for maintaining both public and confidential employee records.

- A. The public file shall consist of an alphabetic index of all those presently employed by the district in whatever capacity. The information in this file shall be limited to name, title, position, salary, payroll record, length of service, and, if applicable, date of separation and rehire. The Chief School Administrator shall devise procedures for making this file available to the public in accordance with the Open Public Records Act.
- B. The confidential file shall consist of an individual personnel folder for each current employee. The information in this file shall include all records mandated by state and federal law; evaluation of performance; record of attendance; original application filed by the employee; transcript of certification; original salary and increments; date of tenure; notations of commendation and disciplinary actions consistent with law. This file is available for examination:
 - 1. At any time, by the Chief School Administrator or the supervisory personnel he/she designates;
 - 2. During regular business hours, by the employee or his personally authorized representative, in accordance with regulations;
 - 4. During regular business hours, or at any meeting of the Board or any committee thereof, by any member of the Board in connection with any assigned Board responsibility or duty.

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- C. Employee health records shall be maintained separately from other personnel files and in strict confidentiality. Only the employee, the chief medical inspector and the Chief School Administrator shall have access to an employee's medical file. To assure ready access in a medical emergency, the section of the medial record that contains the health history may also be shared with the building principal and the school nurse with the consent of the employee.
- D. Staff emergency contact cards for all employees shall be maintained by the Chief School Administrator/designee and updated annually.

Legal References

- NJSA 18A:6-7a Removal from personnel files of reference to complaint of child abuse or neglect determined to be unfounded
18A:6-11 Written charges; written statement of evidence; filing; statement of position by employee; certification of determination; notice
18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)
47:1A et seq. Examination and copies of public records
47:3-15 et seq. Destruction of Public Records Law
- NJAC 6A:32-6.1 et seq. School Employee Physical Examinations
12:100-4.2 Safety and health standards for public employees occupational exposure to bloodborne pathogens (Adoption by reference)
29 CFR 1910.1030 - Bloodborne Pathogen Standard
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Executive Order No. 9, September 30, 1963; modified by Executive Order No. 11, November 15, 1974
Citizens for Better Education v. Camden Bd. of Ed., 124 N.J. Super. 523 Trenton Times Corp. v. Trenton Bd. of Ed., 138 N.J. Super. 357 (App. Div. 1976)
Nero v. Hyland, 76 N.J. 213 (1978), rev'd 146 N.J. Super. 46 (App. Div. 1977), 136 N.J. Super. 537 (Law Div. 1975)
Brick Township Education Association v. Brick Township Bd. of Ed/Sayreville Education Association v. Sayreville Bd. of Ed., S.L.D. 197
White v. Galloway Township Bd. of Ed., 1977 S.L.D. 900, aff'd St. Bd. Witchel v. Cannici and the Passaic Bd. of Ed., 1966 S.L.D. 159
Mendell v. Cimmino and the Kinnelon Bd. of Ed., 1970 S.L.D. 185
Cordano v. Weehawken Bd. of Ed., 1974 S.L.D. 316, appeal dismissed St. Bd. 1974 S.L.D. 323
Horner v. Kingsway Regional Board of Education, 1990 S.L.D. 752
Lacey Township Board of Education v. Lacey Township Education Association, 130 N.J. 312 (1992) Beatty v. Chester 1999 S.L.D. August 31 Ciambrone v. Bloomingdale 2000 S.L.D. May 7

Possible Cross References

3570, 4211, 4212.4/, 4215/4216, 5141.4

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Nepotism**

**Series 4000
Policy 4212.8**

**Date Adopted: Nov. 17, 2004 Date Revised: Jan. 28, 2009,
Oct. 28, 2015, March 30, 2016,
Jan. 25, 2018**

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In order to avoid the reality and the appearance of conflict of interest in its employment, and in accordance with NJAC 6A:23A-6.2, the Board of Education will not appoint a relative of a Board Member or of an Administrator, as defined by statute, to any employment position in this district, and directs that no person who is a relative of a Board Member or administrator shall be placed in nomination for any vacant position. Nor shall any person be considered for employment in any position in which he/she would come under the direct or indirect supervision of any relative.

Definitions

For the purpose of this policy the following definitions shall apply:

“Nepotism” shall be defined as the showing of favoritism to an employee or candidate for employment based on the existence of a “conflicted relationship” with a Board Member or Chief School Administrator.

“Conflicted relationship” includes but is not limited to an immediate family member, a relative, and any other relationship that create a justifiable impression that the public trust may be violated.

“Conflicted Board Member/administrator” shall mean any Board Member or administrator with a conflict of interest, regardless of the source of conflict as identified in the definitions below.

“Relative” shall be defined as an individual’s spouse, civil union partner, domestic partner, or the parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, of the individual or of the individual’s spouse, civil union partner or domestic partner, whether the relative is related to the individual or the individual’s spouse, civil union partner or domestic partner, by blood, marriage or adoption.

“Immediate family” shall be defined as Board Member or school administrator, their spouse, civil union partner, domestic partner, child, parent or sibling residing in the same household, whether related by blood, marriage or adoption.

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“Other” when describing relationships between individuals and Board Members or the Chief School Administrator includes but is not limited to in-law, cousin, cohabitating partner, and step daughter-in-law and any other personal or professional relationship that creates the justifiable impression that the public trust is being violated.

In accordance with the provisions of NJSA 18A:12-24(b), Board Members may not provide any unwarranted privilege, advantage or employment in the district. However, there shall be no presumption of a conflict simply because a Board Member a Board Member’s family member works in the district. Should a Board Member and his/her family member, as described herein, enter into a business arrangement or if the family member were to be granted unwarranted privilege, advantage or employment in the district, a conflict would then be apparent and the Board Member would be required to comply with all pertinent sections of this policy.

A person employed by the district on the effective date of this policy or the date a relative becomes a Board Member or administrator shall not be prohibited from continuing to be employed in the person’s current position or, in the case of a reduction in force, in any position to which that person has a legal entitlement.

No Board Member or administrator of this district, shall use or attempt to use his/her official position to secure unwarranted privileges, advantages or employment for himself, members of his/her immediate family or others.

The district may seek approval from the Executive County Superintendent to promote such an existing employee where such promotion is justified by the needs of the district to ensure implementation of the Core Curriculum Content Standards and upon a demonstration that the existing employee is the most qualified candidate for the position after full advertising and interviewing has occurred.

Pursuant to NJSA 18A:27-4.1, the Chief School Administrator shall not recommend to the Board of Education any relative of a Board Member or Chief School Administrator unless the person is subject to the exception noted above.

Employment and Supervision of a Relative

The Board of Education, in order to avoid both the reality and the appearance of conflict of interest in employment, will not initially appoint a relative of a Board Member or of the Chief School Administrator to any employment position in this district.

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The Chief School Administrator shall not recommend to the Board for initial hire any relative of a Board Member or of the Chief School Administrator, unless the person is subject to the exception below. Nor shall any person be considered for employment in any position in which he/she would come under the direct or indirect supervision of any relative. Where it is not feasible to eliminate such a direct or indirect supervisory relationship, appropriate screens and/or alternate supervision/reporting mechanisms shall be put in place.

No conflicted administrator shall supervise, or exercise authority over personnel matters in which the administrator has a conflict. No Board Member shall deliberate or vote on a matter involving the member's conflicted relationship. Nor should the Board Member be present for any confidential discussion of employment matters in which they have a conflict. Neither should the Board Member receive confidential information pertaining to a matter in which they have a conflict.

Exceptions Regarding Employment

Persons who are employees of the Board on the date that this policy initially becomes effective or the date a relative becomes a Board Member or Chief School Administrator shall not be prohibited from continuing to be employed in the district. This includes employees who must be renewed annually by the Board. The Chief School Administrator may recommend those employees for reemployment, transfer, promotion or removal.

A relative of a Board Member or Chief School Administrator may be initially employed by the district provided that the district has obtained the approval from the executive county Chief School Administrator. Such approval shall be granted only upon demonstration by the school district that it conducted a thorough search for candidates and that the proposed candidate is the only qualified and available person for the position. Per diem substitutes and student employees may be excluded from the initial hiring aspects of this nepotism policy.

Participation in Employment Related Matters

Conflicted Board Members may not participate in employment matters concerning the Chief School Administrator, principal or any administrator or supervisor(s) in the chain of command between the employee and Chief School Administrator.

Prohibited activities for conflicted Board Members include hiring of the selection agency, criteria, job description, voting to advertise for applicants, search committee, vote to hire and any evaluation and contract discussion post-hire.

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Conflicted Board Members may not be present in closed session when discussions regarding the administrators take place and should not be privy to executive session materials until such time as the minutes are made available to the general public.

Board Member/Chief School Administrator Participation in Negotiations

In-District Bargaining Units

When a Board Member or school administrator is in a conflicted relationship that prohibits participation in collective negotiations, that Board Member or school administrator shall not participate in any way in negotiations. This includes, but is not limited to, setting negotiation parameters, being a member of the negotiating team, receiving negotiations updates, voting on the proposed agreement and post-contract participation in grievances. Nor shall that Board Member or school administrator be present with the Board in closed session when negotiation strategies are being discussed. A school administrator may provide technical information that is necessary to the collective bargaining process when no one else can provide that information.

Board Members or the Chief School Administrator are similarly precluded from participation in negotiations with any bargaining unit whose members have supervisory authority over a family member or other conflicted connection.

Out-of-District Similar Statewide Bargaining Units

When a Board Member or school administrator is in a conflicted relationship with an individual who is a member of an out-of-district similar statewide union with which the Board is negotiating, that Board Member or school administrator shall not participate in any way in negotiations. This includes, but is not limited to:

- Developing negotiation parameters;
- Being a member of the negotiating team;
- Receiving confidential negotiations information updates prior;
- Voting on the contract; and
- Grievance participation.

A school administrator may, however provide technical information that is necessary to the collective bargaining process when no one else in the district can provide that information.

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When a Board Member or school administrator is in a conflicted relationship involving a relative who is a member of an out-of-district similar statewide union with which the Board is negotiating, there is no conflict unless the relative has a union leadership position in the state-wide union or local union that has the ability to affect negotiations. Union leadership positions in the state-wide union or local union that have the ability to affect negotiations include but are not limited to:

- Officer;
- Grievance chairperson;
- Building representative;
- Negotiation committee member.

A school official who has a conflicted relationship with any employee of the district or an employee in another out-of-district similar statewide union as of the effective date of this policy shall declare such relationship to the Board immediately.

Doctrine of Necessity

When a quorum of the Board has conflicted interests, the doctrine of necessity may be invoked in order to allow conflicted Board Members to participate in the negotiation process and vote. The doctrine of necessity may be invoked for the negotiation team or superintendent search committee only when the Board of Education has fewer non-conflicted Board Members than are required, pursuant to statute, to take action. The Board shall only invoke the doctrine of necessity after consultation with the Board attorney. When invoking the doctrine of necessity, the Board shall state publically that it is invoking the doctrine of necessity with the reasons for doing so and the specific nature of the conflicts of interest. The Board shall read the resolution invoking the doctrine of necessity at a regularly scheduled public meeting, post the notice of the resolution for 30 days and provide the School Ethics Commission with a copy of the resolution.

Implementation

The connections and relationships that create a conflict of interest for an individual Board Member's participation in Board decisions are subject to changes that result from commissioner rulings or changes in law. Therefore, the Board shall consult with the Board attorney as necessary and appropriate for guidance and clarification related to the implementation of this policy.

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Legal References

- NJSA 18A:12-2 Inconsistent interests or office prohibited
18A:12-21 et seq. School Ethics Act
18A:16-1 Officers and employees in general
18A:27-4.1 Appointment, trans, removal renewal of officers employees; exceptions
- NJAC 6A:4-1.1 et seq. Appealable decisions
6A:23A-1.2 et seq. Fiscal accountability; definitions
6A:23A-6.2 et seq. Fiscal accountability; nepotism
6A:28-1.1 et seq. School Ethics Commission
In the Matter of the Election of Dorothy Bayless to the Board of Education of the Lawrence Township School District, 1974 S.L.D. 603, reversing 1974 S.L.D. 595
Shirley Smiecinski v. Board of Education of the Twp of Hanover, Morris County
Scola v. Ringwood Bd. of Ed., 1978 S.L.D. 413
Salerno v. Old Bridge Board of Ed., 1984 S.L.D. (April 28)
Larsen v. Woodbridge Board of Ed., 1985 S.L.D. (March 18)
Scannella v. Scudillo, School Ethics Decision, Complaint No. C-14-93,
In the Matter of Frank Pannucci, 2000 S.L.D. March 1, State Board Rev'g
Commissioner 97 NJAR 2d (EDU) 339
School Ethics Commission, Advisory Opinion
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)
School Ethics Commission, Advisory Opinion, A01-93
School Ethics Commission, Advisory Opinion, A021-93
School Ethics Commission, Advisory Opinion, A10-93
School Ethics Commission, Advisory Opinion, A107-94
School Ethics Commission, Advisory Opinion, A33-95
School Ethics Commission, Advisory Opinion, A03-95
School Ethics Commission, Advisory Opinion, A01-98
School Ethics Commission, Advisory Opinion, A14-00
School Ethics Commission, Advisory Opinion, A01-93
School Ethics Commission, Advisory Opinion, A03-13
School Ethics Commission, Advisory Opinion, A01-13
School Ethics Commission, Advisory Opinion, A15-93
School Ethics Commission, Advisory Opinion, A22-13
School Ethics Commission, Advisory Opinion, A10-14
School Ethics Commission, Advisory Opinion, A11-14
School Ethics Commission, Advisory Opinion, A43-14
School Ethics Commission, Advisory Opinion, A03-15
School Ethics Commission, Advisory Opinion, A05-15
School Ethics Commission, Advisory Opinion, A24-17
School Ethics Commission, Advisory Opinion, A35-17

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Assignment / Transfer**

**Series 4000
Policy 4213/4214**

Date Adopted: March 23, 2004

Date Revised

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The Chief School Administrator shall make certified staff assignments in the manner best calculated, in his/her judgment, to enhance the educational program.

Support personnel are subject to assignment and transfer after recommendation of the Chief School Administrator and approved by the Board of Education. Procedures for such transfers shall comply with provisions of current negotiated agreements and state and federal law.

In accordance with the law of New Jersey, the Board of Education directs the Chief School Administrator to assign personnel to the school in such a way that equivalence of personnel is ensured within the school.

The Chief School Administrator may use his/her discretion to make temporary assignments of existing employees to cover long-term absences of other staff members. It is the policy of the Board that these temporary assignments will be in the best interest of the school district and its pupils.

It is the policy of the Board that twelve-month employees are expected to work a full school day on such days as school is in session less than full time due to a scheduled non-emergency activity (workshop, in-service, staff meeting, etc.). The Chief School Administrator may dismiss twelve-month employees after less than a full school day's work in any situation where he/she deems their continued attendance to be of little or no value to the educational program being considered at that time.

Part-time employees shall be scheduled by the Chief School Administrator and in the case of emergency school closings, part-time employees may be scheduled to work on alternate days than those on which they would have been scheduled in order to effect no loss of instructional time due to school closing.

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Legal References

NJSA 18A:25-1 Transfer of teaching staff members
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions
18A:59-1 through -3 Apportionment and distribution of federal funds; exceptions
34:13A-1 et seq. New Jersey Employer-Employee Relations Act

NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

42 U.S.C.A. 2000d - 2000d4 - Title VI of the Civil Rights Act of 1964
20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act
Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100-297)
34 CFR 200.1 to 200.89 - Part 200
34 CFR Part 204
Ridgefield Park Education Association v. Ridgefield Park Board of Education, 78 N.J. 144 (1978)
The Comprehensive Equity Plan, New Jersey State Department of Education Division
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2224, 4211, 4211.1, 5145.4, 6160

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Support Personnel

Series 4000

Supervision & Evaluation – Support Staff

Policy 4215/4216

Date Adopted: May 2, 2005 Date Revised: October 26, 2011

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Supervision

The Chief School Administrator shall ensure development of procedures for observation and supervision of all employees so the optimum support is provided for the educational program.

Such observation and supervision shall not be limited to that which is required for effective performance evaluation.

Evaluation

The Chief School Administrator shall develop a plan and process for the evaluation of support staff members. The evaluation process shall be similar for all employees in a single classification.

The Chief School Administrator shall maintain factual personnel records on all support employees and shall direct evaluation procedures.

The evaluation process shall provide for the recognition and commendation of effective performance, the identification and remediation of performance deficiencies, and the recommendation of discipline or dismissal when an employee fails to improve his/ her performance. Evaluation procedures shall provide that each employee is informed of the specific objectives of his or her position and the standards that will be used to assess the employee's performance against those objectives. Employees will be evaluated by qualified supervisors; probationary employees will be evaluated every thirty days and permanent employees will be evaluated annually. Any records created in the evaluation process will become part of the employee's file and subject to Board policy on personnel records.

Before increments for support staff members are approved for succeeding years, administrative and supervisory personnel in the schools shall submit to the Chief School Administrator a report on the work and attitude of each employee under their jurisdiction.

The employee's supervisor has the responsibility for seeing that each employee knows the basis upon which he is to be evaluated in advance of the evaluation. It shall be the policy of the Board of Education that all newly employed staff, in the classifications listed below, be employed for a probationary period of 60 calendar days, or less, at the discretion of the Board:

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- A. Secretaries
- B. Clerks
- C. Aides
- D. Maintenance and grounds personnel
- E. Custodians
- F. Cafeteria personnel
- G. Bus drivers
- H. Such other classifications as the Board may establish

Legal References

NJSA 18A:4-15 General rule-making power
18A:4-16 Incidental powers conferred
18A:6-10 et seq. Dismissal and reduction in compensation of persons under tenure in public school system
18A:11-1 General mandatory powers and duties
18A:27-3.1 through -3.3 Non-tenured teaching staff; observation and evaluation; conference; purpose
18A:27-10 et seq. Nontenured teaching staff member; offer of employment for next succeeding year or notice of termination before May 31
18A:28-5 Tenure of teaching staff members
18A:29-14 Withholding increments; causes; notice of appeals

NJAC 6:30-2.1(a)8 Purpose and program descriptions
6A:32-4.1(e) (f) Employment of teaching staff
6A:32-4.4 Evaluation of tenured teaching staff members
6A:32-4.6 Procedure for appearance of nontenured teaching staff members before a district board of education upon receipt of a notice of nonreemployment
6A:32-5.1 et seq. Standards for determining seniority
6A:9-15.1 et seq. Required Professional Development for Teachers
6A:32-4.4 Evaluation of tenured teaching staff member
6A:32-4.5 Supervision of instruction: observation and evaluation of nontenured teaching staff members

Lacey Township Bd. of Ed. v. Lacey Township Education Association, 130 N.J. 312 (1992), aff'g 259 N.J. Super. 397 (App. Div. 1991)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2130, 2131, 4000, 4010, 4112.6, 4117.41, 4131/4131.1, 4215/4216, 6143.1, 6200

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**Support Personnel
Separation**

**Series 4000
Policy 4217**

Date Adopted: May 2, 2005

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Notice as per employee contracts shall be given in cases of dismissal by the Board of Education or resignation by the employee. Service personnel who, for any cause, are unable to report for duty at their appointed times shall notify their immediate supervisor as soon as possible. Employees who repeatedly fail to give such notice shall lose their right to continued employment.

Legal References

NJSA 18A:27-3.1 Non-tenured teaching staff; observation and evaluation; conference; purpose
18A:27-3.2 Teaching staff member; notice of termination; statement of reasons; request; written answer
18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions
18A:27-9 Teaching after notice of termination of contract
18A:27-10 et seq. Nontenure teaching staff member; offer of employment for next succeeding year or notice of termination before May 31
18A:28-8 Notice of intention to resign required
18A:66-43 Retirement of service age limits
18A:66-44 Service retirement allowances

NJAC 6A:32-4.1 et seq. Employment of teaching staff
6A:32-4.6 Procedure for appearance of nontenured teaching staff members before a district board of education upon receipt of notice of nonreemployment

Donaldson v. North Wildwood Bd. of Ed., 65 N.J. 236 (1974)
Hicks v. Pemberton Township Board of Education, 1975 S.L.D. 332
Velasquez v. Brielle Board of Education, 97 N.J.A.R. 2d (EDU) (August 6), aff'g on different grounds Comm'r 96 N.J.A.R. 2d (EDU) (April 4)

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Retirement**

**Series 4000
Policy 4217.1**

Date Adopted: May 2, 2005

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Retirement shall be at the option of the employee in accordance with the rules and regulations of the Teachers Pension and Annuity Fund or P.E.R.S. The Board will abide by state law in the matter of retirement agreements. In the event that the Board has any jurisdiction, it will decide on a case-by-case basis.

Each year, paid employees who are retiring will be recognized by the Board at the conclusion of the school year.

Legal References

NJSA 18A:27-9 Teaching after notice of termination of contract
18A:28-8 Notice of intention to resign required
18A:66-43 Retirement of service age limits
18A:66-44 Service retirement allowances

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**Arrest Reporting Requirements
for Certificated Staff Members**

Policy 4217.27

Date Adopted: Sept. 23, 2009 Date Revised: June 22, 2017

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In accordance with 6A:9B-4.3, all certificated staff members who are indicted or arrested for a crime or offense shall submit a report of such occurrences to the Superintendent of Schools within fourteen (14) calendar days of said indictment or arrest.

The report shall include the date of the arrest or indictment and charge(s) lodged against said staff member. The staff member shall also report the disposition of any charges to the Superintendent of Schools within seven (7) calendar days of the disposition.

Failure to comply with these reporting requirements may be deemed “just cause” pursuant to NJAC 6A:9B-4.5.

The district shall make these requirements known to all new employees and to all employees on an annual basis.

For the purposes of this policy, Driving Under the Influence (DUI) and reckless driving charges are not considered to be “criminal offenses” for the purpose of notifying the Board of Examiners.

Legal References

- NJSA 18A:6-7.1 Criminal history record checks for final candidates for school employee positions
- 18A:39-19.1 Criminal records of school bus drivers

- NJAC A:9B-4.3 Arrest reporting requirements
- 6A:9B-4.5 Grounds for revocation and suspension of certification

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**Support Personnel
Resignation**

**Series 4000
Policy 4217.3**

Date Adopted: May 2, 2005

Date Revised

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An employee shall submit his resignation in writing to the Chief School Administrator at least 60 days prior to the effective date of resignation. This date shall be approved unless the Board of Education desires to accept the resignation sooner.

The resignation becomes effective upon its formal approval by the Board of Education, and may be withdrawn by the employee at any time prior to Board action.

Any employee of the school district who terminates his employment of his own volition with exception of retirees or if released by the Board will forfeit Board granted benefits accrued during his employment.

If an employee returns to the employ of the Board of Education after having had prior service, said employee will begin with the same benefits as any other new employee, except as covered by New Jersey State law, and/or the contracted agreement between the employee and the Board of Education.

Legal References

- NJSA 18A:27-9 Teaching after notice of termination of contract
18A:27-10 et seq. Nontenure teaching staff member; offer of employment for next succeeding year or notice of termination before May 31
18A:28-8 Notice of intention to resign required
18A:66-43 Retirement of service age limits
18A:66-44 Service retirement allowances
- NJAC 6A:32-4.1 et seq. Employment of teaching staff

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**Support Personnel
Layoff / Rehire**

**Series 4000
Policy 4217.4**

Date Adopted: May 2, 2005

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The Board of Education has the right under state law to abolish unilaterally any existing position in whole or in part and to reduce the number of employees in any category for reasons of economy, reduction in the number of pupils, change in the administrative or supervisory organization, change in the educational program or other good cause.

Should it become necessary to reduce the number of employees in the district, the laws and regulations of the state shall be the controlling guides. If, in the case of such reduction, candidates for termination are non-tenured personnel only, the primary basis for selection for termination or reduction shall be the needs of the district's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

If, in the case of such reduction, candidates for termination or reduction in grade are tenured in this district, the state regulations regarding seniority shall be the primary basis for decision. In the event that there should be equal applicable seniority among staff members, the decision for reduction or termination shall be based on the needs of the district's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

In no case shall any choice be based on arbitrary, capricious or discriminatory reasons. The Chief School Administrator shall prepare guidelines for restructuring positions and for determining objectively which employees are to be dismissed as a result, and shall present his recommendations to the Board for action.

Legal References

- NJSA 18A:28-5 Tenure of teaching staff members
18A:28-9 Reduction of force; power to reduce and reasons for reduction
18A:28-10 Reasons for dismissals of persons under tenure on account of reduction
18A:28-11 Seniority; board to determine; notice and advisory opinion
18A:28-12 Dismissal of persons having tenure on reduction; reemployment
- NJAC 6A:9-5.5 Assignment of titles
6A:32-5.1 Standards for determining seniority

Possible Cross References

2131, 4215/4216

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Reduction In Force – Aides**

**Series 4000
Policy 4217.45**

Date Adopted: May 2, 2005

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The Board of Education has adopted policies and entered into contracts providing for Instructional Aides under approved Title 1 Programs as well as, Non-Instructional Aides for playground and cafeteria duty.

Any necessary reduction in force of Instructional Aides shall be made as a result of insufficient funds available under an approved Title 1 Program. Such reduction in Instructional Aides shall be on the basis of seniority in the position of Instructional Aide with the individual Instructional Aide with the least seniority in the school being reduced first; the individual having the second least seniority being reduced second; etc.

Any necessary reduction in force of Instructional Aides who are not funded by an approved Title 1 Program shall be made as a result of insufficient funds. Such reduction in Instructional Aides shall be on the basis of seniority in the position of Instructional Aide with the individual Instructional Aide with the least seniority in the school being reduced first; the individual having the second least seniority being reduced second; etc.

Any necessary reduction in force of Non-Instructional aides shall be made as a result of a decision made by the Board with the provision of the Board/Association Contract. Said contract provides for a non-specific number of positions; therefore reductions in the number of Non-Instructional Aides shall be made on the basis of seniority in that position. The individual Non-Instructional Aide having the least seniority in the school shall be reduced first; the individual having the second least seniority being reduced second; etc.

Any Instructional or Non-Instructional Aide being reduced and having greater total seniority in the school than any other Instructional or Non-Instructional Aide not affected by the reduction may assume the position of the individual with the least seniority and that individual with the least seniority shall become the individual to be affected by the reduction.

Legal References

NJSA 18A:28-9 Reduction of force; power to reduce and reasons for reduction
18A:28-10 Reasons for dismissals of persons under tenure on account of reduction
18A:28-11 Seniority; board to determine; notice and advisory opinion
18A:28-12 Dismissal of persons having tenure on reduction; reemployment

NJAC 6A:9-5.5 Assignment of titles
6A:32-5.1 Standards for determining seniority

Possible Cross References

2131, 4215/4216

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**Support Personnel
Disciplinary Action**

**Series 4000
Policy 4217.5**

Date Adopted: May 2, 2005

Date Revised: August 30, 2012

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It shall be the policy of the Board of Education to apply the statutes of the state, the policies of this Board and the regulations of the administration with equal consideration to each staff member.

The Chief School Administrator shall prepare disciplinary rules for situations most often encountered which provide for progressive penalties including-where appropriate-verbal warnings, written warnings, non-renewal of non-tenured employees, withholding of an increment from tenured employees, dismissal of non-tenured employees and preferral of charges against tenured employees. Such rules shall ensure nondiscriminatory application, differentiate between a second offense of the initial type and a second offense unlike that for which the employee was initially reprimanded, and be in accordance with established due process procedures.

Consequences shall include:

- First Offense – Personal discussion with supervisor;
- Second Offense – Personal discussion with supervisor, and note indicating Second Offense with a copy filed in employee’s personnel file and a copy forwarded to the Board President;
- Third Offense – Consequences as stated for Second Offense and a letter stating that the matter will be forward to the Board of Education for further disciplinary action.

Disciplinary rules shall be reviewed and approved by the Board and shall include the provision that the Board reserves the right to deduct pay for required service not performed, including time lost through tardiness in accordance with its policies.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:6-10 et seq Dismissal and reduction in compensation
18A:27-4 Power of boards of education to make rules governing employment

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Unauthorized Absence

Policy 4217.53

Date Adopted: May 2, 2005

Date Revised

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The Board of Education expects all employees to adhere to the policy of the Board regarding unauthorized absence from school property during work hours. Employees violating this policy by leaving school early or during periods other than lunchtime, without authorization by an Administrator, shall be subject to disciplinary action.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

18A:27-4 Power of boards of education to make rules governing employment

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Grievance Procedure – Title IX

Policy 4218.1

Date Adopted: May 2, 2005

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Complaints regarding alleged discrimination on the basis of race, color, creed, religion, sex, ancestry, age, national origin, or social or economic status must be made in writing. Forms are available from the Affirmative Action Officer.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

18A:27-4 Power of boards of education to make rules governing employment

Possible Cross References

2224, 3320, 5145.4, 6121

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Grievances Not Covered By Contract

Policy 4218.3

Date Adopted: May 2, 2005

Date Revised

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It is the policy of the Board of Education to discover and practice reasonable and effective means of resolving difficulties which may arise among employees; to reduce potential areas of grievances; and to establish and maintain recognized channels of communication between staff and administration. With the ultimate goal of serving the educational welfare of children, the informal grievance procedure shall provide the prompt and equitable adjustment of differences. The informal grievance procedure shall adhere to guidelines established by contract. It is essential that full cooperation be given by all employees to achieve these goals.

Each employee shall be assured the opportunity for an orderly presentation and review of concerns and grievances.

No employee shall suffer reprisals or reduction in status as a result of having presented a grievance or having represented an employee in a grievance.

It shall be the general practice to process grievance procedures during time which does not interfere with assigned duties.

An individual employee or his representative during the course of the processing of a grievance shall continue to follow administrative directives and Board policy.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment

Possible Cross References

2224, 3320, 5145.4, 6121

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**Support Personnel
Conflict of Interest**

**Series 4000
Policy 4219.21**

Date Adopted: March 23, 2004

Date Revised

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An employee of the Board shall not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity that is in conflict with the proper discharge of his/her duties.

An employee of the Board shall not use or attempt to use his/her position to secure unwarranted privileges or advantages for himself/herself or others.

An employee of the Board shall not act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest such as selection or purchase of any textbook or other materials on which he/she receives a royalty.

An employee of the Board shall not accept any gift, favor, service or other item of value under circumstances from which it might be reasonably inferred that such gift, service or other item of value was given or offered for the purpose of influencing him/her in the discharge of his/her duties.

Legal References

NJSA 2C:27-1 et seq. Bribery and Corrupt Influence
18A:6-8 Interest of school officers, etc., in sale of textbooks or supplies; royalties
18A:6-8.4 Right to hold elective or appointive state, county or municipal office
18A:11-1 General mandatory powers and duties
18A:12-21 et seq. School Ethics Act
18A:54-20 Powers of board (county vocational schools)
19:34-15 Electioneering within or about polling place; misdemeanor

NJAC 6A:4-1.1 et seq. Appeals
6A:28-1.1 et seq. School Ethics Commission

Green Township Education Association v. Rowe, et al., 328 N.J. Super 525 (App. Div. 2000)

Possible Cross References

1140, 1313, 4212.8, 4217.5, 4218.2, 4219.22, 4219.23, 9270

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Support Personnel

Series 4000

Grooming, Appearance & Dress

Policy 4219.22

Date Adopted: March 23, 2004 Date Revised: September 26, 2012

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The Board of Education expects all staff members to be neatly groomed and dressed in a professional manner and in clothing suitable for the subject of instruction, the work being performed, or the occasion.

The Board of Education believes that the appearance and dress of all staff members is an important component of the educational program of this school district. The attitude of staff members about their responsibilities and the importance of education in the lives of pupils are reflected in their dress and appearance. Accordingly, in order to create an atmosphere of respect for staff members and an environment conducive to discipline and learning, the Board of Education expects all staff members to be neatly groomed and dressed in clothing suitable for the subject of instruction, the work being performed, or the occasion.

General Criteria

Attire shall meet the following criteria:

- Men and women shall dress in a manner befitting the profession. Faculty dress should up-hold the dignity of the profession and be appropriate to the type of service the teacher is performing.
- Female staff members shall wear skirts, slacks or docker-style khakis, with blouses or sweaters, dresses, skort or slack ensembles, slack suits, dress shorts or Capri's.
- All skirt, skort, or dress-like clothing shall not exceed three (3) inches above the knee while standing.
- Male staff members shall wear suits, dress pants, or docker-style khakis, dress shirts, with or without ties, collared shirts, turtlenecks or sweaters.
- Dress shorts are permitted to be worn by all staff members when the temperature is higher than 75 degrees F and deemed appropriate by the Chief School Administrator. Shorts shall be no more than 3" above the knee while standing.

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Specialized Areas

- Physical education/health teachers, while teaching physical education classes, shall wear attire that is conducive to their subject area. Jackets, T-shirts, pullover shirts, slacks, pants, jogging suits, shorts, and sneakers are examples but not a limited list of appropriate attire for physical education teachers.
- Physical education/health teachers shall cover shorts with slacks, skirts, or jogging suits upon leaving the gymnasium or other place of instruction of a physical education class. Sleeveless shirts worn in physical education classes shall be covered with an appropriate sleeved shirt, sweat shirt, sweater or other pullover shirt.
- Preschool staff shall wear attire that upholds the dignity of the profession and is appropriate to the preschool environment, while conforming to requirements listed in “General Criteria” above.
- The wearing of smocks or other special attire by teachers in the performance of their duties in specialized areas, i.e. Science, Art and nursing, shall not be deemed as a violation of this code.

Staff going on field trips should dress appropriately, according to the venue, and as representatives of the school district.

Staff attending out of district workshops and/or inservices shall adhere to this dress code.

Footwear

- Footwear shall include appropriate dress shoes, clogs, flats or sandals, boots and sneakers.
- The wearing of work boots, steel toed shoes or other special footwear as required by a job description, policy, or contract, in the performance of their duties, i.e. Maintenance, Grounds, Custodian, Food Service, shall not be deemed a violation of this code.

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Unacceptable Attire

- Torn, dirty, stained, holey, or excessively wrinkled clothing.
- Flip flops, bedroom slippers, combat boots, construction work boots, shower clogs, athletic sandals.
- See-through clothing.
- Skin-tight clothing i.e. spandex, leggings, etc.
- Low, plunging, or deep “V” necklines.
- Midriff, halters, tank, spaghetti straps, tube tops, or razorback tops or dresses.
- Beach attire, beach shoes
- Any type of undergarments as outerwear.
- Sweatshirts sweat pants and sweat suits (except as appropriate PE staff and extra assignments as deemed appropriate).
- Observable jewelry in body piercings except for the ears, and small nose studs.
- Denim jeans.
- Obscene, suggestive slogans, phrases or pictures on clothing.

The staff member’s direct supervisor shall determine whether the dress or grooming of staff members conforms to this policy. In cases where a staff member disputes the decision of his/her supervisor, he/she may appeal up to the Chief School Administrator whose decision in the matter shall be final.

The Chief School Administrator or his/her designee may relax the dress code for special occasions upon request (i.e. Spirit Days, In-Service Days, Field Trips.)

This policy shall be in effect October 1, 2012.

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Legal References

- NJSA 18A:6-10 Dismissal and reduction in compensation of persons under tenure in public school system
18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc., employment thereunder
- Hicks v. Pemberton Bd. of Ed., 1975 S.L.D. 332
Quiroli v. Linwood Bd. of Ed., 1974 S.L.D. 1035
Carlstadt Teachers Ass'n v. Carlstadt Bd. of Ed., App. Div., unreported decision (docket no. A-1469-80-T4, decided March 26, 1982), 1982 S.L.D. 1448

Possible Cross References

4117.5, 4119.2, 4119.21, 4219.22, 4119.23, 4138, 6144

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**Support Personnel
Conduct**

**Series 4000
Policy 4219.225**

Date Adopted: August 30, 2012 Date Revised: September 25, 2013 Page 1 of 3

Staff Conduct

The Board of Education recognizes its responsibility to protect the health, safety and welfare of all pupils within this school district. Furthermore, the Board recognizes there exists a professional responsibility for all school staff to protect the pupils' health, safety and welfare. The Board strongly believes that school staff members have the public's trust and confidence to protect the well being of all pupils attending the district schools.

The personal life of an employee is not an appropriate concern of the Board except as it may directly prevent the employee from performing his/her properly assigned functions during the workday or affect his/her professional relationship with the pupils.

In support of the Board's strong commitment to the public's trust and confidence of school staff, the Board of Education holds all school staff members to the highest level of professional responsibility in their conduct with all pupils. Inappropriate conduct and conduct unbecoming a school staff member will not be tolerated in this school district.

The conduct of school staff members in completing their professional responsibilities shall be appropriate at all times.

- Staff members shall not make inappropriate comments to pupils or about pupils and shall not engage in inappropriate language or expression in the presence of pupils.
- Staff members shall not engage in inappropriate conduct toward or with pupils.
- Staff member shall not engage or seek to be in the presence of pupils beyond the staff member's professional responsibilities.
- Staff members shall not provide transportation to a pupil in their private vehicle or permit a pupil into their private vehicle unless there is an emergency or a special circumstance that has been approved in advance by the Building Principal/immediate supervisor and the parent/legal guardian.
- Staff members shall not speak about pupils in any manner in locations that are not private, nor in front of anyone who is not permitted access to student information.

Working with students on an individual basis can be very helpful for student learning and understanding. However, it is wise to meet with individual students in public places, i.e., library, cafeteria or in the front of an open classroom in an area visible from the hallway and, generally, in the vicinity of other people.

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Physical contact should be avoided and comments should be of a professional nature. These guidelines are intended to protect the student and the teacher as well as ensuring the continued good reputation of the teacher.

A staff member's conduct will be held to the professional standards established by the New Jersey State Board of Education and the New Jersey Commissioner of Education. Inappropriate conduct or conduct unbecoming a staff member may also include conduct not specifically listed in this policy, including conduct determined by the New Jersey State Board of Education, the New Jersey Commissioner of Education and/or appropriate courts to be inappropriate or conduct unbecoming a school staff member.

When an employee, either within the school or outside normal duties, creates conditions under which the proper operation of the school is affected, the Board, upon recommendation of the Superintendent of Schools, and in accordance with statute, shall determine whether such acts or lack of actions constitute conduct unbecoming a school employee, and if so, will proceed against the employee in accordance with law.

Unbecoming conduct sufficient to warrant Board review may result from a single flagrant incident or from a series of incidents.

Compensated and uncompensated (volunteers) school personnel are required to report any possible violations of this policy to their immediate supervisor, Assistant Principal or Building Principal. If the report alleges conduct by the Assistant Principal, Building Principal or the immediate supervisor, the school staff member may report directly to the Superintendent of Schools. In addition, school personnel having reasonable cause to believe a pupil has been subjected to child abuse or neglect or acts of child abuse or neglect as defined in NJSA 9:6-8.10 are required to immediately report to the New Jersey Division of Child Protection & Permanency (DCP&P) in accordance with NJAC 6A:16-10.1 et. seq., and inform the Assistant Principal or the Building Principal or immediate supervisor after making such report. However, notice to the Building Principal/designee need not be given when the school staff member believes such notice would likely endanger the referrer or child(ren) involved or when the staff member believes that such disclosure would likely result in retaliation against the child(ren) or in discrimination against the referrer with respect to his/her employment.

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Reports may be made in writing or by verbal notification. The immediate supervisor or Building Principal will notify the Superintendent of Schools of all such reports, including anonymous reports. The Superintendent of Schools will investigate all such reports. Upon reviewing the situation, the Superintendent of Schools may take such appropriate action as necessary and as provided by law. This may include, but is not limited to notify law enforcement, notifying DCP&P in accordance with NJAC 6A:16-10.2 et. seq., and/or other measures provided for in law.

Legal References

NJSA 18A:6-10 Dismissal and reduction in compensation of persons under tenure in public school system
18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc., employment thereunder

Hicks v. Pemberton Bd. of Ed., 1975 S.L.D. 332

Quiroli v. Linwood Bd. of Ed., 1974 S.L.D. 1035

Carlstadt Teachers Ass'n v. Carlstadt Bd. of Ed., App. Div., unreported decision (docket no. A-1469-80-T4, decided March 26, 1982), 1982 S.L.D. 1448

Possible Cross References

4117.5, 4119.2, 4119.21, 4119.22, 4119.225, 4119.23, 4138, 6144

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Substance Abuse, Drugs, Steroids & Alcohol

Policy 4219.23

Date Adopted: May 2, 2005

Date Revised

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The Board of Education recognizes that the misuse of drugs, steroids, and alcohol is a serious problem with enormous impact upon the welfare of the entire school community. The Board is committed to the prevention of drug, steroid, and alcohol abuse and rehabilitation of drug, steroid, and alcohol abusers and implementation of an effective drug, steroid, and alcohol awareness program for staff members, as well as providing special assistance for addicted staff. The Board desires to utilize positive approaches in dealing with these problems but will resort to necessary and appropriate steps to protect the school community from harm caused by exposure to drug, steroid, and alcohol abuse.

Adoption of Policies and Procedures

- A. The Board hereby adopts these policies and procedures for the discipline, evaluation and treatment of staff members who possess, consume or who, on reasonable grounds, are suspected of being under the influence of the following substances in the work site.
 - 1. All controlled dangerous substances as identified and prohibited in N.J.S.A. 24:21-1
 - 2. All chemicals and/or chemical compounds which release toxic vapors as defined in N.J.S.A. 27A:170-25.9 and N.J.S.A. 2C:98-3
 - 3. All alcoholic beverages.
 - 4. Anabolic steroids

- B. Guidelines – All Employees
 - 1. For the purpose of this policy “worksite” shall include any school building, or any school premises and any school owned vehicles or any other school-approved vehicle used to transport students to and from school or school activities. Worksite also includes off school property during any school sponsored or school approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the school district.

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2. The unlawful manufacture, distribution, dispensing, possession of, use of or sale of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, steroid, or any other controlled substance on or in school worksites is prohibited. Any violation may subject an employee to participation in a drug rehabilitation program and disciplinary action including but not limited to non-renewal, suspension, or termination at the discretion of the Board of Education.
3. The use of alcoholic beverages in school worksites is prohibited. Violations of this prohibition may subject an employee to disciplinary action that may include but is not limited to non-renewal, suspension, or termination at the discretion of the Board.
4. The Board of Education, as a result of criminal convictions of any criminal drug statute violation by an employee occurring outside of the worksite, may discipline said employee. Disciplinary action may include, but not be limited to non-renewal, suspension, or termination at the discretion of the Board.
5. The Chief School Administrator shall establish a drug-free awareness program that includes notice of the dangers of drug abuse in the workplace and available drug counseling programs and shall distribute this information to all employees annually. New employees shall be provided with a copy of this information prior to beginning work assignments.
6. The Chief School Administrator with the Board shall establish standards of staff conduct to include disciplinary sanctions required when staff members violate Board policies related to drug, steroid, and alcohol abuse. All disciplinary sanctions shall be implemented within the framework of the employees' contractual rights and due process. All employees shall be provided with a copy of this information annually.
7. Nothing in this policy shall be construed in any way to authorize or require the transmittal of any information or records that are in the possession of a substance-abuse counseling or treatment program include, but not limited to, the school districts own substance-abuse programs.

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All information concerning a staff member's involvement in a school intervention or treatment program shall be kept strictly confidential. See 42 C.F.R. 2 and N.J.A.C. 6:3-6.6.

8. The Chief School Administrator will ensure that all district employees receive annual in-service training to make them aware of their responsibilities in accordance with Board policies and N.J.A.C. 6:3-6.3 et seq.
 9. The Board will review annually the effectiveness of these policies and the Memorandum of Agreement entered into with the appropriate law enforcement agency. As part of this review, the Board will consult with the County Chief School Administrators, local community members, and the County Prosecutor's office.
 10. The policies and procedures contained herein shall be made available to all staff on an annual basis.
- C. **Work Performance in Connection with a Federal Grant**
In order for the school district to qualify for any direct federal grant, the district must certify that it will provide a drug-free workplace and maintain a good faith effort to continue to maintain a drug-free workplace. To this end, employees engaged in school worksites as a result of federal grant moneys shall in addition to complying with requirements of the programs shall be in strict compliance with this policy.

The Chief School Administrator shall notify all employees that they are to notify their respective supervisors of convictions of any criminal drug statute violation occurring in the workplace. Employees must notify their supervisors no later than five days after such conviction. To be in compliance, the district must notify the federal grant program of such conviction within 10 days of receipt of said conviction.

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Legal References

NJSA 2C:33-16 Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
2C:35-1 et seq. Comprehensive Drug Reform Act of 1987
18A:11-1 General mandatory powers and duties
18A:16-2 Physical examinations; requirement
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:36-32 Cigarette coin-operated vending machines; operation, installation or maintenance on property used for school purposes; fine
18A:54-20 Powers of board (county vocational schools)
26:3D-55 et seq. New Jersey Smoke-Free Air Act

NJAC 6A:16-6.3 Reporting students or staff members to law enforcement authorities
6A:16-6.5 Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs
6A:26-12.2(a)4 Policies and procedures for school facility operation

New Jersey Constitution, Art. IV, § VII, par. 2 Anti-Drug Abuse Act of 1988
Drug-Free Workplace Act of 1988

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Bayonne Teachers' Assoc v BOE, City of Bayonne Office Admin Law

Fairlawn Education Assoc v Fairlawn BOE 79 NJ 574 (1979)

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1330, 1410, 3515, 4117.5

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Date Adopted: May 2, 2005

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The Board of Education prohibits the unlawful manufacture, distribution, dispensing, possession or use of any controlled dangerous substance by any person in any school building, on school grounds, or during any activity or event sponsored by the Board.

Every employee of this district must, as a condition of employment, agree to be bound by this policy. An employee who violates the prohibitions or reporting requirements of this policy will be subject to discipline, which may include dismissal, or certification of tenure charges, as appropriate. An employee whose involvement with drugs results in a conviction for a crime of the third degree or above or for an offense touching his/her position will be deemed to have forfeited his/her public employment, pursuant to N.J.S.A. 2C:51-2.

An employee who is convicted of a drug-related offense must report the conviction to the Chief School Administrator within five days of its occurrence. The Chief School Administrator will report the conviction, within ten days of the date on which notice of the conviction is received, to any federal agency from which the district has received funds through a grant.

The Board directs the Chief School Administrator to establish and maintain a program to:

1. Alert employees as to the dangers of drug abuse in the workplace;
2. Inform employees of the prohibitions against drugs set forth in this policy;
3. Inform employees of available drug counseling, rehabilitation, and assistance programs; and,
4. Warn employees of the penalties that may be imposed for violations of prohibitions set forth in this policy.

The Board will report to law enforcement officials and prosecute as appropriate any employee or visitor who violates the prohibitions of this policy. A pupil who violates this policy will be treated in accordance with law.

This policy will be distributed to each district employee, including all those engaged in the performance of services under a federal grant, and will be prominently posted in the district.

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Legal References

- NJSA 2C:33-16 Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
2C:35-1 et seq. Comprehensive Drug Reform Act of 1987
18A:11-1 General mandatory powers and duties
18A:16-2 Physical examinations; requirement
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:36-32 Cigarette coin-operated vending machines; operation, installation or maintenance on property used for school purposes; fine
18A:54-20 Powers of board (county vocational schools)
26:3D-55 et seq. New Jersey Smoke-Free Air Act
- NJAC 6A:16-6.3 Reporting students or staff members to law enforcement authorities
6A:16-6.5 Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs
6A:26-12.2(a)4 Policies and procedures for school facility operation
- New Jersey Constitution, Art. IV, § VII, par. 2 Anti-Drug Abuse Act of 1988
Drug-Free Workplace Act of 1988
A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Bayonne Teachers' Assoc v BOE, City of Bayonne Office Admin Law
Fairlawn Education Assoc v Fairlawn BOE 79 NJ 574 (1979)
Drug-Free Workplace Act of 1988, P.L. 100-690
34 CRF 85.600 et seq.
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1330, 1410, 3515, 4117.5

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Political Activities**

**Series 4000
Policy 4219.24**

Date Adopted: March 23, 2004

Date Revised

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The Board of Education establishes the following guidelines to govern staff members in their political activities:

1. A staff member shall not engage in political activity on school premises.
2. A staff member shall not post political circulars or petitions on school premises nor distribute such circulars or petitions to pupils nor solicit campaign funds or campaign workers on school premises.
3. A staff member shall not display any material that would tend to promote any candidate for office on an election day in a school facility that is used as a polling place.

A staff member who is a member of the State Legislature or the County Board of Chosen Freeholders is entitled by law to time off from school district duties, without loss of pay, during the time the member attends meetings of the Legislature or Board of Chosen Freeholders or any committee of those bodies. No other staff member who holds elective or appointive office is so entitled, except as such time off may be provided for by the Board policy or negotiated agreement.

The provisions of this policy do not apply to the discussion and study of politics and political issues appropriate to the curriculum, the conduct of pupil elections, or the conduct of employee representative elections.

Legal References

NJSA 18A:6-8.1 Leave of certain employees to serve in legislature
18A:6-8.1 Leave of certain employees to serve on board of chosen freeholders
18A:6-8.4 Right to hold elective or appointive state, county or municipal office

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Unbecoming Conduct**

**Series 4000
Policy 4219.25**

Date Adopted: March 23, 2004

Date Revised

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The personal life of an employee is not an appropriate concern of the Board except as it may directly prevent the employee from performing his/her properly assigned functions during the workday or affect his/her professional relationship with the pupils.

Unbecoming Conduct

When an employee, either within the school or outside normal duties, creates conditions under which the proper operation of the school is affected, the Board, upon recommendation of the Chief School Administrator, and in accordance with statute, shall determine whether such acts or lack of actions constitute conduct unbecoming a school employee, and if so, will proceed against the employee in accordance with law.

Unbecoming conduct sufficient to warrant Board review may result from a single flagrant incident or from a series of incidents.

Legal References

NJSA 2C:51-2 Forfeiture of public office
18A:6-10 et seq Due process for employees suspended or reassigned
18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment

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Support Personnel

Series 4000

**Use of District Computers, Internet,
E-mail, Social Networks & Other**

Forms of Electronic Communications

Policy 4219.26

Date Adopted: September 24, 2008 Date Revised: August 31, 2010

October 22, 2014

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The Deerfield Township Board of Education offers each staff member access to the school's computer network. This network, including all computers, printers, scanners and other related equipment is the property of the district and is to be used for educational purposes or approved school activities.

Accordingly, staff members should not expect privacy in regards to the contents of their computer files stored on the district's network, including E-mail messages sent and/or received. Staff members are advised that when they access the Internet while connected to the district's network, they are doing so through a proxy server which logs all activity, including specific World Wide Web sites visited.

Electronic Communication

School district personnel shall adhere to the following guidelines when sending or receiving messages via district owned or issued devices and the district network:

1. All messages shall pertain to legitimate school business;
2. Personnel shall not reveal district issued passwords to others. If a staff member believes that a password has been lost or stolen, or that email has been accessed by someone without authorization, he/she must contact the supervisor for technology or the principal;
3. District administrators shall have access to the employee's password or passwords for all district owned or issued devices and the use of the district network;
4. Electronic messages on school owned or issued electronic devices and the district network shall be retained for the period of time specified by the Destruction of Public Records Law and Board policy;
5. Federal copyright laws shall be observed;
6. Staff shall not send messages that contain material that:
 - May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
 - Violates the district's affirmative action policies;
 - Is personal in nature and not related to the business of the district;
 - Can be interpreted as provocative, flirtatious or sexual in nature;
 - Is confidential and not authorized for distribution;
 - Violates Board Policy on Harassment, Intimidation and Bullying.

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7. Personnel shall become familiar with the district's policies and regulation on staff and student access to networked information resources and acceptable use of technology before initiating email use;
8. Employees learning of any misuse of the email systems shall notify the supervisor for technology, principal or Chief School Administrator immediately.

Online Education

An online classroom is still a classroom. Though courses and/or assigned programs of home instruction may be online, appropriate classroom behavior is still mandatory. Respect for the participants is essential for learning and student achievement.

Staff communications with students during online education will be limited to legitimate school business as set forth under cell phones, text messages and electronic communication, above. Professional standards and etiquette shall be observed at all times.

Social Networking Websites

The Chief School Administrator/designee will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the on-line, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process. The orientation and reminders will give special emphasis to:

- A. Improper fraternization with students using social networking websites on the internet:
 - Staff members may not list current students as "friends" on networking sites;
 - All e-contacts with students should be through the district's computer and telephone system;
 - All contact by coaches with team members shall be sent to all team members;
 - Staff members should not give out their private cell phone or home phone numbers without prior approval of the district;
 - Inappropriate contact via e-mail or phone is prohibited;
- B. Inappropriateness of posting items with sexual content;
- C. Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol;

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- D. Examples of inappropriate behavior from other districts, as behavior to avoid;
- E. Monitoring and penalties for improper use of district computers and technology;
- F. The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct.

The Chief School Administrator/designee will periodically conduct Internet searches to see if staff members have posted inappropriate materials on-line. When inappropriate use of computers and websites is discovered, the Chief School Administrator/designee will download the offensive material and promptly bring that misconduct to the attention of the Board's personnel committee for review.

Cell Phones

As a general rule, school staff shall not contact students' cell phones unless directed to do so by the parent/guardian or student. School district personnel shall limit cell phone interaction with students to contact that pertains to legitimate school business.

Legitimate school business includes (but is not limited to):

1. Answering academic inquiries regarding homework, other classroom work or assignments;
2. Scheduling appointments for school related conferences and/or extra help;
3. Clarifying classroom expectations and/or assignments;
4. Notifications related to classroom, club or sports schedules, events, trips, assignments, and deadlines.

Cell phone contact with students shall be as brief and direct as possible. When brief contact is not sufficient and/or feasible to resolve the matter, where appropriate, staff members shall schedule face-to-face conferences during regular classroom and extra-help periods to confer with the student. No cell phone contact shall exceed three replies.

Staff shall not send messages that contain material that may be defined by a reasonable person as profane or obscene; messages that are racist, sexist or promote illicit, illegal or unethical activity; or messages:

- A. That violate the district's affirmative action policy;
- B. That are personal in nature and not related to the business of the district;
- C. That can be interpreted as provocative, flirtatious or sexual in nature;
- D. That contain confidential information to persons not authorized to receive that information.

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Text Messages

Any text messages by staff members, coaches and volunteers shall, as a general rule, be sent to the entire class, team, club or organization and not to any student individually. Exceptions may include situations involving confidential medical issues, emergencies or individual issues not involving the entire group. Staff shall not send messages containing material that:

1. May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
2. Violates the district's affirmative action policies;
3. Is personal in nature and not related to the business of the district;
4. Can be interpreted as provocative, flirtatious or sexual in nature;
5. Is confidential information and not authorized for distribution;
6. Violates Board Policy on Harassment, Intimidation and Bullying.

The network shall not be used to transmit political statements, or to support specific business entities.

Monitoring

The Board of Education reserves the right to review any material accessed or transmitted by users. Users should have no expectation of privacy. Certain aspects of the use of electronic environment may be recorded in logs either for the purpose of performance monitoring or for assistance in authorized legal investigations of alleged misbehavior under this policy. The actual contents of these logs will only be reviewed by authorized district administrators, appointees authorized by the Chief School Administrator or by external law enforcement officials.

Internet Sites

Staff members using district computers are cautioned that accessing inappropriate Internet sites is strictly forbidden. The Board of Education directs the Chief School Administrator/designee to restrict or to require the district Internet provider to restrict users from accessing Internet sites that are inappropriate.

Cyber-bullying

The Board of Education expressly forbids cyber-bullying. For the purposes of this policy, "cyber-bullying" shall mean using the communication capacities of computers, the Internet and/or other digital communication devices to bully others by:

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- Sending or posting cruel messages or images;
- Threatening others;
- Excluding or attempting to exclude others from activities or organizations;
- Starting or passing on rumors about others or the school system;
- Harassing or intimidating others;
- Sending angry, rude or vulgar messages directed at a person or persons privately or to an online group;
- Sending or posting harmful, untrue or cruel statements about a person to others;
- Pretending to be someone else and sending or posting material that makes that person look bad or places that person in potential danger;
- Sending or posting material about a person that contains sensitive, private or embarrassing information, including forwarding private messages or images; and/or,
- Engaging in tricks to solicit embarrassing information that is then made public.

Staff members found to be engaging in activities as describe above shall be subject to disciplinary action.

Installing Software and Downloading Files

Staff members are cautioned that installing any software program or downloading programs from the Internet without the approval of the system administrators and the Chief School Administrator is strictly forbidden

In addition, the following rules for the use of the district computers and network are to be followed at all times:

- The district computers and network are not to be used for personal purposes while on duty.
- Employees are permitted to access the system for personal use during off duty periods provided that all regulations and stipulations of this policy are scrupulously followed.
- Accessing “Chat Rooms” from the district computers and network is forbidden.
- Accessing personal email accounts from the district network is not permitted while on duty without the approval of the Chief School Administrator/designee.
- Removing installed programs is the sole responsibility of the system administrators.
- Transmitting the names or pictures of students is expressly forbidden.

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Routine maintenance and monitoring of the network may lead to discovery that the user has been or is violating the District's Acceptable Use Policy, the District's disciplinary code, or the law.

An individual search of user computer files, the e-mails sent and/or received, and the sites on the Internet which have been visited will be conducted if there is reasonable suspicion that a user has violated any federal, state or local law or the District's disciplinary code. The nature of the investigation will be reasonable and in the context of the nature of the alleged violation.

District employees shall be made aware that their personal files may be discoverable under New Jersey public records laws.

Implementation

Staff members shall be advised of this policy annually.

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Legal References

NJSA 2A:38A-1 et seq Computer system
2C:20-25 Computer-related theft
18A:7A-11 Reports by school districts
18A:6-10 Dismissal and reduction in compensation of persons under tenure
18A:11-1 General mandatory powers and duties
18A 27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:36-35 School Internet web sites; disclosure of certain student information prohibited

Hicks v. Pemberton Bd of Ed 1975 SLD 332

Quiroli v. Linwood Bd of Ed 1974 SLD 1035

Carlstadt Teachers Ass'n v. Carlstadt Bd of Ed App. Div. unreported decision
(Docket no. A-1469-80-T4, decided March 26, 1982) 1982 SLD 1448

N.J. v. T.L.O. 469 U.S. 325 (1985)

O'Connor v. Ortega 480 U.S. 709 (1987)

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

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1111, 3514, 4117.50, 4118.2, 4119.2, 4119.21, 4119.22, 4119.23, 4119.24, 4138,
4138.2, 5114, 5124, 5131, 5131.5, 5142, 6142.10, 6144, 6145.3, 6161

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Duties**

**Series 4000
Policy 4219.3**

Date Adopted: September 26, 2012 Date Revised

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Major duties of each professional employee are delineated below:

1. To carry out duties and responsibilities set forth by New Jersey statutes, Title 18A, and New Jersey Administrative Code.
2. To abide by rules and regulations as established by the Board of Education.
3. To carry out specific job responsibilities as established by the Board of Education.
4. To uphold rules and regulations as established by the Chief School Administrator and other school administrators.
5. To properly channel all negative criticism about the district or its employees.
6. To adhere to prescribed curricula and courses of study.
7. To adhere to the specific job description for the contracted position.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment

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Probation Period For New Employees

Policy 4221

Date Adopted: May 2, 2005

Date Revised

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All newly employed staff in the following classifications shall be employed for a probationary period of 60 calendar days, or less, at the discretion of the Board:

- A. Secretaries and clerks
- B. Aides
- C. Maintenance and grounds personnel
- D. Custodians
- E. Cafeteria personnel
- F. Bus drivers
- G. Such other classifications as the Board may establish

During the probationary period such employees shall be considered “temporary”.

The “date of hire” of any employee shall be the first day the employee reports to work for the probationary period.

Legal References

- NJSA 18A:6-7.1 through -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
18A:16-1.1 May appoint temporary officers and employees
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions
18A:29-16 Emergency certificates; day-by-day basis substitute

- NJAC 6A:9-6.5 County substitute credential
6A:32-6.1 et seq. School Employee Physical Examinations

8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986
Sayreville Education Ass'n v. Sayreville Bd. of Ed., App. Div., unreported decision (docket no. A-4899-82T2, decided April 12, 1984)
Lammers v. Bd. of Ed. of Borough of Point Pleasant, Ocean County, S/B (June 5, 1991)
Manual for the Evaluation of Local School Districts New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

4211, 4212.2, 4212.4

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Instructional/Non-Instructional Aides

Policy 4223

Date Adopted: May 2, 2005

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The Board, within its financial means, may hire aides as recommended by the Chief School Administrator.

It is the responsibility of the classroom teacher to plan for any teacher aide's constructive involvement with the class. The primary benefit must be to the pupils. Classroom aides shall be under the supervision of the classroom teacher. Non-instructional aides shall be under the supervision of appropriate personnel as assigned by the Chief School Administrator..

All aides shall be required to comply with the provisions of the law regarding health and security checks.

In accordance with federal law, the Chief School Administrator shall establish procedures to release information, upon request, regarding the qualifications of classroom aides to parents/guardians for any classroom aide who is employed by any school receiving Title 1 funds and who provides instructional assistance to their children.

Qualification of Classroom Aides in Title 1 Schools

All classroom aides hired in schools that receive Title 1 funds shall be qualified in accord with federal law. All such classroom aides must have a high school diploma or its equivalent. All such classroom aides hired after January 8, 2002, except those working as translators or solely in conducting parent involvement activities, also must meet at least one of the following criteria:

1. Completed at least two years of study at an institution of higher education;
2. Obtained an associate's (or higher) degree; or
3. Passed a formal state or local assessment demonstrating ability to assist in instructing reading, writing, and mathematics or reading readiness, writing readiness and mathematics readiness, as appropriate.

Classroom aides hired before January 8, 2002 must meet these qualifications by January 2006.

Legal References

- NJSA 18A:6-7.1 through -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
18A:11-1 General mandatory powers and duties
18A:16-2 through -5 Physical examinations; requirement
18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:32-6.1 et seq. School Employee Physical Examinations
6A:32-4.7 Approval of paraprofessional staff
8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible Cross References

3541.1, 3542, 4212.4, 4215, 4216, 4221, 5131, 6162.4

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Series 4000

**Staff Development; Inservice Education /
Visitations, Conferences**

Policy 4231/4231.1

Date Adopted: May 2, 2005

Date Revised

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The Board of Education recognizes its legal obligation to provide inservice activities to further the ability of the staff to progress toward achievement of district goals and objectives.

The Chief School Administrator shall develop a comprehensive management system for staff improvement and shall assist staff members in the area of professional improvement by providing relevant information regarding workshops, professional meetings and course offerings.

Staff participation that may require release time and/or financial reimbursement will be decided by the Chief School Administrator.

Upon return from the meeting, conference, clinic, etc., the staff member may be asked to present a written report to the Chief School Administrator of the activity and any other information that might be used in the District, or shared with other staff members.

Mandated Inservice Programs

The Chief School Administrator shall arrange development of appropriate inservice presentations, seminars and/or workshops on equity issues, special education, child abuse and neglect, drug/alcohol abuse awareness, handling blood and body fluids, possible hazardous substances in the workplace, crises response, school violence and other topics specifically required by federal or New Jersey law.

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Legal References

- NJSA 18A:7A-11 Annual report of local school district; contents
18A:7A-11e improvement of basic skills
18A:17-46 Act of violence; report by school employee; notice of action taken; annual report
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:30-7 Power of boards of education to pay salaries
18A:31-2 Attendance at conventions of New Jersey Education Association
18A:40A-3 Initial inservice training programs; curriculum
34:5A-10 Retention of workplace surveys
34:5A-13 Employee education and training program; certification of instructors

- NJAC 6A:7-1.6 Professional development
6A:14-1.2(b)13 District eligibility for assistance under IDEA Part B
6A:15-1.8 Inservice training
6A:9-15.1 et seq. Required Professional Development for Teachers
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:16-1.1 et seq. Programs to Support Student Development
6A:16-11.1 et seq. Reporting Allegations of Child Abuse and Neglect
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1 Employment of teaching staff
6A:32-4.4 Evaluation of tenured teaching staff members
6A:32-4.5 Evaluation of nontenured teaching staff members

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
The Comprehensive Equity Plan, New Jersey State Department of Education
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

4215, 4216, 4233, 4231/4231.1, 5131.6, 5141, 6142.2, 6171.3, 6171.4

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**Support Personnel
Job Expenses**

**Series 4000
Policy 4233**

Date Adopted: May 2, 2005

Date Revised

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The Board of Education will provide for the reimbursement of the actual and necessary expenses, included travel expenses incurred by an employee in the course of the performance of his or her duties for the district in accordance with this policy.

Each request for the reimbursement of expenses shall detail the reasons for the expenditure, including a full itemization of expenses. The request should also include any and all receipts for such expenditures.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

Possible Cross References

3335

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**Support Personnel
Work Stoppages**

**Series 4000
Policy 4235.16**

Date Adopted: May 2, 2005

Date Revised

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In the event of an emergency brought about a job action, including a strike, by any employee group, it shall be the policy of the Board of Education to make every effort to keep schools open and to carry out its obligation under New Jersey state law. Title 18A, to educate the children of the community.

Since there is no authorization in law for job actions, and since actions are constitutionally prohibited, including strikes, by public employees, it shall be the policy of the Board, in the event of any job action, including a strike or any other act that withholds employee services from the Board, to take appropriate legal action to deal with such a matter.

In emergency situations under this policy, all usual policy adoption procedures shall be suspended for the duration of the emergency, and the Board may adopt policies on first reading to enable the Board to maintain operation of the schools and the safety and welfare of the community, pupils and employees.

The Chief School Administrator or his designee shall have the authority to take such immediate emergency steps as he deems necessary to ensure safety and well being of pupils and employees and to protect the property of the district.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

Possible Cross References

6144

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**Support Personnel
Soliciting & Selling**

**Series 4000
Policy 4237**

Date Adopted: May 2, 2005

Date Revised

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No employee of the Board of Education may solicit or sell products for personal gain within the school while under active contract.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

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Non-School Employment

Policy 4238

Date Adopted: May 2, 2005

Date Revised

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School employees shall not engage in outside activities or perform any services other than those assigned or allowed by the district during the contractual hours of the prescribed school day.

No outside work by a staff member shall prevent him/her from properly performing assigned functions during duty hours or be prejudicial to his/her work effectiveness.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:12-24 et seq Prohibited acts
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

NJAC 6A:28-1.1 et seq School Ethics Commission

Possible Cross References

3514, 4219.21, 4238.2

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Support Personnel

Series 4000

Exclusion Of Pupils / Employees For Reasons of Illness Policy 4241.2

Date Adopted: May 2, 2005

Date Revised

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Communicable Diseases-Exclusion from School (Pupils and Employees)

It is sometimes necessary to exclude from school individuals who are ill or who have been exposed to a communicable disease or whose presence is detrimental to the health or cleanliness of others. The Board of Education therefore, implements this policy.

The school nurse shall lecture to the teachers at the beginning of the school year, or when designated by the Board of Education, instructing the teachers about the methods employed to detect the first signs of communicable diseases and the recognized measures for the promotion of health and prevention of disease. In addition, the school nurse will instruct those teachers from whose classrooms a pupil has been excluded about the symptoms of the disease for which the pupil was excluded.

No teacher shall attempt to diagnose any illness of a pupil but shall refer suspected cases to the nurse.

Any pupil or staff member who appears to be ill or who is suspected of having a communicable disease shall be excluded from school or isolated at school to await instructions from the arrival of an adult member of the pupil's family, the school physician, and/or the school nurse.

Where there is evidence of departure from the normal health of any pupil, or staff member, or if a pupil or staff member has been exposed to a communicable disease, or if the presence of the pupil or staff member in the school is detrimental to the health or cleanliness of the pupils or staff members in the school:

- A. The Chief School Administrator or administrative designee, upon the recommendation of the school nurse or school physician, may exclude the pupil or staff member from the school.
- B. In the absence of the school nurse or school physician, the Chief School Administrator's designee may exclude the pupil or staff member from the school. In that event, the person making the exclusion must immediately notify the Chief School Administrator.
- C. The Chief School Administrator, or designee, shall notify the pupil's parent of the reason for the exclusion.

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A pupil or staff member retained at home or excluded from school shall not be readmitted to school until written evidence is presented of being free of the reason for the exclusion. Such evidence may be by a qualified physician, or school physician who has examined the pupil or staff member.

The rules of the local Board of Health or State Department of Health, state Board of Education, or in the absence of these, the rules of the school physician pertaining to communicable disease shall apply in determining periods of incubation, communicability, quarantine, and reporting.

No pupil or staff member who is a member of a household in which a person is suffering from or been exposed to smallpox, diphtheria, scarlet fever, whooping cough, yellow fever, typhus fever, cholera, or measles, shall attend any public school during such illness, or until the attending physician, Board of Health, or school physician has certified that all danger of communicating the disease by the staff member or pupil has passed.

The school physician, and/or the school nurse, shall report all cases of communicable diseases to the local, county, or state Board of Health. The Chief School Administrator will also inform the County Chief School Administrators.

Legal References

NJSA 18A:16-2 Physical examinations; requirement
18A:16-4 Sick leave; dismissal
18A:16-4 Records of examinations
18A:40-6 et seq Health measures in general
26:4-6 Prohibiting attendance
26:4-15 Reporting of communicable diseases

NJAC 6A:16-2.2 Required health services
6A:16-2.3 Health services personnel
8:57 Reportable communicable diseases
8:61-1.1 Attendance at school by pupils or adults infected by Human Immuno-deficiency Virus (HIV)

Possible Cross References

1410, 4112.4, 4131/4131.1, 4212.4, 5113, 5131.6, 5141, 5141.1, 5141.4

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**Support Personnel
Adjustment of Pay**

**Series 4000
Policy 4242**

Date Adopted: May 2, 2005

Date Revised

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In the event it becomes necessary to adjust in individual's pay as a result of error other causes, the appropriate adjustment will be made prior to the issuance of the next paycheck. The paycheck containing an error will be issued to the staff member with a letter attached indicating the adjustments to be made.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

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**Support Personnel
Insurance**

**Series 4000
Policy 4244**

Date Adopted: May 2, 2005

Date Revised

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Workers Compensation Physicians

The Board of Education seeks to provide the highest quality benefits while maintaining a sound fiscal policy. The intention of the workers' compensation law is to provide the best possible medical care and rehabilitation services available to injured employees while in course of employment. In order to accomplish this, the first step is to get an accurate diagnosis and begin the proper treatment immediately; therefore, unless an emergency situation exists, each injured employee must be treated by the Board appointed physician.

- A. In the case of an emergency situation, medical attention should be sought from the nearest or most practical facility available.
- B. In non-emergency situations, the school doctor or nurse must evaluate the injury first. He/she will refer the patient to other approved panel physician specialists if necessary.
- C. Lost work time may be authorized only by the district's doctor or the referred specialist.
- D. Failure to go to the school doctor, nurse or assigned insurance carrier doctor will result in the insurance company's denial of payment of all disability and medical benefits an employee may be entitled to.
- E. Re-examination of the employee by the school doctor or the workmen's compensation doctor prior to returning to schoolwork is required.

Legal References:

NJSA 18A:16-9, 18A:16-12 through -22

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Health Insurance For Non-Bargaining Unit Employees

Policy 4244.1

Date Adopted: May 2, 2005

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It shall be the policy of the Board of Education to provide a health insurance program for full-time, permanent employees in all classifications who are not represented by recognized bargaining groups comparable with those established by the Deerfield Township Board of Education/Deerfield Teachers Association contract.

In addition, the Board will permit employees who are on leave of absence without pay to continue enrollment in the health benefits plan, provided that such employees pay the appropriate premiums.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

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**Support Personnel
Employee Safety**

**Series 4000
Policy 4247**

Date Adopted: May 2, 2005

Date Revised

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Through its overall safety program and various policies pertaining to school personnel the Board shall seek to ensure the safety of employees during working hours.

The Board shall be vigorous in maintaining safe working conditions for employees. It shall expect employees to follow all established safety rules and regulations, such as those pertaining to the use of safety equipment, the wearing of safety clothing and protective eye devices where appropriate, and the lifting and shifting of heavy weights.

Accidents must be reported immediately to the nurse or the supervisor if the nurse is not available. An accident investigation report must be submitted in-detail to the Chief School Administrator's office by the following working day.

Legal References

NJSA 2C:7-1 et seq. Registration of sex offenders; definition; requirements
18A:16-2 Physical examinations; requirement
18A:40-12.1 Protective eye devices required for teachers, pupils and visitors in certain cases
18A:40-12.2 Rules prescribing kinds, types and quality of devices
34:5A-1 et seq. Worker and Community Right to Know Act
34:6A-25 et seq. New Jersey Public Employees' Occupational Safety and Health Act
34:19-1 et seq. Conscientious Employee Protection Act

NJAC 6A:26-12.5 Eye protection in schools
6A:32-12.1(a) Reporting requirements
12:100-4.2 Safety and Health Standards for Public Employees (Adoption by reference)

29 CFR 1910.1030 - Bloodborne Pathogen Standard
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3510, 3516, 4211.1, 4212.4, 5142

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Series 4000

Exposure Control HIV / HBV /

Policy 4247.1

Bloodborne Pathogens

Date Adopted: May 2, 2005

Date Revised

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The Board of Education recognizes that exposure to Human Immunodeficiency Virus (HIV), Hepatitis B Virus (HBV) and other bloodborne diseases warrant serious concern for employees, at risk, for exposure to human blood and other body fluids that contain bloodborne pathogens.

The Board is committed to providing a safe and healthful school environment for our entire staff and student body. In pursuit of this goal, the Board directs the Chief School Administrator to develop an Exposure Control Plan (ECP) to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with OSHA Bloodborne Pathogens Standard, Title 29 Code of Federal Regulations 1910.1030 and N.J.A.C. 12:100-4.2.

The Exposure Control Plan ensuring compliance with the standard shall include:

- A. Employee exposure determination
- B. The procedure for evaluation circumstances surrounding an exposure incident
- C. The schedule and method for implementing the specifications of the standard, including:
 - 1. Methods of Compliance
 - 2. Hepatitis B Vaccination and post-exposure follow-up
 - 3. Training and communication of hazards to employees
 - 5. Record keeping

The Chief School Administrator is responsible for the implementation of the ECP. The Chief School Administrator will maintain and update the written ECP at least annually and whenever necessary to include new or modified tasks and procedures.

Those employees who are reasonably anticipated to have contact with or exposure to blood or other potentially infected materials are required to comply with the procedures and work practices outlined in this ECP.

The Chief School Administrator will have the responsibility for written housekeeping protocols and will ensure that effective disinfectants are purchased.

The Chief School Administrator will be responsible for ensuring that all medical actions required are performed and that appropriate medical records are maintained.

The Chief School Administrator will be responsible for training, documentation of training and making the written ECP available to employees, OSHA and NIOSH representatives.

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Exposure Control HIV / HBV /
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Series 4000

Policy 4247.1

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The Chief School Administrator will maintain and provide all necessary personal protective equipment (PPE), engineering controls (i.e., sharp containers, etc.) labels, and red bags as required by the standard.

The Chief School Administrator will ensure that adequate supplies of the aforementioned equipment are available.

During implementation of the Exposure Control Plan the Board will handle all information regarding HIV infected individuals in compliance with the States HIV/AIDS Confidentiality Law, N.J.A.C. 26:5c-5

Legal References

NJSA 18A:16-2 Physical examinations; requirement
18A:16-4 Sick leave; dismissal
18A:16-4 Records of examinations
18A:40-6 et seq Health measures in general
26:4-6 Prohibiting attendance
26:4-15 Reporting of communicable diseases

NJAC 6A:16-2.2 Required health services
6A:16-2.3 Health services personnel
8:57 Reportable communicable diseases
8:61-1.1 Attendance at school by pupils or adults infected by Human Immuno-deficiency Virus (HIV)

29 CFR Part 1910.1030 "Bloodborne Pathogens Standards

Possible Cross References

3510, 3516

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Employee Protection**

**Series 4000
Policy 4248**

Date Adopted: May 2, 2005

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The Deerfield Township Board of Education directs the Chief School Administrator to develop rules and procedures to protect its employees in the performance of their duties. Such procedures shall include, but not be limited to:

- a. Official channels for parent/guardian or student grievances or complaints;
- b. Disciplinary regulations that reduce the possibility of student violence;
3. Reporting techniques that bring potentially problem situations to the immediate attention of the Chief School Administrator.

Legal References

NJSA 18A:16-1.1. May appoint temporary officers and employees
18A:11-1 General mandatory powers and duties

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Series 4000

Leaves of Absence & Vacations

Policy 4250

Date Adopted: January 18, 2007

Date Revised: April 24, 2018

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The Board of Education recognizes that certain absences are justifiable and will provide for employee absences authorized by law and consistent with contractual agreement.

No days off without pay shall be granted for the purpose of vacation or personal leave without Board of Education approval per Policy 4251.2.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:30-1 through -6 Sick leave
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

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**Series 4000
Policy 4251**

Date Adopted: March 23, 2004

Date Revised: April 24, 2018

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The Board of Education believes that the regular presence of assigned personnel is vital to the success of the district's educational program. Consistent absenteeism or tardiness is unacceptable and subject to disciplinary action.

The Chief School Administrator shall develop and the Board shall adopt a plan to encourage all staff to strive for excellent attendance and punctuality records. These procedures should include a requirement that the staff member personally report all illness and request all leave at the earliest possible time. Procedures shall be in accordance with New Jersey statutes and district negotiated agreement.

A doctor's certificate is required for all illnesses and injuries for those employees who are absent for three (3) or more consecutive days. A doctor's certificate may be requested in cases of questionable use of sick leave benefits, even if an employee has been absent for one (1) day. A doctor's certificate shall be required for absences due to illness on days when in-service trainings or required after school meetings are held, and on days immediately preceding or following a holiday or other day off for breaks, NJEA convention, etc.

The regular and prompt attendance of staff members is an essential element in the efficient operation of the school district and the effective conduct of the educational program. Because absenteeism exacts a high cost in the depletion of district resources and in the disruption of the educational program, the Board of Education is vitally interested in the attendance of each employee and considers conscientious attendance an important criterion of satisfactory job performance.

The privilege of district employment imposes on each staff member the responsibility to be on the job on time every scheduled working day. This responsibility requires that the employee maintain good health standards, take intelligent precautions against accidents, both on and off the job, and manage his or her personal affairs to avoid conflict with district responsibilities.

Days off without pay will only be granted when an employee has exhausted all accumulated leave. No days off without pay shall be granted for the purpose of vacation or personal leave unless approved by the Board of Education per Policy 4151.2.

A staff member who fails to give prompt notice of an absence, misuses sick leave, fails to verify an absence in accordance with Board policy, falsifies the reason for an absence, is absent without authorization, is repeatedly tardy, or accumulates an excessive number of absences without good cause may be subject to discipline, which may include the withholding of one or both salary increments and/or certification of tenure charges.

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No staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for in the contract negotiated with the member's majority representative or provided in the policies of the Board of Education.

In accordance with the provisions of NJSA 18A:30-1, sick leave is defined to mean the absence from work because of a personal disability due to injury or illness or because the staff member has been excluded from school by the school medical authorities on account of contagious disease or of being quarantined for such a disease in the staff member's immediate household. No staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for in the collective bargaining agreement negotiated with the member's majority representative, in an individual employment contract, or provided in the policies of the Board. In accordance with the provisions of NJSA 18A:30-4, the Chief School Administrator may require a physician's certificate to be filed with the Board Secretary/Business Administrator in order to obtain sick leave.

The Chief School Administrator, in consultation with administrative staff members, will review the rate of absence among the staff members. The review will include the collection and analysis of attendance data, the training of staff members in their attendance responsibilities, and the counseling of staff members for whom regular and prompt attendance is a problem.

Excessive Absenteeism

For the purposes of this policy excessive absenteeism shall be defined as follows:

- Absences greater in number than seven (7) days for ten (10) month employees and,
- Absences greater in number than nine (9) days for twelve (12) month employees.

The Chief School Administrator shall determine if any absences taken by staff members shall constitute excessive.

Job Abandonment

Pursuant to the provisions of NJAC 12:17-9.11(b), an employee who has not returned to work following an approved leave of absence of any kind, and who without good cause has not notified the designated administrator of the reasons for failing to return to work within five (5) consecutive work days shall be considered to have abandoned his/her employment. Such job abandonment shall subject the employee to disqualification for benefits for voluntarily leaving work without good cause attributable to such work and may subject the employee to any or all of the following:

- Progressive disciplinary measures;
- Letter of reprimand filed in the employee's personnel file;
- Suspension from employment without pay;

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- Withholding of an increment;
- Filing of tenure charges;
- Termination of employment.

In cases of job abandonment, the Superintendent of Schools may, at his/her discretion, schedule a meeting with the employee and his/her representative and the Board's Attorney to discuss the situation and/or assess disciplinary measures.

Continued Absences

Employees who display a pattern of excessive absences (absences beyond those permitted by contract), may also be subject to the following:

- Progressive disciplinary measures;
- Letter of reprimand filed in the employee's personnel file;
- Suspension from employment without pay;
- Withholding of an increment;
- Filing of tenure charges;
- Termination of employment.

Upon the recommendation of the Superintendent of Schools, a staff member who has exhibited excessive absenteeism, shall appear before the Board of Education to address and/or explain his/her issues/situation.

If it has been determined that an employee has utilized sick leave benefits without just cause, he/she shall be subject to disciplinary action.

Provisions shall be made for public acknowledgment of exceptional staff attendance records.

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Legal References

- NJSA** 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:29-14 Withholding increments; causes; notice of appeals
18A:30-1 et seq. Sick Leave
- NJAC** 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
- Montville Education Ass'n v. Montville Bd. of Ed., 1984 S.L.D. 550, rev'd St. Bd. 1984 S.L.D. 559, rev'd App. Div., unreported decision (docket no. A-1178-84T7, decided December 6, 1985)
1985 S.L.D. 1972, decision on remand, St. Bd., 1986 S.L.D. 3113
Burlington Educational Ass'n v. Burlington Bd. of Ed., 1985 S.L.D. 889, aff'd St. Bd. 1985 S.L.D. 912
Scotch Plains-Fanwood Board of Education v. Scotch Plains-Fanwood Education Association, 270 NJ Super 444 (App. Div. 1994); rev'd. 139 NJ 141 (1995)

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**Series 4000
Regulation 4251**

Date Adopted: April 24, 2018

Date Revised

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A. Absence

Under no circumstances should any person be absent from school without the advance knowledge of their immediate supervisor and/or the Building Principal. Absence from work should be anticipated insofar as possible to avoid difficulties in obtaining substitutes and inaccuracies in records and reports.

All support staff members will report their absences to their immediate supervisor or the Building Principal.

1. A support staff member will follow the absence reporting procedure the day of the absence after which the Building Principal and/or the immediate supervisor must be notified directly.
2. The following information must be provided:
 - a) The employee's name;
 - b) The day and date of the intended absence, and;
 - c) The reason for the absence.
3. Employees must follow this procedure for each intended absence unless absence for more than one day has been approved in advance by the immediate supervisor and/or the Building Principal.
4. All support staff members must submit to the Building Principal and/or immediate supervisor, a signed employee leave request form stating the reason for the absences on the first day back from leave. A specific reason must be given, including the nature of the illness. A doctor's certification must accompany the form when:
 - a) Three (3) or more consecutive days of absence have occurred;
 - b) Verification is requested by the Building Principal/immediate supervisor; or
 - c) A the (10) month employee uses more than seven (7) sick days in one school year or a twelve (12) month employee uses more than nine (9) sick days during one school year, excluding instances when leave is taken as a result of a Board-approved extended leave (i.e., maternity, disability, Family Medical Leave) or defined in Section C of this Regulation.
 - d) The staff member is absent on a day when required in-service training is to be provided or attendance is required at an after-school meeting.
 - e) The staff member is absent the day immediately preceding or following a holiday or other day off for breaks, NJEA convention, etc.

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Notwithstanding the foregoing, a doctor's certification must be provided for each absence if that requirement is a part of an employee's Attendance Improvement Plan. Any failure to abide by the terms and requirements of an Attendance Improvement Plan will be address in accordance with the terms of the employee's Attendance Improve Plan and this Regulation.

B. Tardiness

It is imperative that all support staff members report to work on time and be ready to work at the start of their designated work day. Repeated tardiness and failure to report to work on time interrupts district operations. As a result:

1. A record will be kept of all instances of tardiness by the Building Principal, the employee's immediate supervisor, or a designee, including the date of the employee's tardiness, the time the employee started work, the stated reason for the lateness, and what, if any, responsibilities were interrupted due to the employee's tardiness.
2. Once a ten (10) month employee has been tardy more than five (5) times in a school year, or a twelve (12) month employee has been tardy more than six (6) times in a school year, the Building Principal or the employee's immediate supervisor will review the frequency, nature, and severity of the employee's lateness in determining whether the employee has been excessively tardy. In making this determination, the Building Principal or immediate supervisor may also consider the effect of the employee's tardiness on district operations. Upon a determination that the employee is excessively tardy during the school year, the Building Principal or the employee's immediate supervisor will issue a letter notifying the employee of same. This letter shall be placed in the employee's personnel file.
3. A support staff member who is found to be repeatedly tardy or excessively tardy may be subject to discipline, which may include a District Correction Plan, the withholding of one or subsequent salary increments and/or certification of tenure charges.

C. Review of Attendance Data

1. A record shall be kept of the attendance of each support staff member. Any absence, for part or all of the school/work day, shall be recorded along with the reason for the absence. The record will distinguish sick leave, professional days, unpaid leaves of absence, personal leave, and other leaves. The employee's attendance record will include notation of verification of an absence where such

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verification is required by Policy 4251. The employee's rate of absence shall be calculated and entered on his/her attendance record. An employee's attendance record shall be part of the employee's personnel file.

2. At the end of each official year, a cumulative attendance record shall be assembled for the school.
3. An attendance summary shall be prepared from the cumulative attendance record. The attendance summary shall show the rate of absence for each school and for the district. The attendance summary shall be posted in the school.

D. Review of Absence

1. Planning

The Chief School Administrator /designee will meet with appropriate administrators to discuss the attendance summary. The attendance summary shall be analyzed for patterns of absence, such as "excessive absenteeism" in the district workplace, among certain groups of employees, for certain specific causes or on certain days of the week, month or year. Specific strategies for reducing the rate of absence shall be developed.

2. Employees Subject to Attendance Improvement Plans

Any employee who has been found to be "excessively absent" in a school year may be provided with an Attendance Improvement Plan. A determination of whether an employee has been "excessively absent" in a school year will be determined as follows:

For Ten-Month Employees

- a) Once a ten (10) month employee has used more than seven (7) sick days in a school year, the district will conduct the analysis outlined below to determine if the employee has been "excessively absent."
- b) In order to determine if an employee has been "excessively absent," the district will consider the following: (1) the nature of the employee's illnesses for which the employee used more than seven (7) absences during one school year; (2) the employee's current and past patterns of absences, if any; (3) any interruption in district operations caused by the employee's absences and, (4) any negative impact on district operations caused by the employee's absences.
- c) If an employee has been determined to be "excessively absent," he/she will receive written notification of the determination, and may request special consideration and/or initiate an appeal of that determination in accordance with the procedures below.

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For Twelve-Month Employees

- a) Once a twelve (12) month employee has used more than nine (9) sick days in a school year, the district will conduct the analysis outlined below to determine if the employee has been “excessively absent.”
- b) In order to determine if an employee has been “excessively absent,” the district will consider the following: (1) the nature of the employee’s illnesses for which the employee used more than nine (9) absences during one school year; (2) the employee’s current and past patterns of absences, if any; (3) any interruption in district operations caused by the employee’s absences and, (4) any negative impact on district operations caused by the employee’s absences.
- c) If an employee has been determined to be “excessively absent,” he/she will receive written notification of the determination, and may request special consideration and/or initiate an appeal of that determination in accordance with the procedures below.

However, although consecutive absences by a twelve (12) month or ten (10) month employee for one documented illness will still against an employee’s total available sick leave days, such absences for the purposes of this Regulation, may be treated as “one single sick day occurrence” for which consideration may, upon the request of the employee, be given. In that regard, any sick leave days taken as a result of a Board-approved extended leave (i.e., maternity, disability, Family Medical Leave Act) will automatically be considered a “one single sick day occurrence.” Extended consecutive absences for other reasons will be considered in accordance with the provisions below.

Procedures for Special Consideration and Appeal

- a) At the conclusion of the school year, an employee who is found to have been excessively absent may submit a written request that the Business Administrator conduct a review of his/her attendance record for the school year so that consideration may be given for “one single sick day occurrence.” In such a review, it is the responsibility of the employee to demonstrate and provide documentation to the Business Administrator to support and/or justify any claimed “one single sick day occurrence.” This review will be completed within twenty (20) school days of the Business Administrator’s receipt of the employee’s written request for review.
- b) The decision of the Business Administrator may be appealed to the Chief School Administrator. However, such appeal must be in writing and must

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be submitted to the Chief School Administrator within five (5) school days of the employee's receipt of the Business Administrator's decision. The Chief School Administrator will issue a decision on the employee's appeal within twenty (20) school days of the employee's request for an appeal.

- c) The decision of the Chief School Administrator may then be appealed to the Board of Education. However, such appeal must be in writing and must be submitted to the Board Secretary within five (5) school days of the employee's receipt of the Chief School Administrator's decision. The Board of Education will consider the employee's appeal at its next regularly scheduled meeting. Any further appeal shall be consistent with applicable New Jersey Statutes and Regulations.

E. Attendance Maintenance

1. The Principal and/or immediate supervisor shall encourage the regular attendance of the support staff members in his/her building or department. He/she shall maintain contact with absent employees and confer personally with each employee who returns for an absence of any duration, impressing upon employees the district's concern for their health and well-being. The Principal and/or immediate supervisor shall, by appropriate means, recognize support staff members whose attendance is exemplary.
2. The Principal and/or immediate supervisor shall incorporate, and shall direct other supervisors to incorporate, a support staff member's attendance record in his/her evaluation.
3. The Principal and/or immediate supervisor shall report to the Chief School Administrator/designee any support staff member who, he/she suspects of misusing sick leave or falsifying the reasons for absence.
4. In any case of sick leave claimed, the Board of Education may require a physician's certificate to be filed with the Secretary of the Board of Education in order to obtain sick leave.

F. In-Service Training

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

1. Board policy and district regulations on attendance;
2. District forms for reporting and verifying absences;
3. Attendance counseling and the Attendance Improvement Plan;

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4. The district's cost for absenteeism and the value of accumulated sick leave to the employee; and,
5. The degree to which attendance with affect evaluation reports.

G. Counseling

The Principal and/or immediate supervisor may, at his/her discretion, call a conference with a support staff member where the number and/or pattern of the support staff member's absences or the reasons offered for the support staff member's absences indicate a misunderstanding of the support staff member's responsibility to the school district for possible misuse of the privilege of paid leave.

1. Prior to the giving of any admonition or reprimand or imposition of discipline of any kind, the Principal and/or immediate supervisor shall determine the nature of the absences and consider any extenuating circumstances.
2. A written report/notice of any attendance conference shall be prepared and retained with the support staff member's evaluations. The support staff member shall, in accordance with Board policy on support staff member evaluation, be permitted to examine the report and affix his/her comments, if any to the report/notice.

Deerfield Township School District Personnel Series 4000 Attendance Improvement Plan

Name of Staff Member: _____

Job Title: _____

Assignment: _____

Date of Plan: _____, 20____ to _____, 20____

You are an asset to the school and a valued employee. It is important that you are present every day as the students and staff rely on you to bring continuity to the important position you hold.

During the 20____ -20____ school year, you used ____ sick days and ____ personal days. This school year, 20____ -20____, you have already used ____ sick days and ____ personal days.

Your unsatisfactory attendance must be corrected to a satisfactory level for the 20____ -20____ school year. If your attendance is not corrected, the Board of Education may be forced to take appropriate action as outlined in the attached Board Policy and Regulation, and as noted in the "Consequences" section below. Our goal is to correct your unsatisfactory attendance and improve academic achievement. For that reason, this Attendance Improvement Plan has been created for the purpose of assisting you in improving job performance in the areas specified below.

Job Responsibility

_____ (name of staff member) is currently assigned as a
 _____ (Job Title) in the _____ (assignment)

His/her responsibilities align with that of the approved district job description for _____ (Job Title).

Behavior Needing Improvement and Expectations

Your Attendance Improvement Plan is as follows:

1. You must strictly adhere to the Deerfield Township School District Board of Education's Policy and Regulation on attendance. The applicable Board Policies and Regulations are attached for your review and reference.
2. You are expected to be present in school every day unless you are sick or otherwise on an approved leave.
3. Pursuant to N.J.S.A. 18A:30-4 and the applicable Board Policy and Regulation on attendance, you are required to provide a physician's certificate for every day you claim sick leave. For your review and reference a copy of N.J.S.A. 18A:30-4 is also attached.
4. You will be "docked" for each sick day until a physician's certificate is provided.

Time Frame

This Attendance Improvement Plan is in effect immediately and is for the duration noted above. The plan may be extended or modified based upon your performance.

Consequences

At least one special performance evaluation documenting performance progress on this plan will be conducted after January 1, 20____. The option to withhold an increment pursuant to Board Policy 4117.5 (Instructional Staff) or 4217.5 (Support Staff) for the 20____ -20____ school year.

Date		Employee's Signature
Date		Building
Administrator's Signature		

cc: Chief School Administrator
 Personnel File
 Solicitor

Deerfield Township Board of Education District Policy Manual

Support Personnel

Series 4000

Personal Illness & Injury / Health & Hardship

Policy 4251.1

Date Adopted: May 2, 2005

Date Revised

Page 1 of 1

It is the policy of the Board of Education to provide sick leave and personal leave to school district personnel. The purpose of such sick leave is to provide income protection to school personnel in the event of illness. The purpose of personal leave is to allow, for absence from work, with pay, to take care of personal matters that must be done during the school day.

School personnel are expected to use sick leave and personal leave for the purpose that these benefits are provided.

Excessive absence from work or illness or other reasons may constitute good cause for withholding a salary increment or for dismissal proceedings under New Jersey statutes.

The Chief School Administrator and administrative staff shall develop appropriate guidelines and plans for the implementation of this policy. Such guidelines and plans shall include, but not be limited to, the following:

- A. Plans to communicate to school district personnel the intent of sick leave and personal leave and the importance of regular attendance.
- B. A system of record keeping to account for sick leave and personal days to include monthly and annual reports.
- C. A system for monitoring absence for sick leave and personal leave to prevent abuses.
- D. When appropriate to the circumstances, requesting school district staff to submit information concerning the cause of absence after three consecutive days of absence.
- E. When appropriate to the circumstances following an illness, to request a statement from a physician that the employee may return to work.

The Board will consider requests for extension of sick leave benefits on a case-by-case basis.

Legal References

NJSA 18A:16-2 through -5 Health examinations
18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder
18A:30-1, -2 Sick leave
18A:30-16 Prolonged absence beyond sick leave
34:11B-1 et seq. Federal Family Medical Leave Act
29 USCA 2601 et. seq. (Family Medical Leave Act)
Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

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Support Personnel Absence Beyond Sick Leave	Series 4000 Policy 4251.2
Date Adopted: May 2, 2005 Date Revised: April 24, 2018	Page 1 of 3

Prolonged Absence Beyond Sick Leave

When the absence of any employee from his or her post or duty because of personal disability due to illness or injury, or because he or she has been excluded from school by the school district's medical authorities because of a contagious disease or of being quarantined of such disease in his/her immediate household, exceeds the annual sick leave together with all accumulated sick leave of that individual employee, request may be made of the Board of Education to pay any such person's salary for such length of time as may be determined by the Board of Education.

The following procedures shall apply:

- A. All requests for such prolonged, extended sick leave shall be made in writing and signed by the employee seeking such leave and such request shall have appended thereto a report from the employee's physician detailing the medical condition of the employee.
- B. The written request shall be submitted to the Board Secretary with a copy to the Chief School Administrator, at least ten days before the next regularly scheduled Board meeting for inclusion on the agenda of the Board.
- C. The Board shall consider each request on an individual basis and may consider the following factors:
 1. The length of employment of the employee within the district.
 2. Proposed length of extended sick leave.
 3. The nature of the illness/injury.
 4. Whether the employee had previously requested such leave.
 5. Whether or not the employee is on the verge of retirement because of age or disability.
 6. Number of grants of prolonged sick leave to other employees during the school term.
 7. Position/Function of the employee and potential impact to the district/students of a substitute employee.
- D. If, after individual consideration, the Board grants prolonged sick leave benefits, the Board shall state by resolution the length of time/number of days of approved paid sick leave. The pay for each approved day of sick leave shall be calculated at 1/200th of the actual salary for a ten-month employee and 1/260th of a twelve month employee's salary less the pay of a substitute if a substitute is employee or the estimated cost of a substitute if none is employed.

Deerfield Township Board of Education
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Support Personnel
Absence Beyond Sick Leave

Series 4000
Policy 4251.2

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- E. If paid leave is not granted, but leave is taken by the employee nevertheless, the employee's salary shall be reduced by $1/200^{\text{th}}$ if a ten-month employee and $1/260^{\text{th}}$ if a twelve-month employee.

Prolonged Absence Not Constituting Sick Leave

When the absence of any employee from his or her post exceeds the annual personal leave, request may be made of the Board of Education to pay any such person's salary for such length of time as may be determined by the Board of Education.

The following procedures shall apply:

- A. All requests for such prolonged leave shall be made in writing and signed by the employee seeking such leave.
- B. The written request shall be submitted to the Board Secretary with a copy to the Chief School Administrator, at least ten days before the next regularly scheduled Board meeting for inclusion on the agenda of the Board.
- C. The Board shall consider each request on an individual basis and may consider the following factors:
1. The length of employment of the employee within the district.
 2. Proposed length of extended leave.
 3. The reason for the request for extended leave.
 4. Whether the employee had previously requested such leave.
 5. Number of grants of prolonged leave to other employees during the school term.
 6. Position/Function of the employee and potential impact to the district/students of a substitute employee.
- D. If, after individual consideration, the Board grants prolonged leave benefits, the Board shall state by resolution the length of time/number of days approved paid leave. The pay for each such approved day of leave shall be calculated at $1/200^{\text{th}}$ of the actual salary for a ten-month employee and $1/260^{\text{th}}$ of a twelve-month employee's salary less the pay of a substitute if a substitute is employed or the estimated cost of a substitute if none is employed.
- E. If the leave is not granted, but leave is taken by the employee nevertheless, the employee's salary shall be reduced by $1/200^{\text{th}}$ of the employee's salary if a ten-month employee and $1/260^{\text{th}}$ if a twelve-month employee. In addition, other disciplinary action may be taken.

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Legal References

NJSA 18A:16-2 through -5 Health examinations
18A:30-1, -2 Sick leave
18A:30-16 Prolonged absence beyond sick leave
34:11B-1 et seq. Federal Family Medical Leave Act

29 USCA 2601 et. seq. (Family Medical Leave Act)
Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

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Support Personnel

Series 4000

Maternity Leaves: Disability & Child Care

Policy 4251.4

Date Adopted: May 2, 2005

Date Revised

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Parental Leave

The Board of Education believes there is a need for promoting the economic security of its employees' families by safeguarding, to the extent possible, the jobs of those employees who choose to take a period of leave to give birth to, adopt and/or care for a new child. The Board, therefore, declares that its employees shall be entitled to such parental leave, pursuant to the terms of this policy, without risk of termination or retaliation for taking such leave.

Pregnancy-Related Disability Leave

A. Presumptive period of disability

1. Every female employee who anticipates giving birth to a child shall be entitled to request and be granted the use of sick leave during the presumptive period of disability resulting from pregnancy.
2. The pregnancy-related disability can be presumed to exist four weeks prior to the birth of the child and four weeks subsequent to the birth. The Board may require certifications from duly licensed health care providers stating the anticipated and actual delivery dates in order to substantiate these presumptive periods.

B. Should it appear that an employee's pregnancy has become a disabling condition prior to her request for any parental leave, the Board may require a physician's certificate attesting to the employee's continued ability to perform her duties. If the employee fails to produce such a certificate within the reasonable time established by the Chief School Administrator, she shall be ineligible for further service and shall be granted sick leave until such time as she provides the Board with a physician's certificate attesting to her ability to perform her duties.

1. An employee may obtain a certificate attesting to her continuing ability to perform her duties from a physician of her choice at her own expense; or
2. An employee may request such a certificate from the school medical inspector or designee at the Board's expense.

C. Extension of an employee's period of disability beyond the beginning or ending dates of the presumptive period shall only be granted by the Board upon the employee's presentation of a physician's certificate attesting to the actual existence of such added disability and the beginning and anticipated ending dates of such added disability.

D. In every instance, an employee's entitlement to disability leave resulting from a pregnancy shall be limited to the amount of sick leave which that employee has accumulated as of the initial date of disability.

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Maternity Leaves: Disability & Child Care

Policy 4251.4

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- E. In no instance shall the entitlement to disability leave established in this policy extend to any employee parent who does not suffer actual pregnancy-related disability.

Non-Disability Parental Leave

- A.
- A. In accordance with the State of New Jersey Family Leave Act, every employee who has one year or more of continuous service in the District, working no less than 21 hours per week, shall be entitled to request and be granted up to 12 weeks leave in any 12 month period for the birth, adoption and/or care of children. In addition to the leave entitlement described in this policy, every tenured employee may also be granted up to an additional 9 months leave of absence in any 12 month period for the birth, adoption and/or care of children.
 - B. Non-disability parental leave may commence at any time within one year after the child's date of birth or placement for adoption by the employee.
 1. In any case, when the need for non-disability parental leave is foreseeable, the employee shall present to Board with a prior written request for such leave no less than 60 days prior to the date on which the employee wishes the leave to begin. A written request submitted to the Board on less than 60 days notice shall be granted provided the employee establishes that the need for such leave was not foreseeable.
 2. The Board reserves the right to reject the beginning and/or ending date(s) of non-disability parental leave requested by an employee if said date(s) would unreasonably disrupt district operations. In any instance where the Board rejects the beginning and/or ending date(s) requested by the employee, the Board shall set an alternative beginning and/or ending date(s) for the employee's leave which are as close to those requested by the employee as is practicable and which do not unreasonably disrupt district operations.
 - C. No employee shall receive his/her salary for any time that he/she is on non-disability parental leave.
 - D. Pursuant to the requirements of the State Family Leave Act, the Board shall, during the first 12 weeks of an employee's non-disability parental leave, maintain an employee's coverage under any group health insurance policy, group subscriber contract or health care plan at the level and under the conditions coverage would have been provided if the employee had not taken any leave of absence. If the employee's coverage would have expired on a date occurring within this 12-week period had the employee not been on leave, the continuation of said coverage during the leave shall expire on that date as well.

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Maternity Leaves: Disability & Child Care

Policy 4251.4

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An employee shall be entitled to coverage described in this policy once in every 12 month period.

Except as provided for in this policy, no employee on non-disability parental leave (including all family and/or dependents) shall be covered by any insurance benefit or plan to which the employee would have been entitled had he/she not taken leave.

Any employee on leave who is not covered by any insurance plan or benefit pursuant to this policy may, to the extent allowable under the terms of any relevant insurance contracts, continue to be covered by any insurance plan(s) or benefits(s) under which he/she pays to the Board the amount(s) of any premium(s) incurred as a result of his/her continued coverage.

Upon his/her return to employment from any disability or non-disability leave taken pursuant to this policy:

- A. The employee shall be restored to:
 1. The position he/she held when the leave commenced; or
 2. An equivalent position of like seniority, status, benefits, salary and other terms and conditions of employment for which he/she is qualified.
- B. The issue of the employee's seniority accrual, or accumulation of service toward tenure acquisition, during his/her leave shall be decided pursuant to law.
- C. The employee's employment status as affected by any abolishment of position or reduction in force occurring the employee's leave shall be the same as if the employee had not taken leave.
 1. If the employee would have lost his/her position had he/she not been on leave, he/she shall not be entitled to reinstatement to the former or equivalent position upon termination of his/her leave.
 2. The employee shall not suffer the loss of any preferred eligibility or other recall rights as a result of his/her taking leave pursuant to this policy.

Legal References

- NJSA 18A:16-2 through -5 Health examinations
18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:30-1, -2 Sick leave
18A:30-16 Prolonged absence beyond sick leave
34:11B-1 et seq. Federal Family Medical Leave Act
- 29 USCA 2601 et. seq. (Family Medical Leave Act)
Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

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**Support Personnel
Punctuality**

**Series 4000
Policy 4252**

Date Adopted: May 2, 2005 Date Revised: August 30, 2012

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The Board affirms that punctuality is a trait that students should aspire to and the Board recognizes that employees set examples for students. It shall be the policy of the Board of Education that all employees of the district are expected to be at their assigned area of responsibility and be ready to perform their required duties on time. Failure to do so may subject the employees to the following during any school year:

Initial Offense – Personal discussion with supervisor.

Second Offense – Personal discussion with supervisor and note indicating 2nd offense with a copy filed in employee's personnel file and to the Board President.

Third Offense – Personal discussion with supervisor and formal letter indicating 3rd offense copied to employee's personnel file and to the Board President and include statement that continued lateness may result in Board disciplinary action.

The Board directs the Chief School Administrator to establish a reasonable procedure for determining those employees who fail to be at their established work location on time.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

Deerfield Township Board of Education District Policy Manual

**Support Personnel
Accidents / Injuries**

**Series 4000
Policy 4252.2**

Date Adopted: May 2, 2005

Date Revised

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The Board directs that any incident of accident or injury to any employee that occurs during working hours shall be reported immediately to the School Nurse.

All injuries requiring first aid or other medical care shall be documented on the School Injury Form and it shall be the responsibility of the School Nurse to advise the Chief School Administrator of the nature and extent of the injury as well as any first aid applied by the Nurse. Additionally, the School Nurse shall provide the Chief School Administrator with a completed copy of the School Injury Form.

The School Nurse and/or Chief School Administrator shall be responsible for arranging for emergency transportation or treatment of the injured employee if that action is necessary. It shall be the responsibility of the School Nurse to make the determination as to whether transportation to a hospital or the School Doctor is necessary.

The School Nurse shall also be responsible for preparing and dispatching any claim forms or other forms to the appropriate insurance company or health service group.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
- NJAC 6A:16-2.1 et seq Health services policy and procedural requirements

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**Support Personnel
Family Leave**

**Series 4000
Policy 4252.3**

**Date Adopted: March 24, 2005 Date Revised: August 22, 2007,
January 25, 2012, April 24, 2018**

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In accordance with the New Jersey Family Leave Act (NJFLA) and the Federal Family and Medical Leave Act (FFMLA), the Board of Education will grant staff members up to twelve weeks leave of absence in any twelve month period upon advance notice to the district so that the staff member may provide care made necessary by the birth of a child of the staff member, the placement of a child with the staff member in connection with adoption of such child by the staff member, and the serious health condition of a spouse, parent, or child, or a serious health condition of the employee, himself/herself.

For the purposes of this policy, a twelve-month period shall be defined as 1 school year (July 1st through June 30th).

When Family Leave is requested under the FFMLA for the individual staff member's personal injury or illness, all accumulated sick and personal days must be utilized concurrent with the twelve-week entitlement under the FFMLA.

No employee shall be required to take family leave or to extend family leave beyond the time requested. No employee shall be discriminated against for having exercised his/her rights under the Family Leave Act or discouraged from the use of family leave.

For the purposes of this policy, a "parent" is a biological, adoptive, or foster parent; stepparent, parent-in-law, a legal guardian in a parent-child relationship or a person who has the sole or joint legal or physical custody, care guardianship or visitation with a child. "Serious health condition" is an illness, injury impairment or physical or mental condition that requires inpatient care in a hospital, hospice, or residential medical facility or continuing medical treatment or continuing supervision by a health care provider. A "week" is the number of days an employee normally works each calendar week.

Eligibility

An employee shall become eligible for family leave after he/she has worked twelve months in this district during the previous twelve-month period and in accordance with the provisions of the NJFLA and the FFMLA. The calculation of the twelve-month period shall commence with the commencement of the family leave. Leave taken for the birth or adoption of a child may commence at any time within one year after the birth or adoption, regardless of when the birth or adoption occurs.

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Policy 4252.3**

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An employee on family leave shall not work full-time for another employer, unless he/she was so employed full-time prior to the commencement of family leave. An employee on family leave may work part-time up to half of the hours regularly worked for this Board prior to the family leave or part-time in any employment outside the district that commenced prior to the family leave.

Types of Leave

An employee may take family leave in consecutive weeks, as intermittent leave, or as reduced leave. An employee who requests intermittent or reduced leave shall make a reasonable effort to schedule such leave so as not to unduly disrupt the instructional program.

Intermittent leave is non-consecutive leave comprised of intervals each of which is at least one day but not more than twelve total weeks within a consecutive twelve-month period. An employee is entitled to take intermittent leave when medically necessary for the serious medical condition of a family member, but the employee and the Board must agree to intermittent leave for the birth or adoption of a child.

Reduced leave is non-consecutive leave of up to the equivalent of twelve weeks that is taken in increments of less than one full week at a time but not less than one workday, unless the Board and employee agree to a shortened workday. Reduced leave may not be scheduled for more than twelve total weeks. An employee is entitled to take only one reduced leave schedule within a twelve-month period. An employee is entitled to take reduced leave for the serious medical condition of a family member, but the employee and the Board must agree to reduced leave for the birth or adoption of a child.

Any leave time remaining after an employee has exhausted his/her entitlement to intermittent leave in any twelve-month period may be taken as consecutive leave or reduced leave, and any leave time remaining after an employee has exhausted his/her entitlement to reduced leave in any twelve-month period may be taken as consecutive leave or intermittent leave.

Notice

An employee eligible for family leave must give reasonable advance notice in writing to the Chief School Administrator, except where emergent circumstances warrant shorter notice. Whenever emergent circumstances make written notice impractical, the employee may give oral notice to the Chief School Administrator but any oral notice must be followed by written notice delivered within five days.

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Policy 4252.3**

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1. Notice for leave to be taken for the birth or adoption of a child shall be given at least thirty days prior to the commencement of the leave.
2. Notice for leave to be taken for the serious medical condition of a family member shall be given at least thirty days prior to the commencement of the leave.
3. Notice for leave to be taken for the serious health condition of the employee, himself/herself.

When the Chief School Administrator is not made aware that a staff member was absent for family leave reasons and the staff member wants to request the leave be counted as family leave, the staff member must provide written notice within two working days of returning to work to have the time considered family leave in accordance with the NJFLA and FFMLA.

Benefits

Family leave under both NJFLA and FFLMA shall be unpaid leave.

In accordance with the law, the Board will maintain coverage under any group health insurance policy, group subscriber contract, or health care plan at the level and under the conditions coverage would have been provided if the employee had not been absent on family leave.

An employee returning from family leave shall be entitled to the position he/she held when leave commenced or to a similar position, full-time or part-time, within his/her certification, except as his/her entitlement to a position may have been affected by a reduction in force. The employee's tenure and seniority rights, if any, and other benefits shall be preserved, but the employee shall accrue no additional time toward tenure or seniority for the period of the leave, except as may be provided by law.

The return of a staff member prior to the expiration of the requested family leave may be permitted by the Board provided that the requested early date of return is not the day before any date school is scheduled to be closed or a day in which school is closed for vacation, holidays or other reasons. In addition, the early return of the employee shall not unduly disrupt the instructional program or require the Board to incur the cost of continuing the employment of a substitute under contract or unduly disrupt the educational program for pupils.

Family leave granted to a non-tenured employee cannot work to extend the employee's employment beyond the expiration of his/her employment contract.

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Verification of Leave

The Board shall require the certification of the health care provider verifying the purpose of the requested family leave. Certification of a serious health condition shall contain the date on which the condition commenced, its probable duration, and relevant medical information known to the provider. Certification of a birth or adoption shall contain the projected date of the birth or placement. In the event the Board doubts the validity of the certification; the employee shall obtain the opinion of a second health care provider approved by the Board. If the certification and opinion disagree, the employee shall, at Board expense, obtain from a third health care provider approved by both the employee and the Board. The opinion of the third health care provider shall be final and binding.

In order that an employee's entitlement to family leave can be properly determined, the Chief School Administrator shall insure the keeping of accurate attendance records that distinguish family leave from other kinds of leave.

Legal References

- NJSA 18A:16-2 through -5 Health examinations
- 18A:11-1 General mandatory powers and duties
- 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
- 18A:30-1, -2 Sick leave
- 18A:30-16 Prolonged absence beyond sick leave
- 34:11B-1 et seq. Federal Family Medical Leave Act

- 29 USCA 2601 et. seq. (Family Medical Leave Act)
- Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

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"The Bucks"

District Policy Manual

Series 5000

Students

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Role Of Parents / Guardians

Policy 5020

Date Adopted: February 15, 2006

Date Revised

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

The Board recognizes the vital role of the parents/guardians in the welfare and education of their children and the pivotal part they play in shaping character and values. Because parents/guardians are familiar with the needs, problems, gifts and abilities of their children, staff should seek to involve parents/guardians as much as possible in the planning of the individual program. Parents/guardians must, by law, be included in the development of certain educational programs for their children.

Parents/guardians are requested to keep the school apprised of changes in factors in the home situation that may affect pupil conduct or performance. Parents/guardians are specifically requested to inform the school of any changes in legal custody of the child.

Parents/guardians are responsible for their child's punctuality, attendance, cleanliness and propriety of dress.

The Chief School Administrator shall develop procedures and regulations to implement this policy. These regulations shall include use of the parent/guardian's native language when necessary.

Legal References

NJSA 18A:35-4.9 Pupil promotion and remediation; policies and procedures
18A:35-22 Notice to parents that child identified as eligible for enrollment; option of declining enrollment; involvement of parents in program

NJAC 6A:8-4.3 Accountability
6A:14-1.1 et seq. Special Education
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
6A:32-12.2 School-level planning

No Child Left Behind Act of 2001, Pub. L. 107-110. 20 U.S.C.A. 6301 et

Possible Cross References

1230, 1250, 5113, 5114, 5120, 4124, 5125, 5131.5, 5131.6, 6142.2, 6146, 6146.2, 6147.1, 6162.4, 6171.1, 6171.3, 6171.4

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Student Attendance

Policy 5110

Date Adopted: January 10, 1984 Date Revised: February 15, 2006 Page 1 of 3

Compulsory attendance at school is a long-standing state policy and has been upheld by the court of New Jersey and the U.S. Supreme Court as a matter of public concern and legislative regulation.

The Board of Education has an obligation to require that the pupils of this district be present in school in order that they may be taught. This policy is for the benefit of the pupils, their parents, and the community at large. The Board concurs with the Commissioner of Education who wrote:

“...pupil participation in all regularly scheduled classroom learning activities in each area of study is essential in order for each pupil to receive the maximum benefits of a thorough educational program. Frequent absences of pupils from regular classroom learning experiences disrupt the continuity of the instructional process. The benefit of regular classroom instruction is lost and cannot be entirely regained, even by extra after-school instruction. Consequently, many pupils who miss school frequently experience great difficulty in achieving the maximum benefits of schooling. Indeed, many pupils in these circumstances are able to achieve only mediocre success in their academic programs. The school cannot teach pupils who are not present. The entire process of education requires a regular continuity of instruction, classroom participation, learning experiences, and study in order to reach the goal of maximum educational benefits for each individual child. The regular contact of the pupils with one another in the classroom and their participation in well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose. This is a well-established principle of education which underlies and gives purpose to the requirement of compulsory schooling in this and every other state in the nation.” (Wheatley et al V. Board of Education of the City of Burlington, Burlington County, September 23, 1974.)

The Board of Education requires that the pupils enrolled in the Deerfield Township School attend school regularly in accordance with the laws of this state. The educational program offered by this district is predicated upon the presence of the pupil and requires continuity of instruction and classroom participation. The regular contact of pupils with one another in classroom and their participation in a well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose.

Attendance shall be required of all students enrolled in the school during the days and hours that the school is in session unless it is shown to the satisfaction of the Board that

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the mental condition of the student is such that he/she cannot benefit from the instruction or that the bodily condition of the student is such as to prevent attendance at school. All absences occasioned by the observance of the student's religion on a day approved by the Commissioner as a religious holiday shall be excused and no student so excused shall be deprived of an award or eligibility to compete for an award or the opportunity to make up a test given on the religious holiday.

In accordance with statute, the Board shall require from the parent/guardian of each child who has been absent from school or from class for any reason a written statement of the cause for such absence. The Board reserves the right to verify such statements and to investigate the cause of each absence of more than three days duration. The Board may report to appropriate authorities infractions of the law regarding the attendance of students below the age of 16.

The Board further maintains that the learner has major responsibility to learn, and as such, the pupil is accountable for the faithful school attendance.

The Board cannot condone, excuse, or encourage any absence by pupils. Therefore, the Chief School Administrator may prepare regulations to assist with the implementation of this policy.

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Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:35-4.9 Pupil promotion and remediation; policies and procedures
18A:36-14, -15, -16 Religious holidays; absence of pupils on; effect ...
18A:36-19a Newly enrolled students; records and identification
18A:36-24 through -26 Missing children; legislative findings and declarations ...
18A:38-25 Attendance required of children between six and 16; exceptions
18A:38-26 Days when attendance required; exceptions
18A:38-27 Truancy and juvenile delinquency defined
18A:38-31 Violations of article by parents or guardians; penalties
18A:38-32 District and county vocational school attendance officers
18A:40-7 Exclusion of pupils who are ill
18A:40-8 Exclusion of pupils whose presence is detrimental to health and cleanliness
18A:40-9 Failure of parent to remove cause for exclusion; penalty
18A:40-10 Exclusion of teachers and pupils exposed to disease
18A:40-11 Exclusion of pupils having communicable tuberculosis
18A:40-12 Closing schools during epidemic
18A:54-20 Powers of board (county vocational schools)
52:17B-9.8a through -9.8c Marking of missing child's school record
- NJAC 6A:8-5.1 Graduation requirements
6A:16-1 et seq. Programs to support student development.
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-8.1 et seq. Student Attendance and Accounting
6A:32-8.3 Student attendance

Wetherell v. Board of Education of Township of Burlington, 1978 S.L.D. 794
Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851
C.R., on behalf of J.R., v. Board of Education of the Scotch Plains-Fanwood Regional School District, 1988 S.L.D. (June 22)

Possible Cross References

5020, 5111, 5114, 5115, 5124, 5141.2, 5141.4, 5142, 6146, 6147, 6147.1, 6154, 6171.4, 6173

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**Date Adopted: February 15, 2006 Date Revised: November 16, 2006
July 23, 2014**

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Eligibility

The Board of Education shall admit to its schools free of charge the following persons who have attained the age of four (4) years for pre-kindergarten and five (5) years for kindergarten on or before of October 1st of that school year:

- A. Any student domiciled within the district;
- B. Any student kept in the home of a person other than the student's parent/guardian, where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his/her own child if family or economic hardship has been documented;
- C. Any student kept in the home of a person domiciled in the district, other than the parent/guardian, where the parent/guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency;
- D. Any student whose parent/guardian temporarily resides within the district, notwithstanding the existence of a domicile elsewhere;
- E. Any student whose parent/guardian moves to another district as the result of being homeless, subject to the provisions of administrative code;
- F. Any student placed in the home of a district resident by court order pursuant to statute;
- G. Any student previously residing in the district if the parent/guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency pursuant to statute; and,
- H. Any student residing on federal property within the state pursuant to statute.

Proof of Eligibility

The Board shall accept any combination of the forms of documentation that are listed in the New Jersey Administrative Code (NJAC 6A:22-3.4) when they are presented by persons attempting to demonstrate a student's eligibility for enrollment in the district, and as deemed appropriate, valid, and acceptable by the Chief School Administrator, including:

- Property tax bills; deeds; contracts of sale; leases; mortgages; signed letters from landlords; and other evidence of property ownership, tenancy, or residency;
- Voter registrations; licenses; permits; financial account information; utility bills, delivery receipts; and other evidence of personal attachment to a particular location;

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- Court orders; State agency agreements; and other evidence of court or agency placements or directives;
- Receipts; bills; cancelled checks; insurance claims or payments; and other evidence of expenditures demonstrating personal attachment to a particular location or to support the student;
- Medical reports; counselor or social worker assessments; employment documents; unemployment claims; benefit statements; and other evidence of circumstances demonstrating family or economic hardship, or temporary residency;
- Affidavits, certifications, and sworn attestations pertaining to statutory criteria for school attendance from the parent, guardian, person keeping an "affidavit student," adult student, person(s) with whom a family is living, or others, as appropriate;
- Documents pertaining to military status and assignment; and
- Any other business record or document issued by a governmental entity.

The Board of Education may accept forms of documentation not listed above and shall not exclude from consideration any documentation or information presented by an applicant.

The Board shall consider the totality of information and documentation offered by an applicant and may accept other forms of documentation or information presented by a person seeking to enroll a student.

The Board shall not require or request any information or document protected from disclosure by law or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school, including, but not limited to:

- Income tax returns;
- Documentation or information relating to citizenship or immigration/visa status, except as set forth in NJAC 6A:22-3.3(b);
- Documentation or information relating to compliance with local housing ordinances or conditions of tenancy; and
- Social Security numbers.

Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials.

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Enrollment shall take place immediately when an applicant has provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to NJAC 6A:22-4.2.

When a student appears to be ineligible based on information provided in the initial application, the district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the school district's determination and an intent to appeal to the Commissioner of Education. An applicant whose student is enrolled pursuant to this paragraph shall be notified that the student will be removed without a hearing before the Board of Education if no appeal is filed within the 21-day period established by NJSA 18A:38-1.

Minimum Immunization Requirements

All children enrolling in the district shall provide proof of the required vaccinations and immunizations as established by the laws of the State of New Jersey for students entering public schools.

Pre-Kindergarten & Kindergarten

Any child residing in the district shall be admitted to the kindergarten provided:

- A. The child will have attained the age of four years for pre-kindergarten and five years for kindergarten on or before October 1st of that school year;
- B. Proof shall be furnished of immunization against the communicable diseases at the time of enrollment or such immunization shall be completed within 30 days from date of entry into the school;
- C. The child shall have been examined by either the school or a private physician, and the results shall be furnished to the school on the form provided.

Grade One

Any child residing in the district shall be admitted to grade one provided:

- A. The child will have attained the age of six years on or before October 1 of that school year;
- B. Proof has been furnished of immunization against communicable diseases.

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Transfers into Grades Two through Eight

Pupils transferring into the district are expected to present copies of records from the previously attended school (or district) to aid in placement. Also required are proof of immunizations and proof of identity.

Within the time prescribed by law, the Chief School Administrator shall request in writing from the school or district of previous attendance, the pupil's records.

Initial placement shall be made on the basis of the records, but adjustment may be made at the discretion of the administration when the academic assessments indicate that such adjustments would be beneficial to the child. Parents/guardians shall be informed of this policy on registration.

Joint Custody

When divorced parents/guardians have joint custody of (a) minor child(ren), admission shall be based on the present address of the parent/guardian with whom the child(ren) resided as of the date required by administrative code.

Affidavit Pupils

When there is any doubt as to whether a child is entitled to free public education in the district schools, all procedures of law and code shall be followed.

Nonresidents

The district is obliged to educate children of appropriate age residing in the district. The mere owning of any property whatsoever does not qualify a parent/guardian to send children to school in this school district. See policy 5118 Nonresidents.

Foreign Exchange Students (J-1 Visas)

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

Foreign exchange students who hold appropriate visas and who are domiciled within a district residence may be admitted to this district after complying with this policy.

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Students who are domiciled within a residence of one of the sending districts must obtain documentation to show acceptance by the sending district. Foreign exchange students will not be enrolled in High School without acceptance by both this district and the sending district.

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

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

Foreign Students (F-1 visas)

To receive an F-1 student visa from the United States Department of State, a foreign exchange student must demonstrate that he/she has a residence abroad and intends to return; has been accepted to pursue a full course of study at an INS-approved institution as evidenced by presentation of Form I-20A-B; has sufficient academic preparation to pursue the intended course of study; has sufficient knowledge of English to pursue the intended study and has sufficient funds to cover the first year of study and access to sufficient funds to cover subsequent years.

Foreign exchange students who hold F-1 visas may not be admitted to an elementary school (K-8) and/or an adult education program in this district.

F-1 visa foreign students, who were in a public school before November 30, 1996 and obtained F-1 status before November 30, 1996 may continue in the public school. However if these students travel outside the United States, they will need to conform to the requirements above (12 month maximum and reimbursement for cost) to be readmitted.

The cost of education to be reimbursed to the Board may be calculated by dividing the sum of all public expenditures of the school or district by the number of students or by using the rate certified by the Board.

Foreign exchange students or their representative(s) must notify the Board of Education no later than May 31st of the school year prior to the requested enrollment year of their desired to be enrolled in the district school. The Board of Education reserves the right to determine if a particular foreign exchange student or group of exchange students may be enrolled in the district school, based on space available and/or the educational needs of the particular student or group of students seeking enrollment.

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The Board of Education shall render its decision and inform the prospective student or his/her representative(s) of such decision no later than June 30th of that same year. At its sole discretion, the Board of Education may alter these dates.

Students Returning from County Detention

The district shall accept all days of attendance and courses studied by a student at a county juvenile detention center and apply them toward district requirements for promotion or middle school graduation.

Homeless Pupils

The district will determine the educational placement of homeless students in each child's best interest and respond to appeals concerning them made by parents/guardians or other parties in accordance with New Jersey statutes and administrative code, as well as, pertinent federal law.

The Board shall make this policy available to parents/guardians and the public.

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Legal References

- NJSA 18A:7B-12 District of residence; determination
18A:7B-12.1 Homeless child; responsibility for education;
18A:7C High School Graduation Standards
18A:36-19a Newly enrolled students; records and identification
18A:36-25.1 Proof of child's identity required for enrollment; transfer of record
18A:38-1 Attendance at school free of charge
18A:38-2 Free attendance at school by nonresidents placed under court order
18A:38-3 Attendance at school by nonresidents
18A:38-4 Free attendance to persons over age
18A:38-5 Admission of pupils under age
18A:38-5.1 No child to be excluded from school because of race, etc.
18A:38-6 Time of admission of pupils; first school year
18A:38-7.7 Legislative findings and declarations
18A:38-8 Duty to receive pupils from other districts
18A:38-25 Attendance required of children between six and 16; exceptions
18A:40-20 Immunization at public expense
18A:44-1 Establishment of nursery schools or departments; eligibility for admission
18A:44-2 Establishment of kindergarten; eligibility for admission
26:1A-9.1 Exemption of pupils from mandatory immunization
- NJAC 6A:10A-2.1 et seq Preschool program general provision
6A:12-3.1 Choice district application procedures
6A:14-1.1 et seq. Special Education
6A:16-2.2 Required health services
6A:16-2.4 Required student health records
6A:17-1.1 et seq. Students at Risk of Not Receiving a Public Education
6A:22-1.1 et seq. Entitlement to Attend School Based on Domicile or
6A:22-3.4 Proof of Eligibility
6A:23-5.2, -5.3 Method of determining the district of residence
6A:32-8.2 School enrollment
8:57 Communicable diseases
8:61-1.1 Attendance at school by pupils or adults infected by Human Immuno-Deficiency Virus (HIV)
P.L. 2005, c. 265 students returning to public schools from county detention
Tepper v. Board of Education of the Township Hackensack, Bergen County,
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Plyler v. Doe, 457 U.S. 202 (1982)
Warren Board of Education v. Cooperman, 105 NJ 587 (1987)
J.A. v. Board of Education of South Orange/Maplewood, 318 N.J. Super. 512
"Pupil Residency": Who is Eligible for a Free Public Education," by Donna Kaye,
Esq. In N.J. School Leader (July-August 2002).

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Evaluation & Placement Upon Entrance

Policy 5111.5

Date Adopted: February 15, 2006

Date Revised

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Students transferring into the school will be placed in the appropriate classroom by the administration on the basis of records available at the time of enrollment.

If, in the opinion of the classroom teacher, and based on available records, the student exhibits a need for remediation in reading or mathematics, the classroom teacher shall notify the Basic Skills teacher and the administration of the perception with substantiating evidence or reasons.

If the administration concurs in this assessment, the student may be assigned for additional assistance. Within such an assignment, the student may be administered the currently accepted evaluative placement test.

Continued and subsequent placement in a regular classroom, or additional assistance, or other referral for special services will be determined by the administration on the basis of these evaluative instructions and professional judgment which shall include teacher perceptions.

If a student transferring into the School has previously been classified and found eligible for Special Education Services, such student's case shall be referred to the Child Study Team. The Child Study Team will review all pertinent reports and data concerning the individual student and, in compliance with the regulation set forth in NJAC 6:28-1, recommend to the administration the most appropriate educational classification and placement for the student.

In the case of Kindergarten entrance determination or at the direction of the Child Study Team, an appropriate screening instrument(s) may be used as an evaluative instrument.

Legal References

- NJSA 18A:36-19a Record requests for newly enrolled students
- 18A:44-1 Establishment of nursery schools; eligibility for admission
- 18A:44-1 Establishment of kindergarten; eligibility for admission

Possible Cross References

5120

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Series 5000

Absences & Excuses

Policy 5113

Date Adopted: Feb. 15, 2006

Date Revised: Aug. 31, 2010,

Aug. 30, 2012, Aug. 30, 2018

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The Board of Education believes that regular attendance in class, participation in class activities, and interaction between pupils and teachers are vital and integral parts of the learning process. Frequent absences of pupils from regular classroom learning experiences disrupt the continuity of the instructional and learning processes. The school staff cannot teach pupils who are not present.

School will be open a minimum of 180 days each year and the maximum number of absences permitted within an academic year is 20. All absences will be counted. It is the intention of this policy that the permitted number of absences will provide for normal illness. Pupils are expected to attend school during the established school time.

Any pupil, who, for any reason, fails to attend 160 days of school within any academic year, shall be subject to an administrative review by the Chief School Administrator before the student can be considered for course credit or promotion. The following individuals may assist the Chief School Administrator in this administrative review: other administrators, teachers, parent/guardians, students themselves and other school personnel such as guidance counselors, child study team members, etc.

Unexcused Absences

For the purposes of this policy and pursuant to NJAC 6A:32-8.3, the definition of a school day is that a school day shall be such that a school day shall consist of not less than four hours of actual instruction, except that in an approved kindergarten a full school day may consist of one continuous session of 2 ½ hours.

For the purposes of this policy an unexcused absence shall be defined as absence of a student from school, a class or classroom or his/her assigned program for a school day without proper notification by the student's parent/guardian or for reasons other than those listed in this policy below.

The following absences are excusable:

1. Personal illness or injury
2. Death of a member of the immediate family or household
3. Absence due to court intervention
4. Religious holidays as prescribed by NJSA 18A:36-16
5. Quarantine
6. School sponsored activities
7. Medical or dental appointments

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8. Family illness (serious illness of a family member, residing in the household of the student or the quarantine of the family member, family or student in accordance with the directives of health officials);
9. Death in the family (death of a family member of the student, including but not limited to parent/guardian, sibling, grandparent, aunt, uncle, etc.);
10. Unique special circumstances that may develop on a case-by-case basis

According to New Jersey law, attendance in school is compulsory for children between the ages of 6 and 16; and, according to universally accepted norms, pupils cannot benefit fully from the educational programs of schools unless attendance is regular and uninterrupted. Therefore, the Board of Education directs that attendance of pupils be controlled and supervised.

If a pupil is absent, the parent/guardian is required to call the main office the morning of the absence. Pupils shall be required to complete all work and exercises assigned during any absences. Arrangements to make up the work must be initiated by the pupil or parent/guardian.

The Chief School Administrator in consultation with the teacher shall determine the effect of excessive absences, excused or unexcused, upon a grade or promotion. The Chief School Administrator shall direct development of procedures to disseminate and implement this policy.

Students with Disabilities

For students with disabilities, attendance plans and punitive and remedial measures shall be established in accordance with the students':

- A. Individualized Education Programs, pursuant to USC § 1400 et. seq., the Individuals with Disabilities Education Improvement Act;
- B. Procedural safeguards as set forth in NJAC 6A:14;
- C. Accommodation plans under 29 USC § 794 and 705(20);
- D. Individualized health care plans, pursuant to NJAC 6A:16-2.3(b)2ix.

Cases of Up to Four Unexcused Absences

The Chief School Administrator shall assign a district employee to attempt to notify parents/guardians of any unexcused absences of their children prior to the beginning of the school day following said unexcused absence.

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District personnel shall be assigned the task of conducting an investigation to determine the cause(s) of each unexcused absence. This investigation shall include contacting the parents/guardians of the student.

Appropriate district personnel shall develop an action plan to address patterns of habitual unexcused absences of students in order to have said students maintain regular attendance. This action plan shall be developed in consultation with the student's parents/guardians.

Cases of Five to Nine Cumulative Unexcused Absences

The Chief School Administrator shall assign a district employee to attempt to notify parents/guardians of any unexcused absences of their children prior to the beginning of the school day following said unexcused absence.

District personnel shall be assigned the task of conducting an investigation to determine the cause(s) of each unexcused absence. This investigation shall include contacting the parents/guardians of the student.

Appropriate district personnel shall develop an action plan to address patterns of habitual unexcused absences of students in order to have said students maintain regular attendance. This action plan shall be developed in consultation with the student's parents/guardians. In addition, the assigned staff member(s) shall evaluate the appropriateness of the action plan pursuant to NJAC 6A:16-7.8(a)41(3) and revise the action plan, as needed to identify patterns of unexcused absences and establish outcomes based on the student's needs and specify the interventions for achieving the outcomes supporting the student's return to school and regular attendance that may include any or all of the following:

- A. Refer or consult with the Intervention and Referral Services team, pursuant to NJAC 6A:16-8;
- B. Conduct testing, assessments or evaluations of the student's academic, behavioral and health needs;
- C. Consider an alternate educational placement;
- D. Make a referral to a community-based social and health provider agency or other community resource;
- E. Refer to the court program designated by the New Jersey Administrative Office of the Courts;
- F. Proceed in accordance with the provisions of NJSA 9:6-1 et seq. and NJAC 6A:16-11, if a potentially missing or abused child situation is detected; and/or,
- G. Cooperate with law enforcement and other authorities as appropriate.

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Cases of Ten or More Cumulative Unexcused Absences

In cases of 10 or more cumulative unexcused absences, the student between the ages of 6 and 16 shall be considered to be truant pursuant to NJSA 18A:38-37. In such cases, the following actions shall be instituted:

- A. A mandatory referral to the court program designated and required by the New Jersey Administrative Office of the Courts;
- B. A reasonable attempt to notify the student's parents/guardians of said mandatory referral;
- C. Continuation of consultations with the parents/guardians and the involved agencies to support the student's return to school and regular attendance;
- D. Cooperation with law enforcement and other authorities and agencies, as appropriate;
- E. Proceed in accordance with the provisions of NJSA 18A:38-28 through 31, Article 3B, Compelling Attendance at School and other applicable state and federal statutes, as required.

Lateness

The Board expects students to arrive at school and in classrooms on time. Students who arrive late to school or in their assigned classroom(s) shall be subject to disciplinary action in accordance with the district's Code of Student Conduct.

Students will be assigned after school administrator detention for every 5 tardies in order to make up or review work that was missed.

Late Arrival and Early Dismissal

Late arrivals and early dismissals are as disruptive to the educational process as absenteeism. Only the reasons for absence listed as excusable above shall be held valid for a late arrival or early dismissal. The parent/guardian shall inform the school in advance whenever possible. A student to be dismissed early must be met in the school office by the parent/guardian or authorized agent.

Class Cutting and Truancy (Unauthorized Absence)

Penalties for students who cut classes shall include detention and in-school suspension. Parents/guardians who fail to comply with the compulsory attendance laws are subject to the penalties prescribed by law.

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Make-Up Work

Students shall be provided the opportunity to make up all work and examinations missed because of absence. Failure to make up such work or take such examinations shall result in appropriate academic penalty. Due dates for make-up work will be in accordance with individual teachers. Requirements will vary based on the grade level of students.

Exclusions

When a student has been excluded from school in accordance with statute, he/she shall have the same opportunity to make up missed work as a student absent for any other reason. Such days of non-attendance shall be recorded as excused absences.

Potentially Missing Children

Administrative Procedures: The Chief School Administrator should be notified immediately by the staff when there is sufficient reason to believe there may be a child missing from school. The Chief School Administrator or the designated official will notify the NJ State Police when there is a reported incident of a possible missing child within the school district.

In accordance with Board Policies 5141.4 – Child Abuse & Neglect and 5141.5 Early Detection of Missing Children, and pursuant to NJSA 9:6-1 et. seq. and NJAC 6A:16-11, any case in which it appears that the student who is absent is potentially missing or the victim of child abuse and/or neglect, the Superintendent/designee shall conduct an investigation of the circumstances and proceed in accordance with law and in cooperation with law enforcement officials where appropriate.

Procedures to Identify Missing Children

When a child is absent from school, parent/guardians are responsible for informing the office on the day of the absence and sending an explanatory note when the child returns.

If a child is absent from school and the parent/guardian does not call, the school will contact the parent/guardian to determine the cause of absence. If the school is not contacted and persons on the “emergency calling lists” cannot be contacted, the NJ State Police will be called to investigate the absence.

If a parent/guardian withdraws a child from school, an official request for the child’s records from the new school district should be received within 15 school days, if the transfer takes place within the school year, the request for pupil records should occur within 60 calendar days.

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No pupils shall be permitted to leave the school before the end of the school day unless met in the school office and signed out by a parent/guardian or a person authorized to act on his/her behalf. Pupils may be asked to identify the authorized person.

No pupil may be released on the basis of an unverified telephone call. If there is reason to question the authority of the calling person, the school will call the parent/guardian to make a positive verification.

Children of estranged parents/guardians may be released only upon the request of the parent/guardian whom the court holds directly responsible for the child and who is the parent/guardian registered on the school records. An official document verifying custody may be required. The school shall not be a party to other arrangements with estranged parents/guardians.

Regulations

The Chief School Administrator shall develop procedures for the attendance of pupils which:

- A. Ensure a school session which is in conformity with requirements of the rules of the New Jersey State Board of Education;
- B. Identify potentially missing and/or abused pupils;
- C. Govern the keeping of attendance records in accordance with rules of the New Jersey State Board of Education, including pupils serving in- or out-of-school suspensions, or excluded for health and cleanliness reasons;
- D. Impose on truant pupils such disciplinary measures as may be appropriate for infractions of school regulations, but no such penalty may have an irredeemable negative effect on the pupil's record of achievement beyond that which naturally follows his/her absence from school activities;
- E. Identify the habitual truant, investigate the causes of his/her behavior, and consider modification of his/her educational program to meet his/her particular needs and interests;
- F. Address tardiness and class cutting in terms of the intent of this policy;
- G. Ensure that pupils absent for any reason have an opportunity to make up work they missed;
- H. Recognize exemplary attendance.

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Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:35-4.9 Pupil promotion and remediation; policies and procedures
18A:36-14, -15, -16 Religious holidays; absence of pupils on; effect ...
18A:36-19a Newly enrolled students; records and identification
18A:36-24 through -26 Missing children; legislative findings and declarations ...
18A:38-25 Attendance required of children between six and 16; exceptions
18A:38-26 Days when attendance required; exceptions
18A:38-27 Truancy and juvenile delinquency defined
18A:38-31 Violations of article by parents or guardians; penalties
18A:38-32 District and county vocational school attendance officers
18A:40-7 Exclusion of pupils who are ill
18A:40-8 Exclusion of pupils whose presence is detrimental to health and cleanliness
18A:40-9 Failure of parent to remove cause for exclusion; penalty
18A:40-10 Exclusion of teachers and pupils exposed to disease
18A:40-11 Exclusion of pupils having communicable tuberculosis
18A:40-12 Closing schools during epidemic
52:17B-9.8a through -9.8c Marking of missing child's school record

NJAC 6A:8-5.1 Graduation requirements
6A:16-1 et seq. Programs to support student development.
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-8.1 et seq. Student Attendance and Accounting
6A:32-8.3 Student attendance

Wetherell v. Board of Education of Township of Burlington, 1978 S.L.D. 794
Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851
C.R., on behalf of J.R., v. Board of Education of the Scotch Plains-Fanwood Regional School District, 1988 S.L.D. (June 22)

Possible Cross References

5020, 5111, 5114, 5115, 5124, 5141.2, 5141.4, 5142, 6146, 6147, 6147.1, 6154, 6171.4, 6173

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Suspension

The Chief School Administrator or designee shall have the authority to suspend pupils for improper conduct in or on school property in grades 3 through 8, which in his/her judgment is deemed sufficient cause for such action. Students in preschool through second grade will be subject to early detection and prevention programs for behavioral issues incorporated in their daily program to include remediation of problem behaviors, positive reinforcements, supportive interventions, and referral services. Students in grades 3 through 8 shall also be considered for remediation and referral in the event their behaviors warrant such action given their circumstances for suspension.

Pupils under suspension for any length period are considered in school and shall remain on the enrollment list. The Chief School Administrator, upon review of the districts' Discipline Policy shall determine the length of the suspension and shall also determine when suspension is to be lifted.

Cases of suspension will be reported to the Board of Education, either during or after the fact. As prescribed in the district's discipline policy, a pupil may be required to appear before the Board of Education with his/her parents or legal guardian before returning to school.

All cases of recurring violence, insubordination, or disrespect should be referred to the Chief School Administrator.

Expulsion

The Board of Education alone shall have the authority to expel pupils from school. Expelled pupils are considered out of school and are removed from the enrollment list.

Prior to expulsion, prevention programs for behavioral issues incorporated in their daily program to include remediation of problem behaviors, positive reinforcements, supportive interventions, and referral services will be afforded all students. In addition, the student shall be referred to the Child Study Team for evaluation.

Expulsion from school should be considered as a last resort, to be used only when all other possible means of resolving the problem have been exhausted. The Board of Education may request a recommendation for expulsion from the Chief School Administrator.

Expulsions shall be immediately reported to juvenile authorities.

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Rationale/Background

The Board of Education recognizes the need for every pupil to have a safe and orderly environment in which to learn. Additionally, the Board deems the suspension or expulsion of a pupil to be a very serious penalty that should be imposed only when the pupil has materially and substantially interfered with the maintenance of good order in the school, or when it is necessary to protect the pupil's emotional safety and well-being.

The Board of Education also recognizes that pupils have the right to request redress of grievance. Accordingly, a procedure for dealing with individual and group grievances will be provided.

Causes for Suspension/Expulsion

Any pupil who is guilty of continued and willful disobedience, or of an open defiance of the authority of any teacher or person having authority over him, or of the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school (NJSA 18A:37-2). The following terms are examples of continued and willful disobedience that may result in suspension or expulsion:

- A. Conduct of such character as to constitute a continuing danger to the physical well-being of other pupils;
- B. Physical assault upon another pupil or upon any teacher or other school employee;
- C. Taking, or attempting to take, personal property or money from another pupil, or from his/her presence, by means of force or fear or gambling;
- D. Participation in an unauthorized occupancy of a district facility by any group of pupils, an individual pupil, or others of any part of any school or other buildings owned by any school district, and failure to leave such school or other facility promptly after having been directed to do so by the Chief School Administrator or other person then in charge of such building or facility;
- E. Incitement that is intended to and does result in truancy by other pupils, or inciting other pupils' truancy;
- F. Leaving school grounds without permission;
- G. Cutting class, leaving class without permission;
- H. Use or possession of unsafe or illegal articles;
- I. Use of any tobacco product on school property;
- J. Truancy, chronic lateness;
- K. Use, possession or sale of a controlled dangerous substance;
- L. Turning in a false fire alarm or bomb threat;
- M. Tampering with or damaging property of other pupils or staff members;
- N. Selling or buying lottery tickets or any other gambling paraphernalia on school property;

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- O. Actions that constitute a continuing danger to the physical well-being of other pupils or staff members;
- P. Inciting others to take part in an unauthorized occupancy;
- Q. Poor attendance and/or lateness;
- R. Use of profanity or abusive language;
- S. Being convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm on any school property, on a school bus or at a school-sponsored function.

Any pupil who commits an assault as defined by NJSA 2C:12-1 upon a board member, teacher, administrator or other employee of the Board of Education shall be suspended from school immediately, according to procedural due process, and suspension or expulsion proceedings shall begin no later than 30 calendar days from the date of the pupil's suspension.

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property, or on a school bus, or at a school-sponsored function shall be immediately removed from the school's regular education program for a period of not less than one calendar year. The Chief School Administrator or his/her designee may modify the suspension on a case-by-case basis. Each pupil so removed shall be placed in an alternate educational program or on home instruction and shall be entitled to a hearing before the Board of Education. The hearing shall take place no later than 30 days following the day the pupil is removed from the regular education program and shall be closed to the public.

The Chief School Administrator shall be responsible for the removal of such students and shall also notify the appropriate law enforcement agency of a possible violation of the NJ Code of Criminal Justice. The Chief School Administrator shall determine at the end of the year whether the student is prepared to return to the regular education program, in accordance with the procedures established by the NJ Commissioner of Education.

Procedure for Suspension/Expulsion for School

Pupils may be suspended by the Chief School Administrator or his/her designee for any of the reasons listed under Causes of Suspension/Expulsion or the Student Code of Conduct. In cases of suspension, the pupil will have an informal hearing with the Assistant Principal or the Chief School Administrator or his/her designee. This informal hearing shall include:

- A. Informing the pupil of the charges against him/her;
- B. Providing the pupil an opportunity to reply to the charges against him/her.

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In most cases, suspension time begins at the end of the school day on the day that the suspension is issued. However, the administration has the right to suspend a pupil from school immediately when it is determined that waiting until the end of the school day will jeopardize the safety and well-being of other pupils or may disrupt other class activities.

Parents will be notified of the suspension by telephone (if available in the home) and in writing. In cases that result in suspension from school, a parent conference with the appropriate building administrator is necessary before the pupil may be permitted to return to regular classes.

The Chief School Administrator, at his/her discretion, will report all suspensions to the Board of Education no later than at the next regular meeting.

General

Except when special considerations warrant and at the discretion of the Chief School Administrator, every pupil will be given a written warning in the form of a disciplinary notice that subsequent violations of school regulations may result in his/her exclusion or suspension.

Effects of Suspension

- A. Short-term suspension (10 days or less). A pupil suspension in excess of (5) days must be authorized by the Chief School Administrator.

The effects of a short-term suspension are listed below:

Days absent from school which are the result of a suspension will be recorded as excused absences.

1. The pupil will be able to make-up any class work, tests, quizzes, projects, homework, etc., missed during the days of suspension without any penalty to his/her grade. It is the responsibility of the pupil or his/her parent or guardian to approach the teacher to receive the missed assignments. The pupil will be allowed a number of days to complete these assignments that is equal to the number of days missed due to the suspension.
3. Pupils will be ineligible to participate in every activity, meeting and school event during the suspension.
4. When a pupil with an educational disability is suspended, the Chief School Administrator or his/her designee shall forward, at the time of suspension, a written notification and description of the reason(s) for such action to the parents with a copy to the Child Study Team.

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5. When the suspension of an educationally disabled pupil exceeds a total of 10 school days accumulated in a school year, the Child Study Team shall review the status of that pupil in order to:
 - a. Determine if the behavior that resulted in the suspension was primarily caused by the pupil's educational disability;
 - b. Determine if the pupil's individualized education program is appropriate;
 - c. Prepare and forward to the Chief School Administrator and parents/guardians a written report with recommendations.
6. Where drugs, alcohol, or any other controlled dangerous substance are involved, certification that the pupil is not currently using drugs from a doctor shall be required prior the pupil's return to school.
7. Upon readmission, failure to complete the make-up assignments will result in a meeting with the parents/guardians. The Chief School Administrator or his/her designee will notify parents/guardians by telephone and send a letter confirming the telephone conversation immediately.

B. Long-term suspension (more than 10 days)

A long-term suspension may be given to a pupil who is involved in an extremely serious offense (e.g. assault, possession or distribution of controlled or dangerous substance, a weapons offense in the school, etc.)

1. Referral to the district Child Study Team for evaluation as appropriate (or re-evaluation for a pupil classified as having an educational disability). The purpose of the evaluation is for a determination to be made as to whether the pupil's behavior is primarily caused by an educational disability.
2. Depending on the number of days of suspension, tutoring or home instruction may be provided to the pupil.
3. Pupils who are under suspension will be required to make up all assignments missed during the period of their suspension and will be given adequate opportunity to make up this work
4. Upon readmission, failure to complete the make-up assignments will result in a meeting the parents/guardians. The Chief School Administrator or his/her designee will notify parents/guardians by telephone and send a letter confirming the telephone conversation immediately.

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Should the pupil receive any further suspension, the Administrator will notify the Chief School Administrator.

The Chief School Administrator and other Administrators will jointly:

- A. Conduct a pupil/parent conference;
- B. Determine the length of suspension and determine if the case should be referred to the Board of Education for an expulsion hearing and/or the Child Study Team for evaluation.

In-school Suspension

The Board of Education directs the Administration to arrange for facilities for in-school suspension whenever possible. Pupils assigned to in-school suspension will be required to occupy themselves with school-related work during such suspensions. No socializing shall be permitted. Pupils shall be counted as present in school but absent (excused) from individual classes.

Expulsion

A suspension is a temporary removal from school, while an expulsion is a permanent exclusion from school. The Board of Education will consider expulsion only if:

- A. The Chief School Administrator and his/her staff have exhausted all other means of bringing about a correction of repeated misconduct; or,
- B. The nature of a single act presents such a clear possibility of danger to others that immediate definitive action is warranted.

The Administrator will follow the procedure explained in B “Long-Term Suspension” of this policy while preparing for an expulsion hearing. In addition the pupil and his/her parents/guardians will be provided with:

- A. A written notice containing the date and time of the hearing and a statement of the specific charges that justify expulsion. The pupil will also be informed of his/her right to be represented by an attorney.
- B. A list of witnesses against the pupil and a written report on the facts to which the witnesses will testify.
- C. An opportunity for the pupil to present his/her own defense and to produce either by oral testimony or written affidavits of witnesses in his/her behalf.
- D. An opportunity to confront and cross-examine witnesses.

Appeals to the Chief School Administrator and Board of Education

In order to provide for an orderly process regarding the appeal of pupil disciplinary decisions made by school Administrators, all appeals to the Chief School Administrator and the Board of Education shall be in writing.

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Written appeals of pupil disciplinary decisions shall state:

- A. The section of the state law, Board of Education policy, or student discipline code that was violated.
- B. The decision of the Assistant Principal, and when appropriate, of the Chief School Administrator.
- C. The facts and circumstances involved in the disciplinary action.
- D. The reason or reasons why the Chief School Administrator decision should be changed or reversed.
- E. The remedy or solution sought.

Written appeals shall be submitted to the Chief School Administrator. The Chief School Administrator will review the appeal and pupil disciplinary record. The Chief School Administrator may;

- A. Grant or deny the appeal. The decision will be based on evidence that a state law, Board of Education policy or Student Disciplinary Code was violated.
- B. Make recommendations for Board of Education to hear or not hear the appeal.

The Chief School Administrator will inform the parents/guardians in writing of his/her decision.

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Legal References

- NJSA 2C:12-1 Definition of assault
18A:11-1 General mandatory powers and duties
18A:37-1 et seq. Discipline of pupils
18A:40A-1 et seq. Substance abuse
- NJAC 6A:14-2.8 Discipline/suspension/expulsions
6A:16-1.1 et seq. Programs to Support Student Development
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
6A:32-12.2 School-level planning
- 20 U.S.C.A. 1400 et seq. - Section 504 of the Rehabilitation Act of 1973
P.L. 103-382, Improving America's Schools Act of 1994
Goss v. Lopez, 419 U.S. 565, 581 (1975)
Tibbs v. Franklin Township Board of Education, 114 N.J. Super. 287 (App. Div.)
aff'd 59 NJ 506 (1971)
R.R. v. Shore Reg. Board of Education, 109 N.J. Super. 337 (Ch. Div. 1970)
H.A. v. Board of Education Warren Hills Regional, 1976 S.L.D. 336
82: July 28, C.F. v. Board of Education of the Upper Freehold Regional School
District
Honig v. Doe, 484 U.S. 305 (1988)
Somerset County Educational Services Commission v. North Warren Board of
Education
1999 S.L.D. September 7
State in re G.S. 330 N.J. Super. 383 (Ch. Div. 2000)
See also Commissioners' Decisions indexed under "Pupils-Punishment of" in Index
to N.J. School Law Decisions
A Uniform State Memorandum of Agreement Between Education and Law
Enforcement Officials

Possible Cross References

5113, 5124, 5131.5, 5131.7, 6154, 6164.2, 6164.4, 6171.4, 6172, 6173

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**Date Revised: May 31, 2007,
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Philosophy

The teaching and learning process will take place in an orderly educational environment, with open communication, self-discipline and clearly understood lines of authority and control.

The Deerfield Township School District believes that all students can function as competent, dependable human beings, can achieve mastery of basic skills, and can demonstrate responsible behavior, regardless of cultural or social background.

All students can learn and have the right to attend the Deerfield Township School which is safe, disciplined and drug-free. The school is committed to providing a school curriculum which fosters high expectations while maintaining a school climate which is conducive to learning.

As educational standards and state guidelines continue to increase, it is necessary for a school to maintain the most learning conducive environment possible. In order to create an environment that is learning conducive for all students, pupils will be expected to perform and adhere to a code of conduct that compliments the learning community.

As most students will modify behavior faster under praise than criticism, the general approach will be the attempt to identify the social, emotional and academic issues that underlie a student's attitude or misconduct. School and outside resources will be used to remedy the concern. Parental involvement and support will also be a critical component for student success in remediating problematic behaviors.

Discipline Code of Conduct Mission Statement

Deerfield Township School expects students to conduct themselves in keeping with their level of maturity. In every instance in which school staff acts to help students conduct themselves properly, emphasis shall be placed upon first, maintaining order in the school and promoting a safe atmosphere conducive to learning and second, the growth (Positive Behavior Supports in School). Through PBSIS students can receive daily incentives that can later be used to earn additional rewards. Those students that demonstrate and model positive social interactions, show respect and do not accrue discipline points will be recognized by the district.

Parents/ Guardians shall be afforded adequate opportunities to work with school staff in helping, supporting and correcting students. When it becomes necessary to assign a student to serve detention as a means of enforcing discipline, the school shall notify the parents/guardians at least

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one day in advance, so they can make necessary arrangements to provide transportation, however, the parent/guardian may choose to hold the detention the same day they are notified, should they be asked.

The authority of any staff member shall extend over every student, on every part of the school property, at any time, and at all school functions, regardless of location. In order to provide an effective and efficient educational program, it is necessary to have a safe and orderly environment for all.

Deerfield Township School, through its student disciplinary code, believes that it will help students assume responsibility for their behavior and teach students that the best for of discipline is self-imposed.

In order to maintain an efficient climate for learning, the school must be free of/from distractions. Those students who are disruptive in a learning situation, or who are acting irresponsibly, will be considered to be interfering with the education of others. The most important link in the effectiveness of any disciplinary code is the classroom teacher. The majority of student disciplinary problems shall be addressed by the teacher who actually observes the inappropriate behavior.

Teachers and staff members have the first responsibility to maintain inappropriate student conduct with the students in their charge. Administrators may modify disciplinary action, based upon the unique circumstances of the offense. Furthermore, the administration reserves the right to act upon any behavior which is deemed as being detrimental to the promotion of a safe environment, or prohibits the learning of students. Administration has the right to impose more or less severe consequences depending on the incident, evidence, and investigation results. Incidents that occur off of school property may result in administrative consequences of such incidents disrupt a student(s) school day in any way.

A parent conference may be requested by any staff member to discuss student behavior. Students shall be required to adhere to the rules and regulations presented by the administration of the Deerfield Township School. Such rules shall require that students:

1. Respect the person and property of others in the school.
2. Respect the rights of others, both personally and educationally.
3. Participate in school programs in which they are enrolled to their maximum ability.
4. Conform to reasonable standards of socially acceptable behavior.
5. Respect and respond to those who hold legally constituted authority within the school.

BE SAFE

BE RESPONSIBLE

BE RESPECTFUL

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Disciplinary Action

Teachers and staff members have the first responsibility to maintain appropriate student conduct with the students in their charge. A conduct referral must include prior actions taken, counseling and/or remedial actions.

Once an incident has been referred to the Administration, it is the responsibility of the Assistant Principal or Administrator in charge to determine the nature of the consequences. The Assistant Principal or other Administrator may hold conferences with students, parents, staff members and teachers to learn more about the circumstances surrounding the issue and to determine the nature and extent of the consequences. Factors contributing to the consequences include, but are not limited to the seriousness of the behavior, the frequency of referrals, developmental issues of the student, the general philosophy of the Student Code of Conduct and the Discipline Coe Mission Statement.

In the absence of the Assistant Principal, disciplinary problems may be referred to the Chief School Administrator or his/her designee.

Student Rights and Responsibilities

Deerfield Township students will be guaranteed that:

- Fairness and reasonableness are provided to each student in each case;
- No disciplinary action will exceed the seriousness of the offense;
- All students will receive consistency of treatment;
- Students will be afforded disciplinary action without discrimination and in accordance with the rules of due process;
- Standards of conduct forbid injury to persons or property;
- Students will not interrupt the educational process for themselves or others;
- All students will abide by the general rule of showing proper respect to the school, its property, its personnel and its policies;
- All students will conform to the individual building and classroom procedures as defined by the classroom teacher and administration;
- Students who exhibit unacceptable behavior will be subject to the penalties set forth by the classroom teacher and/or the administration; and,
- All students will conduct themselves in a safe and orderly manner while under the jurisdiction of the Deerfield Township Board of Education.

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The student rights, responsibilities and rules of conduct put forth in this document are in accordance with the New Jersey Statutes Annotated 18A:37-1, through 18A:37-11, New Jersey Administrative Code sections 6A:16-5.1 through 6A:16-5.8, as well as the standards set forth in the NJSLS – 21st Century Life and Careers.

Consequences

In most instances a progression of consequences will be followed. This progression starts with the least severe consequence and progresses to the more severe consequences.

However, in certain instances, based upon the nature of the incident and the number of prior incidents with that particular student, it may be appropriate to handle the offense with a more severe consequence. Parent conferences must be conducted before the student can return to school from any out of school suspension. Students in grades 5-8 will adhere to the specific discipline code listed in the Student/Parent Handbook.

Good Disciplinary Standing

A student having been suspended once during the current year may be removed from the activity for a period of time determined by the Student Code of Conduct and the Chief School Administrator in consultation with the Assistant Principal, with the advisor, and any other parties of interest. A student, who has been suspended more than once during the current year or has reoccurring discipline issues, may be denied additional eligibility for that year's activities.

Hearing Before the Board of Education

Pupils suspended for a period of time longer than a short-term suspension may be afforded a formal hearing before the Board of Education which shall take place at the next scheduled Board Meeting. If the offense involves a weapon or an assault with or without the weapon, the hearing shall take place no later than 30 days after the suspension occurs.

In addition, if in the opinion of the Chief School Administrator, a hearing before the Board of Education would be beneficial, pupils not currently suspended may be required to attend such a hearing.

The Board of Education shall make a decision within five days of the close of the hearing. Any appeal of the Board's decision shall be made to the Commissioner of Education within 90 days of the Board's decision.

The Board requires that such hearing shall be closed to the public, but should all parties thereto agree, the hearing may be publicly held. Each suspend pupil who has requested a formal hearing may be restored to the regular educational program pending the outcome of the hearing, except

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when, in the opinion of the Chief School Administrator, the presence of the pupil in school poses such a danger to himself/herself or others as to warrant continued absence.

The Board may, as a part of its findings, place the pupil on disciplinary probation rather than serve or continue to serve an out-of-school suspension. The Board will determine the length of time the probation period shall last and may require the pupil to complete a school-based community service project as a part of his/her punishment. The details of the community service project will be proscribed by the Chief School Administrator with input from the Assistant Principal and the Board of Education. The parents/guardians of the pupil will be advised by the Chief School Administrator or his/her designee of the details and duration of the probation/school-based community service project.

Failure on the part of the pupil to complete the assigned community service project may subject the pupil to immediate suspension as direction by the Assistant Principal and/or the Chief School Administrator.

Detention/In-School Suspension Guidelines

Students assigned to detention and/or in-school suspension will report directly to the person in charge, in the designated room, at the designated time. Upon arrival, students will not talk and will complete all work assigned. In the event the student completes schoolwork; appropriate assignments will be given to occupy the student's time while serving detention and/or in-school suspension.

The administration reserves the right to assign additional disciplinary actions not listed here as appropriate to the offense and within reasonable limits. Furthermore, as determined by the school administration, some offenses may warrant immediate suspension, removal from school and/or police notification. A few examples of actions that require immediate suspension and removal from school are fighting, violence, possession of a weapon, or possession of/use of drugs.

The following is a list of some offenses that warrant disciplinary action:

- Misconduct in the Classroom: Any behavior requiring a teacher to send a student to the office is a policy violation.
- Misconduct in the Cafeteria: Any behavior disruptive to safe and pleasant dining experience.
- Misconduct on the Bus: Any behavior interrupting the safe operation of the transportation system.
- Defiant or Insubordinate Behavior: In or outside the classroom.

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- Defacing, Destroying or Stealing school property or the property of others.
- Academic Dishonesty/Plagiarism/Cheating: Producing a signature or reproducing anything for deceptive purposes, including using the work of others without the appropriate citation and copying another student's work.
- Obscene/Vulgar Language and/or Gestures, including Name Calling.
- Bullying, Intimidation and/or Harassment
- Violence, any form including, but not limited to, fighting, instigating or prearranging fights, verbal threats and intimidation.
- Extortion: Taking money or valuables from an individual through threats or assault. This offense also requires the perpetrator to replace what was taken.
- Possession of a Weapon: A weapon or any item that may be used as a weapon in the school, at school activities or traveling to or from school.
- Sexual Harassment: Sexual Harassment can be considered student to student or student to adult.
- Possession/Sale/Exchange or Use of Drugs: Intoxicants (alcohol), tobacco, intoxicants, narcotics, or drug paraphernalia in or on school grounds during any school activity is a violation of this policy.
- Truancy: Any unexcused absence is a policy violation.
- Excessive Absence: A five-day notice may be filed with the courts as required by law.
- Leaving School Grounds or School Building Without Permission.
- Failure to Attend Class: Cutting or missing any assigned classes is a violation of this policy.
- Failure to Attend Detention: It is the student's responsibility to report to their detention as assigned. Additional detentions will be assigned with a student does not report as scheduled.
- Any other offense that warrants administrative action.

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Legal References

- NJSA 2C:12-1 Definition of assault
2C:39-5 Unlawful possession of weapons
18A:6-1 Corporal punishment of pupils
18A:25-2 Authority over pupils
18A:36-19a Newly enrolled students; records and identification
18A:37-1 et seq. Discipline of Pupils
18A:40A-1 et seq. Substance Abuse
- NJAC 6A:14-2.8 Discipline/suspension/expulsions
6A:16-1.1 et seq. Programs to Support Student Development
6:32-12.1 Reporting requirements
6:32-12.2 School-level planning

Possible Cross References

5114.4, 5114.5

Discipline Code of Conduct Mission Statement

Deerfield Township School expects students to conduct themselves in keeping with their level of maturity. In every instance in which school staff acts to help students conduct themselves properly, emphasis shall be placed upon first, maintaining order in the school and promoting a safe atmosphere conducive to learning and second, the growth (Positive Behavior Supports in School). Through PBSIS students can receive daily incentives that can later be used to earn additional rewards. Those students that demonstrate and model positive social interactions, show respect and do not accrue discipline points will be recognized by the district.

Parents/Guardians shall be afforded adequate opportunities to work with school staff in helping, supporting and correcting students. When it becomes necessary to assign a student to serve detention as a means of enforcing discipline, the school shall notify the parents/guardians at least one day in advance, so they can make necessary arrangement to provide transportation, however, the parent/guardian may choose to hold the detention the same day they are notified should they be asked.

The authority of any staff member shall extend over every student, on every part of the school property, at any time, and at all school functions regardless of location. In order to provide an effective and efficient educational program it is necessary to have a safe and orderly environment for all. Deerfield Township School, through its student disciplinary code, believes that it will help student assume responsibility for their behavior and teach student that the best form of discipline is self-imposed.

In order to maintain an efficient climate for learning, the school must be free of/from distractions. Those students who are disruptive in a learning situation, or who are acting irresponsibly, will be considered to be interfering with the education of others. The most important link in the effectiveness of any disciplinary code is the classroom teacher. The majority of student disciplinary problems shall be addressed by the teacher who actually observes the inappropriate behavior.

Teachers and staff members have the first responsibility to maintain appropriate student conduct with the students in their charge. Administrators may modify disciplinary action based upon the unique circumstances of the offense. Furthermore, the administration reserves the right to act upon any behavior which is deemed as being detrimental to the promotion of a safe environment, or prohibits the learning of students. Administration has the right to impose more or less severe consequences depending on the incident, evidence, and investigation results. Incidents that occur off of school property may result in administrative consequences if such incidents disrupt a student t(s) school day in any way.

A parent conference may be requested by any staff member to discuss student behavior. Students shall be required to adhere to the rules and regulations presented by the administration of the Deerfield Township School. Such rules shall require that students:

1. Respect the person and property of others in the school.
2. Respect the rights of others both personally and educationally.
3. Participate in school programs in which they are enrolled to their maximum ability.
4. Conform to reasonable standards of socially acceptable behavior.
5. Respect and respond to those who hold legally constituted authority within the school.

BE SAFE

BE RESPONSIBLE

BE RESPECTFUL

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The Board of Education expects pupils to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other pupils, for the educational purpose underlying all school activities, and for the care of school facilities and equipment.

The Board of Education believes that standards of pupil behavior must be set cooperatively by interaction among the pupils, parents, staff and community, producing an atmosphere which encourages pupils to grow in self discipline. Such an atmosphere must include respect for self and others, as well as for district and community property.

The best discipline is self-imposed, and pupils must learn to assume and accept responsibility for their own behavior, and for the consequences of their misbehavior. Staff members who interact with pupils shall use preventive disciplinary action and place emphasis on the pupil's ability to grow in self-discipline.

The Chief School Administrator shall develop general guidelines for pupil conduct on school property and may develop detailed regulations suited to maintaining appropriate student behavior.

The Board believes that an effective instructional program requires an orderly school environment and that the effectiveness of the educational program is, in part, reflected in the behavior of pupils.

Board policy requires each pupil of this district to adhere to the rules and regulations established by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. The Chief School Administrator shall provide to pupils and their parents the rules of this district regarding pupil conduct and the sanctions that may be imposed for breach of those rules.

Pupils who display chronic behavioral or academic problems may be referred to the Child Study Team by the Chief School Administrator/designee for possible identification as disruptive or disaffected. Such referrals shall be in strict accordance with the due process regulations prescribed by the administrative code. Pupils so identified shall be provided with appropriate programs and services as prescribed by the Child Study Team.

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A pupil whose presence poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process, may be suspended or expelled, following due process. Before expulsion proceedings may begin, the pupil must be referred to the Child Study Team for comprehensive evaluation.

Teaching staff members and other employees of this Board having authority over pupils shall take such lawful means as may be necessary to control the disorderly conduct of pupils in all situations and in all places where such pupils are within the jurisdiction of this Board.

Implementation

The Chief School Administrator and Assistant Principal shall ensure that the rules for this policy are applied consistently and uniformly, and that all disciplinary sanctions are carried out with necessary due process.

Legal References

- NJSA 2C:12-1 Definition of assault
- 2C:39-5 Unlawful possession of weapons
- 18A:6-1 Corporal punishment of pupils
- 18A:25-2 Authority over pupils
- 18A:36-19a Newly enrolled students; records and identification
- 18A:37-1 et seq. Discipline of Pupils
- 18A:40A-1 et seq. Substance Abuse
- 18A:54-20 Powers of board (county vocational schools)

- NJAC 6A:14-2.8 Discipline/suspension/expulsions
- 6A:16-1.1 et seq. Programs to Support Student Development
- 6:32-12.1 Reporting requirements
- 6:32-12.2 School-level planning

Possible Cross References

5114.4, 5114.5

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The Board of Education recognizes that the 4th Amendment Right to Privacy applies to students and that they are therefore entitled to be free from unreasonable searches and seizures by school officials. The Board furthermore recognizes that the Legislature has specifically charged school officials with the duty of maintaining order, safety and discipline.

School officials shall have reasonable grounds to believe that a student possesses evidence of illegal activity or of an activity that would interfere with school discipline and order before a reasonable search shall be conducted.

Desks and other storage areas assigned to students are school property and these shall be subject to regular and periodic inspection by the administration in order to insure proper health and safety standards. Areas may be inspected at any other time when reasonable grounds of such an inspection exist.

Whenever reasonable grounds to conduct a specific area search exists, the administration shall consider the source of the information, the reliability of the source, the actions of the student, the age and history of the student, the seriousness of the problem to the school, the need for immediacy as compared to parental knowledge or notification and the relationship of the search to the alleged wrong doing.

After due consideration of these items, the administration shall decide if a search is warranted. If so, there shall be present at all times the following whenever possible;

- The administrator

- The student

- The parent or legal guardian

- A witness in place of the parent if the parent/guardian is not available

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If criminal activity is involved or suspected, law enforcement officers shall be contacted for their assistance. The Chief School Administrator/designee shall protect the student's individual rights at all times.

The administration shall be responsible for the custody, control and disposition of any object seized (unless superseded by a law enforcement officer) and shall be responsible for the prompt recording in writing of all reasons for the search, persons present, items found and seized and disposition of them.

Legal References

NJSA 18A:36-19.2 Inspection of student lockers
18A:25-2 Authority over pupils

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Role Of The Teacher & Other Professional Staff

Policy 5114.9

Date Adopted: April 26, 2006

Date Revised

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The Board believes that staff members shall demonstrate, by word and action, respect for law and order, and self-discipline, and require observance of school rules and regulations. Staff members shall continually seek appropriate resources to affect positive change in student behavior and shall reinforce such positive behavior.

The Board recognizes the essential role of staff members in providing direction and guidance so students can learn, think and reason and be responsible for their actions. To this end, members shall demonstrate their dedication and enthusiasm for teaching and learning. Staff members should seek to keep students and parents informed regarding student progress as well as treat students with respect and concern. The Board expects teachers to be consistent, fair and firm in dealing with students both in and out of the classroom. Staff members are further expected to provide input in the review and revision of school rules and regulations regarding student conduct.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

Possible Cross References

1120, 5125, 5141.6, 5145.5

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Role Of The Principal / Assistant Principal

Policy 5114.11

Date Adopted: April 26, 2006

Date Revised

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The Board recognizes the necessary role of the Principal/Assistant Principal in promoting an environment conducive to good learning. The Principal/Assistant Principal is expected to become involved with the students by attending school activities and visiting classrooms. The Principal/Assistant Principal shall be responsible for assisting in the development of effective schedules and teaching assignments for students and staff. The Board believes that the best interests of the students are served by demonstrating, by work and example, respect for law and order, self-discipline, and sincere concern for all persons under the Principal's/Assistant Principal's authority. The role of the Principal/Assistant Principal includes the exercising of said authority as assigned by the Board of Education and the Chief School Administrator as well as providing the staff and Chief School Administrator with adequate support to carry out their disciplinary roles. The Principal/Assistant Principal shall afford all students the rights of due process and equal protection that are guaranteed under the law.

The Board expects that the Principal/Assistant Principal shall be consistent, fair and firm in decisions affecting students, staff and parents and shall set up and maintain effective lines of communications. The role of the Principal/Assistant Principal shall include working with students, teachers, other staff members and parents to establish cooperative techniques for bringing about positive behavior. The Board recognizes the vital role of the Principal/Assistant Principal in providing input in the review and revision of school rules and regulations regarding student conduct.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:12-21 et seq School Ethics Act

NJAC 6A:28-1.1 et seq School Ethics Commission
6A:30-1.1 et seq Evaluation of Performance

Possible Cross References

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

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**Role Of The Chief School Administrator &
The Board of Education**

Policy 5114.12

Date Adopted: April 26, 2006

Date Revised

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The Board recognizes the role of the Chief School Administrator and/or Board member to include demonstrating, by work and example, respect for law and order, self-discipline, and a sincere concern for all persons under his/her authority. The Board and the Chief School Administrator shall employ and maintain a well-trained staff at all levels and shall support the staff by enforcing discipline in accordance with district policies and New Jersey State Law. The Board recognizes its responsibility as well as that of the Chief School Administrator to develop programs that provide for the needs of all students including those with special needs. The Board and the Chief School Administrator shall be fair and consistent in rendering decisions regarding students whose behavior problems have been referred or appealed to the Chief School Administrator and/or the Board of Education. It is essential that the Chief School Administrator and the Board keep the community informed of all school activities through regular publications, announcements, meeting, etc.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:12-21 et seq School Ethics Act

NJAC 6A:28-1.1 et seq School Ethics Commission
6A:30-1.1 et seq Evaluation of Performance

Possible Cross References

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

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No Smoking

Policy 5117

Date Adopted: April 26, 2006 Date Revised: August 27, 2014

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The Board of Education recognizes the medical danger associated with the use of tobacco and is cognizant of its statutory duty pursuant to NJSA 26:3D-15 regarding smoking in school facilities. Additionally, the Board of Education believes that the right of persons to smoke must be balanced against the right of those who do not smoke to breathe air untainted by tobacco smoke. In order to protect pupils and employees who choose not to smoke from an environment noxious to them and potentially damaging to their health, the Board prohibits smoking in all buildings and school grounds belonging to the District and in all school vehicles.

Definition of Smoking, Tobacco Products & Tobacco Use

For the purposes of this policy, “tobacco product” is defined to include but not limited to cigarettes, cigars, blunts, bidis, pipes, chewing tobacco and all other forms of smokeless tobacco, rolling papers, or electronic smoking device or similar product or device or any other items containing or reasonably resembling tobacco or tobacco products (excluding quit products). “Tobacco use” includes smoking, chewing, dipping, or any other use of tobacco or similar products.

Prohibition of Smoking by Pupils

- A. Pupils are not permitted to smoke at any time in school buildings, or anywhere within school boundaries, or on school buses, or when on a school-sponsored trip or activity off school premises.
- B. Pupils are not permitted to possess tobacco products or smoking paraphernalia while on school property.
- C. Pupils who are found exhaling smoke or possessing tobacco products or smoking paraphernalia shall be subject to school discipline codes approved by the Board of Education.

A student holding a cigarette or other form of tobacco will be considered smoking and will be subject to disciplinary action.

Prohibition of Smoking for Persons Other Than Pupils

- A. No person is permitted to smoke at any time in any building, on any school property or any school vehicle owned by the Board of Education.
- B. Sanctions for violations

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First offense:

Issuance of a verbal warning, documented in writing, if address of the offender is known. For employees the warning will include a suggestion to participate in a smoking cessation program.

Second offense:

Issuance of a written warning if the offender's address is known. For employees this written warning will be placed in the personnel file.

Third or more offenses:

Written complaint to the local Board of Health and/or municipal court/prosecutor. If the offender is an employee of the complainant, the documentation will be placed in the personnel file.

Employees who fail to comply with NJSA 26:3D-15 and this policy are subject to standard employee discipline procedures, in addition to the sanctions noted in B(1-3) above.

The Chief School Administrator and/or designee, is authorized to report violations, in accordance with the law to the County Board of Health and/or local municipal court/prosecutor.

Signs and Reminders

- A. Appropriate "No Smoking in This Building" signs will be posted at every entrance to each building and in appropriate other locations on the school grounds and in vehicles owned by the Board of Education.
- B. At the beginning of activities that involve large numbers of visitors (e.g. athletic events, concerts, awards, ceremonies) an announcement will be made which state that smoking is prohibited in this building or on these grounds.

Legal References

- NJSA 2C:33-13 Smoking in public
30:5B-5.3 Smoking – child care centers
- NJAC 6A:16-3.1(a)7 Tobacco abuse
PL 103-227, Goals 2000: Educate America Act (Pro Children Act of 1994)
PL 2001, Chapter 226
No Child Left Behind Act of 2001, Pub. L. 107-110

Possible Cross References

1250, 1330, 3515, 4119.23, 4219.23, 5131.6

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Nonresident Students

Policy 5118

Date Adopted: July 27, 2006

Date Revised: April 24, 2014,

June 22, 2017

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The Deerfield Township Board of Education will admit children of school age who reside in this district and will admit other children in accordance with Title 18A, New Jersey Administrative Code, and this policy. The Board reserves the right to establish procedures to verify the residency or anticipated residency of any pupil and the validity of any affidavit of guardianship.

Any person who knowingly violates these statutes may be found guilty of a disorderly person's offense and subject to prosecution by legal authorities.

Nonresident students are defined as those students whose parents or legal guardians are domiciled outside the school district. Domicile means a person's true and permanent home. The school district is only obligated to educate residents and those nonresidents who fall with certain narrow categories that are listed below. Nonresident students shall not be permitted to attend public school unless they fall into one of the following categories:

Former Residents

Any student having attended our school whose parents/guardians have moved out of the school district after the first marking period has ended may be permitted to finish the school year without payment of tuition, provided that:

1. They are not special education students who require additional services outside of the school district.
2. They are not high school students.
3. Their enrollment will not necessitate any additional classroom personnel.
4. They have submitted a written request to the Chief School Administrator and the Board of Education.

Under no circumstances will the Board provide transportation to or from the Deerfield Township School District or any other educational facility.

Nonresident Students

Nonresident students may be admitted to this district upon payment of tuition or if a sending - receiving contract has been signed by another Board of Education, subject to class size, availability of program, and other unforeseen circumstances as determined by the Board. Parents of nonresident students who are attending Deerfield Township School on a tuition basis will pay a monthly tuition charge in advance of attendance on or before the first day of each month.

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This shall not include attendance that is justified on the basis of living full time with district residents because of temporary, personal or financial hardship in their own family. In these cases, legal affidavits must be signed, and acceptance will be at the discretion of the Chief School Administrator.

Family Crisis

Notwithstanding the provisions of NJSA18A:38-1 or any other law, rule, or regulation to the contrary, a child and his/her parent(s)/guardian(s) who moves out of the school district as a result of domestic violence, sexual abuse or other family crises in accordance with the provisions of the Administrative Procedure Act, (P.L. 1968, c410 (C.52:14B-1 et seq.)), shall be permitted to remain enrolled in the school district for the remainder of the school year. Parents/guardians are required to inform the Chief School Administrator immediately, in writing, in all such cases. This notification must include any and all documentation of the family crises, and include pertinent documents on file with the courts, legal authorities and/or the New Jersey Division of Child Protection & Permanency (DCP&P).

If the child remains enrolled in the district for the remainder of the school year, the school district shall provide transportation services to the child, provided the child lives remote from school, and the State of New Jersey shall reimburse the school district for the cost of the transportation services.

Nothing in this policy shall be construed to affect the rights of homeless students pursuant to section 19 of P.L.1979, c.207 (C.18A:7B-12), section 3 of P.L.1989, c.290 (C.18A:7B-12.1), or any other applicable State or federal law.

The Chief School Administrator shall develop procedures for the enrollment of nonresident children whose admittance will be made after proper application by the parent/guardian.

Foreign Exchange Students

Parents who desire to sponsor students in state or federally approved foreign and/or other student high school exchange programs must first contact the Chief School Administrator for approval from the Deerfield Township School District Board of Education. Board of Education approval will be based on the financial stability of the district during a particular year; however, approval shall not exceed two (2) students per year.

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The Board shall not be responsible for the transportation to or from any school of any nonresident.

Residency Requirement

The children of families who have signed a contract to buy, build, rent and establish a permanent residence in that domicile within the school district may apply for admission to the Deerfield Township School. It is to be understood that the anticipated date by which a Certificate of Occupancy is to be issued and permanent residency established will be by the last student day prior to October 15th in order for the pupil(s) to begin school as of September 1st.

The Board reserves the right to assess tuition at the established and approved annual rate. Tuition payments will be made on or before the 1st day of each month and in advance of attendance. If the family becomes domiciled on or before October 15th, any and all tuition payments already made will be refunded to the family. If the family has not established a legal residency in the township by that date, the Board reserves the right to deny further attendance or to impose tuition charges until a Certificate of Occupancy is issued. Families that are not in receipt of a Certificate of Occupancy may petition the Board for an extension. Written requests for an extension for extenuating circumstances must be accompanied by official documentation stating the reason(s) and the projected residency establishment date. If an extension is granted, any and all tuition payments previously collected and any future payments will be retained by the school district.

Under no circumstances will the Board provide transportation to or from the Deerfield Township School District or any other educational facility to nonresident students.

Every Student Succeeds Act (ESSA) and Foster Care

In accordance with the provisions of the Every Student Succeeds Act (ESSA), which reauthorized the Elementary and Secondary Education Act (ESEA), the district shall work with child welfare agencies to ensure the educational stability of children who are in foster care.

Definitions

For the purposes of this policy and procedures within it, “foster care” means 24-hour substitute care for children placed away from their parents or guardians and for whom the appropriate child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.

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Background

Amendments to NJSA 18A and NJSA 30 established requirements to support and implement federal legislation require child welfare agencies and school districts to collaborate, and to keep children in foster care in the same school, even if their living placements change, provided that remaining in that school is in the best interest of the child. As a part of the legislation, the educational stability of children in foster care is the joint responsibility of both the education and child welfare systems.

The New Jersey Departments of Children and Families (DCF) and Education (DOE) have collaborated with local school districts to successfully implement those amendments, and will continue to collaborate to support the implementation of the new requirements under ESSA.

Procedure/Regulation

The district shall implement the Title I educational stability requirements for children in foster care, by ensuring that:

- A child in foster care remains in his/her school of origin unless it is determined that remaining in the school of origin is not in that child's best interest;
- To the extent feasible and appropriate, the child remains in his/her school of origin while this determination is being made by DCF;
- If it is not in the child's best interest to stay in his/her school of origin, the child must be immediately enrolled in the new school even if the child is unable to produce records typically required for enrollment;
- The new or enrolling school must immediately contact the school of origin to obtain relevant academic and other records; and,
- Upon notification from DCF of their designated Point of Contacts (POCs), the district shall designate a corresponding (district) POC.

The district shall update information such as, but not limited to, the designated district POC.

Additionally, the district shall establish and maintain procedures regarding, but not limited to, the following:

- Collaboration and communication with the appropriate state or local child welfare agency to ensure children in foster care have transportation to and from school; and
- Tuition reimbursement to avoid barriers to immediate enrollment.

The Division of Child Protection and Permanency (DCP&P) Local Offices serves the district in matters such as this, and once the district POC information is provided, the appropriate DCP&P offices will be provided with their name(s) and contact information.

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POC Roles & Responsibilities

Once the district has assigned an individual or individuals as POC, the roles and responsibilities of the POC(s) may include, but are not limited to:

- Gathering school related information in order to assist with the best interest determination;
- Facilitating the transfer of records and ensuring that children in foster care are enrolled in and regularly attending school;
- Facilitating data sharing with DCP&P, consistent with FERPA and other privacy protocols;
- Assisting with referrals for Child Study Team services;
- Assisting with school transportation; and
- Providing professional development and training to school staff on the Title I provisions and educational needs of children in foster care, as needed.

Annually, the POC(s) shall be assigned by the appropriate administrative personnel and updates provided to the DCP&P. In addition, any authorized changes to the roles and responsibilities of the POC(s) shall be provided to the POC(s).

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Legal References

NJSA 18A:7F-3 Definitions
18A:11-1 General mandatory powers and duties
18A:36B-1 et seq. Interdistrict Public School Choice Program Act of 1999
18A:38-1 et seq. Attendance at school free of charge
18A:46-20 Receiving pupils from outside district; establishment of facilities
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:12-1.3 et seq. Interdistrict Public School Choice
6A:17-1.1 et seq. Students at Risk of Not Receiving a Public Education
6A:22 Student residency
6A:22-3 Eligibility to attend school
6A:22-3.1 Students domiciled within the school district
6A:23A-19.2 et seq Method of determining the district of residence
6A:23A-19.3 Address submission for determining the district of residence

Illegal Immigrant and Immigration Responsibility Act of 1997, 8 U.S.C. § 1101
Board of Education of the Borough of Englewood Cliffs v. Board of Education of the
City of Englewood, 132 NJ 327; cert. denied, 510 U.S. 991 (1993); subsequent
listing
333 N.J. Super. (App. Div. 2000)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
J.A. v. Board of Education of South Orange/Maplewood, 318 N.J. Super. 512
(App.Div 1999)

Possible Cross References

3240, 5111

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Extracurricular / Co-Curricular Activities

Policy 5118.4

**Date Adopted: August 23, 2006 Date Revised: Aug. 27, 2014,
Sept. 23, 2015, Jan. 24, 2019,
August 29, 2019**

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The Board believes that the educational goals and objectives of the district are best achieved by a diversity of learning experiences, some of which are more appropriately conducted outside the regular classroom program.

The purpose of extracurricular/co-curricular shall be:

- A. To develop useful new capabilities in pupils that can lead to extension of career opportunities;
- B. To develop pupil initiative and provide for the exercise of responsibility;
- C. To develop leadership capabilities and good organizational skills;
- D. To aid pupils in the social skills;
- E. To enable pupils to explore a wider range of individual interests than might be available in the regular program.

For purposes of this policy, “extracurricular/co-curricular” shall be those activities that are sponsored or approved by the Board but are not offered for credit toward graduation. Such activities may be conducted outside the regular school day, available to pupils who voluntarily elect to participate, marked by pupil participation in the processes of initiation, planning, organizing and execution and shall ordinarily include band, clubs such as Student Council, N.J.H.S. and Safety Patrol, dramatic or musical presentations, and intramural and interscholastic sports.

Equal access to school facilities shall be granted to all activities that meet this definition. The Chief School Administrator shall prepare procedures to implement an extracurricular/co-curricular program, which shall:

- A. Assess the needs and interests of the pupils of this district;
- B. Ensure the provision of competent guidance and supervision by staff;
- C. Guard against the exploitation of pupils;
- D. Provide for a variety of experiences and a diversity of organizational models;
- E. Provide for the continuing evaluation of the extracurricular/co-curricular program and staff;
- F. Ensure that all extracurricular/co-curricular activities are open to all eligible pupils and that all pupils are fully informed of the opportunities open to them.

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Only persons in the employ of the Board of Education shall be permitted to organize district pupils during school time or during any extension to the school day for purposes of instruction or coaching or for conducting games, events, or contests in physical education or athletics.

No activity shall be considered to be under the sponsorship of this Board unless it has been approved by the Board on recommendation of the Chief School Administrator. Fund-raising activities of extracurricular/co-curricular groups must be approved by the Board.

All pupils in good disciplinary and academic standing shall have equal access to all extracurricular/co-curricular activities regardless of race, color, creed, religion, sex, national origin, ancestry, social or economic status, or non-applicable handicap.

Good Disciplinary Standing

A student having been suspended once during the current year may be removed from the activity for a period of time for disciplinary offences determined by the Student Code of Conduct and the Chief School Administrator in consultation with the Assistant Principal, with the advisor, and any other parties of interest. A student, who has been suspended more than once during the current year or has reoccurring discipline issues, may be denied additional eligibility for that year's activities.

Good Academic Standing

Students in grades 3-8 must maintain a "C" average overall in academic subjects and a "C" average overall in special subject areas in order to maintain good standing and have the ability to participate in co-curricular or extracurricular activities *who are failing one or more classes or are missing more than three assignments in any one class may be ineligible to participate in co-curricular or extracurricular activities until such time he /she improves his/her grades and/or completes missing assignments.*

All students will be considered eligible at the start of the new school year unless they are ineligible per the Student Code of Conduct for a period of time due to a disciplinary infraction that occurred the prior school year.

Safety Patrol, Student Council and National Junior Honor Society members are held to higher standards for both academics and behavior (see Policy 5142.1).

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Attendance

Participation in an activity may be suspended for a period of time due to poor attendance. Decisions shall be made based on the best interest of the student's academic performance after consultation with the Assistant Principal, teachers, Chief School Administrator, activity advisor, pupil and his/her parents/guardians.

Implementation

The Chief School Administrator shall develop regulations to ensure equitable implementation of this policy. Care shall be taken to ensure that all extracurricular/co-curricular programs and their operation comply with District affirmative action requirements.

Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:11-3 Voluntary associations regulating conduct of student activities;
membership; rules and regulations; appeals
18A:19-14 Funds derived from student activities
18A:35-20 Participation in courses in which verbalization unessential to
understanding of subject matter; location of and children in bilingual programs
18A:42-5, -6 Certain student organizations declared harmful
34:13A-1 et seq. New Jersey Employer-Employee Relations
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:8-3.2 Career education and counseling
6A:9-5.19 Athletics personnel
6A:16-2.2 Required health services
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-9.1 et seq. Athletics Procedures
6A:32-14.1 Review of mandated programs and services
- 20 U.S.C.A. 4071-4074 - Equal Access Act
20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
Krupp v. Bd. of Ed. of Union County Reg. H.S. Dist. #1, 278 N.J. Super. 31 (App.
Div. 1994) cert. den. 140 N.J. 277 (1994)
Good News Club v. Milford Central School, 121 U.S. 2093 (2001)
NJSIAA Constitution, Bylaws, Rules and Regulations

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Series 5000

Transfers / Withdrawals

Policy 5119

Date Adopted: April 26, 2006

Date Revised

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Transfers

All transfers of resident pupils from non-public schools shall be honored provided all requirements set forth in the policies of the Board of Education relating to pupil admissions are met.

All pupils entering the district school shall be under the jurisdiction of the district attendance policy. Absences allowed will be prorated on a monthly basis from the date the pupil enrolls in the district.

All parents/guardians of pupils or adult pupils transferring from the district must notify the administration. Records shall be transferred only after verification from the school to which the pupil is transferring.

Grade Placement of Transferred Pupils

In order to ensure assignment to the grade best suited to a pupil's needs and readiness, placement is left to the judgment of the administration and teacher(s), working in cooperation with the pupil's parents/guardians. Such placements are to be governed by the following considerations:

1. Age health and maturity of the pupil
2. Quality and extent of previous courses of study
3. Record from previous school
4. Results of standardized tests

Withdrawals

Students identified by the staff as a potential or immediate drop-out due to turning sixteen years of age and still in the Deerfield School will be requested to attend school for an assessment period of three days after they have indicated their intention of leaving school. During this three day period the following procedure is to be implemented:

- The student and the school psychologist will meet for the purpose of discussing the reason for leaving school and the student's plans for the future.
- The student and the school psychologist will meet to discuss the student's present scholastic standing.
- The student, the parent/guardians, the school psychologist and the Chief School Administrator/designee will meet to review all pertinent information and render their recommendations.

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Policy 5119**

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If, after the above procedure has been followed and the student remains firm on his/her intention to leave school, a final meeting will be scheduled between the student and the school psychologist to discuss the education and occupational alternatives that are available to them, such as:

- Graduate equivalency diploma
- Additional educational classes
- Training programs
- Work-study programs

Should the student drop out after completing the Deerfield Township School System, the Cumberland Regional High School guidance office shall be notified to intervene in the case.

All efforts will be extended in an attempt to retain the student in school and assist him/her in obtaining a High School diploma.

Legal References

NJSA 18A:7B-12 District of residence; determination
18A:36-19a Newly enrolled students; records and identification
18A:36-25.1 Proof of child's identity required for enrollment; transfer of record between districts
18A:36B-1 et seq. Interdistrict Public School Choice Program
18A:38-8 Duty to receive pupils from other districts

NJAC 6A:12-3.2 Criteria to guide the Commissioner's approval of choice program applications
6A:23-5.2 Method of determining the district of Residence
6A:32-8.2 School enrollment

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Unsafe School Choice Option Policy, New Jersey Department of Education, June 30, 2003

Possible Cross References

511, 5125, 5131, 5131.5

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Transfers (Unsafe School Choice Option)

Policy 5119.3

Date Adopted: April 26, 2006

Date Revised

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General

All transfers into the Deerfield Township School shall be in accord with file code 5111 Admission. Students transferring into the district are expected to present copies of records from the previously attended school (or district) to aid in placement. Also required are proof of immunizations and proof of identity.

Parents/guardians of pupils or adult pupils transferring from the district shall notify the Chief School Administrator in a timely manner of their intention to leave the district.

Student records shall be transferred between Chief School Administrator within the time frame prescribed by law.

Unsafe School Choice Option

If the school is identified as "persistently dangerous" by the New Jersey State Department of Education, and the Board cannot offer a safe school alternative within the district to students choosing to transfer out of a "persistently dangerous" school or to a student who has been a victim of a violent criminal offense, the Chief School Administrator shall attempt to establish an agreement with a neighboring district. The Board shall review and approve any agreement prior to its application. Transportation shall not be provided to students transferring out of a "persistently dangerous" schools and student victims of violent criminal offenses.

The Chief School Administrator shall ensure that the district complies with all requirements of federal law and the New Jersey State Department of Education. He/she shall prepare regulations to implement this policy.

Legal References

- NJSA 18A:7B-12 District of residence; determination
18A:36-19a Newly enrolled students; records and identification
18A:36-25.1 Proof of child's identity required for enrollment 18A:36B-1 et seq.
Interdistrict Public School Choice Program
18A:38-8 Duty to receive pupils from other districts
- NJAC 6A:12-3.2 Criteria to guide the Commissioner's approval of choice program applications
6A:23-5.2 Method of determining the district of Residence
6A:32-8.2 School enrollment
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Unsafe School Choice Option Policy, New Jersey Department of Education

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Needs Assessment Of Individual Pupils

Policy 5120

Date Adopted: July 27, 2006 Date Revised: October 22, 2014

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Each pupil shall be assessed upon entrance into the district's schools and beginning in grade three shall be assessed annually thereafter to identify pupils not meeting district proficiency levels.

The Chief School Administrator/designee shall develop procedures to implement a program of individual pupil needs assessment that shall include but not be limited to:

- A. Identifying district needs as the basis for development of mandated goals; development of staff in-service programs; selecting and approving instructional materials; staffing;
- B. Identifying and determining the needs of:
 - Gifted and talented pupils;
 - Disruptive pupils;
 - Disaffected pupils;
 - Potential dropouts;
 - Pupils who require basic skills improvement programs;
 - Pupils with limited English proficiency;
 - Pupils who may require formal referral to the Child Study Team for classification;
 - Pupils who exhibit one or more potential indicators of dyslexia or other reading disabilities.
- C. Disseminating results of such assessments to parents/guardians and to appropriate staff, state and federal agencies as required without invading the privacy of the individual pupil.

The Chief School Administrator/designee shall review all individual assessment procedures annually to ensure that they serve the purposes for which they are intended. At all times, these procedures shall be in full conformity with New Jersey law.

Dyslexia Assessment

Dyslexia is a specific learning disability that is neurological in origin and is characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities. The difficulties that typically result from dyslexia result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction.

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Indicators of Dyslexia

Potential indicators of dyslexia and/or other reading disabilities include, but are not be limited to:

- A. Difficulty in acquiring language skills;
- B. Inability to comprehend oral or written language;
- C. Difficulty in rhyming words;
- D. Difficulty in naming letters, recognizing letters, matching letters to sounds, and blending sounds when speaking and reading words;
- E. Difficulty recognizing and remembering sight words; consistent transposition of number sequences, letter reversals, inversions, and substitutions; and/or.
- F. Trouble in replication of content.

In accordance with the provisions of NJSA 18A:40-5.3, the Board of Education shall ensure that each student enrolled in the school district who has exhibited one or more potential indicators of dyslexia or other reading disabilities is screened for dyslexia and other reading disabilities using a screening instrument selected by the Board of Education no later than the student's completion of the first semester of the second grade.

Students enrolling or transferring into the district in kindergarten or grades one through six who exhibit potential indicators of dyslexia or other reading disabilities and who have not been previously assessed, shall be assessed using the Board-selected age-appropriate screening instrument(s). Students shall be assessed at the same time as other students enrolled in the student's grade if possible. If other students enrolled in the student's grade have previously been screened, the assessment shall be conducted within 90 calendar days of the date the student is enrolled in the district.

The screening shall be administered by a teacher or other teaching staff member properly trained in the screening process for dyslexia and other reading disabilities.

If the results of the assessment substantiate that the student possesses one or more potential indicators of dyslexia or other reading disabilities, the student shall receive a comprehensive assessment for the learning disorder.

If the diagnosis of dyslexia or other reading disability is confirmed by the comprehensive assessment, appropriate evidence-based intervention strategies shall be provided to the student, including intense instruction on phonemic awareness, phonics and fluency, vocabulary, and reading comprehension.

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Legal References

NJSA 18A:7A-10 Evaluation of performance of each school
18A:40-5.1 Definitions
18A:40-5.2 Distribution of information on screening instruments
18A:40-5.3 Dyslexia screening
18A:40-5.4 Assessment for learning disorders

NJAC 6A:8-3.1 et seq. Implementation of the Statewide Assessment System
6A:8-4.1 et seq. Implementation of the Statewide Assessment System
6A:8-5.1 Graduation requirements
6A:14-1.1 et seq. Special Education
6A:15-1.1 et seq. Bilingual Education
6A:16-8.1 Establishment of intervention and referral services
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
6A:32-14.1 Review of mandated programs and services

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

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**Students
Honor Roll**

**Series 5000
Policy 5121.1**

**Date Adopted: October 9, 1984 Date Revised: March 12, 1985
Dec. 28, 1995, Feb. 18, 1997,
Aug. 23, 2006, Oct 28, 2015**

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At the conclusion of each marking period, an honor listing shall be prepared recognizing students for outstanding academic achievement in grades four through eight. The following criteria shall be applied for recognition:

High Honor Roll

- No grade lower than an “A” in any major subject area
- No grade lower than a “B” in any special subject area for grades 4-8

Honor Roll

- No grade lower than a “B” in any major subject area
- No grade lower than a “B” in any special subject area for grades 4-8

Special areas are considered as: Art, Music, Physical Education, Library, Health, Technology and Spanish.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

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Series 5000

Examinations / Grading / Rating / Testing

Policy 5122

Date Adopted: September 21, 2006 Date Revised: September 23, 2015 Page 1 of 4

The Board of Education encourages the certified staff, under the direction of the Chief School Administrator, to employ a comprehensive approach to the use of appraisal and evaluative techniques in monitoring pupil progress, including, but not limited to, recognized standardized achievement testing programs, written and oral teacher-made tests, performance observation, parent interviews, formal and informal evaluation techniques, use of cumulative pupil records, and medical examinations.

The Chief School Administrator, in consultation with the teaching staff, shall develop a marking system or systems to be used uniformly throughout the district. The system should be clear, easily understood by parents and pupils, and able to be applied with consistency of interpretation. The evaluation and the grading symbols shall be intended to appraise the pupil's progress toward established goals and shall be a factor in promotion/graduation decisions.

The parents must be made aware of the progress of their child, his/her own growth patterns and the child's progress in relation to recognized standards.

The Board of Education reserves the right to review and alter any grade or evaluation assigned to a pupil by the professional staff. As a matter of policy it delegates this authority to the Chief School Administrator, who may develop and implement an administrative regulation that establishes a process for the review of any grade or evaluation in question. The regulations shall protect the integrity of the grading and evaluation system and guarantee a fair hearing to all individuals party to a dispute concerning a grade or evaluation.

The school district shall establish and maintain a testing program to:

- A. Measure the needs and progress of individual pupils;
- B. Measure the achievement of grade levels;
- C. Allow comparison of district pupils with national or other norms;
- D. Aid in evaluation of programs.

The district's testing program shall embody at least the tests required by state law. The administration shall continually scrutinize the applicability and effectiveness of tests being used in the district.

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Grading Policy

The philosophy of the Board of Education concerning academic achievement is based on the premise that children have diverse capabilities, interests and individual patterns of growth and learning.

Therefore, the Board feels it important that teachers have as much and as accurate knowledge of each student as is possible through tests and observations of students intelligence, achievement, work habits, skills, health and home environment.

The Board recognizes that many factors that cannot be clinically tested, such as attitude toward others and work habits, may influence a student's success as much as knowledge of subject areas.

In fairness to all students, achievement shall be judged 1) in relation to a student's learning capacity, and 2) in terms of his/her degree of mastery of skills, instructional goals and objectives.

Tests, quizzes and other assessment tools will be administered on a regular basis to generate grades to promote a process of continuous evaluation of student performance to inform the student and his/her parents of his/her progress and to provide a basis for bringing about change in the student's performance, if such a change is deemed necessary.

Grades K through 2 - Academic & Special Areas:

- X Not Assessed at the Time
- 1 Needs Support
The student demonstrates a limited understanding of the concept or skill.
Tasks cannot be completed without teacher support.
- 2 Approaching Standard
The student is working toward competency in the concept or skill with teacher assistance. Further practice and use of this skill or concept is needed.
- 3 Achieves Standard
The student consistently demonstrates understanding and application of a concept.

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Grades 3 through 8 - Academic & Special Areas: A, B, C, D, F

Key to Grades

A = 100 – 93

B = 92 - 85

C = 84 - 76

D = 75 - 70

F = 69 and Below

Basis for Grading

Skills arrays and curriculum guides containing pre, mid-year, and post tests will be distributed to each teacher. Teachers will explain to students the level of mastery required for promotion. Teachers are obligated to make clear to the students the basis upon which the grades are assigned. Marks or grades will be given on the basis of a student's success in achieving established skills, goals and objectives.

Frequency of Marking

Report Cards will be issued to students on a trimester basis (three times per year). Interim reports will be sent to parents for all marking periods. A distribution schedule shall be established at the beginning of the school year. Changes in the schedule are subject to emergency closings due to weather and other unforeseen circumstances.

Parent conferences will be held in the Fall of each school year. Report cards will be issued three times per year. Additional parent conferences may be held at the request of the teacher, Assistant Principal, Chief School Administrator or parent/guardian during the course of the school year.

Transcripts and Cumulative Folders

An explanation of the symbols used in grading will appear on all report cards.

All teachers will send their report cards and interim /progress reports to the office for administrative review prior to distribution of all report periods.

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Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:35-4.9 Promotion and remediation

NJAC 6A:14-1.1 et seq Special education
6A:15-1.1 et seq Bilingual education
6A:16 et seq Programs to support student development

No Child Left Behind Act of 2001, Pub. L. 107-110
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1000/1010, 1120, 1250, 2224, 3542.31, 5020, 5113, 5114, 5120, 5125, 5126, 5141,
5141.3, 5142, 5200, 6010, 6142.1, 6142.2, 6145, 6146, 6164.2, 6171.1, 6171.3,
6171.4, 6173, 6174, 6178

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Maintaining Records Of Student Grades

Policy 5122.1

Date Adopted: April 26, 2006

Date Revised

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The Board of Education recognizes that the grades earned by students as they fulfill the curricular requirements of our school system are irreplaceable pieces of information of inestimable value to the student as well as to the school system. Therefore all student academic grading and attendance information shall be kept by the teacher in an orderly, timely, and specified fashion as permanent documentation, the form and content of which must be reviewed and approved by the Chief School Administrator who shall collect these documents at the end of the school year and be responsible for their safety and confidentiality.

Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
18A:36-19 Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
18A:36-19a Newly enrolled students; records and identification
18A:36-35 Disclosure of certain student information on Internet prohibited without parental consent
47:1A-1 et seq. Examination and copies of public records ("Open Public Records Act")
47:3-15 et seq. Destruction of Public Records Law
52:17B-9.8a through -9.8c Marking of missing child's school record
- NJAC 6A:8-4.2 Documentation of student achievement
6A:14-1.1 et seq. Special Education
6A:16-1.1 et seq. Programs to Support Student Development
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-7.1 et seq. Student records
6A:32-8.1 School register
- 20 U.S.C.A. 1232g - Family Educational and Privacy Rights Act
42 U.S.C.A. 4541 et seq. - Comprehensive Alcohol Abuse and Alcoholism Prevention Treatment and Rehabilitation Act of 1980
42 CFR Part II
Owasso Independent School District No. I-001 v. Falvo, 534 U.S. (2002)
Warren Board of Education v. Cooperman, 105 NJ 587 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

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Promotion & Retention		Policy 5123
Date Adopted: September 21, 2006	Date Revised: Sept. 28, 2016	Page 1 of 3

In general, pupils shall be placed at the grade level to which they are best adjusted academically, socially and emotionally. The education program shall provide for the continuous progress of pupils from grade to grade. Generally pupils will be expected to spend one year in each grade. A small number of pupils, however, may benefit from staying another year in the same grade.

Promotion and Retentions

Promotions and retentions are based on an evaluation of academic, physical, social and emotional growth. The primary reasons for considering retention are (1) indifference or lack of effort on the part of a capable student, (2) physical or social immaturity and (3) frequent or long absences. Retention is usually considered as a more positive alternative during the primary grades.

Students who have failed one or more major subjects during the first two trimesters of the school year will be recommended for retention. Students will be considered for retention based upon teacher input, standardized test scores and other factors.

Parents/guardians are encouraged to attend a meeting with the teacher, administrator and/or other staff members during the 2nd trimester for a discussion of retention. An explanation of the child's current academic standing and his/her own individual ability goals will be set for the 3rd trimester and the student's progress will continue to be monitored.

Parents/guardians can assume their child will be promoted unless the alternative of retention has been discussed during the school year. Parents/guardians will be involved in any retention decision.

Procedures to Be Followed

- A. Review and evaluation of the social, physical, and emotional characteristics by the classroom teacher, basic skills teacher(s), Chief School Administrator, Assistant Principal and Child Study Team when appropriate.

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Promotion & Retention**

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The following aspects should be considered:

1. Attendance record
 2. Attention span
 3. Completion of classroom assignments
 4. Completion of homework
 5. Performance assessments (class tests/quizzes, standardized/state mandated tests)
 6. Relationship with peers
 7. Significant changes in academics and/or behavior
 8. Serious personal/family conditions or relationships
 9. Health records
- B. Identification of those pupils who are one or more grade levels below expected performance in the areas of language arts and mathematics.
- C. Review all academic records that would include the following:
1. Language Arts folder
 2. Math folder
 3. Standardized test score
 4. Report card grades
 5. Any other appropriate records (i.e., Child Study Team records)
- D. Notification of parents/guardians
1. If it appears that retention is possible, the parent shall be notified by the Chief School Administrator and/or the classroom teacher at the completion of the second marking period.
 2. Relevant records shall be reviewed with the parent during a parent/teacher conference.
 3. At the end of the third quarter, if retention of the pupil still may be likely, a letter will be sent to the parent/guardian and a parent/teacher conference will be scheduled.
 4. At the end of each marking period, an analysis of each possible retainee's needs will be conducted by the Assistant Principal, classroom teacher, BSI teacher, and Child Study Team members (if appropriate) and a program of improvement may be developed, such as:
 - a. Provision of reinforcement materials for the parents/guardians to assist the child
 - b. After School Study Group participation
 - c. Referral to Child Study Team
 - d. Periodic checks with parent by teacher to determine progress being made by the child

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Promotion & Retention**

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5. The child's subsequent progress shall be reviewed by the teacher at the end of the third marking period and a parent/teacher/administrative conference may be held.
6. Prior to the end of the school year, the Assistant Principal and/or Chief School Administrator shall meet with any parents/guardians who do not agree with the decision and/or need further explanations of why the child should be retained. The child's total record will be reviewed with them before making a final determination.
7. Parents/guardians shall be notified prior to the end of the school year by the Chief School Administrator in writing, of the decision to retain.

Legal References

NJSA 18A:4-24 Determining efficiency of schools; report to state board
18A:7C-2 Boards of education; establishment of standards
18A:35-4.9 Pupil promotion and remediation; policies and procedures

NJAC 6A:8-4.1 Statewide assessment system
6A:8-4.2 Documentation of student achievement
6A:8-5.1 Graduation requirements
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Reporting to Parents

Policy 5124

Date Adopted: April 26, 2006 Date Revised: February 24, 2016

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The Board believes that the cooperation of school and home is vital to the growth and education of the whole child. It recognizes its responsibility to keep parents informed of pupil welfare and progress in school.

The Board directs the establishment of a system of reporting pupil progress which shall include written reports, pupil-teacher conferences, and parent-teacher conferences. If the parent's primary language is other than English, translation shall be provided whenever possible.

The Chief School Administrator shall develop procedures for reporting pupil progress which:

- A. Are appropriate to grade level and curriculum content;
- B. Ensure that both the pupil and parent receive ample warning of a pending grade of "failure" or one that would adversely affect the pupil's status;
- C. Enable the scheduling of parent/teacher conferences in such places and at such times as will ensure the greatest degree of participation by parents;
- D. Specify the issuance of report cards at intervals of not less than three times during the school year;
- E. Ensure the continual review and improvement of methods of reporting pupil progress to parents and involve pupils, staff and parents in that review.

The school shall keep parents informed of both negative and positive behavior demonstrated in school activities.

A record shall be kept indicating the legal custodian of each pupil, so that reports can be made and conferences arranged with proper person.

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Legal References

NJSA 18A:7E-2 through -5 School report card program
18A:11-1 General mandatory powers and duties
18A:35-4.9 Pupil promotion and remediation; policies and procedures
18A:40A-12 Reporting of pupils under influence or believed to be using anabolic steroids; examination report, return home; treatment; evaluation of possible need and referral

NJAC 6A:8-4.3 Accountability
6A:8-4.5 Public reporting
6A:8-5.1 Graduation requirements
6A:14-1.1 et seq. Special Education
6A:15-1.1 et seq. Bilingual Education
6A:16-1.4 District policies and procedures
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:10A-2.2, -5.1(a)3, -5.3
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-7.1(d, k) General considerations
6A:32-12.1 Reporting requirements

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible Cross References

1000/1010, 1120, 1250, 2224, 3542.31, 5020, 5113, 5114, 5120, 5125, 5126, 5141, 5141.3, 5142, 5200, 6010, 6142.1, 6142.2, 6145, 6146, 6164.2, 6171.1, 6171.3, 6171.4, 6173, 6174, 6178

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Policy 5125

Date Adopted: June 27, 2006 Date Revised: October 16, 2013

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The Board of Education shall conform in all respects to the requirements of state and federal law regarding gathering, maintaining, securing, disclosing, allowing access to and destruction of student records.

The Chief School Administrator shall be responsible for the security of student records maintained in the school district. He/she shall formulate and the Board shall review administrative procedures to guarantee the safety and security of all student records, and to provide authorized persons and organizations access to these records at a convenient place and time within the limits stipulated by law, i.e., within 10 days of the request but prior to any review or hearing conducted in accordance with state Board of Education regulations.

Student records shall include all those mandated by the New Jersey administrative code or state statutes, or authorized by administrative directives, and such permitted records as the Board of Education shall authorize by resolution at a regular public meeting in order to promote the educational welfare of the student. Records so authorized must comply with code standards as to relevance and objectivity.

The Board of Education shall report annually at a public meeting a description of the types of student records it has authorized certified school personnel to collect and maintain.

Mandated Student Records

In accordance with NJAC 6A:32-7.3, the district shall maintain the following mandated student records:

- A. The student's name, address, telephone number, date of birth, name of parent(s), gender, citizenship, standardized assessment and test answer sheets (protocol), grades, attendance, classes attended, grade level completed, and year completed;
- B. Record of daily attendance;
- C. Descriptions of student progress according to the system of student evaluation used in the school district;
- D. History and status of physical health compiled in accordance with State regulations, including results of any physical examinations given by qualified school district employees;

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- E. Records pursuant to rules and regulations regarding the education of students with disabilities; and,
- F. All other records required by the State Board of Education.

Student records shall contain only such information as is relevant to the education of the student, and is objectively based on the personal observations or knowledge of the originator of the record.

All anecdotal information and assessment reports collected on a student shall be dated and signed by the individual who originated the data.

Parents/guardians and adult students shall be notified annually in writing of their rights in regard to student records. Such rights include:

- A. Notification of rights in writing, in dominant language of parent/adult student, if possible. When the parent or adult student's dominant language is not English, or the parent/adult student is deaf, the district shall provide interpretation of the record in the dominant spoken or sign language;
- B. Copies of applicable state and federal laws and local policies made available on request;
- C. Should the parental rights of one or the other parent/guardian be terminated by a court of appropriate jurisdiction, it is the responsibility of the person/agency having legal custody to notify the district that the right to review student records should be denied the person whose rights have been terminated;
- D. Parents/guardians or adult students have the right to seek to include in the records material they think pertinent or to seek exclusion from the records of material that is untrue, irrelevant to the student's present educational situation or otherwise improperly contained in the student's record. Parents/adult students have the right to request an immediate stay of disclosure pending final determination of the challenge procedure. They also have the right to challenge the district's granting or denial of access to the student's records.

The Chief School Administrator shall devise procedures to review such requests. These procedures shall include an appeal process as required by New Jersey administrative code.

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Student Information Directories

The district shall compile, publicize and make available a "student information directory" as defined in the administrative code. Such directory information and school facilities shall be available to educational, occupational and military recruiters as required by law.

The district must notify parents/guardians and adult students annually in writing of their rights in regard to student participation in educational, occupational and military recruitment programs.

Such rights include:

- A. Notification of these rights in writing, in dominant language of parents/guardians or adult student;
- B. A 10-day period in which to submit a written statement to the Chief School Administrator prohibiting the district from including any or all types of information about the student in any student information directory before allowing access to such directory and school facilities to educational, occupational and military recruiters pursuant to statute;
- C. A 10-day period to submit a written statement to the Chief School Administrator excluding information from any school directory for official use;
- D. Copies of applicable state and federal laws and local policies will be made available on request.

District Review of Student Records

The Chief School Administrator shall require all permitted student records of students currently enrolled in the regular educational program to be reviewed annually by certified school personnel to determine the educational relevance of the material contained therein. The reviewer shall cause to be deleted from the records data no longer descriptive of the student or educational situation.

Such information shall be destroyed and shall not be recorded elsewhere nor shall a record of such deletion be made.

Such data may not be removed from the record of a disabled student without prior parental notice.

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Confidentiality of Student Records

The Board of Education directs that the district shall maintain the confidentiality of student records by the following means:

- A. Assuring limited access to student records by secretarial and clerical personnel pursuant to NJAC 6A:32-7.5;
- B. Providing for the access and security of student records maintained in a computerized system;
- C. Maintaining the confidentiality of all student records with name, social security number, address and telephone number information or use the substitute address for certified participants in the Address Confidentiality Program pursuant to the provisions of NJAC 5:61;

Records of Classified Students

All records of disabled students shall be maintained in accordance with administrative code and established procedures that will ensure proper accessibility and confidentiality.

A special confidential file shall be maintained listing the code numbers assigned to disabled students on whose behalf the Board of Education must take public action.

Motions concerning disabled students shall be anonymous and refer to this confidential file. This shall be maintained in accordance with NJAC 6A:32-7.

Parents/adult students or designees shall be permitted to inspect and review the contents of the student's record maintained by the district without unnecessary delay and before any meeting regarding the student's IEP. Any consent required for disabled students under NJAC 6A:32-7 shall be obtained according to NJAC 6A:14-1.3 "Consent" and NJAC 6A:14-2.3.

Transfer of Student Records

- A. The Chief School Administrator shall request records of a newly enrolled student from the district of previous attendance as soon as possible after enrollment, but in any case within the time limit prescribed by the administrative code;
- B. The Chief School Administrator shall forward mandated student records as soon as possible upon receipt of the request from the Chief School Administrator of the district to which the student has transferred, but in any case within the time limit prescribed by the administrative code. Permitted records shall be forwarded in the same manner at the same time if parental permission was given at the time the student's parents/guardians informed the district of the transfer;

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Permitted Access to Student Records

A nonadult student may assert rights of access only through his/her parent/guardian. However, certified school personnel may, in their discretion, disclose student records to nonadult students or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the student or other persons.

A parent/guardian or adult student shall either have access to or be specifically informed about only that portion of another student's record that contains information about his/her own child or himself/herself.

A student record may be withheld from a parent of a student under 18 or from an adult student only when the district obtains a court order or is provided with evidence that there is a court order revoking the right to access. Only that portion of the record designated by the court may be withheld.

The Board shall limit access to, disclosure of and communication regarding student records and health records to authorized organizations, agencies or persons as defined by code.

Particular attention shall be paid to the development of procedures whereby student records are made accessible to assigned secretarial and clerical staff in the performance of their duties, and to compliance with requirements for the security of computerized student records that will limit access to authorized persons. Limited access shall be granted to secretarial and clerical personnel under the direct supervision of certified school personnel to those portions of the record and to the extent necessary to record data and conduct routine clerical tasks.

As noted in Policy 3570, the Board may assess fees for providing copies of records. If the Custodian of School Records can demonstrate that the actual cost for duplicating a record exceeds these rates, he/she shall charge the actual cost per page. Under certain circumstances, special service fees may also be charged. Such charges may not prevent parents/guardians from exercising their rights.

School personnel are not prohibited from disclosing information in the student health record to students or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the student or other persons.

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In complying with this policy all individuals shall adhere to the provisions of NJSA 47:1A-10, the Open Public Records Act (OPRA) and 20 U.S.C. 1232g; 34 CFR Part 99, the Family Educational Rights and Privacy Act (FERPA).

Conditions of Access

No student record shall be altered or destroyed during the time period between a request to review the record and the actual review of the record. Those from outside the school whose access requires consent of parents/adult students must submit the request in writing, together with any required authorization, to the Chief School Administrator/designee. District regulation shall be developed in accordance with code to ensure that records are not altered, damaged or lost during inspection, and that records of access granted are complete.

Retention and Destruction of Records

The Chief School Administrator shall develop regulations in accordance with the administrative code concerning retention and destruction of student records. No additions may be made to the record after the graduation or permanent departure of a student without the prior written consent of the parent/adult student.

New Jersey district of last enrollment must keep in perpetuity: name, date of birth, gender, citizenship, address, phone number, health history and immunization, standardized assessment and test answer sheet (protocol), grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

Liability

Liability shall not be attached to any member, officer or employee of the Board of Education permitting access or furnishing student records in accordance with these rules and regulations. It shall be the responsibility of the Chief School Administrator to keep abreast of all changes in state and federal law and regulation concerning student records.

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Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
18A:36-19 Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
18A:36-19a Newly enrolled students; records and identification
18A:36-19.1 Military recruiters; access to schools and student information directories
18A:36-35 Disclosure of student information on Internet prohibited without parental consent
18A:40-4 Examination for physical defects /screening of hearing of students; health records
18A:40-19 Records and reports of tuberculosis testing; disposition; inspection
26:5C-7 through -14 Acquired Immune Deficiency Syndrome
47:1A-1 et seq. Examination and copies of public records ("Open Public Records Act")
47:3-15 et seq. Destruction of Public Records Law
52:17B-9.8a through -9.8c Marking of missing child's school record
- NJAC 6A:8-4.2 Documentation of student achievement
6A:14-1.1 et seq. Special Education
6A:16-1.1 et seq. Programs to Support Student Development
6A:16-2.4 Student health records
6A:16-3.2 Confidentiality of alcohol and drug abuse records
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
6A:32-7 et seq. Student records
6A:32-8.1 School register
6A:32-14.1 Review of mandated programs and services
8:61-1.1 Attendance at school by students or adults infected by Human Immunodeficiency Virus (HIV)
15:3-2 State records manual
20 U.S.C.A. 1232g - Family Educational and Privacy Rights Act
42 U.S.C.A. 4541 et seq. - Comprehensive Alcohol Abuse and Alcoholism Prevention Treatment and Rehabilitation Act of 1980
42 CFR Part II
Owasso Independent School District No. I-001 v. Falvo, 534 U.S. (2002)
Warren Board of Education v. Cooperman, 105 NJ 587 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

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Pupil Anonymity

Policy 5125.2

Date Adopted: April 26, 2006

Date Revised

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The Board of Education will do all in its power to prevent the use of an educationally handicapped pupil's name when discussing or acting upon a recommendation in which the use of the pupil's name could be considered detrimental to the child and a breach of confidentiality.

The Board directs that the names and other personally identifiable data concerning educationally handicapped children shall be kept confidential and shall not be included in the public acts and records of the district, except upon the written request of the parent or adult pupil, to the Chief School Administrator. Such names and data shall be coded for inclusion in the public record. A special confidential file shall be maintained listing the names of educationally handicapped pupils on whose behalf the Board of Education must take public action. Motions concerning handicapped pupils made at public meetings shall be anonymous and referred to this confidential file. Access to this file, as to all other records of handicapped pupils, shall be given only to authorized school employees and official of the state department of education. Any further access to this information will be governed by law.

To ensure proper accessibility and confidentiality, the records of educationally handicapped pupils shall be gathered, updated, maintained, stored, transferred, made accessible and finally disposed of in accordance with the provisions of New Jersey Administrative Code on Pupil Records, N.J.A.C. 6:3-2.

It shall be the policy of the Board of Education that all employees of the district shall be directed to utilize the following procedures to avoid the needless public labeling of educationally handicapped students but no be limited to:

Avoidance of any educationally handicapped labeling in public address announcements, classroom signs, open circulation of documents designating an individual or class as educationally disabled, open circulation of photographs and audio or video tapes without prior written parental/guardian approval to photograph and/or tape.

Legal References

NJSA 18A:36-35 Disclosure of certain student information on Internet prohibited without parental consent

Possible Cross References

1100, 1110, 1120, 5125, 5141.4, 6145.3, 6171.4

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Awards for Achievement

Policy 5126

Date Adopted: September 21, 2006 **Date Revised:**

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The Board of Education believes that pupil achievement should be recognized at all levels in a manner appropriate to the pupil's accomplishment.

The Board directs the Chief School Administrator to develop criteria and procedures for presenting awards to pupils for scholarship and outstanding accomplishments in the arts, athletics, community service, technology, attendance, citizenship, and other areas appropriate for special recognition. The Board directs the Chief School Administrator to make certain that awards and scholarships are presented to as many students as possible.

The Chief School Administrator shall review and advise the Board on acceptance of proposed trophies, prizes, scholarships or other awards from non-school donors. Any such proposed award shall be free from bias as outlined in the district's affirmative action program.

Other academic awards may be established and awarded for academic achievement in specific subject fields, such as mathematics, science, language arts, etc. In addition, the Chief School Administrator/designee shall review the awards to be presented each year to ensure the Board that no duplications exist and that the awards to be presented will recognize achievement in as many areas as possible.

Academic Recognition

The Board directs the Chief School Administrator to establish criteria and procedures for placing pupils on academic honor rolls.

Athletic Participation

The Board wishes to recognize the achievements of pupils who give many hours of their time to participate in the school's athletic program. Requirements for awards in each sport shall be decided by a committee composed of the advisors and administrative representative.

Service Participation

School service groups shall be recognized for participation in order to emphasize the importance of good citizenship in school and community life as outlined in the course of study.

Legal References

NJSA 18A:36-20 Discrimination; prohibition
18A:71-27 Higher education; scholarship funds; establishment; administration

Possible Cross References

1322, 3280, 5120, 5125, 5127, 5131, 6145.1/6145.2, 6147

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Series 5000

National Junior Honor Society

Policy 5126.1

Date Adopted: August 23, 2006 Date Revised: August 30, 2012

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A student recommended for membership in the National Junior Honor Society must have achieved a record of excellence in scholarship, developed exemplary qualities of character and shown a positive attitude toward leadership, citizenship, and service in his/her school community.

Students in grades seven and eight will be eligible for membership. The criteria for membership shall be:

Scholarship – An overall scholastic of at least **88 90** is required.

Citizenship – Citizenship is basically a concept of participation and may be assessed in terms of attitude regarding freedom, justice, patriotism and consideration for fellow human beings.

Leadership – Leadership is exhibited primarily through setting a good example for other students. For example, students who take on leadership roles in such organizations as the Safety Patrol, and Student Council demonstrate leadership skills.

Service – The criteria of service is often defined in terms of performance to assist others in the school and community.

Character – The positive aspects of character that will be considered include, but are not limited to honesty, responsibility, fairness, courtesy, tolerance and cooperation.

The Chief School Administrator and/or his/her designee shall develop and oversee a process for selecting members of the National Junior Honor Society that incorporates the criteria listed above.

The National Junior Honor Society will organize itself in accordance with the Chapter Constitution of the Honor Society.

The operation of the Honor Society will be guided by the Constitution of the National Junior Honor Society.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

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Commencement Activities

Policy 5127

Date Adopted: March 23, 2004 Date Revised: November 16, 2006

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The Board endorses the annual graduation activities and ceremonies and directs the Chief School Administrator to ascertain that no pupil be barred from participation for arbitrary or discriminatory reasons. The date of graduation ceremonies shall be recommended by the Chief School Administrator and approved by the Board.

Guidelines for Graduation Year Activities

Pupil participation in special graduation year activities will require conduct of the highest caliber in all school situations.

Criteria for exclusion from these activities shall include, but not be limited to:

1. Consistent involvement in disciplinary action(s);
2. Suspension;
3. Recommendation by the teaching staff.

The final decision shall be made by the Chief School Administrator.

Pupils and parents/guardians shall be given advance notification of these criteria.

Graduation Procedures and Ceremonies

A pupil identified for exclusion and his or her parents shall be notified in advance and no later than the Board meeting prior to graduation.

The Board reserves the right to deny participation without warning when extreme circumstances warrant. Such denial shall be treated in the same manner as a suspension and the pupil so affected shall be afforded the rights of review provided in the policies of this Board.

The Board of Education shall not prevent, or otherwise deny participation in, constitutionally protected prayer in any district school, consistent with guidance issued by the United States Department of Education and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution.

The Board reserves the right to withhold a diploma and transcripts until all fines are paid.

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Legal References

NJSA 18A:7C-5.1 Boards of education prohibited from excluding students from graduation ceremony or from obtaining yearbook for inability to pay fees
18A:11-1 General mandatory powers and duties
18A:36-18 Books containing organic laws at graduation
18A:37-2 Causes for suspension or expulsion of pupils
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:8-5.1 et seq. Implementation of Graduation Requirements
6A:16-7.1 et seq. Student Conduct

Ballato v. Long Branch Board of Education, 1990 S.L.D. (August 20)
Lee v. Weisman, 112 S.Ct. 2649 (1992)
R.L. v. Kingsway Regional Board of Education, 95 NJAR2d (EDU) 296
D.C. v. Parsippany Troy Hills Board of Education, 96 NJAR2d (EDU) 697
DO'G v. Ridgefield Park Board of Education, 96 NJAR2d (EDU) 820
R.F. v. Park Ridge Board of Education, 97 NJAR2d (EDU) 1
American Civil Liberties Union v. Blackhorse Pike Regional Board of Education,
84 F.3d
1471 (3d Cir. 1996)

Possible Cross References

5113, 5114, 5126, 5131, 6111, 6141.2, 6146

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School Activities

Policy 5127.1

Date Adopted: May 25, 2006 Date Revised

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The school program shall also include provisions for a balanced program of student activities in keeping with the various age levels and needs of the children served. Such activities are recognized by the Board of Education as vital needs in a well-rounded program of education when they are clearly defined and their function is primarily directed toward the growth of children. Planned extra-curricular activities should be reviewed by the Chief School Administrator who in turn should report it to the Board of Education.

All student activities must be sanctioned by the Administration and be under the specific and direct supervision of the Administration and/or faculty. Parent assistance may be requested and utilized.

Every teacher who sponsors an activity shall remain at school until every child has been picked up by his/her parents.

Parents shall provide transportation to and from extra-curricular activities which they consent for their child to attend. Parents are to be punctual in arrival and departure. In extreme cases, a student may be excluded from any activity at the discretion of the faculty in charge. Eligibility for student activities may be based on the academic and conduct records of the student. Students are under the supervision of the school from the time they leave home in the morning until they return to their homes. Students are therefore also under school supervision at all school sponsored activities.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

Possible Cross References

1210, 1322, 5113, 5114.3, 5114.4, 5114.5, 5126, 6145

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Students Driving To School

Policy 5128

Date Adopted: May 25, 2006 Date Revised

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No student shall be permitted to drive an automobile, or motorcycle or any other motorized vehicle to school at any time.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

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Campus Disturbances

Policy 5129

Date Adopted: May 25, 2006 Date Revised

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It is the right of every pupil to go to and from school, and to obtain an education in the schools, without fear of molestation, physical or verbal abuse/harm. The Board of Education hereby states that it will take such measures as are necessary, including suspension, permanent expulsion, or prosecution in the courts, against any person, pupil or other, who so interferes with the education of others.

The Board of Education therefore makes it clear that it will support teachers and other staff members who report violations of the school regulations, or violations of their own orders, because such violations do interfere with the rights of others. The disruption of the educational program of the schools by disorder or any other purposeful activity will not be tolerated. The Board of Education will prosecute any unauthorized person who enters upon school property.

For purposes of this policy, disorder shall be any deliberate activity by an individual or a group, whether peaceful or violent, which interferes with the normal operation of the school.

The Board, having the responsibility for providing an educational program for the pupils of this district, shall have the authority to preserve order for the proper functioning of that program.

No pupil shall encourage any other pupil on or off school property to participate in any protest, march, picketing, or similar activities which cause or result in the disruption of any lawful function or activity of the school to which he/she is assigned.

Pupils shall not be disturbed in the exercise of their constitutionally guaranteed rights to assemble peaceably and to express ideas and opinions, privately or publicly, provided that such exercise does not infringe on the rights of others and does not interfere with the operation of the schools.

Legal References

- NJSA 2A:53A-15. Liability of parent or guardian for willful destruction of property
- 2C:39-5 Unlawful possession of weapon
- 18A:17-46 Reporting violence and vandalism
- 18A:25-2 Authority over pupils
- 18A:37-1 Suspension and expulsion
- No Child Left Behind Act of 2001, Pub. L. 107-110,
- A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials (1999 Revisions)
- Unsafe School Choice Option Policy, NJ Department of Education, June 30, 2003

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Student Disturbances

Policy 5129.05

Date Adopted: May 25, 2006 Date Revised

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It is the policy of the Board of Education that the following shall be the procedure for addressing student disorder:

1. Any teacher, administrator, staff member, parent volunteer or pupil being aware of, or hearing any rumors of a potential disorder shall immediately inform the Chief School Administrator.
2. The Chief School Administrator/designee shall make an immediate investigation to determine if there is any basis to the rumor. If there is no basis but his/her investigation reveals a need to put the Grievance Policy into effect, this shall be done in order to prevent any possible future disorder. If this rumor is centered on several key students, they shall be immediately taken into conference to determine the cause of the problem(s).

If, upon investigation, actual disorder is taking place that is endangering others and does not respond to administrative requests, then the Chief School Administrator, after due consideration, shall:

- Contact the local law enforcement officer if available.
 - Contact the New Jersey State Police Barracks responsible for patrolling the school
 - Enlist the assistance of any personnel available and continue to attempt to calmly and peacefully bring the disorder under control.
3. The Chief School Administrator, at his/her discretion may advise the County Superintendent of Schools of the incident.
 4. The Chief School Administrator shall, as soon as conditions permit, advise the President of the Board of Education verbally of the incident and prepare and submit a full written report of the incident that shall include a detailed description of the incident as well as the remedies taken.

Legal References

NJSA 2A:53A-15. Liability of parent or guardian for willful destruction of property
2C:39-5 Unlawful possession of weapon
18A:17-46 Reporting violence and vandalism
18A:25-2 Authority over pupils
18A:37-1 Suspension and expulsion
No Child Left Behind Act of 2001, Pub. L. 107-110,
A Uniform State Memorandum of Agreement Between Education and Law Enforcement
Officials (1999 Revisions)
Unsafe School Choice Option Policy, NJ Department of Education, June 30, 2003

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Drugs, Alcohol & Steroids &

Enforcement of Drug-Free School Zones

Policy 5129.2

Date Adopted: November 17, 2004 Date Revised: August 29, 2019

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The Board of Education and the staff of the school (hereafter referred to as the “Board” and the “staff”) recognize that the misuse of drugs is a serious problem with enormous impact upon the welfare of the entire school community. The Board and staff are committed to the prevention of abuse involving anabolic steroids, alcohol, and other drugs, and rehabilitation of abusers of anabolic steroids, alcohol, and other drugs and implementation of an elective anabolic steroid, alcohol and drug curriculum, as well as providing special assistance for addicted students. The Board and staff desires to utilize positive approaches in dealing with these problems, but will resort to the necessary and appropriate steps to protect the school community from harm and exposure to anabolic steroids, alcohol and drugs.

Any student(s) in violation of district policies pertaining to ATODT (Alcohol, Tobacco and Other Drugs of Abuse) shall be subject to consequences as per the district policies, regulations and student handbook.

Additionally, the Board and staff also recognize that an effective educational approach, promoting accurate information and positive decision-making skills, is the first step in preventing a student from becoming harmfully involved with anabolic steroids, alcohol and other drugs.

Adoption of Policies and Procedures

- A. The Board hereby adopts these policies and procedures for the discipline, evaluation and treatment of pupils who possess, consume or who, on reasonable grounds, are suspected of being under the influence of the following substances:
1. Alcoholic beverages
 2. Any controlled dangerous substance, as identified and prohibited in N.J.S.A. 24:21-2; and or
 3. Any chemicals and/or chemical compounds which release toxic vapors as defined in N.J.S.A. 27A:170-25.9
 4. Anabolic steroids
 5. Any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy.
- B. Any student using a prescription drug should bring the medication to the nurse in its original container accompanied by a doctor’s order. The doctor’s order should include illness, injury, or condition treated, dosage of medication, time to be administered, route and duration or medication usage. A note with parental signature permitting the School Nurse to administer the medication should also be included. The Deerfield Township Medical Consent form shall be completed by the physician or dentist and parent/guardian.

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**Drugs, Alcohol & Steroids &
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- A. In accordance with state law, this policy was developed through consultation with the school nurse, the school medical inspector, the School Board Attorney, the Board and the administration. The effectiveness of the policy shall be reviewed annually.

Medication orders must be reviewed each school year.

Pupil Self-Administration of Medication

The Board shall permit self-administration of medication for asthma or other potentially life-threatening illnesses by pupils, both on school premises during regular school hours and off-site or after regular school hours when a pupil is participating in field trips or extracurricular activities. Parents/guardians of the pupil must meet the following conditions:

- A. Provide the Board with written authorization for the pupil's self-administration of medication;
- B. Provide written certification from the pupil's physician that the pupil has asthma or another potentially life-threatening illness and is capable of and has been instructed in the proper method of self-administration of medication.
- C. Sign a statement acknowledging that the district shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil and that the parents/guardians shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the self-administration of medication by the pupil.

The Board shall:

- A. Inform the pupil and his/her parents/guardians that permission is effective for the school year for which it is granted and must be renewed for each subsequent school year upon fulfillment of requirement listed above;
- B. Inform parents/guardians in writing that the district and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication.
- C. Maintain the right to revoke the pupil's permission to self-medicate if he/she has failed to comply with all conditions of this policy and/or has violated in any way the tenets of the agreement of self-medicate. The Chief School Administrator shall confer with the School Physician and School Nurse prior to recommending termination of a pupil's

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permission to self-medicate and shall also consult with the pupil, the pupil's parents/guardians and the pupil's physician.

Review and Availability of Policies and Procedures

- A. Annually, the Chief School Administrator shall take steps as may be necessary to notify all students likely to be affected and their parents, the community and appropriate law enforcement agencies about the Board Policy on anabolic steroids, alcohol and other drug abuse policy. In addition, all members of the professional staff shall be informed of their responsibility to report to the Chief School Administrator any student suspected of being under the influence of drugs.
- B. Anabolic steroids, alcohol and other drug abuse policies and procedures for discipline, evaluation and treatment of students shall be made available annually to all school staff, students and parents or guardians by publication in the student-parent handbook.
- C. The student and/or his/her parent may appeal any action taken through the grievance procedure.

Enforcement of Drug-Free School Zones

The Board of Education recognizes its responsibility to ensure continuing cooperation between school staff and law enforcement authorities in all matters relating to the use, possession, and distribution of controlled dangerous substances and drug paraphernalia on school property. The Board further recognizes its responsibility to cooperate with law enforcement authorities in planning and conducting law enforcement activities and operations on school property. The Board shall, therefore, establish a formal Memorandum of Agreement with the appropriate law enforcement authorities and set forth the following policies and procedures after consultation with the County Prosecutor and approval by County Superintendent of Schools. The Memorandum of Agreement shall be consistent with the School Zone Enforcement Code (N.J.A.C. 6:3-6.1-6.6), Statewide Action Plan for Narcotics Enforcement and the Attorney General's Executive Directive 1988-1.

Law Enforcement Liaison

In order to ensure that such cooperation continues, the Board directs the Chief School Administrator to designate a school district liaison to law enforcement agencies and to prescribe the rules and responsibilities of the school liaisons. Such assignment shall be in accordance with the district's collective bargaining agreement, if applicable.

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Undercover Operations

The Board hereby recognizes that the Chief School Administrator may request that law enforcement authorities conduct an undercover operation in the school if he/she has reason to believe that anabolic steroid, alcohol, or other drug use and/or trafficking of the same is occurring in the school and that a less intrusive means of law enforcement intervention would be ineffective. The Board hereby authorizes the Chief School Administrator to request such intervention under these circumstances. The Board recognizes that the Chief School Administrator is not permitted to discuss any aspect of the undercover operation until authorized to do so by law enforcement authorities.

The Board recognizes that law enforcement authorities may contact the Chief School Administrator to request that an undercover operation be established in a district school. The Board recognizes that the Chief School Administrator is prohibited from discussing the request with the Board. The Board hereby authorizes the Chief School Administrator to act upon any such request in the manner that he/she determines is in conformity with the law and the Attorney General's Executive Directive 1988-1 and that is in the best interest of the students and the school district.

The Board directs the Chief School Administrator to cooperate with the law enforcement authorities in the planning and conduct of undercover school operations. The Chief School Administrator or any other school staff or district Board member who may have been informed about the undercover operation is required to immediately communicate information to the County Prosecutor or designee if the integrity of the undercover school operation has been compromised in any way.

At the completion of an undercover operation in a school, and with the consent of the appropriate law enforcement authority, the Chief School Administrator shall report to the Board regarding the nature of the operation, the result of the operation, and any serious problems encountered during the operation.

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Summoning Law Enforcement Authorities onto School Property for the Purpose of Conducting Investigations, Searches, Seizures, and Arrests

Any school employee who has a reason to believe a student or staff member is using or distributing anabolic steroids, controlled dangerous substances or drug paraphernalia on school premises shall bring that information to the Chief School Administrator and the Chief School Administrator shall immediately report that information to the appropriate law enforcement agency. If, after consultation with the law enforcement official, it is determined that further investigation is necessary, the Chief School Administrator will cooperate with the law enforcement authorities in accordance with the law and Administrative Code. He/she will provide the officials with a room in an area away from the general student population in which to conduct their law enforcement duties. If law enforcement officials do not choose to investigate the incident, the Chief School Administrator may continue the investigation to determine if any school rules have been broken and whether any school discipline is appropriate.

If an arrest is necessary, and no exigent circumstances exist, the Chief School Administrator and staff will cooperate with the law enforcement officials and provide them access to the office of a school administrator or some other area away from general student population. Every effort shall be made to enable law enforcement personnel to carry out the arrest in a manner that is least disruptive to the educational environment, the Chief School Administrator shall immediately notify the student's parent or guardian whenever a pupil is arrested for violating any laws prohibiting the possession, use, sale or distribution of any controlled substance, drug paraphernalia, alcoholic beverages, or anabolic steroids.

Whenever the police have been summoned to a school building by the Chief School Administrator, the Chief School Administrator shall report the reason the police were summoned and any pertinent information to the Board at its next regular meeting. If confidentiality is required, the report shall be made in executive session.

Student Searches and Securing Physical Evidence

The Chief School Administrator or his/her designees may conduct a search of a student's person or belongings if the search is necessary to maintain discipline and order in the school, and the school official has a reasonable suspicion that the student is concealing

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contraband. All searches and seizures conducted by designated school staff shall comply with the standards prescribed by the United States Court in *New Jersey v. T.L.O.*, U.S. 325 (1985), as set forth in Appendix C of the Attorney General's Statewide Action Plan for Narcotics Enforcement.

If, as a result of the search, anabolic steroids, a controlled dangerous substance or drug paraphernalia is found or if anabolic steroids, a controlled dangerous substance or drug paraphernalia is by any means found on school property, the individual discovering the item or substance shall immediately inform the Chief School Administrator who will notify the appropriate law enforcement agency. The Chief School Administrator shall ensure that the steroids, controlled or dangerous substance and/or drug paraphernalia is labeled and secured in a locked cabinet or desk until law enforcement officials pick it up. The Chief School Administrator shall then contact the student's parent to inform them of the occurrence.

Whenever law enforcement officials have been called into the school, and a search of a student's person or belongings is necessary, or interrogation is to be conducted, the Chief School Administrator shall request that the law enforcement officials conduct the search, seizure or interrogation.

Police Presence at Extracurricular Activities

The Chief School Administrator is hereby authorized to contact the appropriate law enforcement agency and arrange for the presence of officers in the event of an emergency or when the Chief School Administrator believes that uniformed police presence is necessary to determine illegal drug use or trafficking or to maintain order or crowd or traffic control at a school function.

Resolving Disputes Concerning Law Enforcement Activities

The Board authorizes the Chief School Administrator to contact the Chief Executive Officer of the law enforcement agency involved with any dispute or objection to any proposed or ongoing law enforcement operation or activity on school property. If, for any reason, the dispute or objection is not satisfactorily resolved with the Chief Executive Officer of the agency, the Chief School Administrator shall work in conjunction with the County Prosecutor and, where appropriate, the Division of Criminal Justice to take appropriate steps to resolve the matter.

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Any dispute that cannot be resolved at the county level shall be reported to the Board and shall be resolved by the Attorney General whose decision will be binding.

Confidentiality of Pupil Involvement in Intervention and Treatment Programs

Nothing in this policy shall be construed in any way to authorize or require the transmittal of any information or records that are in the possession of a substance-abuse counseling or treatment program including, but not limited to, the school districts own substance abuse programs. All information concerning a pupil's or staff member's involvement in a school intervention or treatment program shall be kept strictly confidential, see 42 C.F.R. 2 and N.J.A.C. 6:3-6.6.

In-Service Training

The Chief School Administrator will ensure that all district employees receive annual in-service training to make them aware of their responsibilities in accordance with Board policies and N.J.A.C. 6:3-6.3 et seq.

Annual Review

The Board will review annually the effectiveness of these policies and the Memorandum of Agreement entered into with the appropriate law enforcement agency. As part of this review, the Board will consult with the County Chief School Administrator, local community members, and the County Prosecutor's office.

Availability of Policy

The policies and procedures contained herein shall be made available to all staff, pupils, parents or guardians on an annual basis.

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2C:29-3a Hindering apprehension or prosecution
2C:33-15 Possession or consumption of alcoholic beverage by person under legal age,
2C:33-16 Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
2C:33-17 Offer / service of alcoholic beverage to underage person; disorderly persons;
2C:35-1 et seq. New Jersey Comprehensive Drug Reform Act of 1987
9:6-1 et seq. Abuse abandonment, cruelty, and neglect of child; what constitutes
9:17A-4 Consent by minor to medical care or treatment; venereal disease, sexual assault or drug use or dependency; notice and report of treatment; confidentiality
18A:25-2 Authority over pupils
18A:36-19.2 Student locker or other storage facility; inspections; notice to students
18A:37-1 Submission of pupils to authority
18A:37-2 Causes for suspension or expulsion of pupils
18A:38-25 Attendance required of children between six and sixteen, exceptions
18A:38-31 Violation of article by parents or guardian, penalties
18A:40A-1 et seq. Substance abuse
24:21-2 Definitions (New Jersey controlled dangerous substances)
26:3D-55 et seq. New Jersey Smoke-Free Air Act
- NJAC 6A:8-3.1 Curriculum and instruction
6A:9-13.2 Substance awareness coordinator
6A:14-2.8 Discipline/suspension/expulsion
6A:16-1.1 et seq. Programs to Support Student Development
6A:32-13.1 et seq. Pupil Behavior
Drug Free Workplace Act of 1988 Enacted November, 1988 (Pub. L. 100-690, Title V, Subtitle D) 102 Stat. 4305-4308
Regulations Under Drug Free Workplace Act, C.F.R. 4946 (1/31/89)
42 CFR Part 2--Confidentiality of alcohol and drug abuse patient records
F.G. v. Bd. of Ed. of Hamilton, 1982 S.L.D. 382
G.L.H. v. Bd. of Ed. of Hopewell Valley Regional School District, et al., 1987 S.L.D. April 20, aff'd St. Bd. 1987 S.L.D. Sept. 2
State in the Interest of T.L.O. 94 N.J. 331 (1983), Rev'd, 469 U.S. 325 (1985)
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The New Jersey School Search Policy Manual, New Jersey Attorney General
A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

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**Violation Of Drug & Alcohol Policies;
Procedures, Sanctions, Due Process**

Policy 5129.3

**Date Adopted: May 25, 2006 Date Revised: May 31, 2007,
August 29, 2019**

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The Board prohibits the use, possession or distribution of any drug by pupils, staff or others on school property.

For the purposes of this policy, "substance" means alcoholic beverages, controlled dangerous substances as defined at N.J.S.A. 24:21-2, anabolic steroids, or any chemical or chemical compound that 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 at N.J.S.A. 2A:170-25.9, or over-the-counter or prescription medications which are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

“Substance abuse” shall mean the consumption or use of any substance as defined herein for purposes other than for the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick or injured human beings.

Staff members are to be alert to the signs of a pupil's involvement with drugs, alcohol, or steroids including, but limited to; impaired health or fatigue; excessive truancy or tardiness; lower grades; depressed appetite or loss of weight; extremes; eyes that are bloodshot, watery, extremely wide, or have extremely small pupils; an unusual body or breath odor; needle tracks; a change in attitude, personality, temperament, appearance, or peer groups; and mental confusion. In such cases, the staff member shall immediately report this information to the Chief School Administrator or the Assistant Principal.

Any staff member who in good faith reports a pupil to the principal or his/her designee in compliance with the provisions of this policy and these regulations shall not be liable in civil damages as a result of making such a report as specified by N.J.S.A. 2A:62A-4 and as provided for under N.J.S.A. 18A:40A-4.2.

Disciplinary actions for the following shall be taken for the violations as indicated in the student handbook:

- A. Knowing possession or consumption of alcoholic beverages or controlled dangerous substances or; being under the influence of intoxicating beverages or controlled dangerous substances while on school premises and/or participating in or attending school activities.

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- B. Selling, distributing or purchasing alcoholic beverages or controlled substances while on school premises and/or participating in or attending school activities.

Due process shall be provided a student in accordance with N.J.S.A. 18A:37-4, and shall include notice of charges, a hearing conference, a right to face accusers, a right to present evidence, and an opportunity to appeal the decision to a higher authority.

Hearing Before the Board of Education

Pupils found to be in violation of this policy ma, as listed above, be required to attend a formal hearing before the Board of Education. At the hearing, the Board may impose sanctions appropriate to the offense committed by the pupil.

The Board requires that such hearings shall be closed to the public, but should all parties thereto agree, the hearing may be publicly held.

The Board may, as a part of its findings, place the pupil on disciplinary probation rather than or as well as serve or continue to serve an out-of-school suspension. The Board will determine the length of time the probation period shall last and may require the pupil complete a school-based community service project as a part of his/her punishment. The details of the community service project will be proscribed by the Chief School Administrator with input from the Assistant Principal and the Board. The parents/guardians of the pupil will be advised by the Chief School Administrator or his/her designee of the details and duration of the probation/school-based community service project.

Failure on the part of the pupil to complete the assigned community service project may subject the pupil to immediate suspension as directed by the Assistant Principal and/or the Chief School Administrator.

Involvement of Law Enforcement Agencies

For students who are involved in the intervention and evaluation process or who have been referred for treatment services there shall be no involvement of law enforcement authorities unless the student has violated the law or the discipline code of the school regarding knowing possession or consumption, or being under the influence of, or selling, distributing or purchasing of alcohol or controlled dangerous substances while on school premises and/or participating in school activities.

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If a student has violated the law or school discipline code regarding alcohol or controlled dangerous substances, the Chief School Administrator or his/her designee shall notify the local law enforcement officials and sign a formal complaint. The Chief School Administrator/designee shall also notify the parent or guardian. The Chief School Administrator shall inform the Board of Education no later than the next regularly scheduled meeting of the Board.

The interrogation of pupils by law enforcement officials shall be in accordance with Board policy (Policy 5145.11 Questioning and Apprehension), and shall be in the presence of the Chief School Administrator/designee. The Chief School Administrator/designee shall give prior verbal notice to the parent or guardian.

Searches and seizures shall be conducted in accordance with N.J.S.A. 18A:36-19.2 when there is reason to believe that a student is in possession of alcohol or controlled dangerous substances.

Evaluation

Students who voluntarily seek assistance for problems involving alcohol and substance abuse or students who have had a medical examination that shows a positive diagnosis, shall be referred to a counselor, School Nurse, or child study team staff member to determine whether evaluation is warranted. If it is determined that evaluation is needed, referral shall be made as follows, depending on the particular case:

- Referral to an educational program beyond the regular school program.
- Referral to a physician for examination.
- Evaluation by the Child Study Team.
- Referral to teaching staff member or counselor, for assessment.
- Referral to trained service providers who are certified alcoholism or substance abuse counselors who are resource persons or who work in conjunction with certified teachers or counselors, for assessment.

Treatment Procedures

When a student has been diagnosed as having a drug or alcohol dependency problem, the student shall be provided with the following, depending upon the particular case:

- A program of instruction, counseling and related services provided by the Board or a service provider.
- Treatment by individuals trained and certified as alcohol substance abuse counselors who are school teaching staff members or counselors or who are working in conjunction with school certified staff.

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- Referral to a community agency.
- Support services from teaching or counseling staff.

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2C:29-3a Hindering apprehension or prosecution
2C:33-15 Possession or consumption of alcoholic beverage by person under legal age,
2C:33-16 Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
2C:33-17 Offer / service of alcoholic beverage to underage person; disorderly persons;
2C:35-1 et seq. New Jersey Comprehensive Drug Reform Act of 1987
9:6-1 et seq. Abuse abandonment, cruelty, and neglect of child; what constitutes
9:17A-4 Consent by minor to medical care or treatment; venereal disease, sexual assault or drug use or dependency; notice and report of treatment; confidentiality
18A:25-2 Authority over pupils
18A:36-19.2 Student locker or other storage facility; inspections; notice to students
18A:37-1 Submission of pupils to authority
18A:37-2 Causes for suspension or expulsion of pupils
18A:38-25 Attendance required of children between six and sixteen, exceptions
18A:38-31 Violation of article by parents or guardian, penalties
18A:40A-1 et seq. Substance abuse
24:21-2 Definitions (New Jersey controlled dangerous substances)
26:3D-55 et seq. New Jersey Smoke-Free Air Act
- NJAC 6A:8-3.1 Curriculum and instruction
6A:9-13.2 Substance awareness coordinator
6A:14-2.8 Discipline/suspension/expulsion
6A:16-1.1 et seq. Programs to Support Student Development
6A:32-13.1 et seq. Pupil Behavior
Drug Free Workplace Act of 1988 Enacted November, 1988 (Pub. L. 100-690, Title V, Subtitle D) 102 Stat. 4305-4308
Regulations Under Drug Free Workplace Act, C.F.R. 4946 (1/31/89)
42 CFR Part 2--Confidentiality of alcohol and drug abuse patient records
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In the Matter of the Tenure Hearing of Graceffo, 2000 S.L.D. (September 2002))
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Student Paging Devices, Cell

Phones & Other Electronic Devices

Policy 5129.7

Date Adopted: May 25, 2006

**Date Revised: Aug. 27, 2008,
March 23, 2011, Aug. 30, 2012,
Sept. 23, 2015, May 25, 2016
Aug. 24, 2017, Dec. 14, 2017**

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Remotely Activated Paging Devices

The Board of Education prohibits students from possessing or using electronic communications devices such as beepers, paging devices, walkie-talkies, audio and other forms of electronic communication during the school day or while attending school-sponsored activities on or off school property.

Students shall not bring or possess a remotely activated paging device or other such electronic device at any time and regardless of whether school is in session without the express written permission of the Chief School Administrator or the Assistant Principal. The Chief School Administrator or the Assistant Principal will determine appropriate disciplinary action for noncompliance with this policy. Such disciplinary action may include charges of a disorderly persons offense.

If a student is an active member of a volunteer emergency fire or medical services organization, these devices may be permitted with written approval from the Chief School Administrator or the Assistant Principal, but the device must be set on a vibrating rather than audible mode.

Cellular Phones

The Board of Education recognizes that cellular phones and other electronic devices are commonly used and relied upon by students. However, in order to maintain discipline and an orderly and non-disruptive instructional environment, the Board of Education shall regulate the use of cellular phones and other electronic devices by students in school buildings, on school grounds and in school vehicles, including but not limited to buses, vans and other vehicles owned or contracted by the district while school is in session and during school sponsored activities.

Cellular phones and other electronic devices must be turned off and stored in a book bag or purse while students are in classrooms.

Video recordings, audio recordings, and picture taking are strictly prohibited. The privacy of all students and staff must be protected.

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At no time shall cellular phones and other electronic devices be used in bathrooms, locker rooms or in other areas designated by the Chief School Administrator or the Assistant Principal.

Cell phones and/or electronic devices may be used for instructional purposes at the discretion of the classroom teacher.

Definitions

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

1. "Other electronic devices" shall include but not be limited to beepers, pagers, walkie-talkies, iPods®, MP3 players, Walkman®, Blackberries®, Personal Digital Assistants (PDAs) and other similar electronic devices.
2. "Use" shall mean making or receiving calls, taking or receiving photographs, writing or receiving text-messages, playing games, listening to music, viewing videos, recording videos, and using any other function or feature of the cellular phone or other electronic device.
3. "Turned off" shall mean that the cellular phone or other electronic device cannot function. This may be accomplished by either using the on/off switch or removing the batteries. In order to be considered "turned off" the cellular phone or other electronic device may not operate, make sounds or be set on "vibrate mode."

At school activities held during non-school hours, student cell phones may be activated and used at the end of the activity to notify parents/guardians of the need for transportation. Cell phones are not to be used during after-school activities, unless authorized by the activity advisor.

Failure to comply with this policy will subject students to sanctions as described in the student discipline code of the district. In all cases of violation of this policy, the cell phone shall be confiscated by the administration and must be picked up by the parent/guardian.

In no case will the school district be responsible for the loss, theft or damage of a student's cell phone.

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Possession & Use of Other Student-Owned Electronic Devices

The Board of Education acknowledges the beneficial aspects of electronic devices, including but not limited to e-readers, i-Pads®, laptop computers, Kindles®, Nooks®, smartphones, i-Pods®, etc., that are capable of accessing the Internet using wireless networks.

Such student-owned devices may be brought to school and used by students in grades 4 – 8 only for educational purposes only. The following provisions for such possession and use must be adhered to:

- Devices are registered by make and serial number with the school principal
- Devices may not be used for audio or video recording
- Permission for such possession and use is granted by the student's teacher;
- Video and/or audio recording by the student is strict forbidden;
- Teachers retain the prerogative to limit and/or prohibit the use of these devices;
- Only students in grades 4 – 8 may possess and/or use such devices;
- These devices may not be used when the class is being taught by a substitute teacher;
- Use of such devices may take place only in classrooms, under the supervision of classroom teachers;
- Use in hallways, bathrooms, buses, the café/All Purpose Room and on the playground, is strictly prohibited;
- Students using such devices shall conform to the provisions of Board of Education Policies 6142.10 – Acceptable Use of Internet, 5131.9 – Harassment, Intimidation & Bullying and all other applicable policies and regulations, including the District Student Code of Conduct.

Loss, damage, theft etc., of such devices shall not be the responsibility of the Board of Education or its employees.

Parent(s)/guardian(s) must complete a permission form that will be maintained in the permanent record folder before a student may bring such a device to school.

Misuse of these devices may result in their confiscation. Parent/guardian notification as well as any appropriate sanction assessed by the administration may follow.

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A student violating this policy shall be disciplined as follows:

1. First Offense - The cellular phone or other electronic device will be confiscated and returned to the student's parent/guardian or an adult designated by the parent/guardian. The student will receive 1 after school detention. If transportation is an issue for parents, they may opt for 4 days of lunch detention instead of 1 after school detention.
2. Second Offense - The cellular phone or other electronic device will be confiscated and returned to the student's parent/guardian or an adult designated by the parent/guardian. The student will serve an in-school suspension for a period of time as determined by the Chief School Administrator and or the Assistant Principal.
3. Third Offense - The cellular phone or electronic device will be confiscated and returned to the student's parent/guardian or an adult designated by the parent/guardian. The student will serve an out of school suspension for a period of time as determined by the Chief School Administrator and/or the Assistant Principal.
4. Fourth Offense - The cellular phone or other electronic device will be confiscated and returned to the student's parent/guardian or an adult designated by the parent/guardian. The student will serve an out of school suspension for a period of time as determined by the Chief School Administrator and/or Assistant Principal. In addition, the student will not be permitted to have a cell phone or electronic device on school property for a period of time as determined by the Chief School Administration.
5. Exceptions - If a student violates this policy, specifically recording video of any student or staff member, the device will be confiscated and returned to a parent/guardian or an adult designated by the parent/guardian. The student will serve an out of school suspension for a period of time as determined by the Chief School Administrator or the Assistant Principal. In addition, the student may not be permitted to possess any electronic device for the remainder of the school year.

Electronic devices necessary to maintain the medical health of the student are exempt from this policy. If a student requires the use of a medically required electronic device, the student's physician will provide a written description of the device as well as its intended purpose.

Assistive Technology devices used to enhance the educational setting and learning for Special Education students are exempt from this policy. If a special Education student requires an assistive technology device, a written description of the device as well as its intended purpose will be documented in the students' IEP (Individualized Education Plan). However, students using these devices must only use them for the purposes stated in their IEP or face disciplinary consequences.

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Liability

Students shall be personally and solely responsible for the security of their cellular phones and other electronic devices. The Board of Education shall not assume responsibility for theft, loss or damage of a cellular phone or other electronic device or for unauthorized calls made on or other unauthorized use of a cellular phone or other electronic device.

Legal References

- NJSA 2C:33-19 Prohibition of possession of remotely activated paging device
- 18A:11-1 General mandatory powers and duties
- 18A:36-19.2 Search of student lockers
- 18A:37-1 Authority over students
- 18A:37-2 Suspension and expulsion

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Dating Violence

Policy 5131.2

Date Adopted: October 26, 2011

Date Revised

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The Board of Education has determined that a safe and civil environment in school is necessary to learn. Acts or incidents of dating violence whether they are verbal, sexual, physical or emotional will not be tolerated and will be dealt with according to school student code of conduct.

Warning Signs of Dating Violence

A pattern of behaviors may be an important sign that a student is involved in an unhealthy or abusive dating relationship. Warning signs may include but not be limited to the following:

- Name Calling and Put Downs Does one student in the relationship use name-calling or putdowns to belittle or intimidate the other student?
- Extreme Jealousy Does one student in the relationship appear jealous when the other talks with peers?
- Making Excuses Does one student in the relationship make excuses for the other?
- Cancelling or Changing Plans Does one student cancel plans often, and at the last minute? Do the reasons make sense or sound untrue?
- Monitoring Does one student call, text, or check up on the other student constantly. Does one student demand to know the other's whereabouts or plans?
- Uncontrolled Anger Have you seen one of the students in the relationship lose his or her temper or throw and break things in anger?
- Isolation Has one student in the relationship given up spending time with family and friends? Has the student stopped participating in activities that were once very important?
- Dramatic Changes Has the student in the relationships appearance changed? Lost or gained weight? Does the student seem depressed?
- Injuries Does the student in the relationship have unexplained injuries? Does the student give explanations that seem untrue?
- Quick Progression Did the student's relationship get serious very quickly?

Statistics

- Victims of alleged aggressors of teen dating violence are more likely to bring a weapon to school.
- Victims of teen dating violence have lower academic achievement and grades of D and F.

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- 5% of girls reported missing at least one day of school a month due to safety concerns.
- 43% of teen dating violence victims report that the dating violence experience occurred in a school building or on school grounds.⁷
- 83% of the acts or incidents of dating violence that occurred at school was physical abuse.

Procedures for Reporting Incidents of Dating Violence

All acts or incidents of dating violence shall be reported to the principal/designee in compliance with existing school district policy and procedures. School staff should take all reasonable measures to prevent acts or incidents of teen dating violence. This report should be made verbally as soon as possible but no later than the end of the student's school day. A written report regarding the act or incident of dating violence should be submitted to the principal/designee by the reporting staff member no later than one day after the act or incident occurs. Staff members are required to report all acts or incidents of dating violence, including, but not limited to:

- Witnessed or reliable information concerning acts or incidents that are characterized by physical, emotional, verbal or sexual abuse;
- Digital or electronic acts or incidents of dating violence;
- Patterns of behavior that are threatening or controlling.

Guidelines for Responding to Incidents of Dating Violence at School

Protocol for Staff Members

Any school staff member who witnesses or learns of an act or incident of dating violence is required to take the following steps:

- Separate the victim from the aggressor;
- Speak with the victim and the aggressor separately;
- Speak with witnesses or bystanders separately;
- Inform the principal, or his or her designee of the act or incident;
- Prepare written report of incident for principal/designee;
- Monitor the interactions of the victim and the aggressor. Student safety should be the priority.

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Protocol for Administrators

Any school administrator who witnesses or learns of an act of dating violence is required to take the following steps:

- Separate the victim from the aggressor;
- Meet separately with the victim and the aggressor;
- Take written statements from the victim and alleged aggressor;
- Review the victim's and aggressor's written statements to ascertain an understanding of the act or incident. Questions may be asked of either individual for clarification;
- Further investigate the incident by speaking with bystanders/witnesses of the act or incident. All statements should be documented;
- The school administrator should make the determination to involve the School Resource Officer or law enforcement agency serving the district;
- After an assessment by a school social worker, counselor or psychologist a determination is made that the victim or aggressor's mental health has been placed at risk appropriate referrals should be made;
- Contact should be made with the parents/guardians of both the victim and the aggressor. A recommendation of a meeting should be made to discuss the act or incident with the principal/designee;
- Schools must notify both parties in writing of the outcome of the investigation into the act or incident of dating violence.

Protocol for Working with the Victim of an Act or Incident of Dating Violence

Administrators shall consider adopting the following methods for dealing with victims of dating violence.

- Student safety should be the first priority. Interaction between the victim and the alleged aggressor should be avoided. The burden of any schedule changes (classroom, bus etc.) should be taken on by the alleged aggressor.
- Schedule a conference with the victim and their parents/guardians.
- Identify any means or actions that should be taken to increase the victim's safety and ability to learn in a safe and civil school environment.
- Alert the victim and their parents/guardians of school and community based resources that may be appropriate, including their right to file charges, if the act or incident violated the law.

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- Monitor the victim's safety as needed. Assist the victim with any plans needed for the school day and after school hours. (e.g. Hallway safety, coordination with parents/guardians for transportation to and from school). An individualized safety plan may be developed if deemed necessary. See Appendix A for examples and additional resources.
- Discuss a school approved Stay Away Agreement between the victim and the alleged aggressor.
- Encourage the victim to self report any and all further acts and incidents of dating violence that occur at-school in writing to the principal, or his or her designee. Document all meetings and action plans that are discussed.

Protocol for Working with the Alleged Aggressor of an Act or Incident of Dating Violence

Administrators shall utilize the following methods for dealing with the alleged aggressor in act or incidents of dating violence:

- Schedule a conference with the aggressor and their parents/guardians.
- Give the alleged aggressor the opportunity to respond in a written statement to the allegations of an act or incident of dating violence at-school;
- Alert the alleged aggressor and their parents/guardians, to both school and community based support and counseling resources that are available;
- Identify and implement counseling, intervention and disciplinary methods that are consistent with school policy for acts or incidents of this nature;
- Review the seriousness of any type of retaliation (verbal, emotional, physical, sexual, electronic/digital) towards the victim who reported the act or incident of dating violence. Address that consequences would be issued consistent with the school's student code of conduct and procedures for any type of retaliation or intimidation towards the victim;
- Document all meetings and action plans that are discussed;

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Protocol for the Documentation and Reporting of an Act or Incident of Dating Violence
Incidents of dating violence that occur at school shall be documented in the following manner:

- Dating violence statements and investigations should be kept in files separate from student academic and discipline records to prevent the inadvertent disclosure of confidential information;
- Every act or incident of dating violence at school that is reported should be documented in an appropriate manner, including statements, planning actions, disciplinary measures as well as counseling and other support resources that are offered and prescribed to the victim or alleged aggressor.

Discipline Procedures Specific to Incidents of Dating Violence at School

The Board of Education requires its school administrators to implement discipline and remedial procedures to address acts or incidents of dating violence at school. These procedures should be consistent with the student code of conduct. The procedures specific to acts or incidents of dating violence at school should be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses should be tiered with consideration given to the seriousness and the number of previous occurrences of acts or incidents in which both the victim and alleged aggressor have been involved.

The consequences and remedial measures shall include, but not be limited to:

Consequences

- Admonishment
- Temporary removal from the classroom
- Classroom or administrative detention
- In-school suspension
- Out-of-school suspension
- Reports to law enforcement
- Expulsion

Remediation/Intervention

- Parent conferences
- Student Counseling (all students involved in a the act or incident)
- Peer support group

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- Corrective instruction or other relevant learning or service experiences
- Supportive student intervention (IR&S)
- Behavioral management plan
- Alternative placements

Resources

Parents/guardians and students will be provided with information on safe, appropriate, school, family, peer and community resources available to address dating violence.

Forms

The district will utilize the forms that follow this policy to report and document incidents of dating violence.

Notice of Policy

Notice of this policy shall appear in all district publications that discuss comprehensive rules, procedures, and student conduct.

Legal References

- NJSA 18A:6-113 Instruction in suicide prevention in public school curriculum
18A:11-1 General Mandatory Powers and Duties
18A:35-4.19 through -4.22 AIDS Prevention Act of 1999
18A:35-4.23a Dating violence into health education curriculum
18A:35-5 through -9 Maintenance of physical training courses; features
18A:37-33 to 37 Dating violence policy and education
- NJAC 6A:7-1.7 Equality in school and classroom practices
6A:8-3.1 Curriculum and instruction
6A:8-5.1 Graduation requirements
6A:9-5.19 Athletics Personnel
6A:9-11.8 Health and physical education
6A:16-2.1 et seq. General Provisions for School Health Services
6A:32-9.1 General Provisions for School Health Services
Guide to Preventing Bullying, Teen Dating Violence and Sexual Violence, Rhode Island Department of Elementary and Secondary Education 2008
The Model Policy and Guidance for Prohibiting Harassment, Intimidation and Bullying On School Property At School Sponsored Functions and on School Buses, NJDOE April 2011
20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
The Comprehensive Equity Plan, New Jersey State Department of Education

Possible Cross References

2224, 5145.4, 6121, 6140, 6141, 6142, 6145.1, 6145.2, 6146

STUDENT SAFETY PLAN

STUDENT NAME _____ Grade _____ H.R. _____
ADMINISTRATIVE Staff _____

VICTIM SAFETY PLAN

A safety plan should be considered when a student discloses dating violence and abuse, whether or not a Restraining Order/No Contact Order has been issued by the court.

NOTE: Administrative staff should develop this plan with the victim, in an effort to empower the victim and keep him/her safe. A safety plan needs to be individualized, as every victim has unique needs and challenges.

1.) Any Schedule Changes Made (attach revised schedule) School should consider who will notify the teachers, what if there's only one AP English course in the school and both parties take the course?

2) School Arrival (change in time, entrance, transportation, with whom, etc...)

3) Locker (Is there a gym locker as well? How will the student access their locker ex. five minutes early?)

4) Lunch (Is the cafeteria safe? Can the victim experience retaliation from friends of the perpetrator? Can the eating schedule be changed? Who will alert cafeteria staff of the order?)

5) Route Changes (include places to avoid/watch for, after school activities and team schedules, travel to and from school, class, etc.)

6. School Departure (*time, entrance, designated friend, etc.*)

7. STAFF: Let the victim select one staff member that they feel comfortable with.. This staff per-son should be available for student for "check-ins" and support as needed.

Support Staff _____

8. Additional Staff to Share Plan With: (Administrators, Teachers, Guidance Counselors, Re-source Officer, Lunch Aides, Bus Driver, Coaches, School Nurse, etc.)

9. Support Network of Peers: (to accompany student throughout the day if necessary)

10. Strategies to Problem Solve: Have the victim think through different ways s/he will react and deal with emergency situations, where they would go? Who would they call? Consider strategies to assess dangerousness, threats, Etc.

11. Any Additional Special Conditions: Are there other extracurricular school activities/events which present conflicts? How are they to be addressed?

12. School has completed the Restraining Order/ No Contact Order School Checklist.

SCHOOL-BASED STAY AWAY AGREEMENT

The intent of this agreement is to increase safety for students who have been the victim of bullying, sexual harassment, dating violence, or sexual violence. It is to be administered in a conference with the alleged perpetrator and his or her parent/guardian (if available).

Name of student: _____

Date of most serious incident: _____

Description of behaviors involved in incident: _____

Date of assessment: _____

Date of parent/guardian notification: _____

In order to protect the rights and safety of all members of our school community, you are required to stay away from (name of student)

at all times during the school day and at any school-sponsored event. This means that you may not approach, talk to, sit by, or have any contact, direct or indirect (e.g. through friends, electronic) with (name of student)

at school or on school property, school buses, and bus stops and/or at any school sponsored event.

In addition, the following actions are effective immediately:

Arrival/Departure

Time: _____ Entrance: _____

Bus/Parking: _____

Current Schedule: _____

New Schedule: _____

Lunch: _____

Locker: _____

Extracurricular Activities: _____

Other disciplinary actions: _____

Violations of this agreement and acts of retaliation directly or indirectly toward the victim or the victim's friends or family members will be taken seriously and will result in further disciplinary actions. Your compliance will be monitored by (name and staff title):

Agreement is valid from _____ to _____.

date

date

This agreement will be reviewed on _____.

date

Signatures:

Student: _____ Date: _____

Administrator: _____ Date: _____

cc: Principal * Assistant Principal * Counselor * School Resource Officer

STUDENT COMPLAINT FORM

Student Complaint Form for reporting DATING VIOLENCE and SEXUAL VIOLENCE

Name: _____ Student ID: _____
Grade: _____ Date: _____ Time: _____ School: _____

Please answer the following questions about the most serious incident:

List the name of the alleged perpetrator(s) of bullying, sexual harassment, dating violence,
or sexual violence:

Relationship between you and the alleged perpetrator:

Describe the incident:

When and where did it happen?

Were there any witnesses? yes no If yes, who?

Is this the first incident? yes no
If no, how many times has it happened before?

Other information, including previous incidents or threats:

Student or parent declines to complete this form: Initial: _____

Date: _____

I certify that all statements made in the complaint are true and complete. Any intentional misstatement of fact will subject me to appropriate discipline. I authorize school officials to disclose the information I provide only as necessary in pursuing the investigation.

Signatures

Student: _____ Date: _____

School official receiving complaint: _____ Date: _____

School official conducting follow-up: _____ Date: _____

These documents should remain confidential.

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Student Use Of Bicycles

Policy 5131.3

Date Adopted: May 25, 2006 Date Revised

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In the interest of the safety of the students enrolled in the Deerfield Township School, the Board of Education prohibits students riding bicycles to and from school or to and from any school-sponsored activity.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
39:4-10.1 et seq Bicycle safety and equipment requirements

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Pupil Use of District Computers & E-mail

Policy 5131.4

Date Adopted: July 27, 2006

Date Revised

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The Board of Education offers each pupil access to the school's computer network for the sole purpose of providing educational experience and research. This network, including all computers, printers, scanners and other related equipment is the property of the district and is to be used for educational purposes.

Monitoring

The Board of Education reserves the right to review any material accessed or transmitted by users. Users should have no expectation of privacy. Certain aspects of the use of electronic environment may be recorded in logs either for the purpose of performance monitoring or for assistance in authorized legal investigations of alleged misbehavior under this policy. The actual contents of these logs will only be reviewed by authorized district administrators or by external law enforcement officials.

Passwords

The Superintendent of Schools and the system administrator are to be provided with any and all passwords of users of the district network.

Installing Software and Downloading Files

Pupils are cautioned that installing any software program or downloading programs from the Internet without the approval of the system administrator or the Chief School Administrator is strictly forbidden.

In addition, the following rules for the use of the district computers and network are to be followed at all times:

- The district computers and network are not to be used for personal purposes.
- "Surfing the Net" is not permitted unless authorized for the purpose research or educational purposes.
- Accessing "Chat Rooms" from the district computers and network is forbidden.
- Accessing personal email accounts from the district network is not permitted without the approval of the Chief School Administrator.
- Removing installed programs is the sole responsibility of the system administrator.
- Transmitting the names or pictures of pupils is expressly forbidden.
- Tampering with other accounts, or committing unauthorized intrusions into any part of our network, or use of any servers, files, accounts to intrude without authorization into any other system or systems is strictly prohibited.
- Transmitting email that is harassing, libelous, defamatory, legally obscene or pornographic, threatening, abusive or hateful is strictly prohibited.

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E-mail

E-mail is an electronic message sent by or to a pupil or staff member in correspondence with another person having Internet mail access. All messages sent and received on the school district computer network 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 may be reviewed by the system administrators or the Chief School Administrator. 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 or computers.

Legal References

- NJSA 2A:38A-1 et seq. Computer System
- 2C:20-25 Computer Related Theft
- 18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
- 18A:36-35 School Internet websites; disclosure of certain student information prohibited

- NJAC 6A:10A-1.1 et seq Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
- 6A:10A, Appendix A
- 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

- 17 U.S.C. 101 United States Copyright Law
- 47 U.S.C. 254(h) Children's Internet Protection Act
- N.J. v. T.L.O. 469 U.S. 325 (1985)
- O'Connor v. Ortega 480 U.S. 709 (1987)
- No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
- Manual for the Evaluation of Local School Districts
- New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1111, 3514, 4118.2, 4218.2, 5114, 5124, 5131, 5131.5, 5142, 6144, 6145.3, 6161

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Vandalism & Violence

Policy 5131.5

Date Adopted: December 20, 2004 Date Revised: November 16, 2006,

Nov. 14, 2007, January 25, 2012 Page 1 of 3

Vandalism

The Board of Education views vandalism against school property by pupils as reprehensible. The causes of such misbehavior often are complex, calling for careful study by parents, school staff and appropriate community officials.

The Board believes that pupils should respect property and take pride in the schools of this district. Whenever a pupil has been found to have done willful and malicious damage to property of the Board, the Chief School Administrator of the school shall notify the Board. The Board will hold the pupil or his/her parents liable for the damage caused by him/her.

The Chief School Administrator shall develop general guidelines for pupil conduct in classrooms, hallways, on school grounds, and in school owned and sponsored vehicles, he/she shall also oversee the development of detailed rules governing and maintaining appropriate student behavior.

Accordingly, when vandalism is discovered, the administrator is directed to take such steps as are necessary to:

- A. Identify the pupils involved;
- B. Call together persons, including the parents, needed to study the causes;
- C. Decide upon disciplinary and/or legal action possibly including suspension.
Should parents fail to cooperate in the discussions, the administration may charge the pupil with being delinquent by a petition stating the offense and requesting appearance in juvenile court;
- D. Take any constructive actions needed to try to guard against further such pupil misbehavior;
- E. Seek appropriate restitution.

Violence

Physical violence against another pupil or a staff member is unacceptable conduct and will result in the disciplinary sanctions included in policies on suspension and discipline/punishment. Disruptive behavior that is characterized by verbal or physical violence, even though not directed toward another person, should be reported by the classroom teacher, to the Chief School Administrator, so that possible program adjustments may be identified.

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Any school employee observing or having direct knowledge from a participant or victim of an act of violence in the School System should complete the standard report form and submit it to the Chief School Administrator who is responsible for preparing the official report.

The Board of Education shall adopt and implement procedures regarding any school employee who knowingly falsifies the annual report on violence and vandalism required under NJSA 18A:17-46. Whenever it is alleged that a school employee has knowingly falsified the annual report, the Board of Education shall make a determination as to whether the employee committed the act.

Any employee alleged to have knowingly falsified the annual report shall be notified in writing of such allegations and shall be entitled to a hearing before the Board of Education. The hearing shall comply with the provisions stipulated in NJAC 6A:16-5.3(e) et seq.

School Violence Awareness Week

This school district shall observe School Violence Awareness Week, the week beginning on the third Monday in October of each year. Organized activities focused on the prevention of school violence will be offered to students, employees and board members. Local law enforcement personnel will be invited to participate.

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

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Legal References

NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
2A:53A-15 Liability of parent or guardian for willful destruction of property by
infant
under 18
2C:39-5 Unlawful possession of weapons
18A:17-46 Act of violence; report by school employee; notice of action taken;
annual report
18A:25-2 Authority over pupils
18A:36-5.1 School Violence Awareness Week
18A:37-1 et seq. Discipline of Pupils

NJAC 6A:14-2.8 Discipline/suspension/expulsion
6A:16-1.1 et seq. Programs to Support Student Development

"H.A." v. Warren Hills Regional School District, 1976 S.L.D. 336
See also Commissioners' Decisions indexed under "Pupils - Punishment of" in
Index
to N.J. School Law Decisions
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
A Uniform State Memorandum of Agreement Between Education and Law
Enforcement Officials (1999 Revisions)
Unsafe School Choice Option Policy, New Jersey Department of Education, June
30, 2003

Possible Cross References

1120, 3250, 3517, 4148, 4248, 5114, 5119, 5119.3, 5124, 5131, 5131.4, 5131.6,
5131.7, 6114, 6172

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Weapons & Dangerous Instruments

Policy 5131.7

Date Adopted: March 23, 2004

Date Revised

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The Board of Education prohibits the possession and/or use of weapons or other instruments that can be used as weapons on school property, at any school function or while en-route to or from school or any school function. A violation of this policy will result in disciplinary action.

The Chief School Administrator shall make the final determination that a particular object is a dangerous instrument in any case where there is a question of its possessor uses posing a threat to students, staff or property.

A student found or observed on school property or at a school event or en-route to and/or from school or a school event in possession of a weapon or dangerous instrument shall be reported to the Chief School Administrator immediately. The Chief School Administrator shall immediately contact the NJ State Police and provide all known information concerning the matter, including the identity of the pupil involved.

Possession or use of laser pointers are also strictly forbidden.

Disciplinary action shall be taken against who possess, handle, transmit or use weapons or dangerous instruments. As in disciplinary cases, due process will be provided.

Students cannot learn and teachers cannot teach when danger of violence is present. Accordingly, P.L. 127 and P.L. 128 were developed in order to prevent assaults with weapons from being committed upon students and teachers and to remove students from school who are found to be in possession of firearms because both of these laws carry severe mandatory penalties, it is very important that we all understand what acts are prohibited and the penalties that will be imposed on those who violate the laws.

P.L. 127, also known as the “Zero Tolerance for Guns Act” mandates that any pupil who is convicted or adjudicated delinquent for the possession of a firearms or a crime while armed with a firearm, or who is knowingly in possession of a firearms on any school property; on a school bus, or at any school sponsored function shall be immediately removed from the school’s regular education program, pending a hearing before the local Board of Education, for a period of not less than one calendar year. In addition, any pupil so removed shall be reported to the police for a possible violation of a criminal statute. It is important to note that items such as pellet guns and air guns are considered as a firearm for the purpose of this law.

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P.L. 128 provides that any pupil who commits an assault upon a teacher, administrator or other employee of a school Board or another student with a weapon, on a school bus or on school property, or at any school sponsored function shall be immediately removed from the school's regular education program, pending a hearing before the local Board of Education for a period not to exceed one calendar year. It is important to note that the word weapon as it is used in this law, includes numerous items such as knives, sling-shots, throwing stars, blackjacks, tear gas or even a common kitchen knife, if it is used during an assault.

The Board is committed to maintaining a safe and orderly learning environment for our students and staff. It is important that our school community clearly understand the laws and that they will, when necessary, be enforced.

Fireworks

Fireworks are illegal in the State of New Jersey. Therefore, no fireworks will be allowed at school or on school properties. Fireworks are considered dangerous and will be treated in the same manner as weapons.

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Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
2C:12-1 Definition of assault
2C:33-19 Paging devices, possession by students
2C:39-5 Unlawful possession of weapons
2C:39-6 Exemptions
18A:6-1 Corporal punishment of pupils
18A:36-19.2 Student locker or other storage facility; inspections; notice to students
18A:37-1 Submission of pupils to authority
18A:37-2 Causes for suspension or expulsion of pupils
18A:37-2.1 through -2.5 Assaults by pupil upon teacher, administrator, board member or employee of board of education; suspension; expulsion proceedings ...
through -12 18A:37-7 Zero Tolerance for Guns Act
- NJAC 6A:14-2.8 Discipline/suspension/expulsion
6A:16-1.1 et seq. Programs to Support Student Development
P.L. 103-382, Improving America's Schools Act of 1994
Section 1702, Prohibits possession or discharge of a firearm in a school zone,
Pub. L. 101-647
Attorney General's Executive Directive No. 1988-1, Memorandum of Agreement
(revised, amended)
State in Interest of T.L.O., 94 N.J. 331, 346 (1983), rev'd 515 U.S. 646 (1985)
See also Commissioners' Decisions indexed under "Pupils - Punishment of" in
Index
to N.J. School Law Decisions
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
The New Jersey School Search Policy Manual, New Jersey Attorney General
(1998)
A Uniform State Memorandum of Agreement Between Education and Law
Enforcement Officials

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Physical Restraint of Students by Staff Members

Policy 5131.8

Date Adopted: February 22, 2012 Date Revised:

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The goal of the Board of Education is to provide a safe, caring atmosphere that supports all learners in the least restrictive environment. The Board of Education recognizes that on occasion, a situation may arise in which some students attending our district will exhibit behaviors that are disruptive to the social and educational environment of the school; and thus, are a danger to themselves and others and reduce the student's potential for learning. This policy applies to all, including general education students and students with disabilities. It should also be noted that nothing in the policy precludes a teacher or other staff member using reasonable force to protect students, themselves, or other persons from assault or imminent, serious physical harm.

Restraints are only to be used in an emergency. For the purpose of this policy, emergency is defined as a situation in which a student's behavior poses a threat of imminent, serious physical harm to the student or others or eminent serious property destruction.

The restraint procedure falls within a continuum of behavior management techniques that are designed to address potentially unsafe student behavior. This continuum begins with minimally intrusive or restrictive strategies that can be implemented within the classroom setting. The continuum then progresses to more restrictive strategies that may involve the physical separation or restraint of a student. The goal is minimal separation for his/her classmates in order to enable the student to regroup and return to the classroom setting. The primary intervention options used by staff when a student exhibits escalating, disruptive behavior should focus on assisting the student in regaining behavioral control. These options include:

- Verbally redirecting student in a low, nonthreatening voice;
- Setting reasonable limits;
- Offering alternatives;
- Allowing time so that the student can regain control.

Restraint does include momentary periods of physical restriction by direct person-to-person contact without the aid of material or mechanical devices that is accomplished with limited force and designed to prevent a student from completing an act that would result in potential physical harm to himself/herself or another or damage property or to remove a disruptive student who is unwilling to leave an area voluntarily. Physical prompting to assist a student in task completion, such as holding a student's hand, positioning a student's body, securing a student on the bus, or using prescribed adaptive equipment to prevent ongoing, repetitive, self injurious behavior are not considered to be restraint. Restraint shall only be used with the following limitations:

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1. Limited to the use of only the reasonable force needed;
2. Discontinued immediately when the emergency no longer exists;
3. Implemented in such a way as to protect the health and safety of the students and others; and,
4. Does not deprive the study of basic human necessities.

The use of physical restraints is prohibited in the following circumstances:

1. As a means of punishment;
2. As an intervention to property destruction, unless the potential property destruction may result in possible harm to self and/or others;
3. As a response to verbal threats, disruptive behavior or a student's refusal to comply with a school rule or staff directive, unless the student's behavior poses an immediate or serious danger to self and/or others.

In accordance with NJSA 18 A:6-1, no person employed or engaged in school or educational instruction, whether public or private, shall inflict or cause to be inflicted corporal punishment upon a pupil attending such school or institution; but any such person may, within the scope of his/her employment, use and apply such amount of force as is reasonable and necessary:

The use of physical restraint is subject to the following requirements:

1. The student must possess a physical risk to himself/herself or others or to quell a disturbance, with the intent of threatening physical injury to others;
2. To obtain possession of weapons or other dangerous objects upon the person or within the control of a pupil, or to prevent significant property damage which ultimately may present harmful to the student or others;
3. For the purpose of self-defense;
4. Restraint techniques will take into account medical conditions and shall be modified as necessary;
5. Students will not be subject to physical restraint for using profanity or other verbal displays or disrespect or for noncompliance. A verbal threat will not be considered as constituting a physical danger unless a student also demonstrates a means of, or intent to, carry out the threat;
6. In determining whether a student who is being physically restrained should be removed from the area where the restraint was initiated, the supervising staff member should consider the potential for injury to the student, the student's need for privacy and the educational and emotional well-being of the other students in the vicinity;

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7. A student shall be released from physical restraint immediately upon a determination by the staff member administering the restraint that the student is no longer in imminent danger of causing harm to himself/herself or others;
8. The student shall be examined by school personnel (i.e. nurse, counselor, administrator, etc.) after any restraint;
9. The school principal, or acting school administrator will be notified immediately when a student is being restrained, or immediately following the conclusion of the restraint.
10. A written incident report will be completed by school personnel (teacher, nurse, counselor, administrator, etc.) after a physical restraint is implemented. Parents are to be notified by telephone and provided with a copy of the report. The report must also be maintained in the student's permanent record.

Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
2C:12-1 Definition of assault
2C:33-19 Paging devices, possession by students
2C:39-5 Unlawful possession of weapons
18A:6-1 Corporal punishment of pupils
18A:11-1 General mandatory powers and duties
18A:25-2 Authority over pupils
18A:36-19a Newly enrolled students; records and identification
18A:37-1 et seq. Discipline of Pupils
18A:40A-1 et seq. Substance Abuse
18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:14-2.8 Discipline/suspension/expulsions
6A:16-1.1 et seq. Programs to Support Student Development
6:32-12.1 Reporting requirements
6:32-12.2 School-level planning

Possible Cross References

1220, 3517, 3541.33, 4148, 5000, 5010, 5020, 5113, 5114, 5124, 5127,
5131.5, 5131.6, 5131.7, 5132, 5145, 5145.2, 5145.4, 5145.6, 6145, 6164.4,
6171.4, 6172

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Date Adopted: August 26, 2003

**Date Revised: November 16, 2006,
January 28, 2009, August 31, 2010,
March 23, 2011, August 24, 2011,
January 25, 2018, October 4, 2018**

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The Board of Education prohibits acts of harassment, intimidation or bullying against any pupil.

A safe and civil environment in school is necessary for pupils to learn and achieve. High academic standards; harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a pupil's ability to learn and a school's ability to educate its pupils in a safe environment; and since pupils learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation or bullying.

For the purposes of this policy, "bullying" is unwanted, aggressive behavior that may involve a real or perceived power imbalance and "harassment, intimidation or bullying" means any gesture or written, verbal or physical act or any use of an electronic communication device directed at a student that takes place on or off school grounds, at any school-sponsored function, or on a school bus as provided for in section 16 of P.L.2010, c.122 (C.18A:37-15.3 that:

- A. Targets a student and which may affect his/her educational program;
- B. Substantially disrupts, infringes or interferes with the orderly operation of the school or the rights of other students;
- C. Creates a hostile educational environment for a student(s) by infringing and/or interfering with a student(s)' education;
- D. Severely or pervasively causes physical or emotional harm to a student(s);
- E. Is motivated by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability; or,
- F. By any other distinguishing characteristic; and
- G. A reasonable person should know, under the circumstances, that the act(s) will have the effect of harming a pupil or damaging the pupil's property, or placing a pupil in reasonable fear of harm to his person or damage to his property; or
- H. Has the effect of insulting or demeaning any pupil or group of pupils in such a way as to cause substantial disruption in, or substantial interference with, the orderly operation of the school.

For the purposes of this policy and as defined in NJSA 18A:37-15.1, an electronic communication device is, "A communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer or pager."

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Acts of harassment, intimidation or bullying may also be a pupil or group of pupils exercising control over another pupil, in either isolated incidents (e.g., intimidation, harassment) or patterns of harassing or intimidating behavior (e.g., bullying).

The term “school grounds,” pursuant to NJAC 6A:16-1.3, means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider and structures that support these buildings, such as school district wastewater treatment facilities, generating facilities, and other central service facilities including, but not limited to, kitchens and maintenance shops. School property also includes other facilities as defined in NJAC 6A:26-1.2, playgrounds, and recreational places owned by local municipalities, private entities or other individuals during those times when the school district has exclusive use of a portion of such land.

Anti-Bullying Coordinator

The Chief School Administrator shall appoint a district anti-bullying coordinator, who shall be responsible for overseeing and strengthening the anti-bullying initiatives and policies of this district to prevent, identify and address harassment, intimidation or bullying of students. The school district shall provide time during the usual school schedule for the Anti-Bullying Coordinator and each school Anti-Bullying Specialist to participate in harassment, intimidation, and bullying training programs. The district anti-bullying coordinator shall also:

- A. Collaborate with the school anti-bullying specialist(s), the Board of Education and the Chief School Administrator to prevent, identify and respond to harassment, intimidation or bullying of students in the district;
- B. Shall be made available to private schools in the municipality the public school is located in.
- C. Provide data in collaboration with the Chief School Administrator, to the New Jersey Department of Education regarding harassment, intimidation or bullying of students;
- D. Execute such other duties related to school harassment, intimidation or bullying as requested by the Chief School Administrator; and,
- E. Meet at least twice per school year (once in the first semester and once in the second semester) with the school anti-bullying specialist(s) to discuss and strengthen procedures and policies to prevent identify and address harassment, intimidation or bullying in the district.

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

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In addition, a school safety team shall be established in each school to foster and maintain a positive school climate within the schools. The school safety/climate team must, at a minimum, consist of the principal or his/her designee, a teacher within the school, the school anti-bullying specialist who will serve as the team chair, and a parent/guardian of a student within the school. Any parent/guardian who serves on the school safety team shall not participate in any activity of the team that may compromise the confidentiality of students.

The Principal shall be appointed by the Chief School Administrator to fulfill the role of anti-bullying specialist.

The Principal or Chief School Administrator must appoint the currently employed school guidance counselor, school psychologist or other similarly trained individual as the school anti-bullying specialist. If there is no such individual meeting these criteria, the Principal or Chief School Administrator must appoint another currently employed individual in the school to the position of school anti-bullying specialist.

The school anti-bullying specialist shall:

- A. Chair the school safety team;
- B. Lead investigations of incidents of harassment, intimidation or bullying in the school; and,
- C. Act as the primary school official responsible for preventing, identifying and addressing incidents of harassment, intimidation or bullying in the school.

The Chief School Administrator/designee shall develop a list of appropriate responses to actions of harassment, intimidation or bullying occurring off school grounds, in cases in which a school employee is made aware of such actions. These responses shall be consistent with the district's code of student conduct and other provisions of this policy and in accordance with the provisions of state and federal laws.

For school staff to address HIB that occurs off school grounds there must be reason to believe, at a minimum, that the alleged HIB has substantially disrupted or interfered with the orderly operation of the school or the rights of other students. Once this determination has been made, school staff must implement the provisions of this policy and the code of student conduct of the district.

Expected Behavior

The Board of Education expects pupils to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with a proper regard for the rights and welfare of other pupils and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

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The Board of Education believes that standards for pupil behavior must be set cooperatively through interaction among the pupils, parents/guardians, staff and community members, producing an atmosphere that encourages pupils to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for district and community property on the part of pupils, staff and community members.

The Board of Education believes that the best discipline is self-imposed, and that it is the responsibility of staff to use disciplinary situations as opportunities to help pupils learn to assume and accept responsibility for their behavior and the consequences of their behavior. Staff members who interact with pupils shall apply best practices designed to prevent discipline problems and encourage pupils' abilities to grow in self-discipline.

Cyber-bullying

The Board of Education expressly forbids cyber-bullying. For the purposes of this policy, "cyber-bullying" shall mean using the communication capacities of computers, the Internet and/or other digital communication devices to bully others by:

- A. Sending or posting cruel messages or images;
- B. Threatening others;
- C. Excluding or attempting to exclude others from activities or organizations;
- D. Starting or passing on rumors about others or the school system;
- E. Harassing or intimidating others;
- F. Sending angry, rude or vulgar messages directed at a person or persons privately or to an online group;
- G. Sending or posting harmful, untrue or cruel statements about a person to others;
- H. Pretending to be someone else and sending or posting material that makes that person look bad or places that person in potential danger;
- I. Sending or posting material about a person that contains sensitive, private or embarrassing information, including forwarding private messages or images; and/or,
- J. Engaging in tricks to solicit embarrassing information that is then made public.

Pupils found to be engaging in activities as described above shall be subject to the terms and sanctions found in this policy and the discipline code of the district.

The Chief School Administrator shall provide annually to pupils and their parents/guardians the rules of the district regarding pupil conduct, and the policy shall appear in all publications of the school district's comprehensive rules, procedures and standards of conduct for schools within the school district, including the pupil handbook.

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Provisions shall be made for informing parents/guardians whose primary language is other than English. These district rules shall include, but not be limited to:

- A. Describing pupil responsibilities including the requirements for pupils to conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others; obey constituted authority; and respond to those who hold that authority;
- B. Addressing appropriate recognition for positive reinforcement for good conduct, self-discipline, good citizenship and academic success,
- C. Explaining pupil rights; and,
- D. Identifying disciplinary sanctions and due process.

Consequences and Remedial Measures for Acts of Harassment, Intimidation or Bullying

Discipline of Pupils

In considering whether a response beyond the individual level is appropriate, the administrator should consider the nature and circumstances of the act, the level of harm, the nature of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom, school building, school district) responses can range from school and community surveys, to mailings, to focus groups, to adoption of research-based bullying prevention program models, to training for certificated and non-certificated staff, to participation of parents and other community members and organizations, to small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of the acceptable pupil behavior and the consequences of such actions and to involvement of law enforcement officers, including school resource officers.

Pupils

Consequences and remedial measures for a pupil who commits an act of harassment, intimidation or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance. Consequences shall be consistent with the Board of Education approved code of student conduct and NJAC 6A:16-7. Consequences and remedial measures shall be designed to:

- A. Correct the problem behavior;
- B. Prevent another occurrence of the problem;
- C. Protect and provide support for the victim of the act; and
- D. Take corrective action for documented systemic problems related to harassment, intimidation or bullying.

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Consequences and appropriate remedial actions for a pupil who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to and including short and long-term suspension or expulsion, as permitted by law. The consequences and remedial measures may include, but are not limited to:

Consequences

- A. Admonishment;
- B. Temporary removal from the classroom;
- C. Deprivation of privileges;
- D. Classroom or administrative detention;
- E. Referral to disciplinarian;
- F. In-school suspension during the school week or the weekend;
- G. After-school programs;
- H. Out-of-school suspension (short-term or long-term);
- I. Legal action; and
- J. Expulsion.

Remedial Measures

- A. Personal;
- B. Restitution and restoration;
- C. Mediation;
- D. Peer support group;
- E. Recommendations of a student behavior or ethics council;
- F. Corrective instruction or other relevant learning or service experience;
- G. Supportive student interventions, including participation of the intervention and referral services team;
- H. Behavioral assessment or evaluation, including, but not limited to, a referral to the child study team, as appropriate;
- I. Behavioral management plan, with benchmarks that are closely monitored;
- J. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- K. Involvement of school disciplinarian;
- L. Student counseling;
- M. Parent conferences;
- N. Student treatment; or
- O. Student therapy.

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- A. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- B. School culture change;
- C. School climate improvement;
- D. Adoption of research-based, systemic bullying prevention programs;
- E. School policy and procedures revisions;
- F. Modifications of schedules;
- G. Adjustments in hallway traffic;
- H. Modifications in student routes or patterns traveling to and from school;
- I. Supervision of students before and after school, including school transportation;
- J. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
- K. Teacher aides;
- L. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- M. General professional development programs for certificated and non-certificated staff;
- N. Professional development plans for involved staff;
- O. Disciplinary action for school staff who contributed to the problem;
- P. Supportive institutional interventions, including participation of the intervention and referral services team;
- Q. Parent conferences;
- R. Family counseling;
- S. Involvement of parent-teacher organizations;

Classified pupils are subject to the same disciplinary procedures as nondisabled pupils and may be disciplined in accordance with their IEP. However, before disciplining a classified pupil, it must be determined that:

- A. The pupil's behavior is not primarily caused by his/her educational disability;
- B. The program that is being provided meets the pupil's needs.

Staff

Remaining consistent with the Board of Education requirements that all violations and complaint reports of harassment, intimidation or bullying committed by an adult or youth against a student be investigated promptly by the appropriately designated administrator or his/her designee. All investigations shall be thorough and complete with the understanding that complaints about any staff member or adult conduct cannot be investigated by a member of the same bargaining unit. Any person who has been convicted of bias intimidation may be disqualified for employment in this district.

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

Consequences and appropriate remedial actions for any staff member who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to disciplinary charges that could result in suspension or termination. The consequences and remedial measures may include, but are not limited to:

Consequences

- A. Admonishment;
- B. Temporary removal from the classroom;
- C. Deprivation of privileges;
- D. Referral to disciplinarian;
- E. Withholding of Increment
- F. Suspension;
- G. Bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds;
- H. Legal action; and
- I. Termination.

Remedial Measures

- A. Personal;
- B. Restitution and restoration;
- C. Mediation;
- D. Support group;
- E. Recommendations of behavior or ethics council;
- F. Corrective action plan;
- G. Behavioral assessment or evaluation;
- H. Behavioral management plan, with benchmarks that are closely monitored;
- I. Involvement of school disciplinarian;
- J. Counseling;
- K. Conferences;
- L. Professional development programs;
- M. Work environment modifications;
- N. Treatment; or
- O. Therapy.

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Environmental (Classroom, School Building or School District)

- A. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- B. School culture change;
- C. School climate improvement;
- D. Adoption of research-based, systemic bullying prevention programs;
- E. School policy and procedures revisions;
- F. Modifications of schedules;
- G. Supervision;
- H. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- I. General professional development programs for certificated and non-certificated staff;
- J. Professional development plans for involved staff;
- K. Disciplinary action;
- L. Supportive institutional interventions, including participation of the intervention and referral services team;
- M. Conferences;
- N. Counseling.

Reporting Harassment, Intimidation or Bullying

The Chief School Administrator, principal and/or their designee shall be responsible for receiving complaints alleging violations of this policy.

Any school employee, pupil, Board Member, or volunteer who has witnessed, or has reliable information that a pupil has been subject to harassment, intimidation or bullying, must report the incident to the appropriately designated administrator or his/her designee.

All acts of harassment, intimidation or bullying shall be reported verbally to the school principal on the same day when the school employee or contracted services provider witnessed or received reliable information regarding any such incident. This includes an act of HIB committed by an adult or youth against a student. The principal may use his/her discretion in handling initial HIB complaints in accordance with current HIB legislation. The principal shall inform the parent(s)/guardian(s) of all students involved in the alleged incident, and may discuss, as appropriate, the availability of counseling and other intervention services. All acts of harassment, intimidation or bullying including an act of HIB committed by an adult or youth against a student, shall be reported in writing to the principal within 2 school days of when the school employee or contracted service provider witnessed or received reliable information that a student had been subjected to harassment, intimidation or bullying.

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In cases in which an incident of harassment, intimidation or bullying occurs exclusively among or between special education students or student with developmental disabilities in the context of a county special services school district or a separate program for special education students within a school district, the school employee who witnesses such an incident shall have the discretion to determine whether it is necessary to report the incident or if the incident may have been affected by the condition of the student(s) and thereby warrants an alternative approach more appropriate in the special education context.

Reports of harassment, intimidation or bullying in any form, including but not limited to, oral reports, written reports or electronic reports shall be taken. Reports shall also be made to the Department of Education through the Electronic Violence and Vandalism Reporting System (EVVRS). The Board of Education shall allow reports to be anonymous, but no formal disciplinary action shall be based solely on an anonymous report.

The Board of Education requires that all violations and complaint reports of harassment, intimidation or bullying be investigated promptly by the appropriately designated administrator or his/her designee. The principal (or his/her designee) and the anti-bullying specialist may make a preliminary determination if the complaint is within the scope of HIB prior to initiating an investigation. All investigations shall be thorough and complete and shall include, but not be limited to:

- A. Taking of statements from victim, witnesses and accused;
- B. Careful examination of facts;
- C. Support for the victim; and
- D. Determination if alleged act constitutes a violation of this policy.

The appropriately designated administrator shall maintain all reports and records of the investigation on file.

Range of Ways to Respond to Harassment, Intimidation or Bullying

The Board of Education recognizes that some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school officials respond appropriately to the individuals committing the acts and provide support programs for victims. Other acts may be so serious or parts of a larger pattern of harassment, intimidation or bullying that they require a response either at the classroom, school building or school district levels or by law enforcement officials. In considering whether a response beyond the individual is appropriate, the administrator shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom; school building; school district) responses may include, but are not limited to:

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- A. School and community surveys;
- B. Mailings;
- C. Focus groups;
- D. Adoption of research-based bullying prevention program models;
- E. Training for certificated and non-certificated staff;
- F. Participation of parents and other community members and organizations;
- G. Small or large group presentations for staff, students, and the community for fully addressing a positive school climate and culture as well as the issues surrounding harassment, intimidation or bullying in the school community;
- H. The involvement of law enforcement officers, including school resource officers.

For every incident of harassment, intimidation or bullying, the district shall respond to the individual who committed the act. Responses may include, but not be limited to:

- A. Individual responses can include positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) and punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion);
- B. Classroom responses can include class discussions about an incident of harassment, intimidation or bullying, role plays, research projects, observing and discussing audio-visual materials on these subjects and skill-building lessons in courtesy, tolerance, assertiveness and conflict management;
- C. School responses can include theme days, learning station programs, parent programs and information disseminated to students and parents, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices;
- D. District-wide responses can include community involvement in policy review and development, professional development programs, adoption of curricula and school-wide programs and coordination with community-based organizations (e.g., mental health; health services; health facilities; law enforcement; faith-based).

Retaliation and Reprisal Prohibited

The Board of Education prohibits reprisal or retaliation against any person who reports an act of harassment, intimidation or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the Chief School Administrator and/or principal or their designee after consideration of the nature, severity and circumstances of the act, in accordance with case law and Board of Education policies and procedures.

Any act of retaliation or reprisal against any person who reports an act of harassment, intimidation or bullying shall not be tolerated. Any student, school employee, volunteer, visitor, or Board of Education Member who engages in the act of retaliation or reprisal or who falsely

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accuses another shall be subjected to consequence and appropriate remedial action. In cases where any state or federal law has allegedly been violated, the local law enforcement agency shall be notified.

Students

The consequences and appropriate remedial action for a student found to have engaged in retaliation, reprisal and/or falsely accusing another as a means of harassment, intimidation or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance, and shall be consistent with this policy. Consequences may include positive behavioral interventions, notification of the parents/guardians, up to and including short or long-term suspension or expulsion, as permitted by law.

School Employees

Consequences and appropriate remedial action for a school employee found to have engaged in retaliation, reprisal and/or falsely accusing another as a means of harassment, intimidation or bullying shall be determined in accordance with district policies, procedures and agreements, up to and including suspension or dismissal from service.

Visitors, Volunteers

Consequences and appropriate remedial action for a visitor or volunteer, found to have engaged in retaliation, reprisal and/or falsely accusing another as a means of harassment, intimidation or bullying shall be determined by the Chief School Administrator after consideration of the nature, severity and circumstances of the act, including reports to appropriate law enforcement officials.

Consequences

- A. Admonishment;
- B. Temporary removal from the classroom or school;
- C. Deprivation of privileges;
- D. Classroom or administrative detention;
- E. Referral to disciplinarian;
- F. In-school suspension during the school week or the weekend;
- G. After-school programs;
- H. Out-of-school suspension (short-term or long-term);
- I. Legal action;
- J. Withholding of Increment;
- K. Suspension;
- L. Expulsion;
- M. Termination.

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Remedial Measures

- A. Personal;
- B. Restitution and restoration;
- C. Mediation;
- D. Peer support group;
- E. Recommendations of a student behavior or ethics council;
- F. Corrective instruction or other relevant learning or service experience;
- G. Supportive student interventions, including participation of the intervention and referral services team;
- H. Behavioral assessment or evaluation, including, but not limited to, a referral to the child study team, as appropriate;
- I. Behavioral management plan, with benchmarks that are closely monitored;
- J. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- K. Involvement of school disciplinarian;
- L. Counseling;
- M. Conferences;
- N. Professional development programs;
- O. Work environment modifications;
- P. Treatment; or
- Q. Therapy.

Examples of consequences for a school employee or a contracted service provider who has contact with pupils that engages in reprisal or retaliation may include, but not be limited to: verbal or written reprimand, increment withholding, legal action, disciplinary action, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

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

Support for Victims of Harassment, Intimidation or Bullying

The Chief School Administrator/designee shall establish procedures and practices for supporting victims of harassment, intimidation or bullying, incorporating the services of professional staff members within the district or as he/she deems appropriate.

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Investigation & Appeal

The Chief School Administrator/designee is responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the Chief School Administrator/designee shall oversee a prompt, thorough and complete investigation of the alleged incident.

School administrators who receive a report of harassment, intimidation or bullying from a district employee and fail to initiate or conduct an investigation, or who should have known of an incident of harassment, intimidation or bullying and fail to take sufficient action to minimize or eliminate the harassment, intimidation or bullying may be subject to disciplinary action.

The investigation shall be initiated by the principal within one school day of the report of the incident and shall be conducted by a school anti-bullying specialist. Additional personnel may be appointed by the principal to assist in the investigation. The investigation shall be completed within 10 school days from the date of the written report of the incident of harassment,

intimidation or bullying. In the event that there is information relative to the investigation that is anticipated but not yet received by the end of the 10-day period, the school anti-bullying specialist may amend the original report of the results of the investigation to reflect the information.

The results of the investigation shall be reported to the Chief School Administrator within 2 school days of the completion of the investigation and in accordance with the regulations promulgated by the NJ State Board of Education pursuant to the "Administrative Procedure Act," PL 1968, c410 (C.52:14B-1 et seq). The Chief School Administrator may decide to provide intervention services, establish training programs to reduce harassment, intimidation or bullying and enhance school climate, impose discipline, or order counseling as a result of the findings of the investigation or take or recommend other appropriate actions.

The results of each investigation shall be reported to the Board of Education no later than the date of the Board of Education meeting next following the completion of the investigation along with information on any services provided, training established, discipline imposed or other actions taken or recommended by the Chief School Administrator.

Parents/guardians of the students who are parties to the investigation shall be entitled to receive information about the investigation in accordance with federal and state law and regulations, whether the district found evidence of harassment, intimidation or bullying or whether discipline was imposed or services provided to address the incident. This information shall be provided in writing within 5 school days after the results of the investigation are reported to the Board of Education. A parent/guardian may request a hearing before the Board of Education after

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receiving the information and the hearing shall be held within 10 days of the request. The Board of Education shall meet in executive session for the hearing to protect the confidentiality of the student(s). At the hearing, the Board of Education may hear from the school anti-bullying specialist about the incident, recommendations for discipline or services and any programs instituted to reduce such incidents.

At the Board meeting following the receipt of the report, the Board of Education shall issue a decision, in writing to affirm, reject or modify the decision of the Chief School Administrator. The decision of the Board of Education may be appealed to the NJ Commissioner of Education in accordance with the procedures set forth in law and regulation, no later than 90 days after the issuance of the decision of the Board of Education.

A parent/guardian or organization may file a complaint with the Division on Civil Rights within 180 days of the occurrence of any incident of harassment, intimidation or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination," PL 1945, c169 (C. 10:5-1 et seq).

Response to an Incident of Harassment, Intimidation or Bullying

Some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school respond appropriately to the individuals committing the acts. Other acts may be so serious or parts of a larger pattern of harassment, intimidation or bullying that they require a response either at the classroom, school building or school district levels or by law enforcement officials.

Consequences for False Accusation

Consequences and appropriate remedial action for a pupil found to have falsely accused another as a means of harassment, intimidation or bullying range from positive behavioral interventions up to and including suspension or expulsion, as permitted under NJSA 18A:37-1, Discipline of Pupils.

Public Participation

Based on broad community involvement (i.e., the use of a process that includes representation of parents/guardians and other community representatives, school employees, volunteers, pupils and administrators for the purpose of providing input regarding the development and content of the policy that is based on accepted core ethical values), the Board of Education shall develop general guidelines for pupil conduct and shall direct development of detailed regulations suited to the age levels of the pupils and the mission and physical facilities of the individual schools. Board policy requires all pupils in the district to adhere to the rules and regulations established by the school district and to submit to such disciplinary measures as are appropriately assigned for infraction of these rules.

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Dissemination and Implementation

The Chief School Administrator shall take the following steps to publicize this policy:

- A. Publicized on district website;
- B. Distributed annually to all staff, students and parents/guardians;
- C. Printed in school handbooks; and
- D. Posted at the entrance of each building.

A link to this policy shall be prominently posted on the home page of the district website and distributed annually to parents/guardians of students of this district. In addition, the name, school address, school phone number and email address of the district anti-bullying coordinator shall be listed on the district's website home page

All pupils and staff shall be informed that harassment, intimidation or bullying is prohibited on school property, at any school-sponsored function or on a school bus. This shall include development of a process to annually discuss the policy with students. This information shall also be incorporated into the student handbook and employee training programs.

Training of Staff Members, Administrators & Board of Education Members

The training needs of district staff for the effective implementation of this policy, procedures and initiatives of the Board of Education shall be reviewed annually. The Board of Education shall also implement staff training programs consistent with this review. Such training shall include, but not be limited to information on and the relationship between the risk of suicide and incidents of harassment, intimidation or bullying and reducing the risk of suicide among students, especially for those students who are members of communities identified as having members at high risk of suicide.

By the 2011-2012 school year, all candidates for school administrator or teacher certification will be required to complete a program on harassment, intimidation or bullying prevention, and that training in this area will be a part of the professional development requirements for these individuals.

Within one year after being newly elected or appointed or being re-elected or re-appointed to the Board of Education, a Board Member shall complete a training program dealing with harassment, intimidation or bullying in schools and including a school district's responsibilities under PL 2002, c.83 (C.18A;37-13 et seq). This training shall be provided by the New Jersey School Boards Association in consultation with recognized experts in school bullying from a cross-section of academia, child advocacy organizations, nonprofit organizations, professional associations and governmental agencies. Board Members shall be required to complete the program only once.

The training course for any safe school resource officers and/or public school employees assigned by the Board of Education to serve as a school liaison to law enforcement must include training in the protection of students from harassment, intimidation or bullying.

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The extent and characteristics of harassment, intimidation or bullying behavior in the district's schools, and implementation programs, or other responses, if appropriate, shall be reviewed annually. These programs or other services shall be planned in consultation with parents, and other community members, including appropriate community-based social and health provider agencies, law enforcement officials, current and new school employees school volunteers, students, and school administrators, as appropriate.

Twice annually, at a public hearing, the Chief School Administrator must report to the Board of Education, all acts of violence, vandalism and harassment, intimidation or bullying that occurred during the previous period. This report shall include, but not be limited to:

- A. The number of reports of harassment, intimidation or bullying the status of all investigations;
- B. The nature of the bullying based on one of the protected categories identified in Section 2 of PL 2002, c.83 (C18A:37-14);
- C. The names of the investigators;
- D. The type and nature of any discipline imposed on any student engaged in harassment, intimidation or bullying; and,
- E. Any other means imposed training conducted or programs implemented to reduce harassment, intimidation or bullying.

The information shall also be reported once during each semester of the school year to the Department of Education. The report must include data broken down by the enumerated categories as listed in Section 2 of PL 2002, c.83 (C18A:37-14, and data broken down by each school in the district, in addition to district-wide data. The report will be used to grade schools and districts in their efforts to implement policies and programs with the "Anti-Bullying Bill of Rights Act. It shall be a violation to improperly release any confidential information not authorized by federal or state law for public release.

The district shall be graded by the New Jersey Commissioner of Education on its efforts to identify harassment, intimidation or bullying and the School Report Card shall include data identifying the number and nature of all reports of harassment, intimidation or bullying.

The grade assessed for each school and the district shall be published on the district website, along with a link to the report. This information shall be posted on the district website within 10 days of the receipt of a grade by the school and district.

The Chief School Administrator shall ensure that the rules for this policy are applied consistently with the district's code of student conduct NJAC 6A:16-7 and all applicable laws and regulations and that all disciplinary sanctions are carried out with necessary due process.

A copy of this policy and any future revisions to it shall be transmitted to the County Executive Chief School Administrator within 30 days of the adoption of the policy and/or any revisions to it.

Annually, the district shall conduct a re-evaluation, reassessment and review of this policy, making any necessary revisions and additions. The Board of Education shall include input from the school anti-bullying specialist(s) in conducting this review, re-evaluation, and reassessment.

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The week beginning with the first Monday in October of each year has been designated as a “Week of Respect” in the State of New Jersey. This district shall observe the week by providing age-appropriate instruction focusing on preventing harassment, intimidation and bullying. In addition, the district shall provide ongoing age-appropriate instruction dealing with the prevention of harassment, intimidation and bullying, in accordance with the New Jersey Core Curriculum Content Standards.

Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
2C:12-1 Definition of assault
2C:33-19 Paging devices, possession by students
2C:39-5 Unlawful possession of weapons
18A:6-1 Corporal punishment of pupils
18A:11-1 General mandatory powers and duties
18A:25-2 Authority over pupils
18A:37-1 et seq. Discipline of Pupils
- NJAC 6A:14-2.8 Discipline/suspension/expulsions
6A:16-1.1 et seq. Programs to Support Student Development
6:32-12.1 Reporting requirements

Possible Cross References

1120, 1410, 3517, 3541.33, 4131, 4131.1, 4148, 4231.1, 4248, 5010, 5020, 5113,
5114, 5124, 5131.7, 5132, 5145, 5145.4, 5145.6, 5145.11, 5145.12, 6142.41, 6145,
6164.4, 6171.4, 6172

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Date Adopted: June 25, 2008

Date Revised

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The Board of Education recognizes that a school campus is a place that has appropriate rules and regulations to ensure a safe and healthy environment that is conducive to learning for all students. All students, staff members and volunteers shall be knowledgeable of the conduct and expectations on which this school district operates.

The Board of Education further acknowledges the existence of criminal gangs in our society, and the importance and necessity of deterring all persons from emulating gangs or contributing to the proliferation of gangs. A gang in this policy is defined as “any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts and having a common name or common identifying signs, colors and/or symbols.”

It is the policy of the Board of Education that membership or affiliation in secret fraternities or in other clubs or gangs not sponsored by established agencies or organizations and recognized by this school district is strictly prohibited.

Persons who initiate, advocate, or promote activities, openly or otherwise, that threaten the safety or well-being of persons or property, that disrupt the school environment and/or are harmful to the education program will be dealt with as if they committed an offense of the most serious category.

The use of hand signals, written or oral comments, stances, stares, graffiti or the presence or use of any apparel, jewelry, accessory or manner of grooming which, by virtue of its color, arrangement, trademark, symbol or any other attribute which indicates or implies membership or affiliation with a gang or group, which real or implied, present a clear and present danger to the school environment, its staff and students, and the educational objectives of the community and State and is strictly prohibited.

Any incident involving initiations, intimidation and/or related activity of such gangs affiliates will hereby be considered actions which present the danger or likelihood of bodily danger, physical harm or personal degradation or disgrace resulting in physical or mental harm to students or staff and is strictly prohibited.

In addition, the Board of Education prohibits the following on school property, including buildings, grounds and/or vehicles, whether owned or leased by the district, or at school related functions, and off school property if it involves intimidation or an attack on another student in the district:

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1. Initiating, advocating, or promoting a gang or any gang-related activities;
2. Wearing, carrying, distributing, displaying gang/group paraphernalia;
3. Exhibiting behavior or gestures which symbolize gang/group membership;
4. Tagging or defacing school property with gang names, slogans and/or insignias;
5. Conducting gang initiations;
6. Threatening another person with bodily injury and/or inflicting body injury on another person in connection with a gang or gang-related activity;
7. Inciting, soliciting, or recruiting others for gang membership or gang-related activities;
8. Aiding or abetting any of the above activities by one's presence or support; and/or,
9. Causing and/or participating in activities which intimidate or affect the attendance or sense of personal safety or well-being of another student or staff member.

Any student found to have engaged in any of the above shall be subject to school discipline, including but not limited to detention, suspension, and/or expulsion. For any disciplinary matter covered by the above or by any other part of the school's disciplinary code, a finding that the conduct was gang-related or gang-affiliated shall be considered an aggravating factor in determining the appropriate punishment.

The Board further prohibits the following in school and at school-related functions and events:

1. Wearing of gang apparel, accessories, signs, insignias, or symbols on one's clothing or person.
2. Display of gang apparel, accessories, signs, insignias, or symbols on personal property.
3. Communication in any method (verbally or non-verbally) designed to convey gang membership or affiliation.

The Chief School Administrator or his/her designee shall determine, in consultation with law enforcement officials, what types of specific apparel, accessories, signs, insignias, and symbols are to be prohibited at each school under this policy, and may adopt regulations hereunder. The regulations and this policy shall be publicized to all students and parents/guardians via the district's website, student handbooks or any other reasonable means. The list may be part of a broader dress code applicable to all students at the school.

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The preferred response to the wearing or displaying of items prohibited by policy or regulation (unaccompanied by any other disciplinary code violation) is intervention in lieu of discipline.

The decision to intervene in lieu of imposing discipline is left to the discretion of the school administrator, based upon all of the circumstances, including the nature of the violation, the adequacy of notice that the items were prohibited and the student's overall behavior in the school setting. Intervention may include counseling, meetings with parents/guardians and/or police recommendations for attending informational programs on gangs. The purpose of such intervention is to discuss the school's observations and concerns and to offer the student and his/her parents/guardians information and an opportunity to ask questions or provide other information.

Delegation of Responsibility

The Chief School Administrator/designee shall ensure that:

1. Gang affiliation and activities are included in printed rules and regulations provided to staff, students and parents/guardians;
2. Students identified as possibly involved in gang-related activities, receive counseling to enhance self-esteem, encourage interest and participation in wholesome activities, and promote membership in authorized student organizations;
3. Parents/Guardians will be notified of the school's concern;
4. Staff in-service training regarding gang activities, methods of operation, and current methods of identification is available to staff;
5. All gang affiliation or gang type incidents are referred to the appropriate law enforcement agency;
6. Affiliation with a gang, gang activities or claiming gang membership by students is considered exceptional misconduct and subject to penalties that may include suspension or expulsion;
7. Any student disciplined for gang activities or affiliation may be required to sign a negotiated behavior contract between the student, parent/guardian and administrator before he/she will be re-admitted;
8. Administrators have the authority to reduce long-term suspension to a shorter duration provided the building administrator is convinced that a plan is in progress which will result in elimination of future involvement with gangs.

Students who have been expelled or suspended for gang-related activities may be subject to emergency expulsion and may lose their right to remain in school during the appeal process.

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Instruction in Gang Violence Prevention

The Board of Education directs the Chief School Administrator to develop and oversee an educational program that offers instruction in gang violence prevention and in ways to avoid membership in gangs. The instruction shall take place as a part of the district's implementation of the New Jersey Core Curriculum Content Standards in Comprehensive Health and Physical Education.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:37-1 Submission of pupils to authority
18A:37-14 et seq Bullying
18A:54-20 Vocational boards of education
NJAC 6A:14-2.8 Discipline

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)
New Jersey Core Curriculum Content Standards (Standard 2.1)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 USCA 6301 et seq
Manual for the Evaluation of Local School Districts
New Jersey Gang Awareness Initiative

Possible Cross References

1120, 1410, 3517, 3541.33, 4131, 4131.1, 4148, 4231.1, 4248, 5010, 5020, 5113,
5114, 5119.3, 5124, 5129.05, 5131, 5131.5, 5131.7, 5131.51, 5131.65, 5132, 5142,
5145, 5145.4, 5145.6, 5145.11, 5145.12, 6114, 6142.41, 6145, 6164.4, 6171.4, 6172

Deerfield Township Schools Gang / Behavior Contract

Student Name _____ Date _____

Contract Conditions and Expectations

1. _____ is not to wear any gang-affiliated clothing to school; specifically anything which has the name of a gang printed on it.
2. _____ is not to associate with any known or suspected gang affiliates while in school or at school-related activities.
3. _____ is to refrain from all harassing behaviors while attending the Deerfield Township Schools. This includes threats or intimidation of others by exhibiting identified gang behaviors.
4. _____ is expected to refrain from all gang-related activity while an Deerfield Township School District student. This includes writing in gang-style script. Hand signs, stances, slang talk, and other identified gang behaviors.
5. _____ must comply with all school policies regarding attendance and disciplinary procedures.

These terms are specified for the purpose of providing a safe and orderly environment for both the student and all Deerfield Township School District students so that they may be permitted to achieve their maximum educational potential.

I understand the above conditions and understand the consequences of failing to abide by those conditions.

Any violations of this contract will subject the student to suspension, up to and including the remainder of the semester.

Student Signature

Parent/Guardian Signature

Date

Administrator

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A safe and disciplined learning environment is essential to maximize student achievement and to ensure that students reach their full potential. The Board of Education believes that a school uniform dress code is a positive and cost-effective way to create a more unified, positive, and safe school climate focused more strongly on the learning process. Research has demonstrated that school uniforms increase school safety by minimizing disruptive behavior, decreasing violence, instilling and improving discipline, and helping maintain the focus on learning. It is expected that a school uniform dress code will promote respect for teachers, build school spirit, decrease unhealthy competition involving fashion trends and dress, ease the strain on parental clothing budgets, and allow for easy identification of intruders on campus.

For all of these reasons, the Board of Education is implementing a mandatory school uniform dress code for students in grades kindergarten through eight.

The general requirements of the mandatory school uniform for all students in grades kindergarten through eighth, commencing with the effective date of September 1, 2018, will be as follows:

School Uniform Dress Code

Top Colors: Yellow, white and acceptable blues: navy, royal blue (DTS color), and light blue.

Bottom Colors: khaki or navy in a solid, single color

Logos: No manufacturers' logos are permitted on attire that is larger than an inch and a half in measurement. Insignia on outerwear not related to the school or to the District is permitted, including professional sports teams, and college insignia. However, any offensive or gang related outerwear is prohibited.

Tops

1. All students will be required to wear a solid blue, yellow or white collared button front, polo shirt, or blouse (short or long sleeved).
2. Tops are not to be excessively tight or over-sized. Un-tucked (button front) shirts should not exceed wrist length.
3. Any shirt worn under the school uniform (layering) must be solid blue or white and is not to be showing below the hemline of the uniform shirt. The shirt can be either a turtleneck or crew neck.

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4. All students may wear solid blue, yellow, or white sweatshirts, sweaters, or sweater vests over a shirt or blouse as described in #1 (hoods are permitted).

Bottoms

1. All students will be required to wear khaki or navy cotton, canvas, corduroy, linen, polyester, or twill blend bottoms: pants, skirts, skorts, shorts, capris, or jumpers. Slacks and pants must be appropriately fastened and must fit appropriately at the waist, no sagging bottoms. Belts are optional and they must be navy, black or brown.
2. Bottoms made of nylon, stretch, or rayon material are not permitted. Bottoms are not to be excessively tight or over-sized. Bottoms are not to have any type of embellishment such as beading, rhinestones, etc.
3. Shorts and skorts may be worn all year. All shorts, skirts, jumpers and skorts will be required to be worn no shorter than two inches above the knee. Solid color leggings/tights in white or blue may be worn under jumpers and skirts.

Miscellaneous

1. All clothing is to be free of slits, holes, tears, and cuts.
2. Solid color socks: white, khaki/tan, gray, blue or black.
3. Accessories such as hats, bandanas, and scarves may not be worn during the school day.

Footwear

Students are required to wear closed toe shoes, sneakers, and/or boots. Sneakers are required to be worn during physical education classes. Boots designed to be worn for inclement weather such as rain or snow, may only be worn to and from school.

Physical Education/ Gym Clothes

Students must wear sneakers on their physical education day. Students may wear their uniform clothing or permitted physical education attire. Students may wear short sleeve and long sleeve t-shirts and sweatshirts that are blue, yellow or white. Student bottoms/sweatpants can be gray or navy. Spirit wear can be worn as tops and/or bottoms. All other dress code requirements still apply- Review # 2,4,6,8 &9 above.

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Administrative Clause

The administration reserves the right to permit variations to the mandatory school uniform for specifically organized learning activities and weather conditions.

The administration reserves the right to temporarily suspend the mandatory school uniform for special theme days and/or special activities. The administration reserves the right to amend the mandatory school uniform policy. The administration reserves the right to restrict any item of clothing.

Exceptions to the Uniform Policy

The only exceptions to the uniform policy are:

- Monthly Designated Spirit Days and/or Weeks
- Picture Day: Individual school pictures are taken in the fall and spring. Students do not have to wear their uniform on these days – they may dress up for their school pictures if they choose.
- Field Trips: Students are required to wear their school uniform on a field trip unless otherwise notified.
- Field Day: Students may dress in their gym attire. Shirts may be the color to represent their “team” color for the day.
- If your student needs to be excused due to medical or religious issues please send in a written letter identifying the reason for requested exception or call the office to arrange and appointment with the Chief School Administrator as soon as possible.

Enforcement

At all levels, classroom teachers will be responsible for monitoring student dress to ensure that students meet the dress code policy. When a student is found to be out of uniform, the parent will be called about the violation and asked to bring appropriate clothing to the school for the child. If a parent cannot be reached, the nurse will loan and provide the child with appropriate clothing for the day. Repeated infractions will be addressed in the Deerfield Township School’s Code of Student Conduct.

Students with Financial Need

Students with limited financial means and hardship factors may be provided with a district supplied school uniform at the discretion of the Chief School Administrator.

To keep parents aware, the uniform policy will be uploaded to the district’s web site. The policy will also be sent home at the start of the school year. Preschool and newly enrolled students will be provided with the uniform policy prior to their first day.

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Legal References

NJSA 18A:11-1 General Mandatory Powers and Duties
18A:11-7 Findings relative to school dress codes
18A:11-8 Adoption of dress code policy for school permitted
18A:11-9 Prohibition of gang-related apparel
18A:37-1 Submission of pupils to authority

Possible Cross References

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Exclusion Of Pupils From School For Reasons Of Illness Policy 5132.2

Date Adopted: May 25, 2006 Date Revised

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Communicable Diseases – Exclusion from School (Pupils and Employees)

It is sometimes necessary to exclude from school individuals who are ill or who have been exposed to a communicable disease or whose presence is detrimental to the health or cleanliness of others. The Board of Education therefore, implements this policy.

The School Nurse shall lecture to the teachers at the beginning of the school year, or when designated by the Board of Education, instructing the teachers about the methods employed to detect the first signs of communicable diseases and the recognized measures for the promotion of health and prevention of disease. In addition, the School Nurse will instruct those teachers from whose classrooms a pupil has been excluded about the symptoms of the disease for which the pupil was excluded.

No teacher shall attempt to diagnose any illness of a pupil but shall refer suspected cases to the nurse.

Any pupil who appears to be ill or who is suspected of having a communicable disease shall be excluded from school or isolated at school to await instructions from or the arrival of an adult member of the pupil's family, the School Physician, and/or the School Nurse.

Where there is evidence of departure from normal health of any pupil, or if a pupil has been exposed to a communicable disease, or if the presence of the pupil or staff member in the school is detrimental to the health or cleanliness of the pupils in the school:

- A. The Chief School Administrator, upon the recommendation of the School Nurse or School Physician, may exclude the pupil from school.
- B. In the absence of the School Nurse or School Physician, the Administrator, may exclude the pupil from the school. In this event, the person making the exclusion must immediately notify the Chief School Administrator.
- C. The Administrator shall notify the pupil's parent of the reason for the exclusion.

A pupil retained at home or excluded from school shall not be readmitted to school until written evidence is presented of being free of the reason for the exclusion. Such evidence may be by a qualified physician, or School Physician who has examined the pupil.

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Exclusion Of Pupils From School For Reasons Of Illness Policy 5132.2

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The rules of the local Board of Health or State Department of Health, State Board of Education, or in the absence of these, the rules of the School Physician pertaining to communicable disease shall apply in determining periods of incubation, communicability, quarantine, and reporting.

No pupil who is a member of a household in which a person is suffering from or been exposed to smallpox, diphtheria, scarlet fever, whooping cough, yellow fever, typhus fever, cholera, or measles, shall attend any public school during such illness, or until the attending physician, Board of Health, or School Physician has certified that all danger of communicating the disease by the pupil has passed.

The School Physician, and/or the School Nurse, shall report all cases of communicable diseases to the local, county, or state Board of Health as required by law. The Chief School Administrator will also inform the County Superintendent of Schools.

Legal References

- NJSA 18A:16-6, -6.1 Indemnity of officers and employees against civil actions ...
18A:35-4.6 et seq. Parents Right to Conscience Act of 1979
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
18A:40-3 Lectures to teachers
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian
18A:40-5 Method of examination; notice to parent or guardian
18A:40-6 In general
18A:40-7, -8, -10, -11 Exclusion of pupils who are ill ...
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils
18A:40A-1 et seq. Substance Abuse
44:6-2 Maintenance by boards of education of clinics for indigent children
- NJAC 6A:16-1.1 et seq. Programs to Support Student Development
8:57-1.1 et seq. Reportable Communicable Diseases
8:57-2 Reporting of AIDS and HIV
8:61-1.1 Attendance at school by pupils or adults Infected by Human Immunodeficiency Virus (HIV)
- Plainfield v. Cooperman, 105 NJ 587 (1987)

Possible Cross References

1410, 1420, 3510, 3516, 3542, 4112.4, 4131/4131.1, 4151, 4212.4, 4251.2, 5111,
5125, 5131, 5131.6, 5141.1, 5141.2, 5141.3, 5141.4, 5141.21, 5142, 5200

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Control of Contagious/Infectious Diseases

In order to protect the health of the children in district schools, all regulations of the state department of education, the state department of health and local Board of health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases.

Any pupils returning to school after an absence due to contagious/infectious disease must present a certificate from a licensed physician stating that he/she is free from the disease, or otherwise qualify for admission under the above agencies rules pertaining to periods of incubation, communicability, quarantine and reporting.

The School Nurse shall cooperate with the school doctor in instructing all teachers in the symptoms of the most common diseases at least once a year. The diseases to be covered in this instruction shall include but not be limited to:

Chicken Pox	Acquired Immune Deficiency	Small Pox
Mumps	Syndrome	Hepatitis
Poliomyelitis	Petussis (whooping cough)	Rubella
Diphtheria	Typhoid Fever	Staph infections,
Salmonellosis	Measles	including Scarlet
		Fever, sore throat and
		Erysipelas

In addition to the annual review of health and safety measures required by law, the School Nurse shall individually instruct teachers from whose classrooms a pupil has been excluded in the symptoms of the disease for which the pupil has been excluded. The School Nurse shall examine the classmates of the excluded pupil as soon as the disease is diagnosed.

Teachers shall not attempt to diagnose any illness of a pupil, but shall refer all illness to the School Nurse immediately.

The Chief School Administrator, in cooperation with the school doctor, shall develop procedures and programs to implement this policy. The school doctor shall report all cases of communicable disease to the local Board of health as required by law.

No ill pupil shall be identified by name or address in order to preserve confidentiality.

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Students
Communicable Diseases

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Policy 5132.45

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Legal References

- NJSA 18A:16-6, -6.1 Indemnity of officers and employees against civil actions ...
18A:35-4.6 et seq. Parents Right to Conscience Act of 1979
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries;
terms; rules
18A:40-3 Lectures to teachers
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian
18A:40-5 Method of examination; notice to parent or guardian
18A:40-6 In general
18A:40-7, -8, -10, -11 Exclusion of pupils who are ill ...
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils
18A:40A-1 et seq. Substance Abuse
44:6-2 Maintenance by boards of education of clinics for indigent children
- NJAC 6A:16-1.1 et seq. Programs to Support Student Development
8:57-1.1 et seq. Reportable Communicable Diseases
8:57-2 Reporting of AIDS and HIV
8:61-1.1 Attendance at school by pupils or adults Infected by Human
Immunodeficiency Virus (HIV)
- Plainfield v. Cooperman, 105 NJ 587 (1987)

Possible Cross References

1410, 1420, 3510, 3516, 3542, 4112.4, 4131/4131.1, 4151, 4212.4, 4251.2, 5111,
5125, 5131, 5131.6, 5141.1, 5141.2, 5141.3, 5141.4, 5141.21, 5142, 5200

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Students

Series 5000

**Procedures For Handling Students Who Must
Be Returned Home During The School Day**

Policy 5132.5

Date Adopted: May 25, 2006 Date Revised

Page 1 of 2

1. No one other than the Chief School Administrator shall exercise the authority to direct a student to return home during the school day.
 - a. In cases of illness, the nurse should recommend the necessary action to the Administrator. In the absence of the Administrator, the nurse shall exercise his/her own judgment but notify the central office of her action immediately.
 - b. In cases of gross misbehavior, inappropriate dress or other alleged rule infractions, teachers, counselors and other professional personnel are obligated to report to the Administrator. They shall not initiate punitive action such as exclusion or suspension from class.
 - c. Under no circumstances shall non-professional personnel recommend or execute a particular course of action in the handling of pupils.
2. If the Administrator determines that a pupil must, for any reason, be returned home during the school day, he/she shall first contact the parent and request that the pupil be picked up. If this is not possible, the student should be transported home by school personnel (i.e. illness, accident, disciplinary action, emergencies.) Under no circumstances shall a student be left at home unless the parent, guardian, or some other adult is home to assume full responsibility for the child. Personnel available to transport students home include:
 - Chief School Administrator
 - Assistant Principal
 - School Nurse
 - Other staff members as designated by the Chief School Administrator
3. In the absence of the Chief School Administrator, secretarial and custodial personnel shall proceed in the following manner:
 - a. Call the Chief School Administrator for direction or for authority to act.
 - b. Call nurse for illness and accident cases; then notify the Chief School Administrator immediately.
 - c. In discipline cases, or cases involving inappropriate school attire, keep the child in the classrooms or close by, under the supervision of the teacher until the Administrator arrives. If the problem of misbehavior is sufficiently severe to warrant exclusion from the class, the child should be retained in the office until the Administrator arrives.

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Procedures For Handling Students Who Must
Be Returned Home During The School Day

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The importance of professionals at all levels acting in emergencies and doing so with only their experience, intelligence and good judgment to guide them is recognized. Further, prompt and responsible action is encouraged. It is extremely important however, that sound procedures be followed and that proper administrative personnel be notified when problems arise. This will enhance the chances of the right thing being done for children and insure adequate support for action taken if and when disputes arise.

Legal References

- NJSA 18A:16-6, -6.1 Indemnity of officers and employees against civil actions ...
18A:35-4.6 et seq. Parents Right to Conscience Act of 1979
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
18A:40-3 Lectures to teachers
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian
18A:40-5 Method of examination; notice to parent or guardian
18A:40-6 In general
18A:40-7, -8, -10, -11 Exclusion of pupils who are ill ...
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils
18A:40A-1 et seq. Substance Abuse
44:6-2 Maintenance by boards of education of clinics for indigent children
- NJAC 6A:16-1.1 et seq. Programs to Support Student Development
8:57-1.1 et seq. Reportable Communicable Diseases
8:57-2 Reporting of AIDS and HIV
8:61-1.1 Attendance at school by pupils or adults Infected by Human Immunodeficiency Virus (HIV)

Plainfield v. Cooperman, 105 NJ 587 (1987)

Possible Cross References

1410, 1420, 3510, 3516, 3542, 4112.4, 4131/4131.1, 4151, 4212.4, 4251.2, 5111, 5125, 5131, 5131.6, 5141.1, 5141.2, 5141.3, 5141.4, 5141.21, 5142, 5200

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Students

Series 5000

Readmittance After Absence Due To Illness

Policy 5132.6

Date Adopted: May 25, 2006 Date Revised

Page 1 of 1

Any student who has been absent for five consecutive school days shall present a physician's note for Readmittance. In addition, the student may be seen by the School Nurse upon readmittance to class. The School Nurse shall notify the classroom teacher of the status of the student's health as it pertains to re-admission.

Any student exhibiting symptoms of illness following any absence, as observed by any teacher or administrator, shall be seen by the School Nurse prior to re-admittance to class. The School Nurse shall notify the classroom teacher of the status of the student's health as it pertains to re-admission.

Legal References

- NJSA 18A:16-6, -6.1 Indemnity of officers and employees against civil actions ...
18A:35-4.6 et seq. Parents Right to Conscience Act of 1979
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
18A:40-3 Lectures to teachers
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian
18A:40-5 Method of examination; notice to parent or guardian
18A:40-6 In general
18A:40-7, -8, -10, -11 Exclusion of pupils who are ill ...
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils
18A:40A-1 et seq. Substance Abuse
44:6-2 Maintenance by boards of education of clinics for indigent children
- NJAC 6A:16-1.1 et seq. Programs to Support Student Development
8:57-1.1 et seq. Reportable Communicable Diseases
8:57-2 Reporting of AIDS and HIV
8:61-1.1 Attendance at school by pupils or adults Infected by Human Immunodeficiency Virus (HIV)
- Plainfield v. Cooperman, 105 NJ 587 (1987)

Possible Cross References

1410, 1420, 3510, 3516, 3542, 4112.4, 4131/4131.1, 4151, 4212.4, 4251.2, 5111, 5125, 5131, 5131.6, 5141.1, 5141.2, 5141.3, 5141.4, 5141.21, 5142, 5200

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District Policy Manual

Students

Series 5000

Pediculosis / Head Lice

Policy 5132.7

Date Adopted: May 25, 2006

Date Revised: March 26, 2014

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Consistent with the position of the New Jersey Department of Health, National Association of School Nurses and the American Academy of Pediatrics, the Board of Education believes that the management of pediculosis (infestation by head lice) should not disrupt the educational process. No disease is associated with head lice, and in school transmission is considered to be rare.

“No-nit” policies requiring that students be free of nits before they return to school have not been effective in controlling transmission and are not recommended.

The certified school nurse, as a student advocate and nursing expert, is included in school district-community planning, implementation and evaluation of vector control programs for the school setting. The school nurse’s goals are to facilitate an accurate assessment of the problem, contain infestation, provide appropriate health information for treatment and prevention, prevent overexposure to potentially hazardous chemicals, and minimize school absence.

In cases that involve head lice, as in all school health issues, it is imperative that the school district and its employees prevent stigmatizing and maintain the student’s privacy as well as the family’s right to confidentiality.

Definitions

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

- Head lice: small parasitic insects that live on the scalp and neck of a human host
- Louse: singular of lice
- Nymph: young, recently hatched louse
- Active infestation: finding a live louse or nymph on the scalp, or a viable nit within 1 cm of the scalp
- Pediculosis: an active infestation of head lice
- Nit: an egg of a female louse, attached to the hair shaft
- Non-viable nit: an egg found on the hair shaft farther than 1 cm from the scalp; already hatched
- Viable nit: an egg found on a hair shaft closer than 1 cm from the scalp; considered to be unhatched
- Ovicide: chemical which kills eggs/nits
- Pediculicide: chemical which kills nymph stage and adult lice.

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Pediculosis / Head Lice**

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Policy 5132.7**

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Regulations / Procedure

Any student suspected of having an active infestation will be referred to the school nurse for evaluation.

A student, with head lice or viable nits visualized by the school nurse, is referred for treatment at the end of the school day. Prompt treatment at home is advised, including removal of live lice and all viable nits. Immediate removal from school is not recommended.

District-approved written information about the identification and management of active head lice infestation will be provided by the school nurse to the parent/guardian of the affected student.

At the discretion of the school nurse, it may be appropriate to screen other children who have had close head to head contact with the student with active infestation, such as household family members, but classroom-wide or school-wide screening is not generally indicated.

Students with nits only, are not excluded from school. A student with non-viable nits will be monitored, not be referred for treatment and may remain in school.

Upon return to school after treatment, the student will be re-assessed for the presence of head lice/nits by the school nurse. If live lice are again visualized, the school nurse will contact the parent/guardian and reinforce the need for prompt treatment at home. The student may be permitted to return to the classroom.

If upon re-assessment by the school nurse, nits are found, either at the time of the initial or return assessment, the student will be assessed at weekly intervals or more frequently at the discretion of the school nurse.

The school nurse retains the authority to, in consultation with school administrator(s), exclude a student with repeated infestations of live lice or viable nits, or a student with a current infestation for which there is inadequate management by the parent/guardian. This student may be referred to his/her healthcare provider and/or the Cumberland County Health Department for additional intervention(s).

A copy of this policy and the New Jersey Department of Health Head Lice fact sheet are provided to parents/guardians at time of school registration and annually thereafter.

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A copy of this policy and the New Jersey Department of Health Head Lice fact sheet are provided to district employees at time of hire and may be reviewed as needed

Legal & Other References

NJSA 18A:40-7, -8, -10, -11 Exclusion of pupils who are ill

American Academy of Pediatrics (2006). Red Book – Report of the Committee on Infectious Diseases.

Centers for Disease Control and Prevention (2010). Head lice information for schools. Retrieved from <http://www.cdc.gov/parasites/lice/head/index.html>.

Frankowski, B.L. & Bocchinie, J.A. (2010). Clinical Report – Head Lice. Pediatrics. 126(2) 392-403. Retrieved from

<http://pediatrics.aappulckiations.org/cgi/content/abstrat/126/2/292>.

National Association of School Nurses (NASN), Pediculosis Management in the School Setting; Position Statement, January 2011.

New Jersey Department of Health: Head Lice – Frequently Asked Questions. Retrieved from http://www.state.nj.us/health/cd/documents/faq/headlice_faq.pdf

Deerfield Township Board of Education

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Married / Pregnant Pupils

Policy 5134

Date Adopted: May 25, 2006 Date Revised

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The Board of Education is obligated to provide an educational setting free of discrimination against admission to, or in obtaining any advantages, privileges or course of study of the school by reason of race, color, creed, sex or national origin (N.J.S.A. 18A:36-20). Further, no pupil shall be discriminated against because of pregnancy, childbirth, pregnancy related disabilities, actual or potential parenthood, or family or marital status (N.J.A.C.6:41.5) and Title IX – 106.40). In compliance with these statements, the Board of Education makes the following policy relative to married and pregnant pupils.

No pupil, whether married or unmarried, who is otherwise eligible to attend school, shall be denied an educational program solely because of pregnancy, false-pregnancy, termination of pregnancy, childbirth, pregnancy-related disabilities, recovery thereof or actual or potential parenthood.

Attendance/Participation

The Board reserves the right to require, as a prerequisite for attendance in class and participation in the extracurricular program, that each pregnant pupil submit to periodic examinations by her physician at the intervals prescribed by the School Physician. The School Nurse will notify the pregnant pupil and her parents of the requirements for these physical examinations. Records of said examinations will be placed in the pupil's file in the School Nurse's office.

Bedside Instruction

If the pregnant pupil is physically unable to attend regular classes, she may be eligible of a program of "Home Instruction" (Policy 6173). Typically, the pregnant pupil is required to attend day school or the alternative evening high school until six weeks before her expected delivery date.

Home instruction will end a maximum of six weeks after the delivery date unless medical contraindications prohibit this. Medical complications must be verified in writing by the pupil's physician.

Legal References

NJSA 10:5-1 et seq. Law Against Discrimination
18A:36-20 Discrimination prohibited

NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
U.S.C.A. 1681 - Title IX of the Education Amendments of 1972
The Comprehensive Equity Plan, New Jersey State Department of Education

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Series 5000

Adolescent Suicide Awareness & Prevention Programs

Policy 5135

Date Adopted: September 8, 1988 Date Revised: October 22, 2002

May 25, 2006, September 25, 2013 Page 1 of 1

Suicide or Sudden Death

The Board of Educations recognizes that the rate of self-destructive behavior is increasing among children and adolescents in this country. Pupils who experience depression are unable to benefit fully from the educational program of the school. Moreover, a pupil who attempts suicide poses a danger both to self and possibly to others.

Therefore, the Board of Education directs that all school personnel should be alert to the warning signs of childhood and adolescent suicide and the procedures to follow in the event of an actual attempt or completion. Such signs and behavior shall be taken seriously and reported to the school administration and Child Study Team who shall determine what further action is required. Other district employees may be used to intervene or assist with such situations. If emergency intervention is required, the pupil shall be taken to the appropriate medical facility.

In incidents of such potential self-destructive behavior, the pupil's parents shall be notified immediately and their cooperation shall be sought for immediate intervention. If the parent is unwilling to cooperate, the school administration and/or Child Study Team shall contact appropriate agencies to request intervention on the pupil's behalf. In cases of child abuse or neglect, school personnel are required to contact the New Jersey Division of Child Protection & Permanency (DCP&P).

The Board directs the Chief School Administrator to develop procedures to implement this policy.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
30:9A-12 Youth suicide prevention program

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Fund-Raising Activities

Policy 5136

Date Adopted: May 25, 2006 **Date Revised**

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The Board of Education recognizes the need for fund raising activities in the schools to support various educational activities that are of benefit to pupils. The Board also acknowledges that the solicitation of funds from pupils must be limited since compulsory attendance laws make the pupil a captive donor and since such solicitation may disrupt the program of the schools.

Fund-raising activities should be reasonable in number and type and should not place excessive demands on pupils, parents and community members.

For purposes of this policy, “pupil fund raising” shall include the solicitation and collection of money by pupils for any purpose and shall include the collection of money in exchange for tickets, papers or any other goods or services.

The Board prohibits the collection of money in school or on school property or at any school-sponsored event by a pupil for personal benefit.

Collection of money by approved school organizations shall be approved by the Chief School Administrator.

The Chief School Administrator and building administrators shall establish rules and regulations for the solicitation of funds and see to the distribution of both policy and implementing regulations to each student organization granted permission to solicit funds.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:19-14 Funds derived from pupil activities
18A:20-34 Use of schoolhouse and grounds for various purposes
18A:23-1 Audit when and how made
18A:23-2 Scope of audit
18A:54-20 Powers of board (county vocational schools)
52:14-15.9c1. et al. Public Employee Charitable Fund-Raising Act

NJAC 6A:23-2.1et seq. Double Entry Bookkeeping and GAAP Accounting in Local School Districts
6A:23-2.14 Student activity funds
6A:23-2.15 School store business practices

Selfridge v. Kinnelon Board of Education, 1977 S.L.D. 522

Possible Cross References

1140, 1210, 1230, 1314, 1330, 3400, 3450, 3453, 3571, 3571.4, 6145, 6153

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Safety Drills

Policy 5137

Date Adopted: November 17, 2004 Date Revised

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The Board of Education recognizes that possible natural and/or man-made disaster could compromise the safety of students.

Therefore, the Board directs the Chief School Administrator to develop and implement an emergency preparedness plan.

The plan shall provide that all threats to the safety of students and staff are identified and promptly responded to by trained district personnel.

In the event of a bomb threat, the school shall be evacuated when, in the discretion of the Administrator in charge, it is deemed advisable to do so.

The Chief School Administrator shall develop procedures for the handling of school emergencies that include:

1. A plan for the prompt and safe evacuation of the school;
2. The practice of such an evacuation plan twice monthly in the fire drills conducted in accordance with law;
3. The conduct of bus evacuation drills in accordance with rules of the State Board of Education;
4. Procedures for the safe dispersal of pupils from school property and, if necessary, a plan for the housing of pupils in a safe place other than school;
5. The design of a communications system to alert the whole school community when necessary and to notify parents of the evacuation of pupils;
6. Instruction in emergency preparedness and survival techniques as a part of the regular curriculum;
7. The immediate notification of appropriate administrative personnel whenever any employee becomes aware of an emergency or an impending emergency;
8. Cooperation with local and county emergency management offices; The appointment of a school emergency procedures committee; and
10. The continuing evaluation of the effectiveness of emergency planning in preparing the school for disaster.

Legal References

NJAC 6A:16-5 School safety and security plans

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School Closing

Policy 5138

Date Adopted: May 25, 2006 Date Revised: March 27, 2018

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Procedure for Closing School or Delayed Opening Due to Snow

The Chief School Administrator will confer with the Superintendent of Cumberland Regional High School around 4:45 A.M concerning the conditions of the roads in the area. If the schools are to remain open on the regular schedule, no further action will be taken. Once a decision is made to close or delay the opening, the following people will be contacted by 6:00 A.M.:

- The designated TV are Channel 3, Channel 6 and Channel 10 TV. The message will include that the school will be closed or delayed.
- Additionally, the district shall send out a call via Blackboard Connect to all parents/guardians and post a message on the school website.
- The Chief School Administrator will call the designated staff member and the phone chain will begin if there is a technical problem with Blackboard Connect.

The majority of calls will take place between 5:00 A.M. and 5:30 A.M. but not earlier than 4:30 A.M. If the determination is made the night before, the majority of calls will be made between 8:00 P.M. and 10:00 P.M. but not later than 10:45 P.M.

Procedure For an Emergency Closing When School Is In Session

If it becomes necessary to close the schools after they are in, the following procedure will be followed:

1. Every attempt to remain in school for at least four hours, exclusive of lunch, will be made.
2. The Executive County Superintendent, weather forecasters, Transportation Coordinator and other schools may be consulted. Coordination with the high school will be made to assure consistency.
3. The Executive County Superintendent will be informed of the decision.
4. In the absence of the Chief School Administrator, he/she will designate someone to direct the closing. If the Chief School Administrator can be reached, he/she is to be contacted if the situation is such that an emergency closing seems necessary.

Emergency Closings; Delayed Openings

The Superintendent of Schools is authorized by the Board of Education to close the schools, open them late or dismiss them early in hazardous weather or in other extraordinary circumstances which might endanger the health or safety of pupils or school employees.

Each year, parents/guardians, pupils, and staff members shall be informed in advance of how they shall be notified in event of emergency closings. Parents/guardians shall be required to make alternative arrangements for their children in case no one is home to receive a child after an unscheduled early closing.

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**Students
Insurance**

**Series 5000
Policy 5139**

Date Adopted: May 25, 2006 Date Revised

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The Board of Education shall provide student insurance for all school-related activities.

Additionally, the district may offer parents/guardians the option to purchase Student Accident Insurance through its selected insurance carrier. Limits of coverage and premiums are subject to change at the discretion of the Board of Education and the selected insurance carrier.

Legal References

NJSA 18A:12-20 Indemnification of board members
 18A:16-6 Indemnity of officers and employees
 18A:20-25 through -33 Insurance

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Students

Series 5000

Student Inter-Visitation To Schools

Policy 5140

Date Adopted: May 25, 2006 Date Revised

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The Board of Education is cognizant of the value of students who have graduated from school or are attending other schools returning to visit and even counsel with former teachers. There is appreciation, too, that older students enjoy returning to former schools.

However, certain problems can arise from indiscriminate visitations, classes can be disrupted. In some cases, fights can disrupt. Students can roam the building causing perhaps a safety problem or showing disrespect for teachers and other students.

Therefore, the following policy will be observed:

1. The students must be authorized by an Administrator to visit the school during the regular school day.
2. Students visiting the school must obtain permission from the Administrator before making visitations in the building.
3. Students' visitations must be made to a specific individual or group with a stated purpose.
4. Visiting students must comply with all rules and policies of the school and must agree to obey all directives of adult staff members.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

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**Students
Health**

**Series 5000
Policy 5141**

**Date Adopted: May 25, 2006 Date Revised: February 15, 2007,
March 31, 2010**

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The Board of Education believes that good health is vital to successful learning. In order to help district pupils achieve and maintain good health, the Board directs the Chief School Administrator to develop a program of pupil health services that employs professional personnel and interacts with both parents and community health agencies. The program shall include but not be limited to:

- A. Employment of a School Physician to perform those duties required by law, and to advise the Chief School Administrator on all matters affecting the health of pupils;
- B. Employment of at least one certified School Nurse to assist with physical examinations; conduct biennial scoliosis screening; conduct an audiometric screening; maintain pupil health records; observe and recommend to the Chief School Administrator the exclusion of pupils who show evidence of communicable disease or who have not submitted acceptable evidence of immunizations; instruct teachers on communicable diseases and other health concerns; train and supervise the emergency administration of epinephrine for school staff who have been designated as delegates; supervise other nursing tasks; provide appropriate response to Do Not Resuscitate (DNR) orders; maintain valid, current Cardiopulmonary Resuscitation (CPR) certification; review and summarize health and medical information for the Child Study Team; annually write and update the accommodation plan under Section 504 for any student who requires one;
- C. Provision of proper and adequate facilities, equipment and supplies for professional health personnel and other staff;
- D. Establishment of a system of pupil health records in compliance with state law;
- E. Development of appropriate curriculum in physical education, health, family life, safety, and discouraging the use of drugs, alcohol, and tobacco, recommendations for appropriate equipment and supplies to teach such courses;
- F. Development of rules and procedures to foster good pupil health, and dissemination of these rules and procedures to the staff;
- G. Development of a program to provide safe drinking water and otherwise to maintain the buildings, grounds, facilities and equipment of the district in sanitary condition in accordance with law;
- H. Development and enforcement of an eye protection program as required by statute and administrative code.
- I. A regular report to the Board on progress and accomplishments in the field of pupil health;

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Health**

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- J. Health services to staff that support pupil health;
- K. Provision of emergency services for injury and sudden illness;
- L. Provision for required physical examinations including an examination to certify that a pupil returning to school after suffering a contagious/infectious illness is no longer a threat to the health of others;
- M. Development of all regulations and procedures necessary for evaluation of pupils suspected of being under the influence of drugs/steroids/alcohol;
- N. Encouragement of correction of defects through fully informing pupils and parents concerning the findings of health examinations;
- O. Development of regulations and procedures for Blood Borne Pathogens and implementation of "Right to Know," and,
- P. Preparation for the potential disruption of a pandemic flu outbreak, such as avian flu, by filling out a school preparedness checklist, with periodic reports to the Board of Education on steps the district has already taken, as well as additional steps that need to be taken to prepare for a flu pandemic.

Annual Nursing Plan

The Superintendent of Schools (or his/her designee) in conjunction with the school physician and the certified school nurse shall develop an annual Nursing Services Plan that details the provision of nursing services based upon the needs of the students in this school district. The Nursing Services Plan shall be adopted annually at a regular meeting and submitted to the county superintendent of education for review and approval. The Nursing Services Plan shall include:

- A. A description of the basic nursing services provided all students;
- B. A summary of specific medical needs of individual students and the services required to address the needs;
- C. A description of how nursing services will be provided in an emergency;
- D. Detailed nursing assignments for all school buildings;
- E. The nursing services and additional medical services provided to nonpublic schools.

The operation of the pupil health program shall be at all times in compliance with the rules and regulations of the state department of education, local Board of Health and the State Department of Health. The Board shall review and adopt the regulations developed to implement the district's health services.

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Students
Health

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Policy 5141

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Students with Diabetes

As used in this policy, an “individualized health care plan” means a document setting out the health services needed by the student at school, and an “individualized emergency health care plan” outlines a set of procedural guidelines that provide specific directions about what to do in a particular emergency situation. Both are to be developed by the school nurse, in consultation with the parent or guardian of a student with diabetes and other medical professionals who may be providing diabetes care to the student, and signed by the parent or guardian.

The Board believes that diabetes is a serious chronic disease that impairs the body’s ability to use food, and must be managed 24 hours a day in order to avoid the potentially life-threatening short-term consequences of blood sugar levels that are either too high or too low. In order to manage their disease, students with diabetes must have access to the means to balance food, medications, and physical activity level while at school and at school-related activities.

Accordingly, a parent or guardian of a student with diabetes shall inform the school nurse, who shall develop an individualized health care plan and an individualized emergency health care plan for the student. Further, the parent or guardian must annually provide to the board of education written authorization for the provision of diabetes care as outlined in the plans, including authorization for the emergency administration of glucagon.

Both plans shall be updated by the school nurse prior to the beginning of each school year and as necessary if there is a change in the student’s health status. The plans may include elements specified in NJSA 18A:40-12.13 including, but not limited to:

1. The symptoms of hypoglycemia for that particular student and the recommended treatment;
2. The symptoms of hyperglycemia for that particular student and the recommended treatment;
3. The frequency of blood glucose testing;
4. Written orders from the student’s physician or advanced practice nurse outlining the dosage and indications for insulin administration and the administration of glucagon, if needed;
5. Times of meals and snacks, and accommodations for exercise and sports, school trips and other school-related activities.

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The school nurse shall coordinate the provision of diabetes care and ensure that appropriate staff are trained in the care of these students, including staff working with school-sponsored programs outside of the regular school day. The school nurse shall also ensure that each school bus driver that transports a student with diabetes is provided notice of the student's condition, how to treat hypoglycemia, and emergency/parent contact information. A reference sheet identifying signs and symptoms of hypoglycemia shall be posted in plain view within school buildings.

Upon written request of the parent or guardian and as provided in the individualized health care plan, the student shall be allowed to attend to the management and care of his/her diabetes in the classroom or on school grounds, if evaluated and determined to be capable of doing so consistent with the plan, and NJSA 18A:40-12.15.

Nonpublic School Pupils

The Board shall provide mandated nursing services to nonpublic school pupils as required by law.

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Legal References

- NJSA 2A:62A-23 to 26 AED emergency medical services, 1999 statute
18A:16-6, -6.1 Indemnity of officers and employees against civil actions ...
18A:35-4.6 et seq. Parents Right to Conscience Act of 1979
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
18A:40-3 Lectures to teachers
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian
18A:40-5 Method of examination; notice to parent or guardian
18A:40-6 In general
18A:40-7, -8, -10, -11 Exclusion of pupils who are ill ...
18A:40-12.13 Development of health care plans for students with diabetes
18A:40-12.15 Management, care of diabetes by student permitted; authorization.
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils
18A:40A-1 et seq. Substance Abuse
44:6-2 Maintenance by boards of education of clinics for indigent children
- NJAC 6A:16-1.1 et seq. Programs to Support Student Development
6A:26-12.1 et seq. Operation and Maintenance of School
6A:26-12.3 Required facilities
8:57-1.1 et seq. Reportable Communicable Diseases
8:57-2 Reporting of AIDS and HIV
8:61-1.1 Attendance at school by pupils or adults Infected by Human Immunodeficiency Virus (HIV)
- Plainfield v. Cooperman, 105 NJ 587 (1987)

Possible Cross References

1410, 1420, 3510, 3516, 3542, 4112.4, 4131/4131.1, 4151, 4212.4, 4251.2, 5111, 5125, 5131, 5131.6, 5141.1, 5141.2, 5141.3, 5141.4, 5141.21, 5142, 5200, 6142.4, 6142.12

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**Students
Accidents**

**Series 5000
Policy 5141.1**

Date Adopted: November 17, 2004 Date Revised

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The Board of Education directs the Chief School Administrator to develop, review and approve a program of accident prevention. When unforeseen situations arise, and an accident occurs, the School Nurse or another assigned staff member shall be responsible for providing emergency services to a child or staff member. The medical inspector shall prepare a list of first aid treatment for the most common minor injuries. This list shall be made known to the staff.

Guidelines for Dealing with Accidents or Injuries

- A. The School Nurse or another trained person shall be responsible for administering first aid. Universal precautions shall be taken in the handling of blood and body fluids to ensure the containment of bloodborne pathogens.
- B. In all cases where the nature of an injury appears in any way serious, every effort shall be made to contact the parent/guardian and/or family physician immediately.
- C. Parent/guardian shall be requested to pick up their child. If a parent/guardian is unable to provide such transportation, no pupil who is injured shall be sent home alone. A pupil who is injured shall not be taken home unless it is known that someone is there to receive him/her.
- D. In extreme emergencies, the School Nurse, School Doctor, or Administrator may make arrangements for immediate transportation and possible hospitalization of injured pupils, contacting parents/guardians in advance if at all possible.
- E. The teacher, School Nurse, or other staff member who is responsible for a child at the time an accident occurs shall prepare a report within 24 hours on an official form providing details about the accident. This shall be required for every accident, whether first aid is necessary or not.
- F. Any injuries or accidents to pupils shall be reported as soon as possible to the Chief School Administrator.

Staff shall be informed at the beginning of each school year of the accident prevention program and procedures to be followed in case of an accident/injury.

Emergency Medical Procedures for Sports/Athletics

The Board of Education recognizes its responsibility for pupil safety encompassing all aspects of sports and athletic events in both intramural and interscholastic programs. The Board directs the Chief School Administrator to develop and implement emergency medical procedures to ensure delivery of appropriate emergency medical services for all

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practice sessions, competitive contests, games, events or exhibitions with individual pupils or teams of the school whether among themselves or with pupils of other districts.

The Board further directs that these emergency medical procedures be disseminated to appropriate personnel within this district and address practice sessions and both home and away events.

The Board directs the Chief School Administrator to report the effectiveness of the emergency medical procedures to the Board annually for its review.

Legal References

NJSA 18A:11 3 Voluntary associations regulating conduct of student activities; membership; rules and regulations; appeals
18A:16 6 Indemnity of officers and employees against civil actions
18A:16 6.1 Indemnity of officers and employees in certain criminal actions
18A:40-25 Boards of education to provide nursing care to students in nonpublic schools

NJAC 6A:16-1.1 et seq. Programs to Support Student Development
6A:26-12.2(a)2iii Policies and procedures for school facility operation
6A:27-12.2 Accident reporting
6:32-9.1 et seq. Athletics Procedures
8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV Infection

HIV Policy and Practice: Regulatory Requirements for New Jersey Public Schools
SDOE Division of Student Services, Sept. 1996, Doc. #P101400-31

Possible Cross References

3516, 3541.33, 4112.4, 4212.4, 4123, 5113, 5125, 5131.6, 5141, 5141.2, 5141.4, 5141.6, 5141.21, 5142, 5200, 6114, 6142.12, 6145.1/6145.2, 6153

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**Students
Illness**

**Series 5000
Policy 5141.2**

Date Adopted: December 20, 2004

Date Revised

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When pupils are taken suddenly ill in school, they shall be sent or escorted to the School Nurse. If the Nurse is not in the medical office, the pupil shall be sent or taken to the main office. In general, the same procedures that apply to accidents shall apply to sudden pupil illness. The Chief School Administrator, in cooperation with the Medical Inspector and the Nurse shall implement this policy.

Control of Contagious Diseases or Conditions

In order to protect the health of the pupils in our school district, all regulations of the NJ State Department of Education and the local Board of Health shall be scrupulously observed, particularly those dealing with contagious or infectious diseases or conditions. Pupils who have been absent because of contagious or infectious diseases or conditions must present a certificate of recovery from a licensed physician or be examined by the Medical Inspector.

The School Nurse shall observe pupils who show evidence of communicable disease and recommend their exclusion to the Chief School Administrator. Such pupils shall be isolated in the Nurse's office until a parent/guardian picks them up, and any necessary measures taken to prevent spread of the infection. The School Nurse, under the direction of the Medical Inspector, shall instruct all teachers in the symptoms of the most common diseases or conditions at least once a year.

Any student with HIV infection or AIDS or who lives with or is related to someone with HIV or AIDS shall not be excluded from general education, transportation services, extracurricular activities, athletic activities, assigned to home instruction or classified as eligible for special education because of the HIV infection. The School Nurse shall recommend the exclusion of any individual with weeping skin lesions that cannot be covered.

In addition to the review of health and safety measure required by law, the School Nurse shall individually instruct teachers from whose classrooms a pupil has been excluded in the symptoms of the disease for which the pupil was excluded. No teacher shall attempt to diagnose any illness of a pupil, but shall refer suspected cases to the School Nurse immediately.

Handling Blood and Body Fluids

The Chief School Administrator, Medical Inspector and School Nurse shall develop detailed routine procedures based on NJ Administrative Code and Guidelines from the Centers for Disease Control for the proper handling of blood and body fluids resulting

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from illness/accidents in the school. These procedures shall be disseminated to all district staff.

The Medical Inspector shall report all cases of communicable disease to the local Board of Health as required by law.

Legal References

- NJSA 18A:16-6 Indemnity of officers and employees against civil actions
18A:16-6.1 Indemnity of officers and employees in certain criminal actions
18A:40-3 Lectures to teachers
18A:40-7 Exclusion of pupils who are ill
18A:40-8 Exclusion of pupils whose presence is detrimental to health and cleanliness
18A:40-10 Exclusion of teachers and pupils exposed to disease
18A:40-11 Exclusion of pupils having communicable tuberculosis
18A:40-12 Closing schools during epidemic
18A:40-25 Boards of education to provide nursing care to students in nonpublic schools
26:4-6 Prohibiting attendance of teachers or pupils
26:4-15 Reporting of communicable diseases by physicians
26:5C-1 et seq. AIDS Assistance Act
26:2T-1 Newly diagnosed Hepatitis C case; information, reports
- NJAC 6A:16-1.1 et seq. Programs to Support Student Development
8:57-1.1 et seq. Reportable Communicable Diseases
8:61-1.1 Attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV)
- Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

Possible Cross References

1410, 4131.1, 5113, 5141, 5141.1, 5141.4, 6142.13

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Series 5000

Administering Medication

Policy 5141.21

Date Adopted: November 17, 2004 Date Revised: March 25, 2015

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The Board shall not be responsible for the diagnosis and treatment of pupil illness. The administration of medication to a pupil during school hours will be permitted only when failure to take such medicine would jeopardize the health of the pupil, or the pupil would not be able to attend school if the medicine were not made available to him/her during school hours.

For purposes of this policy, “medication” shall include all medicines prescribed by a physician for the particular pupil, including emergency medication in the event of bee sting, etc., and all non-prescription “over the counter” medication.

Before any medication may be administered to or by any pupil during school hours, the Board shall require the written request of the parent/guardian which shall give permission for such administration and relieve the Board and its employees of liability for administration of medication. In addition, the Board requires the written order of the prescribing physician which shall include:

- A. The purpose of the medication;
- B. The dosage;
- C. The time at which or the special circumstances under which the medication shall be administered;
- D. The length of time for which medication is prescribed;
- E. The possible side effects of the medication.

Both documents shall be kept on file in the office of the School Nurse.

The district medical inspector shall develop procedures for the administration of medication which provide that:

- A. All medications, whether prescribed or over the counter, shall be administered by the School Nurse, the parent/guardian or the pupil himself/herself where the parent/guardian so permits and the School Nurse is present;
- B. Medications shall be securely stored and kept in the original labeled container;
- C. The School Nurse shall maintain a record of the name of the pupil to whom medication may be administered, the prescribing physician, the dosage and timing of medication and a notation of each instance of administration;

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- D. All medications shall be brought to school by the parent/guardian or adult pupil and shall be picked up at the end of the school year or end of the period of medication, whichever is earlier;
- E. A student may self administer medication without supervision of the School Nurse for asthma or other life-threatening illnesses. "Life-threatening illness" has been defined as an illness or condition that required an immediate response to specific symptoms or sequelae that if left untreated may lead to potential loss of life such as, but not limited to, the use of an inhaler to treat an asthma attack or the use of an adrenaline injection to treat a potential anaphylactic reaction.

The district medical inspector shall develop procedures for the administration of medication that provide that:

- A. All medications, whether prescribed or "over-the-counter," shall be administered by the School Nurse, the parent/guardian or the pupil himself/herself where the parent/guardian so permits and the School Nurse is present;
- B. Medications shall be securely stored and kept in the original labeled container;
- C. The School Nurse shall maintain a record of the name of the pupil to whom medication may be administered, the prescribing physician, the dosage and the timing of medication and a notation of each instance of administration;
- D. All medications shall be brought to school by the parent/guardian or adult pupil and shall be picked up at the end of the school year or the end of the period of medication, whichever is earlier;
- E. A student may self-administer medication without supervision of the School Nurse for asthma or other life-threatening illness. "Life-threatening illness" has been defined as an illness or condition that requires an immediate response to specific symptoms or sequelae that, if left untreated may lead to potential loss of life such as, but not limited to the use of an inhaler to treat asthma attack or the used of an adrenalin injection to treat potential anaphylactic reason.

Pupil Self-Administration of Medication

The Board shall permit self-administration of medication for asthma or other potentially life-threatening illnesses by pupils, both on school premises during regular school hours and off-site or after regular school hours when a pupil is participating in field trips or extracurricular activities. Parents/guardians of the pupil must meet the following conditions:

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- A. Provide the Board with written authorization for the pupil's self-administration of medication;
- B. Provide written certification from the pupil's physician that the pupil has asthma or another potentially life-threatening illness and is capable of and has been instructed in the proper method of self-administration of medication.
- C. Sign a statement acknowledging that the district shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil and that the parents/guardians shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the self-administration of medication by the pupil.

The Board shall:

- A. Inform the pupil and his/her parents/guardians that permission is effective for the school year for which it is granted and must be renewed for each subsequent school year upon fulfillment of requirement listed above;
- B. Inform parents/guardians in writing that the district and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication.
- C. Maintain the right to revoke the pupil's permission to self-medicate if he/she has failed to comply with all conditions of this policy and/or has violated in any way the tenets of the agreement of self-medicate. The Superintendent/designee shall confer with the School Physician and School Nurse prior to recommending termination of a pupil's permission to self-medicate and shall also consult with the pupil, the pupil's parents/guardians and the pupil's physician.

Emergency Administration of Epinephrine Regulations / Procedures

Parents/guardians shall provide the Board with the following:

- A. Written authorization for the administration of the epinephrine by the School Nurse or trained designees;
- B. A signed statement acknowledging their understanding that the district shall have no liability as a result of any injury arising from the administration of the epinephrine via a pre-filled auto-injector mechanism to the pupil and that the parents/guardian indemnify and hold harmless the district and its employees or agents against any claim(s) arising out of the administration of the epinephrine via a pre-filled auto-injector mechanism; and,
- C. The permission is effective for the school year for which it is granted and is renewed for each subsequent school year upon fulfillment of the requirements of this policy.

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District Responsibilities:

The placement of a pupil's prescribed epinephrine shall be in a secure but unlocked location, easily accessible by the School Nurse/designees to ensure prompt availability in the event of an allergic emergency at school or at a school-sponsored event.

The location of the epinephrine shall be indicated on the pupil's emergency care plan. Back-up epinephrine shall also be available at the school if needed.

The School Nurse/designee shall be available promptly available on site at the school and school sponsored events in the event of an allergic reaction.

The pupil shall be transported to a hospital emergency room by emergency services personnel after the administration of epinephrine, even if the pupil's symptoms appear to have been resolved.

The School Nurse or other trained designee shall be permitted to administer epinephrine via a pre-filled auto-injector mechanism to any pupil whose parents/guardians have not met the requirements of Items A, B & C (above), in that written notice has not been received by the district, allowing emergency administration of epinephrine via a pre-filled auto-injector mechanism, in cases where the School Nurse or designee, in good faith, believe that the pupil is having an anaphylactic reaction.

The district shall maintain a supply of epinephrine auto-injectors in a secure but unlocked location that is proscribed under a standing protocol from a licensed physician. The epinephrine shall be accessible to the School Nurse and trained designees for administration to a pupil having an anaphylactic reaction.

The School Nurse shall have primary responsibility for the administration of the epinephrine. The School Nurse shall designate, in consultation with the Chief School Administrator, staff members who volunteer to administer epinephrine via a pre-filled auto-injector mechanism to a pupil for anaphylaxis when the School Nurse is not physically present at the scene.

The School Nurse shall determine that designees have been properly trained the administration of epinephrine via a pre-filled auto-injector mechanism, using standardized training protocols established by the New Jersey Department of Education in consultation with the New Jersey Department of Health and Senior Services.

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Nothing in the policy shall prohibit the emergency administration of epinephrine via a pre-filled auto-injector mechanism to a pupil for anaphylaxis by the School Nurse or designees when the pupil is authorized to self-administer epinephrine pursuant to the provisions of NJSA 18A:40-12.3 or when there is a coexisting diagnosis of asthma, or when a prescription is received from a licensed health care professional for epinephrine coupled with another form of medication or when the epinephrine is administered pursuant to the provisions of NJSA 18A:40-12.5.

No school employee, including a School Nurse or any other officer or agent of the Board of Education or a physician providing a prescription under a standing protocol for school epinephrine pursuant to the provisions of NJSA 18A:40-12.5 shall be held liable for any good faith act or omission consistent with the provisions of NJSA 18A:40-12.5, nor shall action before the New Jersey State Board of Nursing lie against a School Nurse for any such action taken by a person designated in good faith by the School Nurse pursuant to the provisions of NJSA 18A:40-12.6.

Good faith shall not include willful misconduct, gross negligence or recklessness.

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Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
18A:40-3.2 et seq. Medical and Nursing Personnel
18A:40-4 Examination for physical defects and screening of hearing of pupils
18A:40-7 Exclusion of pupils who are ill
18A:40-12.3 through -12.4 Self-administration of medication by pupil; conditions
18A:40-12.5 Policy for emergency administration of epinephrine to public school pupils
18A:40-12.6 Administration of epinephrine; primary responsibility; parental consent
18A:40-12.7 Nebulizer
18A:40-12.8 Administration of asthma medication by school nurse through nebulizer; training; pupil asthma treatment plan
45:11-23 Definitions

- NJAC 6A:16-1.1 et seq. Programs to Support Student Development

Bernards Township Education Association v. Bernards Township Board of Education, 1981 S.L.D. (9/29/81), aff'd State Board, 1982 S.L.D. 4/7/82, aff'd App. Div., unpublished opinion (A-4211-81T3, 5/18/83)
Communications Workers of America, Local 1033, On behalf of Karen Norton, Barbara Woolston, Mary Ellen Schoen et al. v. New Jersey State Department of Education, Marie H. Katzenbach School for the Deaf, State Board Docket #52-91 Policy Advisory #1 on N.J.S.A. 18A:40-12.3 et seq. Self-Administration of Medication By a Pupil, New Jersey State Department of Education, June 5, 1995
Protocol and Implementation Plan for the Emergency Administration of Epinephrine by a Delegate Trained by the School Nurse, New Jersey State Department of Education, October, 1998

Possible Cross References

5141.1, 5141.2, 6153

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Series 5000

Administration of Medical Marijuana

Policy 5141.25

Date Adopted: March 30, 2016 Date Revised August 4, 2016

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In accordance with the provisions of the New Jersey Compassionate Use Medical Marijuana Act (CUMMA), a parent/guardian or primary caregiver may administer medical marijuana to a student of this district, while the student is on school grounds, aboard a school bus or while attending a school-sponsored event, provided the student is authorized to engage in the medical use of marijuana pursuant to the provisions of P.L. 2015, c.158 , supplementing chapter 40 of Title 18A of the New Jersey statutes, chapter 6D of Title 30 of the Revised Statutes and P.L. 2009, c.307 (C.24:I-1, et. al. and provided that the parent/guardian, primary caregiver and those individuals authorized to provide marijuana for medical purposes to assist the student with the medical use of marijuana pursuant to the provisions of P.L. 2009, c.307 (C.24:I-1, et. al.

Students who have valid medical marijuana prescriptions may petition the district for a waiver of federal laws, including, but not limited to the Controlled Substances Act and the Drug Free Schools and Communities Act, prohibiting marijuana use, or possession at educational institutions and on the premises of other recipients of federal funds.

The parent/guardian or primary caregiver may administer medical marijuana to eligible students who submit an application with the proper documentation demonstrating the condition and prescription need. Parents/guardians, and primary caregivers of students who have been authorized for medical use of marijuana may administer medical marijuana to the student while the student is on school grounds, aboard a school bus, or attending a school-sponsored event.

Parents/guardians or primary caregivers will be greeted by a school official or nurse and be taken to a designated area to administer the medication and then be escorted off school grounds, assuring that no marijuana is left on school property.

The use of medical marijuana must be properly documented with the school nurse and verified by the school physician with the prescribing physician prior to administration at school, aboard a school bus, or attending a school-sponsored event.

The Chief School Administrator/designee shall establish the location where the administration of medical marijuana shall be administered.

The administration of medical marijuana to a student by smoking or other form of inhalation while the student is on school grounds, aboard a school bus, or attending a school-sponsored event is strictly prohibited, and nothing in this policy shall be construed to authorize medical marijuana to be smoked in any place where smoking is prohibited pursuant to the provisions of NJSA 2C:33-13.

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Should it be found that said prescription is not warranted or there is no need for a dose to be administered during the school day, notification will be provided to this effect and there will be no medicine administered at school.

Definitions

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

- A. “Physician” means a person licensed to practice medicine and surgery pursuant to Title 45 of the Revised Statutes with whom the patient has a bona fide physician-patient relationship and who is the primary care physician, hospice physician, or physician responsible for the ongoing treatment of a patient’s debilitating medical condition, provided, however, that such ongoing treatment shall not be limited to the provision of authorization for a patient to use medical marijuana or consultation solely for that purpose.
- B. “Primary caregiver” or “caregiver” means a resident of the State who:
- is at least 18 years old;
 - has agreed to assist with a registered qualifying patient’s medical use of marijuana;
 - is not currently serving as a primary caregiver for another qualifying patient;
 - is not the qualifying patient’s physician;
 - has never been convicted of possession or sale of a controlled dangerous substance, unless such conviction occurred after the date of this policy and was for a violation of federal law related to possession or sale of marijuana that is authorized under the provisions of this policy, has registered with the State Department of Health and has satisfied the criminal history record background check requirement of the CUMMA; and,
 - has been designated as primary caregiver on the qualifying patient’s application or renewal for a registry identification card or in other written notification to the Department of Health in accordance with the provisions of NJSA 24:6I-3.
- C. “Qualifying patient” or “patient” means a resident of the State who has been provided with a certification by a physician pursuant to a bona fide physician-patient relationship.

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Both the patient and the caregiver must apply for and be granted a registration card, valid for two (2) years, pursuant to CUMMA.

The administration of medical marijuana on school grounds, aboard a school bus, or attending a school-sponsored event must be consistent with the requirements of the law and this policy.

Liability/ Legal Actions

No person shall be subject to arrest or prosecution for constructive possession, conspiracy or any other offense for simply being in the presence or vicinity of the medical use of marijuana as authorized under P.L.2009, c.307 (C.24:6I-1 et al.

No custodial parent, guardian, or person who has legal custody of a qualifying patient who is a minor shall be subject to arrest or prosecution for constructive possession, conspiracy or any other offense for assisting the minor in the medical use of marijuana.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
18A:40-3.2 et seq. Medical and Nursing Personnel
18A:40-12.3 through -12.4 Self-administration of medication by pupil; conditions
45:11-23 Definitions

NJAC 6A:16-1.1 et seq. Programs to Support Student Development

P.L.2009, c.307 (C.24:6I-1 et al.

Possible Cross References

5141.1, 5141.2, 6153

Upper Deerfield Township Board of Education District Policy Manual

Students

Opioid Overdose Prevention

Series 5000

Policy 5141.26

Date Adopted: December 18, 2018

Date Revised

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Background and Authority

The “New Jersey’s Overdose Prevention Act” was written to encourage the prescription and distribution of an opioid antidote in order to prevent opioid overdose. It is the policy of this district to provide assistance to any person(s) who may be suffering from an opioid overdose following protocols and procedures of the district. Staff members trained in accordance with the policy shall make every reasonable effort, to include the use of an approved opioid antidote, combined with rescue breaths, to revive the victim of any apparent drug overdose.

The “New Jersey’s Overdose Prevention Act” (Act) also provides immunity from civil and criminal liability to non-health care professionals who have, in an emergency, administered an opioid antidote to a person whom he/she believes, in good faith, is experiencing an opioid overdose, provided the requirements of the Act have been met. The Act also provides that a health care professional or pharmacist who, acting in good faith, prescribes or dispenses an opioid antidote to a person capable, in the judgment of a healthcare professional, of administering the opioid antidote in an emergency, shall not be subject to criminal or civil liability, or to professional disciplinary action, for prescribing or dispensing an opioid antidote in accordance with the Act.

Definitions

For the purposes of this policy, the following definitions shall be applicable:

- “Opioid antidote” or “antidote” is defined as any drug, regardless of dosage amount or method of administration, including, but not limited to, naloxone hydrochloride, or any other similarly acting drug approved by the United States Food and Drug Administration for the treatment of an opioid overdose.
- “Opioid overdose,” “drug overdose” or “overdose” means an acute condition including, but not limited to, physical illness, decreased level of consciousness, respiratory depression, coma, mania, hysteria, or death resulting from the consumption or use of an opioid drug or another substance with which an opioid drug was combined, and that a layperson would reasonably believe to require medical assistance.
- “School-sponsored activity” is defined to mean any activity, event, or program occurring on or off school grounds, whether during or outside of regular school hours, that is organized or supported by the school.

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- "Emergency medical responder" means a person, other than a health care practitioner, who is employed on a paid or volunteer basis in the area of emergency response, including, but not limited to, an emergency medical technician acting in that person's professional capacity. "Health care practitioner" means a prescriber, pharmacist, or other individual whose professional practice is regulated pursuant to Title 45 of the Revised Statutes, and who, in accordance with the practitioner's scope of professional practice, prescribes or dispenses an opioid antidote.
- "Medical assistance" means professional medical services that are provided to a person experiencing a drug overdose by a health care practitioner, acting within the practitioner's scope of professional practice, including professional medical services that are mobilized through telephone contact with the 9-1-1 telephone emergency service.
- "Patient" means a person who is at risk of an opioid overdose or a person who is not at risk of an opioid overdose who, in the person's individual capacity, obtains an opioid antidote from a health care practitioner, professional, or professional entity for the purpose of administering that antidote to another person in an emergency, in accordance with subsection c. of section 4 of P.L.2013, c.46 (C.24:6J-4).
- "Prescriber" means a health care practitioner authorized by law to prescribe medications who, acting within the practitioner's scope of professional practice, prescribes an opioid antidote. "Prescriber" includes, but is not limited to, a physician, physician assistant, or advanced practice nurse.
- "Professional" means a person, other than a health care practitioner, who is employed on a paid basis or is engaged on a volunteer basis in the areas of substance abuse treatment or therapy, criminal justice, or a related area, and who, acting in that person's professional or volunteer capacity, obtains an opioid antidote from a health care practitioner for the purposes of dispensing or administering that antidote to other parties in the course of business or volunteer activities. "Professional" includes, but is not limited to, a sterile syringe access program employee, or a law enforcement official.

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- "Professional entity" means an organization, company, governmental entity, community-based program, sterile syringe access program, or any other organized group that employs two or more professionals who engage, during the regular course of business or volunteer activities, in direct interactions with opioid or heroin addicts or abusers or other persons susceptible to opioid overdose, or with other persons who are in a position to provide direct medical assistance to opioid or heroin addicts or abusers in the event of an overdose.
- "Recipient" means a patient, professional, professional entity, emergency medical responder, or emergency medical response entity, school, school district, or school nurse who is prescribed or dispensed an opioid antidote in accordance with the provisions of Section 4 of P.L.2013, c.46 (C.24:6J-4).

In accordance with the provisions of NJSA 24:6J-4.a.(1)(e), the district physician, as a health care practitioner, and as defined in NJSA 24:6J-3, may prescribe or dispense an opioid antidote directly or through a standing order to the district for the certified school nurse or any other appropriately licensed health care professional or qualified volunteer school personnel, to administer to overdose victims, provided the school physician deems the certified school nurse is capable of administering the opioid antidote to an overdose victim in an emergency. The physician's standing order must specify a school district certified school nurse is authorized to administer the opioid antidote to overdose victims.

In accordance with the provisions of NJSA 24:6J-5.a.(1), the school physician issuing the standing order shall ensure that overdose prevention information is provided to the district and the certified school nurse(s) and other school personnel authorized to administer an opioid antidote. The overdose prevention information shall include, but not be limited to: information on opioid overdose prevention and recognition; instructions on how to perform rescue breathing and resuscitation; information on opioid antidote dosage and instructions on opioid antidote administration; information describing the importance of calling 9-1-1 emergency telephone service for assistance with an opioid overdose; and instructions for appropriate care of an overdose victim after administration of the opioid antidote.

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Volunteer, Unlicensed School Personnel

Volunteer, unlicensed school personnel who have completed training through a Department of Health Services' Division-endorsed program may be granted permission by the Superintendent to administer naloxone subject to all other requirements of the law. Written evidence of satisfactory completion of the DHS-endorsed program must be provided before such permission may be granted. Upon review, the Superintendent, in consultation with the School Medical Inspector and Certified School Nurse, shall determine which individuals may administer naloxone or other opioid overdose antidotes. Each such person shall be notified in writing and in each school's main office. The identity of all such approved personnel shall be disseminated to all staff.

Procedure for Emergency Opioid Overdose and Administration of Antidote

The Principal shall ensure that all building staff are familiar with the following procedure, which shall be followed in cases of possible opioid overdose during school hours or during an on-site school-sponsored activity:

- Upon receiving a report of a possible opioid overdose, the Principal, Principal's designee, or supervising staff member will immediately call 9-1-1.
- The school nurse, during school hours and if available at an on-site school sponsored activity, will also be immediately called.
- If the school nurse is available in the building or on-site, in accordance with the provisions of NJSA 24:6J-5d.(1), the school nurse may administer the opioid antidote to a student, school personnel, or other person in an emergency if he or she believes, in good faith, that a person is experiencing an opioid overdose.
- If the school nurse is not in the building or not readily available on-site, and another staff member or licensed healthcare professional is present who is on the list of employees that have certified to having received training and the overdose prevention information, and is thereby authorized to administer the opioid antidote (if permitted by the school physician's standing order), in accordance with the provisions of NJSA 24:6J-5.d.(1), such staff member may administer the opioid antidote in an emergency if he or she believes, in good faith, that a person is experiencing an opioid overdose.
- The school nurse and/or other school staff members shall keep the student, school personnel, or other person comfortable until emergency medical responders arrive on the scene.
- Any student who receives an opioid antidote by the school nurse or by an emergency medical responder shall be transported to the nearest hospital with a school staff member designated by the Principal, Principal's designee, or supervising staff member.

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- The Principal, Principal's designee, or supervising staff member will notify the parent or legal guardian of any student, or a family member or other contact person for any school staff member, who may be experiencing a possible opioid overdose, as soon as practicable.
- The Principal, Principal's designee, or supervising staff member of the on-site school-sponsored activity shall notify the Superintendent of Schools of an opioid overdose and whenever an opioid antidote is administered by a school nurse, other staff member, or emergency medical responder.

Documentation of Administration of Opioid Antidote

The school nurse shall document any administration of an opioid antidote on a student's health record in the same manner as for the administration of other medications under a non-patient specific order. Further, nothing in this policy shall be construed to modify the obligations of the district with respect to the confidentiality of student records, in accordance applicable statutes, regulations, and other Board policies/regulations pertaining thereto.

Storage and Disposal of Opioid Antidote

The school nurse shall be responsible to store the opioid antidote that has been prescribed by the school physician in a safe and secure, but accessible location. Such medication shall be stored according to the manufacturer's directions regarding the heat and cold sensitivity of the medication. To the extent it is safe, the opioid antidote shall be stored within reasonable proximity to an automated external defibrillator (AED). The school nurse shall establish protocols to ensure monitoring of the on-site inventory and replacement of the opioid antidote supply. The school nurse shall also plan for and implement the disposal of any administered and/or expired opioid antidote applicator.

Any student or school staff member who is found to be under the influence of a controlled dangerous substance shall be subject to the provisions of applicable statutes and administrative codes and Board policies and regulations regarding substance use. For students under the influence of a controlled dangerous substance, this shall include, but not limited to, referral for intervention, prevention, and evaluation, and treatment, in accordance with the provisions of NJAC 6A:16-3.1 and all applicable Board policies and regulations.

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Protection from Criminal and Civil Liability

In accordance with the provisions of NJSA 24:6J-4.d.(2), the school district, the school nurse, or other authorized person administering an opioid antidote shall not, as a result of any acts or omissions, be subject to any criminal or civil liability for administering an opioid antidote in good faith in accordance with the provisions of NJSA 24:6J-1 et seq. or under this policy.

Nothing in this policy shall prohibit the administration of an opioid antidote to a student, school personnel, or other person in an emergency during school hours or during on-site school-sponsored activities by an emergency medical responder or by a person authorized to administer an opioid antidote in accordance with NJSA 24:6J-1 et seq.

Adoption, Revision, Notice/Availability to Parents, Students and Staff

Written notification of this policy shall be distributed annually to all parents, guardians, and adult students, which shall include notification that the Board authorizes the certified school nurse to administer an opioid antidote in emergency circumstances. If applicable and permitted by the standing order of the school physician, the notification shall also inform parents, guardians, and adult students that other volunteer, unlicensed school personnel who have been appropriately trained through a Department of Human Services endorsed program and received overdose prevention information, may also administer an opioid antidote in emergency circumstances where the school nurse is not present. The written notification shall provide a means for the parent, guardian, or adult student to provide written refusal for the emergency administration of an opioid antidote by school personnel.

Policy Review

This policy shall be reviewed and approved by the school physician and Board Solicitor prior to Board adoption whenever the policy is revised.

The district may enter into a shared services arrangement with another school district for the provision of opioid antidotes pursuant to the provisions of “New Jersey’s “Overdose Prevention Act” if the arrangement will result in cost savings for the districts.

This policy shall be made available to school staff members, parents, and students in staff and student handbooks, published on the district’s website, or through any other appropriate means.

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Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
18A:40-3.2 et seq. Medical and Nursing Personnel
18A:40-12.3 through -12.4 Self-administration of medication by pupil; conditions
45:11-23 Definitions
24:6J et seq (PL 2009 c.307; PL 2013 c.46)
- NJAC 6A:16-1.1 et seq. Programs to Support Student Development
6A:16-3 Comprehensive Drug Abuse Programs

Possible Cross References

5141.1, 5141.2, 6153

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Date Adopted: November 17, 2004 Date Revised: February 15, 2007 Page 1 of 6

The Board of Education establishes this policy that includes procedures, based on the recommendation of the medical inspector, for the administration of student medical examinations in accordance with NJSA 18A:40-4 and NJAC 6A:16-2.2

A parent/guardian who because of religious convictions does not wish his/her child to be examined must state this in writing.

Every pupil who enters the Deerfield Township School shall present an immunization record as required by law. Students who transfer from schools within Cumberland County will have up to 14 days to comply with these requirements, and students who transfer from schools outside of Cumberland County will be granted up to 30 days to comply with these requirements. If any immunizations are needed, entering students may be given up to 14 days to obtain these immunizations, at the discretion of the Chief School Administrator and/or the School Nurse.

In order to protect the health of the children and staff in district schools, all regulations of the state department of education, the state department of health and the local board of health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases or conditions. Pupils seeking to enter school who have been identified as having a communicable/infectious disease or condition shall be enrolled unless they qualify under the above agencies' rules pertaining to periods of incubation, communicability, quarantine and reporting.

The Board establishes the following guidelines for student medical examinations:

1. Each student medical examination shall be conducted at the medical home of the student (the student's physician or nurse practitioner). Examinations shall not be at the expense of the Board.
2. If a student does not have a medical home, the School Nurse will offer information to the parent/guardian on current New Jersey sponsored health insurance programs (New Jersey Family Care). The student's parent or guardian shall affirmatively represent in writing to the district that the student does not have a medical home and that the parent/guardian is authorizing the district's medical officer to perform the examination. If there will be a delay in establishing a medical home, the School Physician will perform the student medical examination in the school's health office at the school district's expense.

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The student's parent/guardian will be notified by the Chief School Administrator of the proposed examination.

3. Information concerning a student's HIV/AIDS status shall not be required as a part of the physical examination or health history.
4. Each student shall be examined as required below:
 - A. Each student shall be required to submit a record of a medical examination upon the student's entry to into the Deerfield Township School District. This examination shall have been conducted no more than 365 days prior to entry into the school. Parents will be notified of the importance of obtaining subsequent medical examinations of the student at least one time during each developmental stage at early childhood (pre-school through grade 3), pre-adolescence (grades 4 through 6), and adolescence (grades 7 through 12).
 - B. A student shall be examined by his/her physician at the student's medical home pursuant to a comprehensive Child Study Team evaluation as required by NJAC 6A:14-3.4
5. The examination shall be documented on a form approved by the Commissioner of Education and shall include the following components:
 - A. immunizations pursuant to NJAC 8:57-4.1 through 4.16;
 - B. medical history including allergies, past serious illnesses, injuries and operation(s), medications and current health problems;
 - C. health screenings including height, weight, hearing, blood pressure, and vision; and
 - D. physical examination.
6. A biennial scoliosis screening shall be conducted for every student between the ages of 10 and 18 pursuant to NJSA 18A:40-4.3.

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7. Students shall be examined who are suspected of being under the influence of alcohol and/or controlled, dangerous substances, in accordance with NJSA 18A:40A-12 and NJAC 6A:16-4.3.

8. An examination of each candidate for a school athletic squad or team shall be conducted within 365 days prior to the first practice session with examinations being made available by the school physician for those students who do not have a medical home in the school's health office.
 - A. The medical examination shall include a health history questionnaire, completed and signed by the parent to determine whether the student:
 - i. has been medically advised not to participate in any sport, and the reason for such advice;
 - ii. is under a physician's care and the reasons for such care;
 - iii. has experienced loss of consciousness after an injury;
 - iv. has experienced a fracture or dislocation;
 - v. has undergone any surgery;
 - vi. takes any medication on a regular basis, the names of such medication and the reasons for such medications;
 - vii. has allergies including, but not limited to hives, asthma or reactions to bee stings;
 - viii. has experienced frequent chest pains or palpitations;
 - ix. has a recent history of fatigue and/or undue tiredness;
 - x. has a history of fainting during exercise; and
 - xi. has a history of a family member who died suddenly.

 - B. The medical examination shall include a physical examination that includes, at a minimum, the following:
 - i. measurement of weight, height and blood pressure;
 - ii. examination of the skin to determine the presence of infection, scars from previous surgery or trauma, jaundice and purpura;
 - iii. examination of the eyes to determine the visual acuity, use of eyeglasses or contact lenses, and examination of the sclera for the presence of jaundice;

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- iv. examination of the ears to determine the presence of acute or chronic infection, perforation of the eardrum and gross hearing loss;
 - v. examination of the nose to assess the presence of deformity that may affect endurance;
 - vi. assessment of the neck to determine range of motion and the presence of pain associate with such motion;
 - vii. examination of the chest contour;
 - viii. auscultation and percussion of the lungs;
 - ix. assessment of the heart with attention to the presence of murmurs, noting rhythm and rate;
 - x. assessment of the abdomen with attention to the possible presence of hepatomegaly, splenomegaly or abnormal masses;
 - xi. assessment of the back to determine range of motion or abnormal curvature of the spine;
 - xii. examination of the extremities to determine abnormal mobility or immobility, deformity, instability, muscle weakness or atrophy, surgical scars and varicosities;
 - xiii. examination of the testes to determine the presence and descent of both testes, abnormal masses or configurations, or hernia;
 - xiv. assessment of physiological maturation; and
 - xv. neurological examination to assess balance and coordination.
- C. The medical report shall include a determination concerning the student's participation from the examining physician, advanced practice nurse, or physician's assistant.
- D. To participate on a school athletic squad or team, each candidate whose medical examination was completed more than 60 days prior to the first practice session shall provide a health history update of medical problems experienced since the last medical examination. This shall be completed and signed by the parent/guardian. The health history update shall include the following information:
- i. hospitalization/operations;
 - ii. illnesses;
 - iii. injuries;
 - iv. care administered by a physician of medicine or osteopathy, advanced practice nurse or physician's assistant; and
 - v. medications

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- E. The Deerfield Township School District shall provide a written notification, signed by the School Physician to the parent/guardian stating approval of the student's participation in athletics based upon the medical report, pursuant to "C" above, or the reason(s) for the School Physician's disapproval of the student's participation. The health findings of the medical examination for participation shall be made part of the student's health record and shall be documented on a form issued by the Commissioner of Education.
- F. The health findings of the medical examination shall be maintained as part of the student's health record.
- G. All health findings of the medical examinations, whether relating to participation in athletics or not, shall be made part of the student's health record and shall be documented on a form issued by the Commissioner of Education.
- H. Any health defects revealed by any examination given by the school health services must be reported to the parent/guardian. The Board shall review the regulations and adopt those required by law.

The Superintendent of Schools or his/her designee shall formulate regulations that ensure immunization records are reviewed and updated annually pursuant to NJAC 8:57-4.1 through 4.16. The Superintendent of Schools shall also formulate regulations for this policy and for regular pupil health examinations at appropriate grade levels; before participation in sports programs; and for tuberculosis, scoliosis, hearing loss, visual acuity and any other physical examinations required by law. Any health defects revealed by any examination given by the school health services must be reported to the parent/guardian. The Board of Education shall review the regulations and adopt those required by law.

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Legal References

- NJSA 18A:35-4.6 through -4.8 Parents Right to Conscience Act of 1979
18A:40-4 Examination for physical defects and screening of hearing of pupils;
health records
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian
18A:40-4.4 Exemption
18A:40-4.5 Immunity from action of any kind due to provisions of act
18A:40-5 Method of examination; notice to parent or guardian
18A:40-6 In general
18A:40-11 Exclusion of pupils having communicable tuberculosis
18A:40-16 through -19 Tuberculosis infection; determination of presence ...
18A:40-20 Immunization at public expense
18A:61D-8 through -10 Findings, declarations relative to Hepatitis B
vaccinations....
26:1A-9.1 Exemption of pupils from mandatory immunizations
26:4-6 Prohibiting attendance of teachers or pupils
26:2T-5 through -9 Findings, declarations relative to Hepatitis C
- NJAC 6A:14-3.4 Evaluation
6A:16-1.1et seq. Programs to Support Student Development
6A:32-9.1 Athletics Procedures
8:57-2 Reporting of acquired immunodeficiency syndrome and infection with
Human Immunodeficiency Virus
8:57-4.1 Applicability
8:57-4.2 Proof of immunization
8:57-4.3 Medical exemptions
8:57-4.4 Religious exemptions
8:57-4.5 Provisional admission
8:57-4.6 Documents accepted as evidence of immunization
8:57-4.7 Records required
8:57-4.8 Reports to be sent to the State Department of Health
8:57-4.9 Records available for inspection
8:57-4.10 Diphtheria and tetanus toxoids and pertussis vaccine
8:57-4.11 Poliovirus vaccine
8:57-4.12 Measles virus vaccine
8:57-4.13 Rubella vaccine
8:57-4.14 Mumps vaccine
8:57-4.15 Haemophilus influenza type b (Hib) conjugate vaccine
8:57-4.16 Providing immunization
8:57-4.17 Emergency powers of the State Commissioner of Health
8:61-2.1 Attendance at school by pupils or adults infected by Human Immuno-
deficiency Virus (HIV)
Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

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Child Abuse

Policy 5141.4

Date Adopted: November 17, 2004 Date Revised: November 16, 2006,

September 25, 2013

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The Board of Education believes that the physical and mental well being of all children in its charge must be maintained as prerequisite to learning through the formal educational process. The Board of Education is cognizant of the importance of early identification of child abuse. The school district personnel will cooperate with the New Jersey Division of Child Protection & Permanency (DCP&P) in the identification, immediate reporting, and investigation of allegations of child abuse.

The Board of Education directs the Chief School Administrator to develop and implement procedures for compliance with the law and code requirements pertaining to allegations of child abuse. The Board of Education has designated a liaison to DCP&P. Abuse referrals are not screened or referred through the liaison. The function of the liaison is to:

Facilitate communication and cooperation between the district and DCP&P; and act as the primary contact person between the schools and DCP&P with regard to general information sharing and the development of mutual training and other cooperative efforts.

The Chief School Administrator shall require all the employees and volunteers to receive in-service training concerning child abuse, instructional methods and techniques relative to issues of child abuse in the local curriculum, and personnel responsibilities pursuant to NJSA 9:6-8.10 et seq. This training shall include information regarding the identification and reporting of allegations of child abuse to DCP&P, as well as the investigative process conducted by DCP&P. Additionally, the employees shall be made aware of their rights and responsibilities according to law and code. A person making the report in good faith is immune.

The Chief School Administrator is therefore directed to develop procedures for compliance with statutory requirements that child abuse and neglect be reported. All procedures as well as this policy shall be reviewed by the Executive County Superintendent. Procedures shall:

- A. Impress on all staff members and volunteers having contact with pupils of their responsibility to report directly and immediately to DCP&P all cases of suspected abuse, abandonment, cruelty or neglect resulting in physical or mental injury, and the penalties for failing to do so. Point out that institutional abuse--abuse alleged to have taken place in the school or other institutional setting by paid school staff or a volunteer--must be reported on the same basis as noninstitutional abuse. Information reported shall include the name, age, and grade of the child, as well as the name and address of the child's

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- parents/guardians. The report shall also include a description of the child's condition, nature and extent of his/her possible injuries, and any other information pertinent to the child abuse or neglect or identification of the suspected perpetrator;
- B. Provide for the annual delivery of information and inservice training to all school staff members and volunteers concerning child abuse and neglect. This shall include instructional methods and personnel responsibilities;
 - C. Provide for the delivery of information and inservice training to all new school district employees, both paid and voluntary, as part of their orientation;
 - D. Require all school personnel and volunteers to report suspected instances of child abuse or neglect to the Chief School Administrator/designee after reporting to DCP&P, unless the reporting personnel believes that he/she may be endangering the welfare of the child or himself/herself or causing retaliation or discrimination against the child or himself/herself by such notice to the building principal;
 - E. Require prompt action to secure treatment of such injuries as result from abuse or neglect so as to protect the health of the child;
 - F. Provide for DCP&P investigators to interview alleged victims in the presence of the Chief School Administrator/ designee, or any staff member with whom the child is comfortable;
 - G. Provide for cooperation with DCP&P in scheduling interviews with any school personnel or volunteers who may have information relevant to the investigation;
 - H. Permit DCP&P to remove pupils from school during the course of the school day when it is necessary to protect the child or take the child to a service provider. Removal shall take place when the Chief School Administrator/designee is provided, either in advance or at the time removal is sought, with appropriate authorization as specified in N.J.S.A. 9:6-8.27 through -8.30;
 - I. Require that a report of each case of unexplained absence which might be a cause of child abuse or neglect be reported to DCP&P as the law provides, and to other appropriate school staff;
 - J. Require that appropriate school staff be assigned as a liaison to facilitate communication and cooperation, and act as the primary contact between the district and DCP&P in order to ensure continuance of shared information and training development;
 - K. Release all pupil records of the child(ren) under investigation that are deemed relevant and maintain, secure and release all confidential information about child abuse cases, according to law;

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L. Fulfill all other procedural requirements of the law.

The Board of Education assures all school personnel and volunteers that no one will be discharged from employment or discriminated against in any way as a result of making in good faith any reports of child abuse and neglect.

Due process rights will be provided to school personnel or volunteers who have been reassigned or suspended as a result of an accusation of child abuse or neglect. Temporary reassignment or suspension of school personnel or volunteers alleged to have committed an act of child abuse or neglect shall occur if there is reasonable cause to believe that the life or health of the alleged victim or other children is in imminent danger due to continued contact between the school personnel and a child.

All references to a report of child abuse or neglect against school personnel shall be removed from employee personnel records immediately following the receipt of an official notice from DCP&P that such allegations were unfounded.

“Anyone acting pursuant to this act in the making of a report under this act shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such person shall have the same immunity with respect to testimony given in any judicial proceeding resulting from such report” (NJSA 9:6-8.13).

Failure to make a report is a violation, and the person is subject to a \$1,000 fine and up to six months in jail.

“Any person knowingly violating the provisions of this act, including the failure to report an act of child abuse, having reasonable cause to believe that an act of child abuse has been committed, is a disorderly person” (NJSA 9:6-8.14). “No school personnel will be discharged from employment or in any manner be discriminated against as a result of making, in good faith, a report or causing to be reported an allegation of child abuse (NJSA 9:8.13). “Due process rights will be provided to school personnel who have been reassigned or suspended in accordance with NJSA 18A:6-10 et seq., 18A:25-1, 18A:25-6, and NJSA 9:6-3.1. Temporary reassignment or suspension of school personnel alleged to have committed an act of child abuse shall occur if there is reasonable cause to believe that the life or health of the alleged victim or other children is in imminent danger due to continued contact between the school personnel and a child (NJSA_18A:6-10 et seq. and NJSA 9:6-3.1).

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Legal References

- NJSA 9:6-1 et seq. Abuse, abandonment, cruelty and neglect of child;
18A:6-7a, -10, -11, -13, -14, -18.1, -30, -30.1 Removal from personnel files of
reference to complaint of child abuse or neglect determined to be unfounded
18A:25-1 Transfer of teaching staff members
18A:25-6, -7 Suspension of assistant superintendents, principals and teachers ...
18A:36-19 Pupil records; creation; maintenance and retention, security and access;
regulations; nonliability
18A:36-19a Newly enrolled students; records and identification
18A:36-24 et seq. Missing children; legislative findings and declarations
52:17B-9.8a et seq. Marking of missing child's school record
- NJAC 6A:16-1.4 et. seq. District policies and procedures
6A:16-11.1 et seq. Reporting Allegations of Child Abuse and Neglect
6A:32-7.1 et seq. Student records

Possible Cross References

5113, 5125, 5141.1, 5142

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Early Detection Of Missing Children

Policy 5141.5

Date Adopted: May 25, 2006 Date Revised: September 25, 2013

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The Board of Education is deeply concerned with early detection of any missing or abused children. Attendance at school can be a means of identifying such children. Accordingly, the Chief School Administrator shall implement procedures designed to provide for reporting to appropriate law enforcement and child welfare authorities when a potential missing or abused child is detected.

Furthermore, though limits are set on certain numbers of days for certain kinds of action, these limits are maximums, not minimums, and the Administrators are encouraged to take bolder steps and to act sooner than the limits established in every category. Additionally, it is recognized that the Administrator's daily procedures may demand more stringent accounting from parents than provided for herein; it is most appropriate that these practices should be continued and form a sound base for the implementation of this policy:

1. Attendance
 - A. Any child absent from our school for five consecutive days without the administration being aware that the absence is for a known cause shall be considered "at risk" as a potentially abused or missing child.
 - B. Any absent child for whom there are grounds for the reasonable suspicion of the potential for abuse or abduction shall be considered an "at risk" child.
 - C. A student who never appears on the school's register because he/she has the status of a "did not enter" student shall be considered an "at risk" child and every effort shall be made to account for his/her welfare and safety, as indicated below.
 - D. The schools shall attempt to contact the home of each "at risk" child by phone on a daily basis or by mail. An attempt should also be made to locate the child through the emergency notification information that the parents have provided the school, and any other information that is available to the school.
 - E. If, after three days, there is no response affirming the safety of the child, the attendance officer shall make an on-site investigation at the child's home.

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- F. If the attendance officer is unable to confirm the safety of the child, the school shall consider the child to be missing and shall notify the New Jersey Division of Child Protection & Permanency (DCP&P), the proper police authorities, and other appropriate agencies and organizations. The school shall provide these agencies all information from the school records that could help in search for the child.
2. Release from School
During the school session, a child may be excused only into the custody of his/her custodial parent/guardian. The school may release a child into the care of another person with written permission from the parent/guardian. The persons who are listed on a properly completed emergency notification form may be treated by the school as in loco parentis.
3. Students Transferring to Another School
When issuing a transfer card, the school shall attempt to ascertain all possible information about the destination of the child's family, including the future address, job site, names of relatives or friends in the area, and the anticipated date of the student's arrival at the new school.

If the school has not received confirmation of the student's arrival at the new district within one week of the anticipated date of arrival, the new school district should be called and attempts made to locate the child through school districts and the other information that the school has available. If these attempts prove to be fruitless, reports shall be made to DCP&P and the appropriate police authorities indicating that the school is unable to confirm that the child has reached his/her destination. The proper police authorities, DCP&P, and other appropriate agencies and organizations shall be provided any information from the school records that could help in a search for the child.

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4. Students Transferring from Another School

A. When a student transfers in from another school, the guardianship of the child will be verified from the transfer card, through contact with the previous district, by court records, the child's school records, or other appropriate means. If the child is residing with someone other than the apparent legal guardian, the school must report this discrepancy to DCP&P, the proper police authorities, and other appropriate agencies and organizations. In the meantime, the school must verify the student's entitlement to a free public education in this school district in a reasonable amount of time. A week of free public education in this school district is a reasonable amount of time. In unusual circumstances, the limit of one week of free public education may be extended through all of the following means, as prescribed by law:

- (1) A sworn statement by the person with whom the child resides that he/she:
 - is domiciled in the district,
 - is supporting the child gratis,
 - will assume all personal obligations of the child relative to school requirements,
 - intends to keep and support the child gratuitously for a longer time than merely through the school term.
- (2) A copy of the lease of the person with whom the child resides, if the person is a tenant, or a sworn statement of the landlord acknowledging that such person is residing as a tenant without written lease.
- (3) A sworn statement by the child's legal parent that he/she is not supporting the child.
- (4) A satisfactory documentation as to the validity of the sworn statement.

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5. Student Registration
 - A. A child may be registered into school while documentation of guardianship is being resolved, provided however, that proper health records have been verified and there is adequate information on which to make an educational placement.
 - B. If the school is not able to verify the student's entitlement to a free public education in this district through the means listed in 4A above, in a reasonable amount of time, the student shall be excluded from school.
 - C. If the non-parent with whom the child resides chooses to contest the school's decision before the Commissioner of Education, the school shall admit and register the child during the pendency of such proceedings.

6. Registered Students Not in the Custody of a Person with Legal Parental Status

If a registered student should reside out of the custody of a legal guardian, all of the procedures of document custody and residence which are listed in part 4 above, shall be instituted, as if the child were transferring in from another school.

Legal References

NJSA 18A:36-24 et seq Missing children
52:17B-9.8a et seq Marking of missing child's record

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Control of AIDS

Policy 5141.6

Date Adopted: May 25, 2006 Date Revised

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The Deerfield Township Board of Education recognizes that many difficult issues are raised when pupils are infected with Human Immunodeficiency Virus (HIV). The right of such pupils to a thorough and efficient education and the benefit to them of an education in the school setting must be balanced against the interests of the school community to a safe environment.

The Board will, in compliance with the rules of the state board of education and the state department of health, permit the exclusion from the regular school setting of a pupil infected with HIV only when the pupil is not toilet trained or is incontinent or cannot control drooling or is unusually physically aggressive with a documented history or harming or biting others. A pupil infected with HIV may not be excluded in the absence of one or more of these exceptional characteristics and may not be excluded to protect the pupil against infection by others.

A pupil of school age infected with HIV, who does not demonstrate one or more of the characteristics that warrants exclusion, will be admitted to the regular school setting. His or her medical condition will be held in strict confidence, and his or her infection with HIV will be withheld from public records of this district.

When a pupil in this district or a pupil who seeks admission to this district is identified as infected with HIV, the school physician shall confer with the pupil's physician to determine whether the pupils should be excluded from school in accordance with this policy. The school physician shall promptly report his or her determination to the board; the board shall, within ten (10) days of the request to admit the pupil, decide to exclude or admit the pupil in accordance with the state board rules and the following guidelines:

1. If the school physician approves the admission of the pupil, the pupil will be permitted to attend the regular school session. In the event the pupil subsequently develops any of the characteristics that warrant exclusion, the school physician shall be notified.
2. If the school physician, the pupil's physician, and the pupil's parent or guardian agree that the pupil should be excluded from school, and appropriate alternative education shall be planned and implemented.
3. If the physician inspector determines that the pupil should be excluded from the school and the pupil's physician disagrees, the pupil's admissibility shall be determined by the Commissioner of Education on the recommendation of a medical advisory panel appointed by the Commissioner of Health.

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The Board will promptly submit to the County Superintendent of Schools the pupil's entire medical record including all medical information relied on the board in its exclusion decision; all information supplied by the pupil's parent or guardian and physician; a written statement of the school medical inspector's reasons for exclusion; the qualifications and credentials of all experts relied on by the board and the school physician; and, in the case of a classified pupil, child study team evaluation reports recommendations and the pupil's Individual Educational Plan (IEP).

The names of the pupil and his or her parents or guardian will be removed from the records submitted to the County Superintendent of Schools; future district references to the pupil will be by the code number supplied by the department of education.

Pending the determination of the Commissioner, the pupil shall be temporarily excluded from school and given an alternative program of home instruction appropriate to the pupil's needs and in accordance with the rules of the state board of education. The professional staff members teaching the pupil will be appropriately certified and trained in proper precautions against the possible transmission of disease.

No pupil, staff member, or visitor may attend or visit school if he or she has an uncoverable weeping lesion, whether or not the person has been screened for HIV.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
- 18A:40-7 Exclusion of pupils who are ill
- 18A:40-8 Exclusion of pupils whose presence is detrimental to health and cleanliness
- 26:5C-5 et seq Acquired Immune Deficiency Syndrome Act

- NJAC 8:57-2 Reporting of AIDS and HIV
- 8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV Infection

- HIV Policy and Practice: Regulatory Requirements for New Jersey Public Schools

Possible Cross References

5141.3

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Date Adopted: May 25, 2006 Date Revised

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The Deerfield Township Board of Education is committed to conforming to all applicable laws regarding students who are HIV positive, have AIDS or are suspected of being HIV positive or having AIDS. Toward this end, the board adopts the following policy and directs the Chief School Administrator to develop the procedures necessary to ensure compliance with it:

- 1) **Confidential Information:** Confidential information regarding a current or prospective pupil's HIV/AIDS status is not required to be furnished to the school or district, or any representative thereof. HIV/AIDS status is therefore an exception to records required pursuant to students' physical examinations. No inquiry shall be made regarding the HIV status of a current or prospective pupil. All records containing identifying information regarding same shall be kept strictly confidential. No information relating to the HIV/AIDS status of a student shall be disclosed except in accordance with the provisions of NJSA 26:5C-5 et seq. Information concerning the HIV status of a pupil may be shared only with the written consent of the pupil's parent, guardian, or other individuals authorized under state law to act on the pupil's behalf, and then only with those who need to know the status to determine the appropriate educational program for the pupil.

- 2) **Enrollment/Attendance of Pupils:** No pupil, including individuals entitled to school attendance in grades K-12, and pre-kindergarten children who are entitled to school attendance, shall be excluded from attending school due to HIV infection, nor shall any pupil be excluded to protect him or herself against exposure to the infectious diseases of others. The presence of HIV infection also may not be used, in and of itself, to exclude any pupil by way of classification as eligible for home instruction. Additionally, pupils who have HIV and are symptomatic and/or diagnosed with AIDS are not to be excluded from school by virtue of the diagnosis, but may only be excluded for the medical or health conditions which would lead to exclusion of any other pupil. This policy applies to all pupils, whether currently enrolled or seeking enrollment. AIDS or HIV infection shall not be considered a communicable disease for purposes of admission to or attendance in an education facility or eligibility for the pupil.

No pupil may be excluded from school solely by virtue of their being related to an HIV-infected individual.

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- 3) Exclusion Required: Any pupil regardless of his or her HIV status, is to be removed if he or she has weeping skin lesions that cannot be covered.
- 4) Procedures for Handling Blood or Body Fluids: Training and supplies for the handling of blood and body fluids shall be made available to school personnel, whether or not pupils or staff with HIV are present, and nurses, custodians and teachers in particular are to have knowledge of the proper techniques in the handling and disposal of such materials. It shall be the responsibility of the Chief School Administrator to secure appropriate supplies and training for school employees.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:40-7 Exclusion of pupils who are ill
18A:40-8 Exclusion of pupils whose presence is detrimental to health and cleanliness
26:5C-5 et seq Acquired Immune Deficiency Syndrome Act
- NJAC 8:57-2 Reporting of AIDS and HIV
8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV Infection
- HIV Policy and Practice: Regulatory Requirements for New Jersey Public Schools

Possible Cross References

1410, 4123 5111, 5113, 5141, 5141.21, 6142.4, 6145.1, 6145.2, 6164.2

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Automated External Defibrillator

Policy 5141.9

Date Adopted: March 3, 2005 Date Revised: February 26, 2014,

September 24, 2014

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The American Heart Association estimates many lives could be saved if defibrillators were more widely available. Due to technological advances, automated external defibrillators (AEDs) may be used by laypersons without any training to provide defibrillation within the first minutes of cardiac arrest thereby increasing the victim's chances of survival. In accordance with NJSA 18A:40-41.a, the Board of Education shall ensure every school in the school district has an AED as defined in NJSA 2A:62A-24. The AED shall be made available in an unlocked location on school property with an appropriate identifying sign. The AED shall be accessible during the school day and any other time when a school-sponsored athletic event or team practice is taking place in which pupils of the school district are participating. The AED shall be within reasonable proximity of the school athletic field or gymnasium, as applicable.

A team coach, licensed athletic trainer, or other designated staff member if there is no coach or licensed athletic trainer, who is present during athletic events or team practices, shall be trained in cardio-pulmonary resuscitation and the use of the AED in accordance with the provisions of NJSA 2A:62A-25.a. The school district shall be deemed to be in compliance with NJSA 2A:62A-25.a, if a State-certified emergency services provider or other certified first responder is on site at the event or practice.

Each AED in the school district shall be tested and maintained according to the manufacturer's operational guidelines. Notification shall be provided to the appropriate first aid, ambulance, rescue squad, or other appropriate emergency medical services provider regarding the AED, the type acquired, and its location in accordance with NJSA 2A:62A-25.b and c.

The school district and its employees shall be immune from civil liability in the acquisition and use of AEDs pursuant to the provisions of NJSA 2A:62A-27. In accordance with the provisions of NJSA 18A:40-41.b, the Chief School Administrator or designee shall establish and implement an Emergency Action Plan applicable to each school in the school district for responding to a sudden cardiac event including, but not limited to, an event in which the use of an AED may be necessary. The Emergency Action Plan shall be consistent with the provisions of NJSA 18A:40-41.a and, at a minimum, shall include a list of no less than five school employees, team coaches, or licensed athletic trainers who hold current certifications from the American Red Cross, American Heart Association, or other training programs recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and in the use of an AED. This list shall be updated, if necessary, at least once in each semester of the school year.

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The Emergency Action Plan shall also include detailed procedures on responding to a sudden cardiac event including, but not limited to, the identification of the persons in the school who will be responsible for responding to the person experiencing the sudden cardiac event; calling 911; starting cardio-pulmonary resuscitation; retrieving and using the AED; and assisting emergency responders in getting to the individual experiencing the sudden cardiac event.

Regulations/Procedures

Automated External Defibrillator (AED)

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

Location and Availability of AED

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

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Training Requirements for Using an AED

- A. A team coach, licensed athletic trainer, or other designated staff member if there is no coach or licensed athletic trainer, who is present during athletic events or team practices, shall be trained in cardio-pulmonary resuscitation and the use of the AED in accordance with the provisions of NJSA 2A:62A-25.a. The school district shall be deemed to be in compliance with this requirement if a State-certified emergency services provider or other certified first responder is on site at the event or practice.
- B. Prior to using an AED a school employee must have successfully completed and hold a current certification from the American Red Cross, American Heart Association, or other training programs recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and the use of an AED.
- C. The Board of Education shall not be liable for any act or omission of any layperson who uses the defibrillator in the rendering of emergency care.
- D. Each AED shall be maintained and tested according to the manufacturer's operational guidelines.
- E. The Principal or designee shall notify the appropriate first aid, ambulance, rescue squad, or other appropriate emergency medical services provider that the school has acquired an AED, the type acquired, and its location.
- F. Prior to purchasing an AED, the Chief School Administrator or designee will provide the prescribing licensed physician with documentation that the school district has a protocol in place to comply with the requirements listed above.

Immunity from Civil Liability

- A. Any person who uses an AED shall request emergency medical assistance from the appropriate first aid, ambulance, or rescue squad as soon as practicable. However, a layperson who, in good faith, fails to request such emergency medical assistance shall be immune from civil liability for any personal injury that results from that failure.
- B. The school district and its employees shall be immune from civil liability in the acquisition and use of AED(s) pursuant to the provisions of NJSA 2A:62A-27.
 - Any person or entity who, in good faith, acquires or provides an AED, renders emergency care or treatment by the use of an AED, assists in or supervises the emergency care or treatment by the use of an AED, attempts to use an AED for the purpose of rendering emergency care or treatment, and who has complied with the requirements of NJSA 18A:40-41.a and b, and NJSA 2A:62A-23 through 2A:62A-27 shall be immune from civil liability for any personal injury as a result of that care or treatment, or as a result of any acts or omissions by the person or entity

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in providing, rendering, assisting in, or supervising the emergency care or treatment.

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

Emergency Action Plan

The Chief School Administrator or designee shall establish and implement an Emergency Action Plan applicable to each school in the district for responding to a sudden cardiac event including, but not limited to, an event in which the use of an AED may be necessary.

The Emergency Action Plan shall be consistent with the provisions of NJSA 18A:40-41.a and, at a minimum, shall include a list of no less than five school employees, team coaches, or licensed athletic trainers in each school building who hold current certifications from the American Red Cross, American Heart Association, or other training programs recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and in the use of the AED. This list shall be updated, if necessary, at least once in each semester of the school year.

The Emergency Action Plan shall also include detailed procedures on responding to a sudden cardiac event including, but not limited to:

- A. The identification of the persons in the school who will be responsible for responding to the person experiencing the sudden cardiac event;
- B. Calling 911;
- C. Starting cardio-pulmonary resuscitation;
- D. Retrieving and using the AED; and
- E. Assisting emergency responders in getting to the individual experiencing the sudden cardiac event.

Revision and updating of these guidelines will be the responsibility of the Board of Education.

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Legal References

NJSA 2A:62A-1 “Good Samaritan Act”
18A:11-1 General mandatory powers and duties
18A:11-3 Voluntary associations resulting student activities; rules and regulations; appeals
18A:40-41a et seq Schools required to have AED – “Janet’s Law”
18A:40-4.5 No court action against school personnel

AED’s in the School, Stapleton, E., Ed Louis J. Acompora Memorial Foundation, 1998

Fundamentals of BLS for Healthcare Providers, AHA, 2001

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

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

Possible Cross References

5141.1, 5141.2, 6153

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Policy 5142

**Date Adopted: May 25, 2006 Date Revised: November 16, 2006,
September 26, 2007**

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The Board of Education recognizes the safety of its pupils as a consideration of utmost importance. The Chief School Administrator shall consult law enforcement agencies, health and social service providers, emergency management planners and other school and community resources in the development of the plans, procedures and mechanisms for school safety. The Chief School Administrator shall oversee development of a district-wide safety program with emphasis on accident prevention.

Facilities

The Chief School Administrator shall maintain all facilities and equipment in proper condition to provide a safe learning environment, ensuring compliance with state law on the handling, labeling and storing of hazardous substances. Safety regarding all aspects of playground equipment and activity will be maintained and supervised in compliance to law and code.

Staff Education and Training

All teachers shall be familiar with the provisions of this program that particularly concern them.

The Chief School Administrator shall inform all newly employed staff of school safety rules and regulations within 60 days of the effective date of their employment. All district employees will receive the appropriate inservice training to recognize and respond appropriately to safety concerns including emergencies and crises, in accordance with the district safety plans, procedures and mechanisms. The district safety plan will be updated annually and all employees will be notified of updates and changes to the safety plan in writing. Regulations concerning use and maintenance of eye protective devices shall be scrupulously enforced by all staff.

Student Supervision

The staff must maintain complete classroom and playground supervision during regular school hours. The Chief School Administrator shall seek the cooperation of parents/guardians to prevent any children being unsupervised on school property during lunch hour and during morning arrival and afternoon dismissal times. Further, the chief school administrator shall seek the cooperation of the police and other appropriate agencies in providing for the safety of pupils on or around school property. The Board of Education shall adopt the necessary regulations governing supervision of pupil safety.

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No pupil shall leave the school before the end of the school day without permission of the administration.

No pupil shall run errands on school business off the school property.

A record shall be kept indicating the legal custodian of each pupil. Such custodian shall be responsible for informing the chief school administrator of any change in the pupil's custody. If one parent/guardian has been awarded custody of the pupil in a divorce, the other parent/guardian shall present to the principal a letter authorizing him/her to accompany the child from school before the child may be released. The Chief School Administrator/designee may take reasonable steps to verify the letter. It is the responsibility of the person or agency having custody to inform the school that such authorization will be required.

Supervision of Pupils During Dismissal

Dismissal will be supervised. District staff will be assigned to specific locations and given defined responsibilities to supervise pupil dismissal in each district school facility. Regular and early dismissal will be supervised according to the same protocol unless otherwise specified. The Chief School Administrator is responsible for overseeing the development of protocols that are tailored to the age and needs of the pupils at each school facility. At a minimum these protocols shall include:

- A. Staff assigned to supervise dismissal, and their locations and responsibilities
- B. Where pupils will be retained awaiting appropriate escort and/or designated transportation
- C. Provisions for supervision when a parent/escort is unable to pick up their child at the appropriate dismissal time.

The Board of Education will review the dismissal procedures annually.

Supervision of Non-bused Pupils at Dismissal

The Board of Education shall require that the parent/guardian notify the school in advance of any arrangements for pupils not riding the bus.

All documented arrangements will be considered permanent for the entire school year. Parents/Guardians may alter arrangements upon prior written notification to the Chief School Administrator/designee.

Parents/guardians leaving pupils at school that are to be escorted home will be reported to the proper authorities.

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The Chief School Administrator/designee is responsible for the collection of all dismissal arrangements requested by the parents/guardians. The Chief School Administrator/designee is responsible for keeping a record of the dismissal arrangements and implementing the appropriate dismissal supervision in accommodation of these arrangements.

Notification of Dismissal Protocols

The Chief School Administrator/designee shall ensure that parents are notified of the following:

- A. School calendar including school closure and early dismissal dates and times; and any adjustments to the calendar
- B. Any changes to the calendar deemed necessary by the Chief School Administrator.
- C. The school dismissal policy
- D. Dismissal protocol for all bused pupils, non-bused pupils and pupils in after-school programs or activities
- E. Supervision arrangements for pupils at dismissal
- F. Emergency plan for supervision of pupils left at school
- G. After school program opportunities
- H. Procedures for enrolling pupils in after school programs

The parent/guardian is responsible for reviewing the school calendar and complying with all school dismissal times and procedures. It is the parents/guardians responsibility to resume the custody of their child at the end of each school day.

The Chief School Administrator may deem it necessary to alter the school calendar and will provide 48 hours advance notification to the parents/guardians whenever practicable. In such cases, a note will be sent home to the parents/guardians that shall be signed by the parents/guardians and returned to school the next day. Parents/guardians who do not return the signed notification will be contacted by phone.

The Chief School Administrator will develop procedures:

- A. For parents/guardians to provide signed acknowledgement of receipt of the school calendar, including all school closure and early dismissal dates, and the school dismissal policy and procedures,
- B. For parents/guardians to indicate and define the circumstances that the pupil is to be released from the school's care at dismissal,
- C. For the collection and retention of all documents pertaining to receipt of calendar and escort/transportation arrangements.

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Potentially Missing Children

Attendance practices, the dismissal precautions addressed in this policy and voluntary fingerprinting are part of the district's effort toward early identification of potentially missing children.

The Chief School Administrator will develop procedures that ensure cooperation with law enforcement for substances, weapons and safety. This may include cooperation with law enforcement in the activation of an "Amber Alert" which provides for the rapid dissemination of information, including a description of the missing child through broadcast media.

Release to an Individual Impaired by Drugs/Alcohol Prohibited

The Board of Education believes that allowing a child to be released into the custody of a parent/guardian or other authorized individual who appears to be impaired by drugs or alcohol can have tragic consequences. Therefore, the board prohibits release of a pupil into the custody of any person who appears to be physically and/or emotionally impaired to the extent that harm could come to the pupil if released to such a person. The chief school administrator/designee shall make the final determination as to whether an individual is impaired.

Possessions

Parents/guardians are requested not to permit their children to bring expensive or fragile objects to school and to label or otherwise identify clothing, books and personal items. The Board is not responsible for personal items of students destroyed or stolen.

Megan's Law

Only law enforcement agencies in the community receive notification of the presence of Tier One offenders. The Chief School Administrator and other district administrators in affected schools shall receive notification from the Cumberland County Prosecutor's Office or local law enforcement officials when Tier Two or Tier Three sex offenders move into the district. Principals shall inform those employees/volunteers whose duties regularly put them in a position to observe unauthorized persons on or near the property of the school. Administrators shall determine who to notify on the basis of this definition, as well as on specific job duties carried out in their schools. If private vendors perform any of these functions, the Chief School Administrator/designee shall inform the vendor. Notification may include, but is not limited to:

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- A. Aides
- B. Bus drivers
- C. Coaches
- D. Maintenance staff
- E. Professional support staff
- F. School level administrative staff
- G. Security personnel
- H. Teachers' aides
- I. Teachers

School personnel are notified only in their capacity as such and shall not disseminate information about an offender to anyone not specifically identified by the Cumberland County Prosecutor or Attorney General. Any school employee who does so may be disciplined. If a school employee has reason to believe that an offender who has been the subject of a notification is a danger to someone outside the school environs, he/she shall immediately contact the local law enforcement agency or the Cumberland County Prosecutor.

District personnel shall not notify the following of the presence of Tier Two or Tier Three offenders:

- A. Members of PTO
- B. Organizations using school facilities
- C. Other schools
- D. Press

The Chief School Administrator/designee may provide registration forms to any organization that uses the school facilities, including a parent-teacher organization, that wishes to be notified by the Cumberland County Prosecutor's office of the presence of a Tier Two or Tier Three offender in the community.

In addition to the school personnel identified by the principal, students and parents/guardians shall be notified of the presence of Tier Three offenders. The Cumberland County Prosecutor's office and local law enforcement shall supply the school with notices for them when a school is located in the area where a vulnerable population is likely to encounter a Tier Three offender. Dissemination of these notices shall be in accord with law and accomplished in cooperation with the Cumberland County Prosecutor's Office. Confidentiality shall be a prime consideration in all communications with students and parents/guardians, and all

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directives of the Cumberland County Prosecutor and Attorney General's offices shall be observed.

When a student has been identified as a sex offender, all procedures of notification shall apply. When a parent/guardian has been identified as an offender, he/she may continue to participate in all appropriate parent/guardian activities, unless prohibited by legal constraint.

Newly hired staff and newly enrolled students and their parents/guardians shall be trained and informed of the presence of Tier Two and Tier Three offenders, unless the Cumberland County Prosecutor has notified the principal that notice cannot be given.

Students and district employees shall not be liable in any civil or criminal action for providing or failing to provide information relevant to notification. The Chief School Administrator shall prepare regulations to implement this policy and all directives of the Cumberland County Prosecutor's Office to ensure careful adherence to Megan's Law.

School Violence Awareness Week and Annual Public Hearing

The school shall observe "School Violence Awareness Week". This week will include discussions, presentations, and training for both students and staff, focused on the topic of preventing violence in school. Law enforcement personnel will be invited to join school teaching staff presenting age appropriate opportunities for students to discuss issues including but not limited to conflict resolution, student diversity and tolerance.

The Board of Education shall hold a public hearing on violence and vandalism pursuant to N.J.S.A. 18A: 17-46 and N.J.A.C. 6A: 16-5.3.

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Legal References

- NJSA 2C:7-2 et seq. Registration and Notification of Release of Certain Offenders
2C:39-5 Unlawful possession of weapons
18A:6-2 Instruction in accident and fire prevention
18A:16-2 Physical examinations; requirement
18A:17-42, -43 and -45 through -48 Public School Safety Law
18A:20-21 Supervisors and other employees
18A:35-5 Maintenance of physical training courses; features
18A:35-5.1 through -5.3 Lyme disease prevention; public school health curriculum
18A:36-24 through -25 Missing children; legislative findings and declarations...
18A:36-29 et seq. Voluntary fingerprinting ...
18A:40-12.1, -12.2 Protective eye devices required for teachers, pupils and visitors in certain cases ...
18A:41-1 et seq. Fire drills and fire protection
30:5B-26 through -29 Child care before and after school hours ...
34:5A-1 et seq. Worker and Community Right to Know Act
39:4-183.1a Traffic control devices
52:27D-123.9 et seq. Definitions relative to playground safety
- NJAC 5:23-11 to 11.4 Playground Safety Subcode
6A:8-5.1 Graduation requirements
6A:16-1.1 et seq. Programs to Support Student Development
6A:19-10.1 et seq. Safety and Health Standards
6A:26-12.1 et seq. Operation and Maintenance of Facilities
6A:27-11.1 et seq. Safety
- Jerkins v. Anderson, 191 N.J. 285 (June 14, 2007)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1250, 1410, 3333/3010, 3516, 3530, 3541.33, 4112.4, 4131/4131.1, 4212.4, 4231/4231.1, 5020, 5113, 5124, 5125, 5131, 5131.5, 5131.6, 5131.7, 5141.1, 5141.2, 5141.4, 5141.21, 5145.12, 5142, 6114, 6142.12

Deerfield Township Board of Education District Policy Manual

Students

Series 5000

Student Leadership Organizations /

Safety Patrol & Student Council

Policy 5142.1

Date Adopted: December 20, 2004 Date Revised: November 16, 2006

August 26, 2009, Dec. 20, 2018

August 29, 2019

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The Board of Education believes that student leadership organizations such as the Safety Patrol and Student Council reinforce the educational program of the district and help to instill positive life skills and values.

Therefore, the Board of Education directs the Chief School Administrator to establish and maintain a Safety Patrol and Student Council. The Chief School Administrator will be responsible for the selection of faculty advisors for both of these organizations.

Although both organizations develop and instill leadership skills, each has its own individual characteristics.

Safety Patrol

The Board of Education believes that student safety patrol can contribute greatly to the development of good traffic habits and can provide opportunities for growth in leadership skills.

The Chief School Administrator, in cooperation with the faculty advisor, shall develop regulations for the formation of the Safety Patrol.

These regulations shall include but not be limited to the provision for:

- A. Appointment of a faculty advisor to select, instruct and discipline members of the Safety Patrol;
- B. Informing candidates and their parents/guardians of the purpose and activities of the Safety Patrol and the possible hazards;
- C. Obtaining signed, written consent from the parent/guardian for the student's involvement in the safety patrol;
- D. A signed Student Contract outlining the roles, responsibilities, duties and demerit system;
- E. Cooperation with law enforcement agencies.

Selection of Safety Patrol Members

Students who are interested in being on the Safety patrol will submit their name to the current advisor(s) by the date designated in early September.

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Patrol members shall be selected from grades 5 to 8. Recommendations are based on the teachers rating of the students' character, leadership and responsibility. *Safety Patrol Members* will be selected from interested students who have completed a questionnaire created by the Advisors and be rated by home room teachers in grades 4-6, 7th and 8th grade major subject teachers (language arts, math, science and social studies), special education teachers, and special area teachers. Teachers are only permitted to evaluate students that they currently have or have had in a previous year.

Teachers will use a numeric scale for evaluation purposes. Points are given for each category, totaled and averaged based on the number of recommendations received. Students will be selected based upon the highest average points received. In the case of a tie (students having the same average and not enough positions being available), a lottery will be created and students having the same number of points will be placed in the lottery and selected at random to fill the vacant positions. Names of students who are not selected will be placed on an alternate list in the event that new members are needed or someone needs to be replaced.

Patrol members shall be selected from grades 5 to 8 and shall serve for a term of one (1) academic year. Safety Patrol members are required to maintain a C average in all subject during each reporting period and acceptable attendance. Patrol members who violate the code of student conduct while in office may receive a demerit or be removed from the Safety Patrol, based on the severity of the infraction.

Role and Duties

The role of the Safety Patrol is to remind students of safety rules learned in the classroom and to guide them in safe practices and procedures. Patrol members shall receive instruction, guidelines and procedures during their training and regular patrol meetings.

In their role of encouraging students to observe safety rules, patrol members can have a significant, positive influence on their schoolmates. Patrol members influence other students both formally as part of their regular duties, as well as informally because they serve as student role models of appropriate and safe behavior. In addition, patrols can bring valuable safety information to schoolmates in classrooms.

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Members are expected to demonstrate responsibility, leadership, and respect at all times. A demerit will be issued for any of the following incidents:

1. 2 missed meetings
2. Academic ineligibility
3. 2 unexcused tardies or absences from his/her post
4. Failure to meet service requirements
1. Office referral for behavior resulting in behavior points per the Student Code of Conduct.
5. Being picked up later than 15 minutes from a meeting or scheduled activity

3 demerits will result in removal from the Safety Patrol.

Responsibilities

Safety Patrol members are expected to fulfill the following requirements in their role.

- Report to station on time—7:55- 8:00 and 2:10-2:15 pm.
- Students will wear their badges and belts when on duty.
- Attend Safety Patrol meetings.
- Participate in fund raisers and other activities as determined by the advisors.
- Maintain a C average.
- Demonstrate respect for others at all times in speech and actions.
- Set a good example as a leader for other students at all times, especially in the hallway, on the bus and in the cafeteria.

Student Council

The Board of Education believes that the establishment of a Student Council helps all students to become involved in the democratic process and prepare them as good citizens. Student Council members must be students who are dedicated to serving their school and community. Members are expected to volunteer time, attend scheduled meetings, participate in school and community activities, and fulfill all assignments.

Therefore, Chief School Administrator, in cooperation with the faculty advisor, shall develop regulations for the formation of the Student Council.

These regulations shall include but not be limited to the provision for:

- A. Appointment of a faculty advisor to select, instruct and discipline members of the Student Council;
- B. Informing candidates and their parents/guardians of the purpose and activities of the Student Council;

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- C. Obtaining signed, written consent from the parent/guardian for the student's involvement in the Student Council;
- D. An outline of duties/duties.

Selection of Student Council Representatives Members

Student Council Representative/Members shall be selected from grades 5 to 8 and shall serve for a term of one year. In all cases, Student Council Representatives shall have demonstrated good academic progress, as well as excellent behavior and attendance. Additionally, Student Council Representatives are required to maintain an average of a C

grade in each report period and acceptable attendance. Student Council Representatives who violate the code of student conduct while in office will be removed and replaced by an alternate.

Student Council Representatives/Members will be selected from interested students who have completed a questionnaire created by the Advisors and be rated by home room teachers in grades 4-6, 7th and 8th grade major subject teachers (language arts, math, science and social studies), special education teachers, and special area teachers. Teachers are only permitted to evaluate students that they currently have or have had in a previous year.

Each year by the month of October, each homeroom shall elect 2 Student Council Homeroom Representatives who will be selected from the pool of members in their homeroom. These elected representatives will be responsible for reporting any Student Council news or activities to their designated homeroom. Also, these representatives will bring any issues of concern from their homeroom to the next meeting for discussion.

The Student Council Representatives/Members shall elect a team of officers who will serve a term of office of for one year selected from all elected Student Council Representatives.

Role and Duties

The Student Council shall meet on a regular basis to discuss concerns and issues relevant to the student body. The Student Council shall also foster and promote school spirit through activities and programs. In addition, members will participate in all community service projects, bake sales, fundraisers, meetings and other related activities as determined by the advisor.

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Members are expected to demonstrate responsibility, leadership, and respect at all times. A demerit will be issued for any of the following incidents:

2. 2 missed meetings
3. Academic ineligibility
4. 2 unexcused tardies or absences from his/her activities
5. Failure to meet service requirements
6. Office referral for behavior resulting in behavior points per the Student Code of Conduct
7. Being picked up later than 15 minutes from a meeting or scheduled activity

Three (3) demerits will result in removal from the Student Council.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:42-1 Safety Patrol by pupils

NJAC 6A:26-12.2(a)(3) Organization of school safety patrols

Possible Cross References

5126.1, 6145

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Questioning & Apprehension

Policy 5145.11

Date Adopted: May 25, 2006 Date Revised: September 25, 2013

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The Board of Education acknowledges that the law compelling school attendance vests in the Board a custodial responsibility for the children in its charge and a duty to protect those children from persons not associated with the school district.

The Board further recognizes that its interest in helping children understand and respect the law is best served by a close and cooperative relationship with local law enforcement agencies and directs the Chief School Administrator to institute a program of such communication and cooperation.

Law Enforcement Officers

- A. If the officer has a juvenile complaint, the Chief School Administrator or Assistant Principal shall request that the questioning be delayed if possible until the parents can be present. If the officer refuses, the Administrator must attempt to have the parents informed immediately, and shall remain with the pupil during the questioning.
- B. If the officer does not have a juvenile complaint, the Administrator shall ascertain the nature of the inquiry and the necessity for conducting it in school rather than at home. If the Administrator is convinced that the situation justifies questioning the pupil in school, he/she shall attempt to notify the parents. If they cannot be reached, the Administrator shall remain with the pupil during the questioning.
- C. No police officer shall be permitted to remove a pupil from the school building except that a legal warrant for such removal has been presented to the Administrator and that notification of such-intention has been given to the parent.
- D. If the officer is a New Jersey Division of Child Protection & Permanency (DCP&P) agent, the agent shall determine whether the presence of a parent is appropriate.

Private Persons

If a private person wishes to question a pupil on school property during the school day, generally parents/guardians shall be notified of the request and give their permission before the Chief School Administrator will permit the private person to question the pupil. In cases involving possible harm to another pupil that might be prevented by early information, the Chief School Administrator may permit such questioning if the parent/guardian cannot be reached. The Chief School Administrator or Assistant Principal shall be present during the questioning.

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Substance Abuse Questioning by Staff

When questioning any pupil about possible possession, use or distribution of proscribed substances, drug paraphernalia, alcohol, firearms or other deadly weapons, staff shall follow the procedures adopted by the Board in compliance with the safe and drug-free schools code.

Generally

The Chief School Administrator shall notify the Board president when the police have sought to question a pupil in school, and the outcome of the incident. The district shall make every effort to establish close and cordial relationships with local law enforcement and other agencies, while ensuring that the parents are informed and pupil rights protected.

Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for Disclosure
- 2C:35-5 Comprehensive Drug Reform Act of 1986
- 18A:11-1 General mandatory powers and duties
- 18A:54-20 Powers of board (county vocational schools)

- NJAC 6A:16-4.1 Adoption of policies and procedures for the intervention of student alcohol and other drug abuse
- 6A:16-5.1 et seq. School Safety
- 6A:16-6.1 et seq. Law Enforcement Operations for Substances, Weapons,
- 6A:32-7 et seq. Student records

- New Jersey Constitution, Article I, para. 7
- U.S. Constitution, Amendment IV, V, XIV
- The New Jersey School Search Policy Manual, New Jersey Attorney General (1998)
- In re Gault, 387 U.S. 1 (1967)
- A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

Possible Cross References

1410, 5114, 5131, 5131.6, 5131.7, 5145.12

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Search & Seizure

Policy 5145.2

Date Adopted: May 25, 2006 Date Revised

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A pupil's person and possessions may be searched by a school official provided that the official has reasonable grounds to suspect that the search will turn up evidence that the pupil has violated or is violating either the law or the rules of the school. Under no circumstances shall a search be conducted based solely upon an anonymous tip and/or rumor that contraband is present. The extent or scope of the search shall be reasonable related to the objectives of the search and not excessively intrusive in light of the age and sex of the pupil and the nature of the infraction. A physical search may only be conducted by a staff member of the same sex as the pupil. Before instituting such a search, except in cases of emergency, the Chief School Administrator shall try to inform the parents/guardians and request their presence.

School personnel shall not conduct strip searches or body cavity searches of any pupils under any circumstances.

Searches for Controlled Dangerous Substances/Drug Paraphernalia /Alcohol/ Firearms/ Other Deadly Weapons

Searches conducted by staff when there is suspicion that laws and policies on safe and drug free schools are being violated shall be based on the reasonable grounds required by this policy. When law enforcement officials conduct the search, then more stringent grounds required by law must be applied.

Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
- 18A:11-1 General mandatory powers and duties
- 18A:36-19.2 Student lockers or other storage facility; inspection; notice to students
- 18A:37-6.1 Strip and body cavity searches prohibited
- 18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:16-6.1 et seq. Law Enforcement Operations for Substances, Weapons & Safety
- State in interest of T.L.O., 94 NJ 33 (1983); New Jersey v. T.L.O., 469 U.S. 325, 53 Vernonia School District v. Acton et ux., Guardians ad litem for Acton, US115 S.Ct. 238
- Joye v. Hunterdon Central Regional High School Board of Education, SupCourt of New Jersey, Law Division Dkt. No. HNT-C-14031-00 (Jan. 4, 2001)
- Board of Education of Independent School District No. 92 of Pottawatomie County et al. v. Earls et al., 536 U.S. (2002)
- The New Jersey School Search Policy Manual, New Jersey Attorney General
- A Uniform State Memo of Agreement Between Education and Law Enforcement

Possible Cross References

1410, 5114, 5131, 5131.6, 5131.7, 5145.11

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Series 5000

Equal Educational Opportunity

Policy 5145.4

Date Adopted: May 25, 2006 Date Revised: January 25, 2012,

May 14, 2014, June 22, ,2017

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The District shall provide an equal opportunity for all enrolled children to achieve their maximum potential through the programs offered in these schools regardless of any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes. Enforcement of other district affirmative action policies (2224 and 6121) contribute to this legally required equality of educational opportunity.

Staff members shall maintain professional relationships with pupils at all times and develop wholesome and constructive relationships with them. Staff members shall be expected to regard each pupil as an individual and to accord each pupil the rights and respect that is due him/her.

Staff members shall promote a learning environment that encourages fulfillment of each pupil's potential in regard to his/her program, consistent with the district goals and with optimal opportunities for pupils. This goal may be reached by adapting instruction to individual needs, by:

- A. Insisting on reasonable standards of scholastic accomplishment for all pupils;
- B. Creating a positive atmosphere in and out of the classroom;
- C. Extending the same courtesy and respect that is expected of pupils;
- D. Treating all pupils with consistent fairness.

The Board of Education guarantees to all pupils equal access to all academic programs within the learning environment.

Pupils shall respect the rights of other pupils to receive an education in an environment that is conducive to learning and personal growth. No pupils shall have the right to abridge another pupil's right to privacy or right to hold personal beliefs that are different from those of the mainstream.

Harassment

The district's affirmative action program is part of each academic program regarding all pupils. No one – including pupils, staff members, vendors, volunteers, or visitors – shall commit an act of harassment/discrimination of any kind against any member of the school community on any of the grounds prohibited by law.

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Harassment is defined as a repeated pattern of unprovoked aggressive behaviors of a physical and/or psychological nature carried out by individual or a group against an individual or group with the effect of causing harm or hurt. Harassing behaviors are all those behaviors that are unwelcome, unwanted and uncomfortable in the view of the recipient. They all have the effect of creating a hostile environment.

Harassment may be claimed by a third party. That is, individual who are not directly involved in the behavior may experience a hostile environment. They shall have the same legal rights to act under this policy as those directly victimized.

Sexual Harassment

Particularly, the Board of Education shall maintain an academic environment that is free from sexual harassment.

Sexual harassment shall consist of unwanted and unwelcome sexual advances, requests for sexual favors, and other inappropriate conduct or communication of a sexual nature when made by any staff member to a pupil, by any pupil to another pupil, or by any pupil to a staff member when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of a pupil's evaluation, promotion, opportunities, privileges and other benefits of education;
- B. Submission to or rejection of such conduct by a pupil is used as a basis for decisions affecting the pupil;
- C. Such conduct has the purpose or effect of interfering with a pupil's academic performance or creating an intimidating or hostile educational environment.

The Administration will inform all pupils that sexual harassment is prohibited in the educational setting. Specifically, no person employed by the district or by a vendor, or acting in a voluntary capacity, shall threaten or insinuate, either directly or indirectly, that a pupil's refusal to submit to sexual advances will adversely affect the pupil's standing in the school setting. Pupils are forbidden to harass other pupils or staff members or vendors or volunteers through conduct or communications of a sexual nature within the school setting.

Any member of the student body may file a formal grievance related sexual harassment. The Affirmative Action Officer will receive all complaints and initiate a thorough investigation and will protect the rights of both the pupil making the complaint and the alleged harasser. Filing of a grievance or otherwise reporting sexual harassment will not reflect upon the individual's status not affect future grades or class assignments.

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Findings of discrimination in the form of sexual harassment will result in appropriate disciplinary action.

Procedures shall be made available for pupils and/or parents/guardians who wish to file a grievance protesting alleged discriminatory or sexually (or other) harassing action. An immediate report of the allegation should be made to the Affirmative Action Officer and/or Chief School Administrator/designee.

Equity in School

The Board of Education shall maintain an academic environment that is free from harassment and provides equal and bias free access for all students to all school facilities, courses, programs activities and services, regardless of any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes. The Board of Education shall ensure that:

- A. School classrooms and facilities will be barrier free;
- B. The district curriculum will be aligned with the State's Core Curriculum Content Standards and address the elimination of discrimination by narrowing the achievement gap;
- C. All students have access to counseling services;
- D. Physical education program is equitable and co-educational.

Procedures shall be made available for pupils and/or parents/guardians who wish to file a grievance protesting alleged discriminatory or sexually (or other) harassing action. An immediate report of the allegation should be made to the affirmative action officer or Chief School Administrator.

Service Animals

In accordance with the provisions of P: 2011, C. 156, S.2, individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of the school facilities where members of the community, participants in services, programs or activities, or invitees, as relevant, are allowed to go, including, but not limited to school buildings, classrooms, on school buses, and on school grounds.

The administration may inquire as to whether the service animal is required due to a disability and what task or work the service animal has been trained to perform, unless the student's disability and the work or task that the service animal will perform are readily apparent. Administrators may require certification from a veterinarian that the

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service animal is properly vaccinated and does not have a contagious disease that may harm students or as well as documentation that any license required by the municipality in which the student resides has been obtained for the service animal.

All such service animals shall be under a handler's control at all times by use of a leash, tether, voice control, signal, or other suitable means. The school shall not be responsible or liable for the care or supervision of the service animal. The school shall provide reasonable accommodations to allow the handler to provide for the care and feeding of the service animal while on school grounds or at a school function.

Hate Crimes/Bias Incidents

An employee of the Board of Education who becomes aware in the course of his/her employment that a student or other staff person has committed a hate crime or is about to commit one shall immediately inform the Chief School Administrator. All incidents of hate/bias shall be reported whether they occur during school hours on school grounds or otherwise.

Violations of this policy or its related procedures shall be cause for disciplinary action.

Implementation

The Chief School Administrator/designee shall direct development of procedures regarding the implementation of this policy to include sanctions, protection of individual rights to confidentiality and due process, and notification procedures. The Chief School Administrator/designee shall ensure that, annually, all staff and pupils (in means and terms that are age-appropriate) be thoroughly informed of this policy, their rights to file grievances under this policy and the law and procedures relative to filing. Further, all staff and pupils shall be informed annually of the identity of the district's Affirmative Action Officer and how he/she may be contacted.

The Chief School Administrator/designee shall also ensure that staff and pupils participate in educational programs relating to this policy and the maintenance of an educational environment.

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Legal References

NJSA 2C:16-1 Bias Intimidation
10:5-1 et seq. Law Against Discrimination
18A:36-20 Discrimination; prohibition
18A:38-5.1 No child to be excluded from school because of race, etc.

NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:16-6.3(e) Reporting students or staff members to law enforcement Authorities
6A:17-1.1 et seq. Students At-Risk of Not Receiving a Public Education
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
6A:32-14.1 Review of mandated programs and services

Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972
20 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
20 U.S.C.A. 1400 et seq. - Individuals with Disabilities Education Act (formerly
Education for All Handicapped Children Act)--Part B
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
Hawkins-Stafford Elementary and Secondary School Improvement Amendments of
Saxe v. State College Area School Dist., 240 F. 3d 200 (3d Cir. 2001)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
L.W. v. Toms River Regional Schools Board of Education, N.J., No. A-111-05
Comprehensive Equity Plan, New Jersey State Department of Education
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Series 5000

Photographs of Pupils

Policy 5145.5

Date Adopted: May 25, 2006 Date Revised: March 23, 2011

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The Board of Education recognizes the right of the parents/guardians of students of the district to determine if they permit the use of photos, personally identifiable information, and/or videotapes of their children in publications, on the district website and in various newspaper articles.

Therefore, before any photograph, personally identifiable information and/or videotape of any student in the district may be used in such a manner, his/her parent/guardian shall complete and forward to the school, a signed copy of the Deerfield Township School District Photo-Image Consent Form. This form provides for parents/guardians to allow or forbid the use of photographs, personally identifiable information and/or videotapes of their children. In the event that the parent/guardian does not complete this form, it shall be assumed that permission to use such photographs and/or videotapes has been denied.

Parents/guardians who have previously granted permission for the use of photographs, personally identifiable information and/or videotapes of their children may rescind this permission at any time by submitting a letter to this effect to the Assistant Principal or Chief School Administrator. Such rescission will take effect upon receipt of the letter by the school.

Taking pictures of district pupils and buildings for commercial purposes is prohibited without written approval of the Chief School Administrator.

“Commercial purposes” in this context is defined to mean for sale or for use in connection with the advertisement or promotion of goods or services.

“School pupils” in this context means boys and girls enrolled in the school during that part of the day they are at school, on the school grounds, or engaged in any activity under the direction and supervision of the school.

Pictures of any student shall not be disseminated in any way unless written permission is granted by parents/guardians. Forms are distributed at the beginning of each year for this purpose.

Photos of children placed in the district by DYFS shall not be published without the permission of the division caseworker.

Any student who takes a picture of or records video of another student or staff member will be subject to the regulations and consequences as listed in Policy # 5129.7.

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This policy shall become effective on April 1, 2011.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:36-35 Disclosure of certain student information on internet prohibited without parental consent
18A:54-20 Powers of board (county vocational schools)

Possible Cross References

1100, 1110, 1120, 1140, 1250, 1320, 5125, 5141.4, 6171.4

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Pupil Grievance Procedure

Policy 5145.6

Date Adopted: May 25, 2006 Date Revised

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The district shall establish procedures for the consideration of pupil problems and for the processing of their complaints and appeals. These procedures should be developed through the cooperative efforts of pupils, faculty and administrators. The Chief School Administrator shall establish and maintain procedures for appeals beyond the decision of the Chief School Administrator. Details of those procedures should be made known to pupils and staff by inclusion in the district pupil handbook, and pupils who wish to use them should be assured of access to the appropriate personnel within a reasonable period of time.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:16-7.1 Code of student conduct

Possible Cross References

1251, 1312, 5113, 5114, 5145.4

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Date Adopted: May 25, 2006	Date Revised
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New Jersey Statutes and Regulations of the State Board of Education require the Board of Education to provide certain services and supplies to those New Jersey children whose parents enroll them in nonpublic schools within the confines of the district. Out-of-state pupils enrolled in nonpublic schools within the district are not included.

Nursing Services

The Board of Education shall, within the funding limitations as determined by the state's appropriations and nonpublic school enrollment, provide the mandated nursing services for pupils enrolled full-time in nonpublic schools located within the district. The district shall not be required to make expenditures for purposes of this act in excess of the amount of state aid received for these purposes.

Federal Requirements

All requirements of federal law shall be obeyed, particularly those addressed in provision of Title 1 program services, and IDEA.

Implementation

Therefore, the Chief School Administrator shall develop rules, regulations and procedures for the efficient and economical delivery of such services and supplies as are mandated by law. Wherever possible, already existing means and procedures for delivering those same supplies and services to the pupils attending the district's public school shall be utilized.

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Legal References

NJSA 18A:39-1 et seq. Transportation [To and From Schools] of pupils
18A:40-3.2 et seq. Medical and Nursing Personnel
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils
18A:40A-1 et seq. Substance Abuse
18A:46-19.1 et seq. Remedial services for handicapped children in nonpublic schools ...
18A:46A-1 et seq. Auxiliary services (nonpublic school pupils)
18A:58-37.3 Purchase and loan of textbooks

NJAC 6A:14-1.1 et seq. Special Education
6A:14-6.1 et seq.
6A:16-1.4(a)9 District policies and procedures
6A:16-2.5 Nursing services to nonpublic school students
6A:23-6.1(b) Eligibility
6A:23-6.2 Responsibility of the district board of education
6A:27-2.1 et seq. Nonpublic School Transportation
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

20 U.S.C.A. 1400 et seq. - Individuals with Disabilities Education Act
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1998
of 1988 (P.L. 100-297)
Agostini v. Felton, 521 U.S. 203 (1997), overruling Aguilar v. Felton, 473 U.S. 402 (1985)
Mitchell v. Helms, No. 98-1648, 2000 U.S. Lexis 4485 (June 28, 2000) U.S. (June 28, 2000)
Parents for Student Safety, Inc. v. Board of Education of the Morris School District, 1986 S.L.D. (February 5), St. Bd. rev'g 1984 S.L.D. (August 24)

Possible Cross References

6171.3, 6171.4

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"The Bucks"

District Policy Manual

Series 6000

Instructional Program

Deerfield Township Board of Education District Policy Manual

**Instructional Program
Goals & Objectives**

**Series 6000
Policy 6010**

Date Adopted: June 22, 2006

Date Revised

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The Board of Education accepts the responsibility for coordinating the available resources of home, school and community in a mutual effort to guide every pupil's growth towards becoming a self-respecting individual who can effectively function politically, economically and socially in a democratic society.

The Board is dedicated to ensuring that all students in the district are provided with the necessary skills and competencies for achievement of the Core Curriculum Content Standards.

- A. All children should start school ready to learn.
 - 1. Quality preschool opportunities shall be provided for all children, through collaboration between public school and community agencies.
 - 2. Parent/guardian information programs shall be designed and implemented by the district to assist parents in providing readiness experiences for their preschool children.

- B. Pupils shall leave grades four and eight having demonstrated competency in challenging subject matter including language arts/literacy, mathematics, science, social studies, health and physical education, visual and performing arts and world languages.
 - 1. The district shall implement the state-approved Core Curriculum Content Standards and appropriate assessments to enable pupils to succeed and to evaluate their performance.
 - 2. The district shall provide staff development opportunities to ensure that teachers are adequately equipped to teach challenging and up-to-date subject matter and to implement effective teaching techniques. It shall monitor teaching staff members progress toward achievement of the required 100 clock hours of continuing education to ensure that they are obtaining and maintaining the skills to help all students achieve the Core Curriculum Content Standards.

- C. Pupils shall learn to use their minds well, so that they may be prepared for responsible citizenship, further learning, and productive employment in our modern economy.
 - 1. The district shall provide students with experiences in higher level thinking, information processing, the responsibilities of citizenship, and employability skills.
 - 2. All pupils shall demonstrate competency in the skills identified in the cross-content workplace readiness standards.

Deerfield Township Board of Education

District Policy Manual

**Instructional Program
Goals & Objectives**

**Series 6000
Policy 6010**

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3. All pupils shall demonstrate respect for racial, cultural, ethnic and religious diversity.
 4. All pupils shall increase their achievement levels in science and mathematics to contribute to our country's ability to compete academically with all other countries of the world.
- D. All pupils shall increase their achievement levels in science and mathematics to contribute to our country's ability to compete academically with all other countries of the world.
1. The district shall revise its curriculum offerings in science and mathematics according to state standards as they are developed.
 2. The district shall provide staff training in the teaching of mathematics and science at grades K-8 to increase teachers' understanding of and ability to teach these subjects.
- E. District schools shall be free of drugs and violence and offer a safe, disciplined environment conducive to learning.
1. The district shall develop partnerships with parents to establish the responsibilities of each to create and maintain safe and healthy educational environments for all pupils.
 2. The district shall provide programs and staffing to deal with pupils at risk.
 3. The school and community shall expand their cooperative efforts to create drug and violence-free environments.
 4. All students shall develop a positive view of self and learn to use effective interpersonal skills.

Legal References

- | | |
|------|---|
| NJSA | 18A:7A-10 Evaluation of performance of each school
18A:7C-2 Boards of education; establishment of standards
18A:7F-1 through -34 Comprehensive Education Improvement and Financing Act
18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:35-1 et seq. Curriculum and Courses |
| NJAC | 6A:8-1.1 et seq. Standards and Assessment
6A:9-15.1 et seq. Required Professional Development for Teachers
6A:23-1.1 et seq. Finance and Business Services
6A:26-1.1 et seq. Educational Facilities
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
6A:32-12.2 School-level planning
No Child Left Behind Act of 2001, Pub. L. 107-110
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC) |

Deerfield Township Board of Education District Policy Manual

**Instructional Program
Needs Assessment**

**Series 6000
Policy 6011**

Date Adopted: June 22, 2006

Date Revised

Page 1 of 1

The Chief School Administrator shall develop a continuing program of assessment to determine the changing educational program needs of the district. Emphasis must be on providing each student with a program of study to successfully meet the goal outlined in the New Jersey Core Curriculum Content Standards for the appropriate grade level.

Legal References

NJAC 6A:8:4.4 Annual review and evaluation of school districts
6A:32-12.1 Reporting requirements
6A:32-12.2 School-level planning

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Deerfield Township Board of Education District Policy Manual	
Instructional Program	Series 6000
Parental Involvement In District Title I Program	Policy 6015
Date Adopted: January 18, 2007 Date Revised: November 17, 2010	
January 25, 2018	
Page 1 of 4	
Date Reviewed & Approved: February 22, 2012, January 25, 2018	

As a school district that receives Title I funds, the Deerfield Township School District shall implement programs, activities and procedures for the involvement of parents/guardians in programs assisted by Title I funding. The district will reserve not less than one percent of its allocation under Subpart 2 to carry out these requirements, (unless the district's allocation is \$5,000 or less), which shall include promoting family literacy and parenting skills. Parents/guardians of pupils receiving Title I services shall be involved in the decisions regarding how funds will be allotted for parental involvement activities.

The district shall distribute this parental involvement policy that describes the means for carrying out the requirements of state and federal programs.

Parents/guardians will be notified of this policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. This policy shall be made available to the local community and updated periodically to meet the changing needs of parents/guardians and schools within the district.

For the purposes of this policy, "parent" means a parent and/or legal guardian. "School", for the purposes of this policy, is a specific school in a Target Assistance Title I program or schools within the district in a school-wide Title I program.

Each school served with Title I funds will:

- A. Convene an annual meeting, at a convenient time, to which all parents of participating pupils shall be invited and encouraged to attend, to inform parents of their school's participation and the requirements of this policy, and the right of the parents to be involved;
- B. Offer a flexible number of meetings, such as meetings in the morning or evening, and may provide, with Title I funds, transportation, child care, or home visits, as such services relate to parental involvement;
- C. Involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs, including the planning, review, and improvement of the school parental involvement policy and the joint development of the school-wide program plan;

Deerfield Township Board of Education

District Policy Manual

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Series 6000

Parental Involvement In District Title I Program

Policy 6015

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- D. Provide parents of participating pupils:
 - 1. timely information about programs;
 - 2. a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and,
 - 3. if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible; and,
- E. Submit any parent comments on the plan when the school makes the plan available to the Board of Education, if the school-wide program plan is not satisfactory to the parents of participating pupils,

Shared Responsibilities For High Student Academic Achievement

Each school served by Title I funds shall jointly develop with parents of all pupils served with Title I funds, a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the state's high standards. The compact will:

- A. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the pupils served by Title I funds to meet the state's student academic achievement standards, and the ways in which each parent will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, and television watching; volunteering in their child's classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time; and
- B. Address the importance of communication between teachers and parents on an ongoing basis through, at a minimum:
 - 1. parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as the compact relates to the individual pupil's achievement;
 - 2. frequent reports to parents on their children's progress; and
 - 3. reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities.

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Parental Involvement In District Title I Program

Policy 6015

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Entrance & Exit Criteria for Participation in Title I Programs

In order for students to participate in Title I Programs in the district, the following entrance and exit criteria shall be used by the appropriate district personnel to determine eligibility:

- A. Teacher recommendation
- B. Grades
- C. Local and State Assessments

Building Capacity For Involvement

To ensure effective involvement of parents and to support a partnership among the school(s) involved, parents, and the community to improve student academic achievement, each school and school district assisted with Title I funds:

- A. Shall provide assistance to parents of pupils served by the school in understanding such topics as the state's academic content standards and state student academic achievement standards, state and local academic assessments, the requirements of this policy, and how to monitor a child's progress and work with educators to improve the achievement of their children;
- B. Shall provide materials and training to help parents to work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parental involvement;
- C. Shall educate teachers, pupil services personnel, Building Principals, and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school;
- D. Shall, to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents to more fully participate in the education of their children;
- E. Shall ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand;
- F. May involve parents in the development of training for teachers, Principals, and other educators to improve the effectiveness of such training;

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Policy 6015

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- G. May provide necessary literacy training from Title I funds if the school district has exhausted all other reasonably available sources of funding for such training;
- H. May pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;
- I. May train parents to enhance the involvement of other parents;
- J. May arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend such conferences at school, in order to maximize parental involvement and participation;
- K. May establish a district-wide parent advisory council to provide advice on all matters related to parental involvement in Title I programs;
- L. May develop appropriate roles for community-based organizations and businesses in parent involvement activities; and
- M. Shall provide such other reasonable support for parental involvement activities under this policy as parents may request.

Accessibility

In carrying out the parental involvement requirements of this policy, the school and school district, to the extent practicable, shall provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, to include providing information and school reports required in a format and, to the extent practicable, in a language such parents understand.

The district will inform parents of any parental information and resource centers that provide training, information, and support to parents and individuals who work with local parents, school districts, and schools receiving Title I funds.

The Superintendent of Schools will submit this policy to the New Jersey Department of Education for review.

Legal References

NJAC 6A:8-4.1 et seq Statewide assessment system
6A:8-5.1 Graduation requirements
6A:14-3.7 Individualized education program

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Deerfield Township Board of Education District Policy Manual

Instructional Program

Series 6000

Parental Involvement In Deerfield Township

Elementary School Title I Program

Policy 6015.1

Date Adopted: January 18, 2007 Date Revised: November 17, 2010,

January 25, 2018

Page 1 of 5

Date Reviewed & Approved: February 22, 2012

As a school that receives Title I funds, the Deerfield Township School shall implement programs, activities and procedures for the involvement of parents/guardians in programs assisted by Title I funding. The school will reserve not less than one percent of its allocation under Subpart 2 to carry out these requirements, (unless the school's allocation is \$5,000 or less), which shall include promoting family literacy and parenting skills. Parents/guardians of pupils receiving Title I services shall be involved in the decisions regarding how funds will be allotted for parental involvement activities.

The school shall distribute this parental involvement policy that describes the means for carrying out the requirements of state and federal programs.

Parents/guardians will be notified of this policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. This policy shall be made available to the local community and updated periodically to meet the changing needs of parents/guardians and schools within the district.

For the purposes of this policy, "parent" means a parent and/or legal guardian. "School", for the purposes of this policy, is a specific school in a Target Assistance Title I program or schools within the district in a school-wide Title I program.

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- B. Offer a flexible number of meetings, such as meetings in the morning or evening, and may provide, with Title I funds, transportation, child care, or home visits, as such services relate to parental involvement;
- C. Involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs, including the planning, review, and improvement of the school parental involvement policy and the joint development of the school-wide program plan;

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Parental Involvement In Deerfield Township

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Policy 6015.1

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- D. Provide parents of participating pupils:
 - a. timely information about programs;
 - b. a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and,
 - c. if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible; and,
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- A. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the pupils served by Title I funds to meet the state's student academic achievement standards, and the ways in which each parent will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, and television watching; volunteering in their child's classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time; and
- B. Address the importance of communication between teachers and parents on an ongoing basis through, at a minimum:
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 - 3. reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities.

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- B. Shall provide materials and training to help parents to work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parental involvement;
- C. Shall educate teachers, pupil services personnel, Building Principals, and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school;
- D. Shall, to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents to more fully participate in the education of their children;

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- E. Shall ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand;
- F. May involve parents in the development of training for teachers, Principals, and other educators to improve the effectiveness of such training;
- G. May provide necessary literacy training from Title I funds if the school has exhausted all other reasonably available sources of funding for such training;
- H. May pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;
- I. May train parents to enhance the involvement of other parents;
- J. May arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend such conferences at school, in order to maximize parental involvement and participation;
- K. May establish a school-wide parent advisory council to provide advice on all matters related to parental involvement in Title I programs;
- L. May develop appropriate roles for community-based organizations and businesses in parent involvement activities; and
- M. Shall provide such other reasonable support for parental involvement activities under this policy as parents may request.

Accessibility

In carrying out the parental involvement requirements of this policy, the school and school district, to the extent practicable, shall provide full opportunities

for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, to include providing information and school reports required in a format and, to the extent practicable, in a language such parents understand.

The district will inform parents of any parental information and resource centers that provide training, information, and support to parents and individuals who work with local parents, school districts, and schools receiving Title I funds.

The Superintendent of Schools will submit this policy to the New Jersey Department of Education for review.

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Legal References

NJAC 6A:8-4.1 et seq Statewide assessment system
6A:8-5.1 Graduation requirements
6A:14-3.7 Individualized education program

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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**Instructional Program
Programs Of Study**

**Series 6000
Policy 6100**

Date Adopted: June 22, 2006

Date Revised

Page 1 of 1

Programs of study made available to the pupils of the school system must be approved by the Board of Education. It shall be the responsibility of the Administrative Staff to supervise, regulate, and recommend any changes in courses of study to keep the educational program at maximum effectiveness, in full accordance with statutory requirements and the basic philosophy of education of the Board of Education – that of providing a balanced program and providing a thorough and efficient education.

The Chief School Administrator shall keep the Board of Education informed of changes of objectives, general content, and basic text materials and shall keep abreast of accepted current educational programs and teaching methods.

The Child Study Team is responsible for developing an Individualized Education Program for each educationally handicapped pupil in accordance with 6:28-1.7. This program must be reviewed annually.

Legal References

NJSA 18A:4-25 Prescribing minimum courses of study for public schools; approval of courses of study
18A:29A-1 et seq. Teacher recognition
18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:35-1 et seq. Curriculum and courses

NJAC 6A:8-1.1 et seq. Standards and Assessment
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:14-4.1 General requirements
6A:15-1.1 et seq. Bilingual education
6A:15-1.3, -1.4, -1.5
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

6141, 6141.1, 6142, 6142.2, 6143, 9325.4

Deerfield Township Board of Education District Policy Manual

**Instructional Program
School Calendar**

**Series 6000
Policy 6111**

Date Adopted: June 22, 2006

Date Revised

Page 1 of 1

The Board of Education recognizes that the preparation of a calendar for the instructional program of the schools is necessary for orderly educational planning and for the efficient operation of the district.

The Board shall determine annually the days when the schools shall be in session for instructional purposes. Such school calendar shall consist of no fewer than the 180 days of instruction required by law.

The Chief School Administrator shall prepare the school calendar for Board consideration in consultation with teacher and administrator association representatives and the County Superintendent of Schools. The calendar shall be presented to the Board for review no later than the May public meeting.

The Board reserves the right to alter the school calendar when feasible and advisable in the best interests of the children of the district.

The Board shall adopt annually a list of religious holidays that shall consist as a minimum of those holidays designated by the Commissioner of Education.

Legal References

NJSA 18A:7F-9 Aid to school districts conditioned on compliance with rules and standards for equalization of opportunity; aid withheld for noncompliance
18A:11-1 General mandatory powers and duties
18A:25-3 Teaching, etc., on holidays not required
18A:36-1 School year
18A:36-2 Times when schools are open; determination

NJAC 6A:14-4.1(c) General requirements
6A:32-8.3 School attendance

Piscataway Twp. Ed. Ass'n v. Piscataway Township BOE, App. Div. opinion,
Dkt. No. A-7215-95T2, January 24, 1998

Deerfield Township Board of Education District Policy Manual

Instructional Program

Series 6000

School Day

Policy 6112

Date Adopted: June 22, 2006

Date Revised

Page 1 of 1

The length of the school day and the length of periods of instruction at various levels shall be recommended by the Chief School Administrator and set by the Board, and shall be in keeping with requirements of the State Board of Education, and any negotiated agreement between the Board of Education and the recognized bargaining unit of the district.

The particular opening and closing hours for levels and/or schools shall also be subject to comparable levels throughout the district.

The Chief School Administrator shall recommend for Board approval the length of class periods and the frequency of instruction in individual subjects.

School administrators shall not dismiss school for any part of the school day without the approval of the Chief School Administrator.

Legal References

NJSA 18A:36-1 School year
18A:36-2 Time when schools are open; determination
18A:36-16 Rules regarding religious holidays

NJAC 6A:14-4.1(c) General requirements
6A:32-8.3 School attendance

Possible Cross References

6111, 6114, 6141.2, 6146, 6171.4

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Series 6000

Emergencies & Disaster Preparedness

Policy 6114

Date Adopted: December 20, 2004

Date Revised: August 31, 2010

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The Chief School Administrator shall review/update annually the plans for evacuation of buildings and for the safeguarding of human life and property.

The Chief School Administrator shall notify the Board President or Vice President, Board Secretary/School Business Official and the proper local authorities of any emergency.

The Chief School Administrator shall oversee development of the district-wide program for emergencies. The program shall provide for:

- A. Cooperation with local government agencies in developing and carrying out a community disaster plan;
- B. As most protection as possible for children at school and on their way to and from school;
- C. Training in individual self-protection and survival techniques for pupils and staff;
- D. Necessary training and instruction for pupils and staff so that the school emergency plan may be carried out with the greatest possible speed and safety.

Fire Drills & Homeland Security Drills

Fire drills shall be held at least once each month for all pupils. There shall also be at least one homeland security drill per month.

The Chief School Administrator may order a modification of the fire drills so that they may take the form of indoor drills or of rapid dismissals with outdoor clothing when low temperatures prevail.

A written statement of procedures and instructions for fire drills and homeland security drills shall be formulated by the Chief School Administrator and disseminated to all staff.

Instruction in fire prevention shall be given and emphasized in appropriate courses in the curriculum of the school. The homeland security drill will be an exercise to respond to an emergency situation such as a non-fire evacuation, lockdown, bomb threat or active shooter situation that is similar in duration to a fire drill.

Deerfield Township Board of Education District Policy Manual

**Instructional Program
Emergencies & Disaster Preparedness**

**Series 6000
Policy 6114**

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Emergency Closing, Delayed Openings:

The Chief School Administrator is authorized by the Board to close the schools, open them late or dismiss them early in hazardous weather or in other extraordinary circumstances that might endanger the health or safety of pupils or school employees.

Each year, parents/guardians, pupils, and staff members shall be informed in advance of how they shall be notified in the event of an emergency closing. Parents/guardians shall be required to make alternative arrangements for their children in case no one is home to receive the child after an unscheduled early closing.

Bomb Scares

The buildings shall be evacuated as per established procedures. Staff shall follow the procedures established by the Chief School Administrator to deal with such emergencies.

Legal References

NJSA 18A:6-2 Instruction in accident and fire prevention
18A:11-1 General mandatory powers and duties
18A:40-12 Closing schools during epidemic
18A:41-1 et seq. Fire drills and fire protection
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:16-1.4(a)14 District policies and procedures
6A:16-5.1 et seq. School safety and security
6A:16-6.3 Reporting students or staff members to law enforcement agencies
6A:26-12.2 Policies and procedures for school facility operation
8:57-1.7 Reporting of diseases occurring in schools

A Uniform State Memorandum of Agreement between Education and Law Enforcement Officials

Possible Cross References

1410, 2210, 3541.33, 5141.6, 6112

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Series 6000

Ceremonies & Observations

Policy 6115

Date Adopted: June 22, 2006

Date Revised

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The flag of the United States of America shall be raised above the school and at other appropriate places during all school sessions and on all legal school holidays, weather permitting. The flag shall be raised before the opening of school and taken down at its close every day unless illuminated 24 hours per day. The flag will be displayed in each classroom.

Pupils in the Deerfield Township School shall start each day with the salute and pledge of allegiance to the flag. New Jersey state law requires students to show respect for the flag of the United States of America. If a student is conscientiously opposed to pledge or salute, he/she may abstain from participation in these ceremonies but must remain respectfully silent.

The Chief School Administrator shall devise appropriate exercises for the development of a higher spirit of patriotism on the last day of school preceding:

Martin Luther King, Jr.'s Birthday
Lincoln's Birthday
Washington's Birthday
Memorial Day

Columbus Day
Veterans Day
Thanksgiving Day

Suitable exercises are also required by law in all New Jersey public schools in observance of Flag Day, Arbor Day, and Commodore John Barry Day. The Board authorizes the Chief School Administrator to conduct school observances in commemoration of other persons and events of special historical significance.

Pupils shall be encouraged to develop and/or take part in events and activities in connection with special "days," "weeks" or "months" proclaimed by the nation, state or community,

Holidays and special events may be recognized in the school so long as such recognition respects the rights and feelings of others and is consistent with law.

Songs and customs from various elements of the national population may be used to broaden pupil awareness of the many elements that make up American culture.

Deerfield Township Board of Education District Policy Manual

**Instructional Program
Ceremonies & Observations**

**Series 6000
Policy 6115**

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Legal References

NJSA 18A:36-3 Display of and salute to flag; pledge of allegiance
18A:36-4 Period of silence (unconstitutional)
18A:36-6 Observance of flag day
18A:36-7 through -9 Designation of Arbor Day ...
18A:36-10 through -12 Designation of Commodore Barry Day ...
18A:36-13 Patriotic exercises preceding holidays

U.S.C.A. Const. Amends. 1, 14

No Child Left Behind act of 2001, P. L. 107-110, 20 U.S.C.A. 6301 et seq.
P.L. 108-447 (December 2004) requires all educational institutions that receive Federal funds for fiscal year to hold an educational program on The United States Constitution on September 17, designated "Constitution Day and Citizenship Day."
West Virginia Bd. of Ed. v. Barnette, 319 U.S. 624 (1943)
Holden v. Warren Board of Education, 46 N.J. 281 (1966)
Lipp v. Morris, 579 F. 2d 834 (1978) (3rd Cir.)
May v. Cooperman, C.A., 780 F.2d 240 (1985)
Karcher v. May, 484 U.S. 72 (1987)
Lee v. Weisman, 505 U.S. 577 (1992)
American Civil Liberties Union v. Blackhorse Pike Regional Board of Education, 84 F.3d 1471 (3rd cir. 1996)
Santa Fe Indep. School District v. Doe, 120 S.Ct. 2266 (June 19, 2000)
Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools, United States Department of Education, February 7, 2003

Possible Cross References

5114, 5127, 5131, 6141.2

Deerfield Township Board of Education

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Instructional Program

Series 6000

Nondiscrimination / Affirmative Action

Policy 6121

Date Adopted: June 22, 2006 Date Revised: November 16, 2006

May 14, 2014

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No pupil enrolled in the district school shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in any educational program or activity of this district on the basis of any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes. The affirmative action officer shall be responsible for planning, implementing and monitoring the district's affirmative action program with respect to school and classroom practices.

The affirmative action officer shall review the following areas for compliance with State Department of Education regulations and make suggestions and/or recommendations when necessary.

A. Curriculum Content

He/she shall examine the following areas to ensure that curricula eliminate discrimination and promote understanding and mutual respect among students, regardless of any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes.

1. School climate
2. Courses of study
3. Instructional materials
4. Instructional strategies
5. Library materials
6. Software and audio-visual materials
7. Guidance and counseling
8. Extracurricular programs and activities
9. Testing and other assessments
10. Reducing or preventing the under representation of minority, female and male students in classes and programs

He/she shall monitor the curriculum to ensure inclusion of instruction on African-American history in the teaching of United States History and inclusion of instruction on the Holocaust and genocide in the curriculum for all elementary and secondary school pupils.

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B. Staff Training

He/she shall suggest a program of in-service training for school personnel designed to identify and solve problems of bias in all aspects of the school program. An affirmative action/equity in-service program shall be held for teaching staff annually; for each support staff member at least once every three years; and for parents and community members, as needed to facilitate participation and support.

C. Pupil Access

He/she shall review all school facilities, courses, programs, activities and services to ensure that all pupils are provided equal and bias-free access to them.

Particular attention shall be paid to the following:

1. Ensuring equal access to all school and classroom facilities;
2. Assigning pupils in such a way that the racial/national origin composition of each school's enrollment reflects the composition of the district-wide enrollment at each grade level;
3. Refraining from locating new facilities in areas that will contribute to unbalanced, isolated or racially identifiable school enrollments;
4. Assigning pupils so that school and classroom enrollments are not identifiable on the basis of race, national origin or gender;
5. Ensuring that pupils are not separated or isolated within the school, courses, classes, programs or extracurricular activities;
6. Ensuring that minority and male pupils are not over-represented in detentions, suspensions, dropouts or special needs classifications;
7. Ensuring equal and bias-free access for all pupils to computers, computer classes and other technologically advanced instructional assistance;
8. Ensuring that all limited English proficient pupils and pupils with disabilities have equal and bias-free access to all school programs and activities;
9. Ensuring equal and bias-free access for language-minority pupils and pupils with disabilities to multiple measures for determining special needs;
10. Ensuring that pupil support services, such as school-based youth services, health care, tutoring and mentoring are available to all pupils, including LEP pupils;
11. Ensuring that all pregnant pupils are permitted to remain in the regular school program and activities.

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- D. District support
He/she shall ensure that like aspects of the school program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters and that all grades within the district are comparable in those areas.

The Chief School Administrator will report to the Board annually on continuing compliance.

Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:4A-1 et seq. New Jersey Commission on Holocaust Education
18A:18A-17 Facilities for handicapped persons
18A:35-1 Course in history of the United States in high school
18A:36-20 Discrimination; prohibition
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
6A:32-14.1 Review of mandated programs and services
- 20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act, of 1973
20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act (IDEA)
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Gebser v. Lago Vista Indep. School Dist. 524 U.S. 274 (1998)
Davis v. Monroe County Bd. of Ed. 526 U.S. 629 (1999)
The Comprehensive Equity Plan, New Jersey State Department of Education

Possible Cross References

2224, 4111.1, 4131/4131.1, 4211.1, 5231/4231.1, 5134, 5145.4, 6140, 6141,
6142.4, 6145, 6161.1, 6163.1, 6164.2, 6171.4

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**Instructional Program
Articulation**

**Series 6000
Policy 6122**

Date Adopted: June 22, 2006

Date Revised

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The Board of Education wishes its pupils to progress from elementary through secondary level in an orderly, continuous program. The Chief School Administrator shall develop programs whereby teachers of the various levels of the District's schools cooperate to achieve smooth transitions from level to level; whereby pupils in the district's schools receive instruction in the same subjects at the same level as pupils in other districts who will be attending the same high schools; and whereby the transition for district pupils from our elementary schools to the high school is accomplished without unnecessary difficulty for any pupil.

Legal References

NJSA 18A:38-8.1 through -8.3 Additional member on board of education to represent board of education in each sending district

NJAC 6A:8-1.3 Definitions
6A:8-3.1 Curriculum and instruction
6A:8-3.3 Enrollment in college courses

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2131, 5118, 6140, 6141, 6142, 6143, 6178

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Teacher Requests

Policy 6125

Date Adopted: January 18, 2007

Date Revised

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The Board of Education recruits and hires its teaching staff that meets or exceeds the requirements of the New Jersey Department of Education. In addition, the Board regularly provides extra training for its teaching staff designed to improve the instructional program of the school and to ensure that all teachers employed within the district are kept abreast of new teaching methods and curriculum improvements.

Letters from parents requesting a particular teacher shall be addressed to the Chief School Administrator, whose decision in the matter shall be made in the best interest of the school program and that decision shall be final.

The Chief School Administrator shall provide a written response to the parent making such a request, within 10 working days of the receipt of the request.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

Deerfield Township Board of Education District Policy Manual

**Instructional Program
Curriculum Adoption**

**Series 6000
Policy 6140**

Date Adopted: June 22, 2006

Date Revised

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The Board of Education shall provide a comprehensive instructional program to serve the needs of the children of this district and shall annually adopt the existing courses of study. Adoption includes both content and credit allocation. The Board's policy in this respect is to:

- A. Adopt those courses of study mandated by the state in a form acceptable to the State Department of Education. Such courses must include the New Jersey Core Curriculum Content Standards;
- B. Adopt additional courses of study recommended by the teaching staff and administration in a form acceptable to the State Department of Education and within the financial means of the district;
- C. Adapt and revise existing courses of study to meet the changing needs of pupils and the community, as well as federal and state requirements.

Existing courses shall be reviewed at regular intervals and revised as necessary. No course of study shall be eliminated, revised or implemented without the approval of the Board. The Board directs that the curriculum of this district:

- A. Be consistent with written goals, objectives and identified pupil needs;
- B. Develop individual talents and interests and serve diverse learning styles to motivate pupil achievement;
- C. Provide for continuous learning through effective articulation;
- D. Provide all pupils continuous access to sufficient programs and services of a library/media facility, classroom collection, or both, to support the educational program;
- E. Provide all pupils guidance and counseling to assist in career and academic planning;
- F. Provide a continuum of educational programs and services for handicapped children, pursuant to law and regulation;
- G. Provide bilingual programs for pupils whose dominant language is not English, pursuant to law and regulation;
- H. Provide basic skills instruction/support programs for pupils, pursuant to law and regulation;
- I. Provide all pupils equal educational opportunity, pursuant to law and regulation;
- J. Provide workplace readiness skills education pursuant to law and regulation;
- K. Provide educational opportunities for exceptionally gifted and talented pupils.

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The Chief School Administrator shall maintain a current list of all courses of study offered by the district and shall furnish each member of the Board of Education with a copy upon request; and shall provide a copy in the district office for public review.

Adoption of courses shall be by a recorded roll call majority of the full membership of the Board of Education.

Legal References

NJSA 18A:4-25 Prescribing minimum courses of study for public schools; approval of courses of study
18A:29A-1 et seq. Teacher recognition
18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:35-1 et seq. Curriculum and courses

NJAC 6A:8-1.1 et seq. Standards and Assessment
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:14-4.1 General requirements
6A:15-1.1 et seq. Bilingual education
6A:15-1.3, -1.4, -1.5
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

6141, 6141.1, 6142, 6142.2, 6143, 9325.4

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Series 6000

Curriculum Design / Development

Policy 6141

Date Adopted: June 22, 2006

Date Revised

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The Chief School Administrator shall be responsible to the Board for the development of curriculum to meet identified pupil needs. He/she shall establish procedures for curriculum development that ensure the effective participation of teaching staff member; pupils, as appropriate to their age and grade; parents/guardians; the community, members of the Board; and the use of all available resources. Care shall be taken that certified staff shall not be assigned to teach material outside the limits of their certification and endorsements.

The Chief School Administrator shall report to the Board the objectives, evaluative criteria and costs of each proposed program before seeking Board adoption. The Board shall not act upon new programs and courses of study until the meeting following their presentation, in order for Board members to have an opportunity to review the proposed program.

Criteria by which the Board will judge the acceptability of new course offerings include:

- A. Does it address an identified pupil need?
- B. Is it relevant to the Board's philosophy and goals and does it offer real possibilities for progress toward these goals?
- C. Does it satisfy the requirements of the Board's school and classroom practices regarding bias and stereotyping?
- D. If the proposed course replaces an existing program, what defect in the previous program is it designed to overcome?
- E. Does it include the criteria by which progress can be measured?
- F. Does it address the necessary study skills?
- G. Has it been thoroughly studied and/or tested by district staff or by another district? What were the results?
- H. Has a curriculum been completed? If not, when can it be expected?
- I. Have the associated textbooks been recommended to the Board?
- J. Have the costs and time of implementation been reviewed, including in-service training?

A five-year plan for updating curriculum shall be developed and implemented. The Chief School Administrator shall report annually on all progress in curriculum development and the implementation of the five-year curriculum plan at the time of the Board's annual adoption of curriculum. During the five-year plan, course modification will be encouraged to reflect current trends in learning and information.

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Curriculum Design / Development**

**Series 6000
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Legal References

NJAC 6A:8-3.1 et seq. Implementation of the Core Curriculum Content Standards
6A:10A-3.1 et. seq. School district-led standards-based instruction
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements

Old Bridge Education Association v. Board of Education of the Township of Old
Bridge, Middlesex County

Possible Cross References

2131, 5120, 6140, 6142, 6143, 6147, 6171

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Recognition Of Religious Beliefs & Customs

Policy 6141.2

Date Adopted: June 22, 2006

Date Revised

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The Board of Education has directed that any explanation of the historical and contemporary values of the origin of holidays having both religious and cultural significance must be conducted in an unbiased and objective manner without sectarian indoctrination of disparagement.

Therefore:

1. Music, art, literature, and drama having religious themes or bases are permitted as part of the curriculum for school-sponsored activities and programs if presented in a prudent and objective manner and as a traditional part of the cultural and religious heritage of the particular holiday.
2. The use of religious symbols that are part of a religious holiday is permitted as a teaching aid or resource provided such symbols are displayed as an example of the cultural and religious heritage of the holiday and are temporary in nature.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:36-16 Rules regarding religious holidays
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:8-3.1 Curriculum and instruction
6A:32-8.3(h) School attendance

U.S.C.A. Const. Amends. 1, 14

No Child Left Behind Act of 2001, Pub. L.107-110, 20 U.S.C.A. 6301 et seq.

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

Floreys v. Sioux Falls School District, 619 F.2d. 1311 (8th Cir. 1980)

Lynch v. Donnelly, 465 U.S. 668, (1984)

Edwards v. Aguillard, 482 U.S. 578 (1987)

Lee v. Weisman, 505 U.S. 577 (1992)

Cherry Hill Bd. of Ed., 838 F.Supp. 929 (D.N.J. 1993)

American Civil Liberties Union v. Blackhorse Pike Regional Board of Education,
84 F.3d 1471 (3rd Cir. 1996)

Santa Fe Independent School District v. Doe, 120 S.Ct. 2266 (June 19, 2000)

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

C.H. v. Oliva, 26 F.ed 198 (3rd Cir. 2000) *en banc*, *cert. denied*, June 18, 2001

Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools, United States Department of Education, February 7, 2003

Possible Cross References

1330, 5113, 5127, 5131, 6115, 6121, 6144, 6161.2

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Series 6000

Subject Fields

Policy 6142

Date Adopted: June 22, 2006

Date Revised

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The Board of Education directs that the district school offer a comprehensive curriculum to provide for the intellectual, social and emotional growth of all pupils, pre-kindergarten through grade 8, giving them the basic body of skills, understandings, attitudes and knowledge needed for living in a democracy.

The Board believes this program should focus on the NJ Department of Education's implementation schedule for its Core Curriculum Standards.

The Chief School Administrator shall direct development of and present to the Board for adoption a written curriculum for each element of the instructional program for the district to include:

- A. All courses mandated by New Jersey statute or Administrative Code;
- B. Such other courses as shall implement the Board's intent as expressed in this policy.

The total curriculum, when adopted, shall be adapted to suit the applicable requirements of the Administrative Code and shall provide basic, advanced, enriched, or technical instruction or experience to meet the identified needs of the pupils of the district.

A listing of all courses and programs comprising the instructional program shall be available in the district office.

Legal References

- NJSA 18A:6-2 Instruction in accident and fire prevention
- 18A:6-3 Courses in constitution of United States
- 18A:7C-5 Board of education to provide policy on graduation to students and parents
- 18A:33-1 District to furnish suitable facilities; adoption of courses of study
- 18A:35-1 et seq. Curriculum and courses
- 18A:35-4.6 through -4.8 Parents Right to Conscience Act of 1979

- NJAC 6A:8-3.1 Curriculum and instruction
- 6A:8-5.1 Graduation requirements
- 6A:9-1.1 et. seq. Professional Licensure and Standards
- 6A:14-3.7 Individualized education program
- 6A:14-4.1 General requirements
- 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 6A:32-2.1 Definitions
- 6A:32-12.2 School-level planning

Possible Cross References

2224, 6121, 6122, 6140, 6142.1, 6142.2, 6142.4, 6142.9, 6142.12, 6146, 6147, 6164.2, 6171.1, 6171.2, 6171.4, 9130

Deerfield Township Board of Education District Policy Manual

**Instructional Program
Family Life Education**

**Series 6000
Policy 6142.1**

Date Adopted: January 18, 2007

Date Revised

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The Board of Education directs the Chief School Administrator to coordinate the development of a family life education curriculum that will be in compliance with New Jersey Administrative Code. The program shall provide material suited to each grade level, presented in a manner intended to foster an understanding of human development and the respect for and an understanding of how human sexuality affects personal and family relationship.

The curriculum shall be developed with the active participation of teachers, administrators, parents and guardians, physicians, and representative members of the community.

Further, the Chief School Administrator shall assure that the curriculum developed is articulated to that of the high schools, so that the transition from elementary to secondary approaches to this material will be coordinated and progressive.

Any child whose parent or guardian presents to the school administration a signed statement that any part of the instruction in health, family life education, or sex education is in conflict with his conscience, or sincerely held moral or religious beliefs, shall be excused from that portion of the course where such instruction is being given, and no penalties as to credit or graduation shall result there-from.

The Board urges all parents to become familiar with these courses and to participate in their development as provided by the administrative code.

The Board of Education alone, upon recommendation of the Chief School Administrator, shall determine the content, sequence and materials of family life education.

Legal References

NJSA 18A:35-4.6 through -4.8 Parents Right to Conscience Act of 1979
18A:35-4.19 through -4.22 "AIDS Prevention Act of 1999"

NJAC 6A:8-3.1 Curriculum and instruction
6A:8-4.2 Documentation of student achievement
6A:32-12.1 Reporting requirements

Pupil Protection Rights Amendment - 20 U.S.C. 1232h
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1220, 5131.5, 6141.6, 6122, 6140, 6142, 6142.13, 9130

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Series 6000

English As A Second Language/Bilingual Programs

Policy 6142.2

Date Adopted: January 18, 2007

Date Revised

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The Board shall provide English as a second language (ESL) and/or bilingual programs of instruction for pupils who:

- A. Are not proficient in English and need instruction toward mastery of the English language;
- B. Speak a language other than English, are more capable of performing schoolwork in that language, and need their basic educational program taught in that language.

The Chief School Administrator shall develop procedures in accordance with administrative code to determine which pupils would benefit from ESL and/or bilingual programs and to involve school staff, parents/guardians and community members in reviewing programs to determine which would best meet these pupils' needs.

The goal of ESL programs is to assist pupils to achieve fluency (including listening, comprehension, speaking, reading, and writing skills) in English. The goal of the bilingual program is to use both the native language and English to help pupils progress in the academic subject areas while developing their English language skills.

Parents/Guardians of pupils of limited English speaking ability shall be notified by mail of the fact that their child has been identified as eligible for enrollment in a bilingual, ELS or English language services education program. This written notice shall include the information that the parents may choose to decline to enroll their child into the bilingual program. Communication with parents/guardians of pupils in these programs shall be in writing and in both English and their primary speaking language, whenever possible. Reports of pupil progress shall be made to parents/guardians on the same schedule as reports of pupils in the regular program.

The Chief School Administrator shall direct development of an annual plan for ESL and/or bilingual education that is in compliance with state guidelines. The Board will review and approve the plan at a public meeting. The Board must adopt the courses of study for ESL and bilingual programs in the same manner in which it adopts the curriculum for the regular program.

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Pupils enrolled in district bilingual or ESL programs shall be assessed annually for exit from such programs, using indicators described in the administrative code. Whenever it is determined that a pupil should exit from the bilingual program, parents/guardians shall be notified by mail.

Parents/guardians may remove a pupil who is enrolled in a bilingual education program at any time.

The Cumberland County Superintendent of Schools shall approve removal prior to the end of the school year. If the Cumberland County Superintendent of Schools determines that the pupil should remain in the bilingual education program until the end of the school year, the parents/guardians may appeal that decision to the NJ Commissioner of Education/designee pursuant to law. The Commissioner shall render a decision within 30 days of the filing of the appeal.

The Board may petition the Commissioner to waive the requirement for a full-time bilingual program when it can demonstrate that it would be impractical to provide such a program, due to the age range, grade span or geographic location of the eligible pupils.

Legal References

NJSA 18A:35-15 et seq. Bilingual education programs

NJAC 6A:5-1.1 et seq. Regulatory Equivalency and Waiver

6A:8-4.1 Statewide assessment system

6A:8-5.1 Graduation requirements

6A:9-1.1 et seq. Professional Licensure and Standards

6A:15-1.1 et seq. Bilingual Education

6A:30-1.1 et seq. Evaluation of the Performance of School

6A:32-2.1 Definitions

6A:32-12.1 Reporting requirements

6A:32-14.1 Review of mandated programs and services

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

5120, 5124, 6121, 6147, 6147.1, 6171.2, 6171.3

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Physical Education & Health

Policy 6142.4

Date Adopted: December 20, 2004 Date Revised: February 22, 2012 Page 1 of 2

The Board directs that the district's curricular and extracurricular programs of physical education and activities comply with the District's affirmative action resolution and comprehensive equity plan for school and classroom practices. The Board shall ensure that the comprehensive health and physical education curriculum addresses all elements required by the New Jersey Core Curriculum Content Standards, New Jersey Statute and Code and Federal Regulations.

General Provisions

In general, physical education classes shall not be divided on the basis of sex. The quality and quantity of teachers, equipment and facilities shall be equivalent among the schools and comparable from level to level, taking into account the needs of the pupils.

Dating Violence

For students in grades 7 and 8, physical education and the health curriculum will include the topic of dating violence. "Dating violence" means a pattern of behavior where one person threatens to use, or actually uses physical, sexual, verbal, or emotional abuse to control a dating partner.

The dating violence education shall include information on the definition of dating violence, recognizing dating violence warning signs, and the characteristics of healthy relationships.

Upon written request to the school principal, a parent/guardian of a student less than 18 years of age shall be permitted within a reasonable period of time after the request is made, to examine the dating violence education program instruction materials developed by the school district.

The purpose of the dating violence information is to help prevent dating situations from becoming unsafe and to help educate young people on constructive ways to resolve conflicts in personal relationships.

To be consistent with P.L. 2011, c. 64, district policy procedures and curriculum will include notification and information that dating violence will not be tolerated. District procedures and the curriculum will provide dating violence reporting procedures, warning signs of dating violence and guidelines for responding to incidents of dating violence that occur at school, along with discipline procedures specific to such incidents of dating violence that occur at school. Information on safe, appropriate school, family, peer and community resources available to address dating violence shall also be included within the curriculum.

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**Instructional Program
Physical Education & Health**

**Series 6000
Policy 6142.4**

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Legal References

- NJSA 18A:6-113 Instruction in suicide prevention in public school curriculum
18A:11-1 General Mandatory Powers and Duties
18A:35-4.19 through -4.22 AIDS Prevention Act of 1999
18A:35-4.23a Dating violence into health education curriculum
18A:35-5 through -9 Maintenance of physical training courses; features
18A:37-33 to 37 Dating violence policy and education
- NJAC 6A:7-1.7 Equality in school and classroom practices
6A:8-3.1 Curriculum and instruction
6A:8-5.1 Graduation requirements
6A:9-5.19 Athletics Personnel
6A:9-11.8 Health and physical education
6A:16-2.1 et seq. General Provisions for School Health Services
6A:32-9.1 General Provisions for School Health Services
- 20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
The Comprehensive Equity Plan, New Jersey State Department of Education

Possible Cross References

2224, 5145.4, 6121, 6140, 6141, 6142, 6145.1, 6145.2, 6146

Deerfield Township Board of Education District Policy Manual

**Instructional Program
Speech Correction Services**

**Series 6000
Policy 6142.5**

Date Adopted: June 22, 2006

Date Revised

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The New Jersey Administrative Code, Title 6, Chapter 28, provides detailed mandatory regulations concerning the identification, referral, evaluations, and classification of all levels of designated handicapped students.

Within the provision of these statutes, it shall be the policy of the Board of Education that all students may be surveyed annually by a certified speech correctionist in order to determine pupil eligibility:

1. For speech correction services that are not server enough to warrant referral to a basic Child Study Team, and
2. To determine pupil eligibility for possible referral to the basic Child Study Team for consideration of "Communications Handicapped" classification.

Legal References

NJSA 18A:46-19.4 Services of certified speech correctionist
18A:46-19.5 Services for nonpublic school children

NJAC 6A:7-1.7 Equality in school and classroom practices
6A:9-13.6 Speech-language specialist
6A:16-2.1 et seq. General Provisions for School Health Services

The Comprehensive Equity Plan, New Jersey State Department of Education
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

6171.4

Deerfield Township Board of Education District Policy Manual

**Instructional Program
Basic Skills Curriculum**

**Series 6000
Policy 6142.6**

Date Adopted: June 22, 2006

Date Revised

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In order to provide district pupils with the basic tools necessary for achievement of the Core Curriculum Content Standards, the Board of Education directs the development of strong basic skills courses at all levels of the school.

The Chief School Administrator shall work with the staff to:

- A. Infuse instruction in basic skills into courses of study at all grade levels and ensure the articulation of those skills from grade to grade.
- B. Actively seek innovative and remedial programs to ensure that all district pupils acquire the basic skills suited to their grade level and capacity.

The district shall administer state tests as required in grades 3 through 8 and may administer standardized tests as appropriate to determine student achievement levels in basic skills.

Legal References

NJSA 18A:35-4.9 Pupil promotion and remediation; policies and procedures

NJAC 6A:8-1.1 et seq. Standards and Assessment

6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Hawkins-Stafford Elementary and Secondary Schools Improvement Amendments of 1988

(P.L. 100-297)

Possible Cross References

6122, 6140, 6142, 6142.2, 6146, 6171.1, 6171.3, 6171.4

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Experiments Upon / Dissection of Animals

Policy 6142.7

Date Adopted: June 22, 2006

Date Revised

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The Board of Education recognizes the importance of exposing pupils to a wide and varied curriculum in the study of sciences and biology. The Board also supports the rights of parents/guardians to make decisions about certain aspects of that curriculum for their children. Therefore, it is the policy of the Board of Education that pupils may choose not to participate in certain experiments involving animals.

Pupils will be excused from performing, performing, participating in, or observing the dissection, vivisection, incubation, capture, harm or destruction of animals and/or organisms upon the receipt of a written request from his/her parent/guardian.

Alternative Education

In all such cases, the pupil will be assigned an alternative education project that may include the use of video tapes, models, films, books, computers, or any other tools that provide an alternative method for obtaining and testing the knowledge, information, or experience required by the course of study the pupil was excused from. Alternative education programs and classroom attendance shall be arranged by the classroom teacher, with the approval of the appropriate administrator, for such pupils.

A pupil may refuse to participate in an alternative education project which involves or necessitates any harmful use of an animal or animal parts.

In no case, will a pupil's grade be adversely affected by his/her decision not to participate in the regular lab experience, nor will he/she be discriminated against in any other manner as a result of his/her decision to exercise the rights afforded pursuant to this policy.

Notification of Parents/Guardians

Pupils and parents/guardians will be notified at the beginning of the school year of the rights of pupils not to participate in the dissection, vivisection, incubation, capture, harm or destruction of animals and/or organisms. Parents/guardians will be advised that in order for a pupil to be excused from the regular lab experience, a written request must be received by the school within two weeks of the receipt of this notification.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:35-4.24 Definitions relative to alternative education projects
18A:35-4.25 Refusal to participate in certain school activities related to animal dissection, etc.

P.L. 2005 Chapter 2666

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Arts

Policy 6142.9

Date Adopted: March 23, 2004

Date Revised

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The Chief School Administrator shall ensure that curriculum in the arts, including both performing and visual, are developed appropriately for each grade level in accordance with administrative code and core curriculum standards.

Legal References

NJSA 18A:7F-4 Periodic review of Core Curriculum Content Standard by state board;
establishment of thoroughness and efficiency standards and cost per pupil
18A:33-1 District to furnish suitable facilities; adoption of courses of study

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

NJAC 6A:8-1.3 Definitions
6A:8-3.1 Curriculum and instruction
6A:30-1.1 et seq. Evaluation of the Performance of School Districts

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Acceptable Use Of Internet

Policy 6142.10

Date Adopted: June 22, 2006

Date Revised

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The Board shall develop a technology plan that effectively uses electronic communication to advance and promote learning and teaching. This system of technology shall be used to provide local, statewide, national and global communications opportunities for staff and students. Educational technology shall be infused into the district curriculum to maximize student achievement of the Core Curriculum Content Standards.

To support its commitment to providing avenues of access to the universe of information available, the district's system of electronic communication shall include access to the Internet for students and staff.

Limitation of Liability

The Internet constitutes an unregulated collection of resources that changes constantly, so it is not possible to totally predict or control the resources that users may locate. The Board cannot guarantee the accuracy of the information or the appropriateness of materials that a user may encounter. Furthermore, the Board shall not be responsible for any damage users may suffer, including but not limited to, loss of data or interruptions of service. Nor shall the Board be responsible for financial obligations arising through the unauthorized use of the system.

District Rights and Responsibilities

The computer system is the property of the district, and all computer software and hardware belong to it. Therefore, the district retains the right to monitor all access to and use of the Internet.

The Board designates the Chief School Administrator as the coordinator of the district system. He/she shall recommend to the Board of Education qualified staff persons to ensure provision of individual and class accounts necessary for access to the Internet, designation of quotas for disk usage on the system, establishment of a document retention schedule, establishment of a virus protection process and coordination of other activities as required to maintain the system.

The Assistant Principal shall coordinate the district system in his/her building by approving all activities for that building; ensuring that teachers receive proper training in the use of the system; ensuring that students are adequately supervised when using the system; maintaining executed user agreements; and interpreting this acceptable use policy at the building level.

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Access to the System

This acceptable use policy shall govern all use of the system. Sanctions for student misuse of the system shall be included in the disciplinary code for students. Employee misuse may result in appropriate discipline in accord with the collective bargaining agreement and applicable laws and regulations.

The Board shall ensure the acquisition and installation of blocking/filtering software to deny access to certain areas of the Internet.

World Wide Web

All students and employees of the Board shall have access to the Web through the district's networked or stand alone computers. An agreement shall be required. To deny a child access, parents/guardians must notify the building principal in writing.

Student Safety Practices

Students shall not post personal contact information about themselves or others. Nor shall students engage in any kind of personal contact with individuals they meet online. Attempts at contact from such individuals shall be reported immediately to the staff person monitoring that child's access to the Internet. Personal contact information includes but is not limited to names, home/school/work addresses, telephone numbers, or personal photographs.

Students, staff and administration of the Deerfield School District have the opportunity to access the Internet to facilitate the need to prepare students, staff and administrators to become computer literate in an increasingly technological world, to foster educational and personal growth in technology, information gathering, and communication skills. It is understood that the Deerfield School District does not have sufficient staff to monitor every aspect of the use of the Internet. However, the district will foster the independent use of the school's network, subject to compliance with procedures and standards for appropriate network behavior and communication. The following responsible guidelines apply to all users when accessing any Deerfield School District network connection (NET):

1. It is understood that cooperation is critical in the use of the Internet. It is the goal of the use of the Internet to prepare students to become computer literate in an increasingly technological world. It is understood that a minor's independent use of the school's network is necessary to attain such a goal, subject to the procedures and standards for appropriate network behavior.

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2. Violations of these responsible use guidelines may result in student discipline, subject to the Student Disciplinary Code, and/or staff and administrative discipline, subject to guidelines adopted by the administration.
3. The primary use of the NET shall be reserved to those individuals who utilize the materials that are of “educational value” to students of the district. For purposes of these guidelines, “educational value” shall mean those areas of network access that have a direct or indirect impact on the students’ educational program in the Deerfield School District. The use of the system for defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, and racially offensive, and illegal material or other prohibited activities shall not be permitted, and the Deerfield School District will use any and all means available to it, within the confines of the law to prevent such material from entering the NET. Individuals are encouraged to report such entry of material into the system to the building administrator.
4. No personnel or student information that is protected by the Family Educational Rights and Privacy Acts shall be disseminated through the NET.
5. All users of the NET must comply with the Electronic Communications Privacy Act of 1986, as amended, and the Communications Decency Act. These Acts prohibit the unauthorized interception or disclosure of e-mail messages by third parties as well as the appropriateness of certain material being remitted on the Internet. The Acts do not permit interception or disclosure unless both the sender and the receiver of the communication consent. Further, the Acts recognize that the School District may monitor an employee’s e-mail messages, as long as the interception device is included in the e-mail equipment.
6. Users of the NET must recognize that the District Administration does have the authority to intercept e-mail messages of all users and that there will be no privacy right construed by the District to exist in the statements made in the NET. Users of the NET are encouraged not to store extensive e-mail messages in the NET and that messages should be stored for a period of no longer than 14 calendar days.
7. When issued individual passwords and accounts, NET users may not allow any other person(s) to use or share those passwords and/or accounts.
8. Any attempt to circumvent system security, guess passwords, or in any way gain unauthorized access to local or NET resources is forbidden.
9. Use of the Internet for political and/or commercial gain or profit is not allowed from and educational site.
10. Users may not move, repair, reconfigure, modify or attach external devices to the system.
11. Additional rules and restrictions may be added and users will be notified of these changes in a timely manner. Users are responsible for reading and following these rules.

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12. Time restrictions on the use of the Internet may be imposed to ensure equity of use.
13. From time to time, the District will encourage students and employees to use certain informational sources in order to control Internet costs.
14. The District Administration reserves the right to use electronic devices, cards, or any other media to determine whether or not the students or employees are using the NET for items of true educational value.
15. Professional employees of the school will monitor student use of the Internet.
16. Students or employees who violate the Internet guidelines of the school may be denied future Internet privileges for a defined period of time or other disciplinary measures set forth in the Student Code of Conduct or in any other rules of the District that may be applicable.

Legal References

- NJSA 2A:38A-1 et seq. Computer System
2C:20-25 Computer Related Theft
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
18A:36-35 School Internet websites; disclosure of certain student information prohibited
- NJAC 6A:10A-1.1 et seq Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:10A, Appendix A
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 17 U.S.C. 101 United States Copyright Law
47 U.S.C. 254(h) Children's Internet Protection Act
N.J. v. T.L.O. 469 U.S. 325 (1985)
O'Connor v. Ortega 480 U.S. 709 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1111, 3514, 4118.2, 4218.2, 5114, 5124, 5131, 5131.5, 5142, 6144, 6145.3, 6161

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Creating & Publishing Web Pages

Policy 6142.11

Date Adopted: June 22, 2006

Date Revised

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The Deerfield Township Board of Education establishes the following policy to express its belief that with the growth of the World Wide Web (WEB), any material posted for the global community must reflect the high educational standards of the Deerfield Township School District.

The availability of Internet access throughout the Deerfield School District provides an opportunity for students and staff to contribute to the District's presence on the WEB. The District's web site provides information to the entire world about curriculum, instruction, school-authorized activities, and other general information relating to the school as well as the District's mission. All published pages and corresponding links stored on the District's servers must be related to the District's educational goals and objectives or school-sponsored activities.

The District Webmaster and the District Technology Coordinator will provide Internet access for the creation of web pages. Creators of web pages should familiarize themselves with, and adhere to, the policies and responsibilities that follow. Failure to follow these policies or responsibilities may result in the loss of authoring privileges and/or other more stringent disciplinary measures.

Content Standards

The Chief School Administrator, with input from the Webmaster and the Technology Coordinator, are responsible for web page approval.

Subject Matter

All subject matter on web pages should relate to curriculum, instruction, school-authorized activities, general information that is appropriate and of interest to others, and the Deerfield Township School District. If the information is scholarly and will help students, teachers, and parents using our web site, it is acceptable. Therefore, neither staff nor students may publish personal web pages or home pages of other individuals or organizations not directly affiliated with the Deerfield Township School District web site. Staff or student work may be published only as it relates to a class project, course, or other school-related activity.

Quality

All web pages must be free of spelling and grammatical errors. Documents may not contain objectionable material or point (link) directly to objectionable material.

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Objectionable material is defined as material that does not meet the standards for instructional resources specified in the Deerfield Township School District policies.

Regarding the question of quality or propriety of web page material, appearance, or content, the judgment of the Webmaster, Technology Coordinator, and District Administrators will prevail.

Ownership and Retention

All web pages on the District's server(s) are the property of the Deerfield Township School District. Official District web pages will reside only on District owned or operated servers. The only organization permitted to post a web page on the District server is the PTO, although other sites may be linked at the discretion of the Administration.

Student Safeguards

- Students may publish information on the Deerfield Township School District web server only when they are under the supervision of the Webmaster, Technology Coordinator or teacher. Students must have parental permission.
- Web page documents may not include student names.
- Documents may not include a student's telephone number, address, names of other family members, or names of friends.
- Published e-mail addresses are restricted to those of staff members or to general group e-mail address where arriving e-mail is forwarded to a staff member.
- No student pictures (video or still) and audio clips shall be published without parental approval.
- Web page documents may not include any information that indicates the physical location of a student at a given time.

School Board Policies

All documents on Deerfield Township School District server(s) must conform to the Deerfield Township Board of Education policies and regulations as well as established school guidelines. Persons developing or maintaining web documents are responsible for complying with these policies. Some of the relevant issues and related Board policies include the following:

- Electronic transmission of materials is a form of copying. As specified in District policy, no unlawful copies of copyrighted materials may be knowingly produced or transmitted via the District's equipment, including its web server(s).

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- Documents created for the web and linked to District web pages will meet the criteria for use as an instructional resource.
- Any links to District web pages that are not specifically curriculum-related will meet the criteria established in the Deerfield Township School District Internet Use Policy (6142.10). Any other non-curricular materials should be limited to information about other youth activities, agencies, or organizations that are known to be non-sectarian, exclusively devoted to community interests or child welfare, non-profit, and non-discriminatory. Web page links may not include entities whose primary purpose is commercial or political advertising.
- All communications via District web pages will comply with the Deerfield Township School District Internet Use Policy (6142.10) and the Deerfield Township District Code of Conduct Policy. Offensive behavior that is expressly prohibited by this policy includes religious, racial, and sexual harassment and/or violence.
- Any student information communicated via District web pages must comply with the Deerfield Township School District policies on Data Privacy and Public Use of School Records.
- Any deliberate tampering with or misuse of District networked services or equipment will be considered vandalism and will be handled in accordance with the District Internet Use policy, the District Student Conduct Policy and other related policies.

Technical Standards and Consistency

Each web page added to the District web site(s) must contain the following elements in order to provide general consistency for District web pages.

- The District will develop additional consistency standards as the need arises.
- All web pages must be submitted to the Deerfield Township School Webmaster for review prior to placement on the District server(s). In the absence of the District Webmaster, the Computer/Technology Coordinator or Chief School Administrator shall give approval.
- No computers other than the assigned building web servers shall be configured as web/FTP servers.
- The authorized teacher who is publishing the final web page(s) for himself/herself or for a student, will edit the page(s) for conformance with the standards outlined in this policy and test the page(s) for the accuracy of the links.
- Web pages may not contain links to other web pages not yet completed. If additional pages are anticipated but not yet developed, the text that will provide such a link should be included. However, the actual link to said page(s) might not be made until the final page is actually in place on the Deerfield Township School District server(s).

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- Any graphics, sounds, or video used on web pages must conform to the format currently used or approved by the Deerfield Township School District.
- Web pages may not contain any student e-mail address links, any survey-response links. Or any other type of direct-response links.
- Final decisions regarding access to active web pages for editing content of organization will rest with the Chief School Administrator, with input from the Webmaster and/or Technology Coordinator.
- All web pages shall be linked to other Deerfield Township School pages in relation to their current location on the server(s).

Additional Notes for Consideration

- Material on web pages reflects an individual's thoughts, interests, and activities. Such web pages do not, in any way, represent individual schools or the Deerfield Township School District, nor are they endorsed or sanctioned by the individual school or the Deerfield Township School District. Concern about the content of any page(s) created by students or staff should be directed to the Principal or to the District Webmaster.
- Given the rapid change in technology, some of the technical standards outlined in this policy may require change throughout the year. The District Technology Coordinator and Webmaster will make such changes with the approval of the Chief School Administrator.

Legal References

- NJSA 2A:38A-1 et seq. Computer System
2C:20-25 Computer Related Theft
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
18A:36-35 School Internet websites; disclosure of certain student information prohibited
- NJAC 6A:10A-1.1 et seq Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:10A, Appendix A
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 17 U.S.C. 101 United States Copyright Law
47 U.S.C. 254(h) Children's Internet Protection Act
N.J. v. T.L.O. 469 U.S. 325 (1985)
O'Connor v. Ortega 480 U.S. 709 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1111, 3514, 4118.2, 4218.2, 5114, 5124, 5131, 5131.5, 5142, 6144, 6145.3, 6161

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Workplace Readiness Skills Education

Policy 6142.12

Date Adopted: June 22, 2006 Date Revised: November 16, 2006

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The Board of Education believes that constructive attitudes and concepts involving the dignity of all kinds of work belong in the curriculum from the beginning grades. Therefore, in fulfillment of the Core Curriculum Content Standards, the Board of Education shall develop and implement a comprehensive guidance and counseling system that facilitates career awareness and exploration for all students. The Board of Education shall ensure that educational programs shall continuously expose pupils to the nature of the wide variety of careers available. The cross-content workplace readiness standards shall be infused into the curriculum throughout the grades in age appropriate activities. When any hands-on experience requires use of power tools, etc., all eye protection and other appropriate safety regulations shall be observed.

Career Education and Counseling

The Board of Education shall develop and implement a comprehensive guidance and academic counseling program for all students to facilitate career awareness, exploration, and preparation. This program shall:

Be linked to the Core Curriculum Contents Standards;

- A. Be infused throughout the K-8 curriculum;
- B. Be supported by professional development programs;
- C. Take into consideration the academic, career and personal/social development of the student; and
- D. Ensure that students with disabilities (age 14 or younger), if determined appropriate by IEP, have career and academic counseling coordinated with transitional services in accordance with N.J.A.C. 6A:14-3.7.

The Board of Education shall develop and implement curriculum and instructional methods that:

- A. Are integrated with technological literacy;
- B. Provide all students with an understanding of the career application of knowledge and skills learned in the classroom; and
- C. Provide all students with the opportunity to apply knowledge and skills learned in the classroom to real or simulated career challenges.

The Board of Education will develop and implement for all students a system of career development activities that:

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- A. Offers the opportunity to explore career interests within, but not limited to, arts and humanities; business and information systems; mathematics, science and technology; and health and human services;
- B. Addresses district resources, community needs and student interest;
- C. Allows the Board of Education to select an appropriate delivery format that may include an integrated curriculum based on the Core Curriculum Content Standards or specialized programs that reflect the needs of students and the community; and
- D. Instills the concept of the need for continuous learning throughout one's life.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:38-36 Employment certificates to part-time pupils
18A:40-12.1, -12.2 Protective eye devices required for teachers, pupils and visitors in certain cases
18A:54-20 Powers of board (county vocational schools)
18A:54E-1 through -5 Business and school partnerships

NJAC 6A:7-1.7 Equality in school and classroom practices
6A:8-2.2 Authority for the state plan for vocational education
6A:8-3.2 Career education and counseling
6A:8-5.1 Graduation requirements
6A:9-1.1 et seq. Professional Licensure and Standards
6A:19-1.1 et seq. Vocational - Technical Education Programs and Standards
6A:23-3.3 Method of determining tuition rates for county vocational schools
6A:26-12.1 et seq. Operation and Maintenance of Facilities
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
6A:32-14.1 Review of mandated programs and services

New Jersey Cross-Content Workplace Readiness Curriculum Framework: A Road Map for Learning, NJDOE, <http://www.state.nj.us/njded/frameworks/ccwr/>, Appendix B
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3220/3230, 3516, 5142, 5145.4, 6010, 6121, 6141, 6142.2

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HIV/AIDS Prevention Education

Policy 6142.13

Date Adopted: June 22, 2006

Date Revised

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The Board of Education believes HIV/AIDS education should be integrated into the comprehensive health education curriculum, but may also be applied to other curriculum areas.

The district HIV/AIDS education program must address, at a minimum, the nature, transmission, prevention and effects of the disease. The program shall be provided through a coordinated sequential elementary and secondary curriculum, taking into consideration the age, growth, development and maturity of the pupils and the subject matter of the course. Development of the program should take into account the instructional needs of all pupils in the district.

The Chief School Administrator shall ensure that the information presented as a part of the HIV/AIDS prevention education program is articulated in such a way that transition from grade to grade in the elementary schools and from elementary to secondary approaches to the material will be appropriate for all pupils.

The Chief School Administrator shall be responsible for the preparation and development of an HIV/AIDS prevention education program, with active consultation and participating of an advisory committee consisting of teachers, administrators, parents/guardians, pupils (as appropriate), physicians, members of social and health service agencies, members of the clergy and representative members of the community. The advisory committee shall be responsible for reviewing the instructional program and all materials to be used and, through the Chief School Administrator, of recommending it for Board adoption.

The Chief School Administrator shall ensure that all staff members involved in teaching the HIV/AIDS prevention education program are properly certified for the subject area in which they are teaching and adequately prepared to teach the material. As necessary, appropriate staff training shall be provided.

Upon the request of parents or guardians, the HIV/AIDS education curriculum shall be made available for their review. The Chief School Administrator shall establish procedures whereby pupils whose parent/guardian presents to the school principal a signed statement that a designated part of the instruction is in conflict with his/her conscience, or moral or religious belief, shall be excused from that part of the curriculum. Independent study shall be directed during the time a pupil is excused from part of the program. The independent study shall include alternative topics that do not conflict with the parent/guardian's beliefs but fall within the same subject area (i.e., comprehensive health education) as the program from which the pupil is excused. No penalties to credit or graduation shall result from such an exemption.

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The Chief School Administrator shall establish a process for evaluating and updating the HIV/AIDS prevention education program to incorporate new information. Any such revisions shall be implemented after consultation with, and review by, an advisory committee as described above.

The Board of Education alone, upon the recommendation of the Chief School Administrator, shall determine the content, sequence, and materials of the HIV/AIDS prevention education program.

Legal References

- NJSA 18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:35-4.7 Parents statement of conflict with conscience
18A:35-4.19 through-4.22 "AIDS Prevention Act of 1999"
26:5c-1 et seq. Acquired Immune Deficiency Syndrome
- NJAC 6A:8-3.1(d) Curriculum and instruction
6A:16-2.1(a)7 Health services policy and procedural requirements
8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV Infection
12:100-4.2 Safety and Health Standards for Public Employees (Adoption by reference)
- 29 CFR 19910.1030 - Bloodborne Pathogen Standard
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
S. T. v. Board of Education of the City of Fairfield Township, 1986 S.L.D. (December 24), aff'd St. Bd.

Possible Cross References

1220, 4131/4131.1, 5124, 5131.6, 5141, 5141.2, 5145.4, 6122, 6140, 6141, 6142, 6142.1, 6142.4, 6144, 6161.2, 6300

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E-Mail Policy

Policy 6142.14

Date Adopted: July 27, 2005

Date Revised

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The Deerfield Township School District provides many computing and networking resources for use by students, faculty and staff. Members of the school district community are encouraged to use electronic mail (e-mail) for district-related activities and to facilitate the efficient exchange of useful information. Access to e-mail is a privilege and certain responsibilities accompany that privilege. Users of e-mail are expected to be ethical and responsible in the use of e-mail. E-mail is one of the most used and useful facilities on computer networks. To ensure maximum benefits from e-mail, a clear, defined balance between the need for open communication and the protection of the District's assets is critical. The purpose of this policy is to encourage use of e-mail as an effective and efficient business tool within the framework of the appropriate statutes.

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

Monitoring

The Deerfield Township Board of Education reserves the right to review any material accessed or transmitted by users. Users should have no expectation of privacy. Certain aspects of the use of electronic environment may be recorded in logs either for the purpose of performance monitoring or for assistance in authorized legal investigations of alleged misbehavior under this policy. The actual contents of these logs will only be reviewed by authorized district administrators or by external law enforcement officials.

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Privacy

It is in the nature of most e-mail systems that the physical security of messages cannot be guaranteed. Therefore, the Board discourages the use of e-mail to transmit messages containing sensitive data. E-mail messages are not considered private messages.

Although e-mail messages are not routinely monitored, the district may rightfully monitor or access e-mail messages if the district suspects breaches of security, harassment or other violations of other district policies or the law. The individual authorizing any search of a user's data must have reasonable grounds for suspecting that the search will reveal evidence that the user has violated a specific district policy, state or federal law, or has committed work related misconduct. The search of the user's electronic files must and will be reasonably related in scope to the suspicion that generated the search. A user's account and password are the keys to the e-mail network and users are advised that they are responsible for the security of their respective account and password. There are major risks when a user's account and password are known to others. Transmissions made using that account password are assumed to have been initiated by the account and password owner, though managers of e-mail systems who investigate complaints shall not automatically assume that the author of an offending message is the owner of the account and password.

Guidelines

Access to and the responsible use of modern information resources are essential to the pursuit and achievement of excellence at our school. The district encourages appropriate use of e-mail to enhance productivity through the efficient exchange of information in education, research, public service and the expression of ideas. Use of these resources must be consistent with these goals. As responsible members, everyone is expected to act in accord with the following general guidelines based on common sense, common decency, and civility applied to the networked computing environment:

1. Messages sent as electronic mail should meet the same standards for distribution or display as if they were tangible documents or instruments. One should identify himself/herself clearly and accurately in all electronic communications. Concealing or misrepresenting one's name or affiliation to dissociate oneself from responsibility for one's actions is never appropriate. Alteration of the source of e-mail, message or posting is unethical and possibly illegal. One test of appropriateness would be to never "say" anything via e-mail that one would not be willing to say directly to a person;

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2. Be sensitive to the inherent limitation of shared network resources. No computer security system can absolutely prevent a determined person from accessing stored information. While the district has no interest in regulating the content of e-mail it will not guarantee the privacy or confidentiality of electronic documents. Good judgment dictates the creation only of electronic documents that may become available to the public;
3. Respect the rights of others. Do not send abusive, threatening or harassing materials. Civil discourse is at the heart of a district community free of intimidation and harassment and based upon a respect for individual as well as a desire to learn from others. While debate on controversial issues is inevitable and essential, bear in mind that it is everyone's responsibility to do so in a way that advances the cause of learning and mutual understanding.
4. Each staff member is expected to promote efficient use of network resources consistent with the instructional, research, public service and administrative goals of the Deerfield Township School. Show consideration for others and refrain from engaging in any use that would interfere with the work or disrupt the intended use of network resources. One should especially avoid wasteful or unwanted material. This effort is consistent with existing practices governing other forms of communication including telephone calls, bulletin board postings, and the mass distribution of flyers.
5. E-mail and other network resources may not be used for commercial purposes or for personal financial gain. This does not preclude the use of e-mail to assist in the investigation and support of vendors' products, such as the discussion of a product's relative advantages and disadvantages by users of the product, the distribution of information or technical support material by request or vendor responses to questions about products, as long as the responses are not in the nature of a solicitation.

All users of the Internet must comply with the Electronic Communications Privacy Act of 1986, as amended, and the Communications Decency Act. These Acts prohibit the unauthorized interception or disclosure of e-mail messages by third parties as well as the appropriateness of certain material being remitted on the Internet. The Acts do not permit interception or disclosure unless both the sender and the receiver of the communication consent. Further, the Acts recognize that the school district may monitor an employee's e-mail messages, as long as the interception device is included in the e-mail equipment.

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E-Mail Policy**

**Series 6000
Policy 6142.14**

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Staff will be held no less accountable for its actions in situations involving e-mail than it would be in dealing with other media. One is expected to abide by the security restrictions on all systems and information to which there is access. One should avoid any irresponsible communication where the meaning of the message, or its transmission or distribution could include but be limited to behavior that is considered illegal or unethical. Irresponsible activities include, but are not limited to, spamming, overloading a system, sending chain letters or regulation or similar actions. Conduct that involves the use of information resources to violate a district policy or regulation or state or federal law, or to violate another's rights, is a serious abuse, subject to elimination of one's privileges and appropriate disciplinary and/or legal action. The district is not responsible for transmissions that are libelous or defamatory, and will do all it can to investigate and address those unwanted transmissions with the message sender.

If unsolicited or unwanted Internet transmissions are received, or if problems or issues arise regarding Deerfield Township School e-mail, the appropriate systems administrator shall be contacted. E-mail managers and network system administrators should not monitor or access the contents of electronic files except as noted in this policy. Complaints by any user receiving electronic transmissions through any e-mail server may be submitted to the Chief School Administrator. The Affirmative Action Officer will be notified of complaints regarding the transmission of discriminatory material. In the case of any employee investigation, if a violation did occur, the Chief School Administrator shall be informed immediately. The employee's immediate supervisor, in consultation with the Chief School Administrator, shall impose proper action in a form and process consistent with public employee laws and collective bargaining agreements.

Legal References

- NJSA 2A:38A-1 et seq. Computer System
- 2C:20-25 Computer Related Theft
- 18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
- 18A:36-35 School Internet websites; disclosure of certain student information prohibited
- NJAC 6A:10A-1.1 et seq Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
- 6A:10A, Appendix A
- 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 17 U.S.C. 101 United States Copyright Law
- 47 U.S.C. 254(h) Children's Internet Protection Act
- N.J. v. T.L.O. 469 U.S. 325 (1985)
- O'Connor v. Ortega 480 U.S. 709 (1987)
- No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
- Manual for the Evaluation of Local School Districts
- New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1111, 3514, 4118.2, 4218.2, 5114, 5124, 5131, 5131.5, 5142, 6144, 6145.3, 6161

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Internet Safety**

**Series 6000
Policy 6142.15**

Date Adopted: August 30, 2012 Date Revised:

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In accordance with the requirements of the Federal Child Internet Protection Act (CIPA), and as a school district that receives discounts offered by the E-rate program, the following constitutes the Internet Safety Policy of this district. It is the policy of the Board of Education to:

- Prevent user access over its computer network(s) to or transmission, of, inappropriate material via Internet, electronic mail or other forms of direct electronic communications;
- Prevent unauthorized access and other unlawful online activity;
- Prevent unauthorized online disclosure, use or dissemination of personal identification information of minors; and,
- Comply with the Children’s Internet Protection Act (CIPA) [Pub. L. No. 106-554 and 47 USC 254(h)].

Definitions

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

Minor – any individual who has not attained the age of 17 years.

Technology protection measure – a specific technology that blocks or filters Internet access to visual depictions that are:

- Obscene, as that term is defined in Section 1460 of Title 18, United States Code;
- Child pornography, as that term is defined in Section 2256 of Title 18, United States Code;
- Harmful to minors

Harmful to minors - any picture, image, graphic image file, or other visual depiction that:

- Appeals to a prurient interest in nudity, sex, or excretion, taken as a whole and with respect to minors;
- Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and,
- Lacks serious literary, artistic, political, or scientific value as to minors, taken as a whole.

Sexual Act or Sexual Contact – as these terms are defined in Section 2246 of Title 18, United States Code.

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Access to Inappropriate Material

To the extent practicable, technology protection measures or Internet filters shall be used to block or filter Internet or other forms of electronic communications and/or access to inappropriate information.

Specifically, as required by the Children’s Internet Protection Act (CIPA), blocking shall be applied to visual depictions of material deemed obscene or child pornography or to an material deemed harmful to minors.

Subject to staff supervision, technology protections measures may be disabled for adults, or in the case of minors, minimized only for *bona fide* research or other lawful purpose.

Inappropriate Network Usage

To the extent practicable, steps shall be taken to promote the safety and security of users of the school district online computer network when using electronic mail, chat rooms, instant messaging and other forms of direct electronic communications.

Specifically, as required by CIPA, prevention of inappropriate network usages includes unauthorized access, including so-called “hacking” and other unlawful activities and unauthorized disclosure, use and dissemination of personal identification information regarding minors.

Education, Supervision & Monitoring

It shall be the responsibility of all members of the district staff to education, supervise and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, CIPA, the Neighborhood Children’s Internet Protection act and the Protecting Children in the 21st Century Act.

Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Chief School Administrator and/or his/her designee.

The Chief School Administrator/designee will provide age-appropriate training for students who use the district’s Internet facilities. The training provided will be designed to promote the district’s commitment to:

1. The standards and acceptable use of Internet services as set forth in this district’s Internet Safety Policy;
2. Student safety with regard to:

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Internet Safety**

**Series 6000
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- Safety on the Internet;
 - Appropriate behavior while online, on social networking Web sites and in chat rooms; and,
 - Cyber bullying awareness and response.
3. Compliance with the E-rate requirements of CIPA.

Following receipt of this training, each student will acknowledge that he/she received the training, understood it and will follow the provisions of the district's Acceptable Use Policies.

Failure to adhere to this policy and rules may subject users to penalties that include but are not limited to warnings, usage restrictions, disciplinary actions or legal proceedings.

Adoption

This Internet Safety Policy was adopted by the Board of Education at a public meeting, following normal public notice on the date noted on the first page of this policy.

Legal References

- NJSA 2A:38A-1 et seq. Computer System
2C:20-25 Computer Related Theft
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
18A:36-35 School Internet websites; disclosure of certain student information prohibited
- NJAC 6A:10A-1.1 et seq Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:10A, Appendix A
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 17 U.S.C. 101 United States Copyright Law
47 U.S.C. 254(h) Children's Internet Protection Act
N.J. v. T.L.O. 469 U.S. 325 (1985)
O'Connor v. Ortega 480 U.S. 709 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)
Section 1460 of Title 18, United States Code
Section 2246 of Title 18, United States Code

Possible Cross References

1111, 3514, 4118.2, 4218.2, 5114, 5124, 5131, 5131.5, 5142, 6142.10, 6144, 6145.3, 6161

Lawrence Township Board of Education District Policy Manual

Instructional Program
Internet Safety

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Legal References

- NJSA 2A:38A-1 et seq. Computer System
2C:20-25 Computer Related Theft
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
18A:36-35 School Internet websites; disclosure of certain student information prohibited
- NJAC 6A:10A-1.1 et seq Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:10A, Appendix A
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 17 U.S.C. 101 United States Copyright Law
47 U.S.C. 254(h) Children's Internet Protection Act
N.J. v. T.L.O. 469 U.S. 325 (1985)
O'Connor v. Ortega 480 U.S. 709 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1111, 3514, 4118.2, 4218.2, 5114, 5124, 5131, 5131.5, 5142, 6142.10, 6144, 6145.3, 6161

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Series 6000

**Anti-Big Brother Act / Student Use
of District-Owned Electronic Devices**

Policy 6142.16

Date Adopted: September 25, 2013 Date Revised:

Page 1 of 1

The Board of Education directs the Chief School Administrator/designee to comply with the provisions of NJSA 18A:36-39 (P.L. 2013, c. 44), otherwise known as the “Anti-Big Brother Act.”

The district may supply or furnish a student or students with an electronic device as described in this policy that may be used outside of the school environment, in connection with the district’s academic program.

The Chief School Administrator/designee shall direct the appropriate staff members or administrators to provide any student who has been supplied with a district-owned and/or supplied laptop computer cellular telephone, or other electronic device, with written or electronic notification that the electronic device may record or collect information regarding the student’s activity or use of the electronic device if that electronic device is equipped with a camera, global positioning system, or other feature capable of recording or collecting information on the student’s activity or use of the device.

The notification shall include a statement that the school district shall not use any of the capabilities in a manner that would violate the privacy rights of the student or any individual residing with the student. The parent(s)/guardian(s) of the student shall be required to acknowledge receipt of this notification before the student is issued the electronic device.

It shall be understood that this policy does not include limiting or restricting the use of electronic devices in school environments.

The school district shall retain the acknowledgement as long as the student retains the use of the electronic device.

Additionally, all staff members shall be advised of this policy on an annual basis.

Legal References

NJSA 2A:38A-1 et seq. Computer System
18A:36-35 School Internet websites; disclosure of certain student information prohibited
18A:36-39 Anti-Big Brother Act

DEERFIELD TOWNSHIP SCHOOL DISTRICT

**PARENT/GUARDIAN AGREEMENT REGARDING THE USE OF
DISTRICT-OWNED ELECTRONIC DEVICES**

I, _____,

(Full Name of Parent/Guardian)

as the parent or guardian of _____,

(Full Name of Student)

have read the attached Anti-Big Brother Act / Student Use of District Owned Electronic Devices Policy (6142.16). I understand that the Deerfield Township School District will supply my child with an electronic device that may be able to record or collect information regarding my child's activity or use of the electronic device and that the electronic device may be equipped with a camera, global positioning system, or other feature capable of recording or collecting information on my child's activity or use of the device.

I also understand that the school district will not use any of the capabilities in a manner that would violate the privacy rights of my child or any individual residing with him/her.

I have read, understand and agree to allow the Deerfield Township School District to furnish my child (named above) with an electronic device that may be able to record or collect information regarding my child's activity or use of the electronic device and that the electronic device may be equipped with a camera, global positioning system, or other feature capable of recording or collecting information on my child's activity or use of this device.

Additionally, my child has also read, understands and agrees to the information contained in this agreement and has signed his/her name below indicating his/her agreement to the terms of this document.

Please sign below and return to your child's school:

Parent/Guardian Signature

Date

Student Signature

Date

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**Instructional Program
ADA Compliant Website**

**Series 6000
Policy 6142.19**

Date Adopted: March 27, 2018 Date Revised:

Page 1 of 2

It is the goal of the Board of Education that the information on the district website shall be accessible to individuals with disabilities, and in compliance with the requirements of Section 504 of the Rehabilitation Act of 1973 and that statute's implementing regulations at 34 C.F.R. Part 104; as well as Title II of the Americans with Disabilities Act of 1990 (ADA) and that statute's implementing regulations at 28 C.F.R. Part 35.

Individuals who have difficulty accessing information on the district's website due to a disability are encouraged to contact the district's Affirmative Action Officer or the Chief School Administrator and provide the URL (web address) of the material that was difficult to access, the problem experienced and the individual's contact information, including, but not limited to the individual's name, email address and phone number so that information may be provided in another format. The Chief School Administrator/designee shall then conduct an investigation and ensure that future compliance is assured.

Individuals who may have recommendations to enhance the district's website accessibility are asked to contact the Chief School Administrator.

It is the goal of the Board of Education to make the district's website as accessible as possible to parents/guardians, students, employees and the community at large. To that end, the Board of Education invites all stakeholders to provide feedback regarding the website's accessibility.

The district is required by law to ensure that its website is accessible to the disabled and if the website does not meet the ADA compliance standards, the district might be the target of an investigation by the Office of Civil Rights (OCR). Additionally, if the OCR receives a complaint from anyone (disabled or not), it could result in a disability complaint being filed against the district. The OCR has the right to force compliance, and this forced compliance may result in the loss of funding (federal or state).

Therefore, the Board of Education directs the Chief School Administrator/designee to ensure the district website is ADA compliant and to identify barriers to accessibility based on current guidelines and to make all new website content and functionality accessible to individuals with disabilities. Additionally, the Chief School Administrator /designee shall create an action plan to correct any existing barriers that will include a timeline for compliance. The Chief School Administrator shall also provide website accessibility training to all personnel who provide updates or create content for the district website and conduct scheduled, ongoing audits to ensure that the website remains accessible to all individuals.

A copy of this policy and a notice to persons with disabilities about how to request access to online information or functionality that is currently inaccessible shall be posted prominently in the district school(s).

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ADA Compliant Website

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Policy 6142.19

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Legal References

- NJSA 2A:38A-1 et seq. Computer System
18A:36-35 School Internet websites; disclosure of certain student information prohibited
- NJAC 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
17 U.S.C. 101 United States Copyright Law
47 U.S.C. 254(h) Children's Internet Protection Act
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
New Jersey Quality Single Accountability Continuum (NJQSAC)

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**Instructional Program
Curriculum Guides**

**Series 6000
Policy 6143**

Date Adopted: June 22, 2006

Date Revised

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The Chief School Administrator shall oversee development of curriculum guides for every course and area of study for every grade level. Each guide shall contain objectives for concepts and skills to be taught and attitudes to be developed; necessary study skills; suggested materials and activities designed to achieve all of these; and evaluation criteria intended to test the extent to which learning objectives have been met.

Teachers shall use the guides as the core of their instructional planning. It shall be the responsibility of the building principal to ensure that curriculum guides are being followed.

A copy of each guide in use shall be kept on file in each school office. Such guides shall be available for public inspection.

Because curriculum guides are the means of implementing instruction in courses adopted by the Board as the curriculum of the district, the Board shall approve any new curriculum guides or any revision to an existing guide before they are put into effect.

Legal References

- NJAC 6A:8-1.3 Definitions
- 6A:8-2.1 et seq. The Core Curriculum Content Standards
- 6A:8-3.1 et seq. Implementation of the Core Curriculum Content Standards
- 6A:8-5.1 Graduation requirements
- 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

- Manual for the Evaluation of Local School Districts
- New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

6122, 6140, 6141, 6142, 6142.2, 6147

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**Instructional Program
Lesson Plans**

**Series 6000
Policy 6143.1**

Date Adopted: January 18, 2007

Date Revised

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All teachers are required to maintain and use an updated curriculum guide for preparation of lesson plans for each subject taught. Lesson plans must include:

- Objective of the lesson unit;
- Materials;
- Outline of work to be accomplished / skill covered;
- Procedure / activities to be employed;
- Assignments for students – differentiated work;
- Evaluation procedures;
- Specific procedures;
- Specific reverence to New Jersey Core Curriculum content Standards and strands;
- Enrichment activities.

Lesson plans should be prepared in enough detail with enough clarity to enable a substitute teacher to carry on the program during the absence of a teacher.

When the teacher plans to use materials not included in the curriculum guide, he/she should list these materials in the lesson plan.

The Chief School Administrator or designee shall check lesson plans on a scheduled basis. This schedule shall be created and disseminated at the beginning of each school year. The need for individual remediation may warrant a revision of this schedule and will be so noted in writing to the affected staff members.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:8-2.1 et seq. The Core Curriculum Content Standards
6A:8-3.1 et seq. Implementation of the Core Curriculum Content Standards
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

4115, 4116, 4121, 6010, 6142, 6143

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**Instructional Program
Controversial Issues**

**Series 6000
Policy 6144**

Date Adopted: June 22, 2006

Date Revised

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Free discussion of controversial issues-political, economic, social-shall be encouraged in the classroom whenever appropriate for the level of the group.

Issues may be considered controversial which arouse strong reactions, based either on personal conviction or allegiance to a group. School treatment of controversial issues shall be designed to instruct pupils in fair and objective study techniques. The decision on whether a particular controversial issue shall become a matter for school study shall be based on the timelines of the question, the maturity and needs of the pupils and the purposes of the school. Classroom discussions on controversial questions that arise unexpectedly shall be the responsibility of the teacher, who shall provide relevant information on both sides of the question. Such discussions shall be kept free from the assumption that there is one correct answer that should emerge from the discussion and be taught authoritatively to the pupils.

Pupils shall be taught to recognize each other's right to form an opinion on controversial issues, and shall be assured of their own right to do so without jeopardizing their relationship with the teacher or the school.

The building principal shall have the authority to limit or suspend discussion of controversial issues pending a review if the issue/materials. Instructional materials not previously approved must be reviewed by the Principal before being introduced into the classroom.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:36-34 Written approval required prior to acquisition of certain survey information from students
18A:54-20 Powers of board (county vocational schools)

Pupil Protection Rights Amendment - 20 U.S.C. 1232h
Tenure Hearing of William Lee Johnson, Clearview Regional School District, 79 S.L.D. 267; 79 S.L.D. 273 aff'd with deletion of paragraph
Garcetti v. Ceballos 2006 U.S. LEXIS 4341(May 2006)

Possible Cross References

1312, 5145, 6141.2, 6145.3, 6161.1, 6161.2

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District Policy Manual

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Series 6000

Extracurricular Activities

Policy 6145

Date Adopted: January 18, 2007 Date Revised: August 27, 2014

January 27, 2016 , Sept. 28, 2016 Page 1 of 3

The Board believes that the educational goals and objectives of the district are best achieved by a diversity of learning experiences, some of which are more appropriately conducted outside the regular classroom program.

The purpose of extracurricular activities shall be:

- A. To develop useful new capabilities in pupils that can lead to extension of career opportunities;
- B. To develop pupil initiative and provide for the exercise of responsibility;
- C. To develop leadership capabilities and good organizational skills;
- D. To aid pupils in the social skills;
- E. To enable pupils to explore a wider range of individual interests than might be available in the regular program.

For purposes of this policy, “extracurricular activities” shall be those activities that are sponsored or approved by the Board but are not offered for credit toward graduation. Such activities may be conducted outside the regular school day, available to pupils who voluntarily elect to participate, marked by pupil participation in the processes of initiation, planning, organizing and execution and shall ordinarily include clubs and intramural and interscholastic sports.

Equal access to school facilities shall be granted to all activities that meet this definition. The Chief School Administrator shall prepare procedures to implement an extracurricular program that shall:

- A. Assess the needs and interests of the pupils of this district;
- B. Ensure the provision of competent guidance and supervision by staff;
- C. Guard against the exploitation of pupils;
- D. Provide for a variety of experiences and a diversity of organizational models;
- E. Provide for the continuing evaluation of the extracurricular program and staff;
- F. Ensure that all extracurricular activities are open to all eligible pupils and that all pupils are fully informed of the opportunities open to them.

The guidance goal for each pupil shall be a balanced program of appropriate academic studies and activities to be determined by the school, the parents/guardians and the pupil. Guidance is necessary to encourage non-participants, and to prevent the over-enthusiastic from emphasizing activities at the cost of their academic performance.

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Instructional Program
Extracurricular Activities

Series 6000
Policy 6145

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Only persons in the employ of the Board of Education shall be permitted to organize district pupils during the school day for purposes of instruction or coaching or for conducting games, events, or contests in physical education or athletics.

No activity shall be considered to be under the sponsorship of this Board unless it has been approved by the Board on recommendation of the Chief School Administrator. The Board must approve fund-raising activities of extracurricular groups.

All pupils in good behavior and academic standing shall have equal access to all extracurricular activities regardless of race, color, creed, religion, sex, national origin, ancestry, social or economic status, or non-applicable handicap.

Good Disciplinary Standing

A student having been suspended once during the current year may be removed from the activity for a period of time determined by the Student Code of Conduct and the Chief School Administrator in consultation with the Assistant Principal, with the advisor, and any other parties of interest. A student, who has been suspended more than once during the current year or has reoccurring discipline issues, may be denied additional eligibility for that year's activities.

Good Academic Standing

Students in grades 3-8 must maintain a "C" average overall in academic subjects and a "C" average overall in special subject areas in order to maintain good standing and have the ability to participate in co-curricular or extracurricular activities.

All students will be considered eligible at the start of the new school year through the end of the first trimester. With 1st trimester progress reports, only those students in danger of becoming ineligible will receive a warning notice.

Continued eligibility to participate in co-curricular or extracurricular activities will be determined by Progress Reports and Report Cards only.

Attendance

Participation in an activity may be suspended for a period of time due to poor attendance. Decisions shall be made based on the best interest of the student's academic performance after consultation with the Assistant Principal, teachers, Chief School Administrator, activity advisor, pupil and his/her parents/guardians.

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Extracurricular Activities**

**Series 6000
Policy 6145**

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Implementation

The Chief School Administrator shall develop regulations to ensure equitable implementation of this policy. Care shall be taken to ensure that all extra-curricular programs and their operation comply with district affirmative action requirements.

Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:11-3 Voluntary associations regulating conduct of student activities;
membership; rules and regulations; appeals
18A:19-14 Funds derived from student activities
18A:35-20 Participation in courses in which verbalization unessential to
understanding of subject matter; location of and children in bilingual programs
18A:42-5, -6 Certain student organizations declared harmful
34:13A-1 et seq. New Jersey Employer-Employee Relations
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:8-3.2 Career education and counseling
6A:9-5.19 Athletics personnel
6A:16-2.2 Required health services
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-9.1 et seq. Athletics Procedures
6A:32-14.1 Review of mandated programs and services
- NJSIAA Constitution, Bylaws, Rules and Regulations

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Series 6000

Intramural Competition:

Interscholastic Competition

Policy 6145.1/6145.2

Date Adopted: January 18, 2007

Date Revised: January 25, 2012

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The Board considers all competitive extracurricular activities (academic, artistic, and athletic) an integral part of the total educational program. Competitive activities shall be under the same administration and control as the rest of the school program and closely articulated with it.

Competitive activities can provide pupils with valuable experiences and opportunities. In this District, the emphasis in any competition (intramural or interscholastic) shall be providing such experiences and opportunities rather than on producing winning teams or providing entertainment. Practice for or performance in any competitive event shall not interfere with the regular educational program.

The Board shall approve all proposed interscholastic competition, either as a schedule or as a didactic event, whichever is appropriate. The Board must approve membership in any leagues, associations and conferences.

The Board shall appoint coaches, advisors, physicians and other necessary supervisory personnel upon recommendation of the Chief School Administrator. The Chief School Administrator shall also ensure that all physical facilities involved in any competition in which the District School takes part shall be adequate, safe and sanitary.

Public recognition shall be given to participants in academic or artistic competitions in the same measure as to athletic competitors.

Parent Consent

No pupil may participate in an school-sponsored physical activity outside the regular physical education curriculum without a signed form from a parent/guardian naming the activity and acknowledging that the activity may be hazardous.

Attendance Standards

Attendance standards shall be those set in Policy 5113 – Absences and Excuses. In particular, a pupil shall not participate in a performance, exhibition, practice or athletic event unless he/she has been present in school that day or has been absent for an excused reason other than for sickness.

Disciplinary Standards

Disciplinary standards are based on Board Policy 5114.3 – Discipline & Punishment and 5114 – Suspension/Expulsion. Pupils on disciplinary probation or serving a detention or suspension may not practice, perform or compete. An administrator shall decide at the end of a probation or suspension whether the pupil may return to practice, performance or completion.

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Intramural Competition:

Interscholastic Competition

Policy 6145.1/6145.2

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Special Education Pupils

To participate, Special Education pupils must meet the same requirements listed above in conformity with I.E.P's.

Physical Eligibility

All pupils in grades 3 through 8 participating in intramural or interscholastic athletics must be given a medical examination prior to the first practice session of the first sport participated in for the year in which participation will take place. The medical examination shall be conducted by the student's medical home and reviewed by the School Physician, which will include a recommendation for participation.

The Chief School Administrator shall present to the Board for adoption, procedures for the administration of required medical examinations. The procedures for medical examinations to determine the fitness of pupils to participate in athletics shall include a form for a medical history to be completed and returned by the parent/guardian and a form to be completed by the examining physician.

The medical examination to determine the fitness of pupils to participate in athletics shall include, as a minimum, the following:

- A. A medical history questionnaire, completed by the parent/guardian of the pupil, to determine if the pupil:
 1. Has been medically advised not to participate in any sport and the reason(s) for such advice;
 2. Is under a physician's care and the reason(s) for such care;
 3. Has experienced loss of consciousness after an injury;
 4. Has experienced a fracture or dislocation;
 5. Has undergone any surgery;
 6. Takes any medication on a regular basis, the names of such medication and the reason(s) for such medication;
 7. Has allergies including hives, asthma and reaction to bee stings;
 8. Has experienced frequent chest pains or palpitations;
 9. Has a recent history of fatigue and undue tiredness;
 10. Has a history of fainting with exercise;
 11. Has a history of family members dying suddenly.
- B. A physical examination that shall include, as a minimum, no less than the following:
 1. Measurement of weight, height and blood pressure;
 2. Examination of the skin to determine the presence of infection, scars of previous surgery or trauma, jaundice and purpura;

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3. Examination of the eyes to determine visual acuity, use of eyeglasses or contact lenses, and examination of the sclera for the presence of jaundice;
4. Examination of the ears to determine the presence of acute or chronic infection, perforation of the eardrum and gross hearing loss;
5. Examination of the nose to assess the presence of deformity that may affect endurance;
6. Assessment of the neck to determine range of motion and the presence of pain associate with such motion;
7. Examination of chest contour;
8. Auscultation and percussion of the lungs;
9. Assessment of the heart with attention to the presence of murmurs, noting rhythm and rate before and after exercise;
10. Assessment of the abdomen with attention to possible presence of hepatomegaly, splenomegaly, or abnormal masses;
11. Assessment of the back to determine range of motion and abnormal curvature of the spine;
12. Examination of extremities to determine abnormal mobility or immobility, deformity, instability, muscle weakness or atrophy, surgical scars and varicosities;
13. Examination of the testes to determine the presence and descent of both testes, abnormal masses or configuration, or hernia;
14. Assessment of physiological maturation;
15. Neurological examination to assess balance and coordination and the presence of abnormal reflexes.

Insurance

The Board will cover each participant in interscholastic or intramural activities with insurance recommended by the current insurance carrier and approved by the Board of Education. Parents/guardians shall be encouraged to participate in the supplemental pupil accident insurance offered by the Board.

Pamphlet on Sudden Cardiac Arrest

In accordance with the provisions of NJSA 18A:40-41, once each school year, the Chief School Administrator/designee shall distribute to parents/guardians of students participating in school sports, the New Jersey Department of Education's pamphlet on sudden cardiac death. The pamphlet includes a description of early warning signs and privately available screening options.

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Good Sportsmanship

The Board of Education believes that instilling habits of good sportsmanship should be one of the primary goals of athletic endeavors and that all district employees should model good behaviors in this area.

It is especially important that the athletic director and coaches accept the responsibility for encouraging young athletes to handle themselves in a sportsmanlike way and be models of self-control and dignity for players and spectators. Coaches/advisors shall include discussions on courtesy and sportsmanlike behavior as part of pre-game activities. Student fans shall be reminded that their conduct reflects on the schools of this district and that poor sportsmanship will be disciplined.

Parents/guardians and other adult spectators shall also be encouraged to act as models for young people by demonstrating self-control and dignity at all athletic events.

Unsportsmanlike behavior as exhibited through verbal abuse, rude gestures, taunts, obscenities, thrown objects, etc., shall not be tolerated in students, staff or any persons in attendance at district athletic competitions. Discipline may include, but not be limited to, eviction from the competition and prevention from attending further competitions.

Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
- 18A:11-3 Voluntary associations regulating conduct of student activities; membership; rules and regulations; appeals
- 18A:19-14 Funds derived from student activities
- 18A:35-20 Participation in courses in which verbalization unessential to understanding of subject matter; location of and children in bilingual programs
- 18A:42-5, -6 Certain student organizations declared harmful
- 34:13A-1 et seq. New Jersey Employer-Employee Relations
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
- 6A:8-3.2 Career education and counseling
- 6A:9-5.19 Athletics personnel
- 6A:16-2.2 Required health services
- 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 6A:32-9.1 et seq. Athletics Procedures
- 6A:32-14.1 Review of mandated programs and services
- 20 U.S.C.A. 4071-4074 - Equal Access Act
- 20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
- Krupp v. Bd. of Ed. of Union County Reg. H.S. Dist. #1, 278 N.J. Super. 31 (App. Div. 1994) cert. den. 140 N.J. 277 (1994)
- Good News Club v. Milford Central School, 121 U.S. 2093 (2001)
- NJSIAA Constitution, Bylaws, Rules and Regulations

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**Instructional Program
Student Publications**

**Series 6000
Policy 6145.3**

Date Adopted: June 22, 2006

Date Revised

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The Board of Education sponsors pupil publications as important elements of the instructional program. Pupils are encouraged to develop skills of written and verbal communication and to exercise the right to express their opinions freely and responsibly.

The rights of free speech, and free expression of pupils in public school pursuant to the First Amendment of the Constitution of the United States of America, are not automatically coextensive with the rights of adults in other settings and shall be applied in light of the special characteristics of the school environment. The Board of Education reserves the right to exercise pre-publication control over school-sponsored publications through administrative staff and faculty. Pupils shall have the right to appeal the exercise of censorship by school district staff to the Board of Education.

Pupil expression may be restricted if it can be determined that such expression is inconsistent with the basic educational mission of the school district and when censorship action is reasonable related to legitimate educational concerns.

Pupils who violate this policy by expression, publication or distribution of any materials which are biased or prejudiced, vulgar or profane, unsuitable for immature audiences, or which do not meet the school districts high standards of learning and propriety consistent with its educational goals and objectives may be subject to appropriate discipline.

This policy shall be implemented in accordance with regulations to be developed by the Chief School Administrator. The regulations shall:

- A. Identify school district staff responsible for pupil publications;
- B. Establish procedures for publication review which will include consideration by the faculty of the maturity levels of students and of appropriate standards of journalistic taste; and
- C. Specify procedures for appeal by pupils to the Board of Education with provisions for prompt decisions to be made at each level.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:17-20 Superintendent; general powers and duties
18A:36-35 School internet web sites; disclosure of certain student information prohibited
18A:54-20 Powers of board (county vocational schools)

Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)
Desilets v. Clearview Regional Board of Education, 137 N.J. 585 (1994)

Possible Cross References

1110, 1111, 1111.2

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Series 6000

Sports-Related Concussions & Head Injuries

Policy 6145.4

Date Adopted: January 25, 2012

Date Revised

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The Board of Education recognizes that head injuries pose a serious health risk to the students of this district and in particular to student athletes who participate in Interscholastic Athletics.

General Statements

A concussion is caused by a blow or motion to the head or body that disrupts the normal functioning of the brain and can cause significant and sustained neuropsychological impairment, including, but limited to problem solving planning, memory and behavioral problems.

In order to ensure the safety of student athletes, it is imperative that athletes, coaches and parents/guardians are education about the nature and treatment of concussions and other sports-related brain injuries and that all measures are taken to prevent a student athlete from experiencing second-impact syndrome.

In response to this serious health and safety issue, the Commissioner of Education shall annually distribute a brain injury fact sheet to this school district and copies of this fact sheet shall be distributed annually by this district to all student athletes, parents/guardians of student athletes, coaches, athletic directors, school nurses and athletic trainers. The student athlete and his/her parents/guardians both must sign an acknowledgement form indicating the receipt of this fact sheet and that they have read and understood the information provided in it. The district shall keep all such acknowledgements on file for future reference.

Failure to return the signed fact sheet shall disqualify the student athlete from any participation until such time as the signed acknowledgement has been received by the administration.

Any student athlete who sustains or is suspected of have sustained a concussion or other brain injury while engaged in a sports competition or practice shall be immediately removed from the sports competition or practice. A student athlete who is removed from competition or practice shall not participate in further sports activity until he/she is evaluated by a physician trained in the evaluation and management of concussions and received written clearance from the physician to return to competition or practice and provides a written copy of the physician's clearance to the district administration.

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Regulations / Procedures

Any student athlete who sustains or is suspected of have sustained a concussion or other brain injury while engaged in a sports competition or practice shall be immediately removed from the sports competition or practice. A student athlete who is removed from competition or practice shall not participate in further sports activity until he/she is evaluated by a physician trained in the evaluation and management of concussions and received written clearance from the physician to return to competition or practice and provides a written copy of the physician's clearance to the district administration. All coaches, assistant coaches, school nurses, school / team physicians , athletic directors and licensed athletic trainers must complete an Interscholastic Head Injury Training Program.

The Athletic Head Injury Training Program must include, but not be limited to:

- The recognition of the symptoms of head and neck injuries, concussions, risk of secondary injury, including the risk of second impact syndrome; and,
- Description of the appropriate criteria to delay the return to sports competition or practice of a student –athlete who has sustained a concussion or other head injury.

An Athletic Head Injury Training program such as the National Federation of State High Schools Association online “Concussion in Sports” training program or a comparable program that meets mandated criteria shall be completed by the above named staff. Additional head injury training programs that meet the mandated criteria may be completed by professionals of different levels of medical knowledge and training.

General Information Regarding Sports-Related Concussions & Head Injuries

Prevention

1. Pre-season baseline testing of student athletes.
2. Review of educational information for student athletes on prevention of concussions.
3. Reinforcement of the importance of early identification and treatment of concussions to improve recovery.

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Student athletes who are exhibiting the signs or symptoms of a sports-related concussion or other head injuries during practice or competition shall be immediately removed from play and may not return to play that day.

Possible Signs of Concussion

1. Appears dazed, stunned, or disoriented.
2. Forgets plays, or demonstrates short-term memory difficulty.
3. Exhibits difficulties with balance or coordination.
4. Answers questions slowly or inaccurately.
5. Loses consciousness.

Possible Symptoms of Concussion

1. Headache
2. Nausea/Vomiting
3. Balance problems or dizziness.
4. Double vision or changes in vision.
5. Sensitivity to light or sound/noise.
6. Feeling sluggish or foggy.
7. Difficulty with concentration and short term memory.
8. Sleep disturbance.
9. Irritability

Student athletes must be evaluated by a physician or licensed health care provider trained in the evaluation and management of concussion to determine the presence or absence of a sports-related concussion or head injuries.

To return to practice and competition the student athlete must follow the protocol:

1. Immediate removal from competition or practice. 911 should be called if there is a deterioration of symptoms, loss of consciousness, or direct neck pain associated with the injury.
2. When available the student athlete should be evaluated by the school's licensed healthcare provider who is trained in the evaluation and management of concussions.

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3. School personnel (Athletic Director/Building Administrator, Licensed Athletic Trainer, School Nurse, Coach, etc.) should make contact with the student athlete's parent/guardian and inform him/her of the suspected sports-related concussion or head injury.
4. School personnel coaches, assistant coaches, school nurses, school / team physicians, athletic directors and licensed athletic trainers, building administrators etc.) shall provide the student athlete with Board of Education approved suggestions for management/ medical checklist to provide their parent/guardian and physician or other licensed healthcare professional trained in the evaluation and management of sports related concussions and other head injuries.
5. The student athlete must receive written clearance from a physician, trained in the evaluation and management of concussions that states the student athlete is asymptomatic at rest and may begin the local districts' graduated return-to-play protocol. Medical clearance that is inconsistent with district, policy may not be accepted and such matters will be referred to the school/team physician.

Graduated Return to Competition & Practice Protocol

1. Complete physical, cognitive, emotional, and social rest is advised while the student athlete is experiencing symptoms and signs of a sports-related concussion or other head injury. (Minimize mental exertion, limiting overstimulation, multi-tasking etc.)
2. After written medical clearance is given by a physician trained in the evaluation and management of concussions stating that the student athlete is asymptomatic at rest, the student athlete may begin a graduated individualized return-to-play protocol supervised by a licensed athletic trainer, school/team physician or in cases where the afore mentioned are not available a physician or licensed health care provider trained in the evaluation and management of sports-related concussions. The following steps should be followed:
 - A. Completion of a full day of normal cognitive activities (school day, studying for tests, watching practice, interacting with peers) without re-emergence of any signs or symptoms. If no return of symptoms, next day advance to:

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- B. Light aerobic exercise, which includes walking, swimming, or stationary cycling, keeping the intensity < 70% maximum percentage heart rate: no resistance training. The objective of this step is increased heart rate. If no return of symptoms, next day advance to:
- C. Sport-specific exercise including skating, and/or running; no head impact activities. The objective of this step is to add movement and continue to increase heart rate. If no return of symptoms, next day advance to:
- D. Non-contact training drills (e.g., passing drills). The student athlete may initiate progressive resistance training. If no return of symptoms, next day advance to:
- E. Following medical clearance (consultation between school health care personnel, i.e., licensed athletic trainer, school / team physician, school nurse and student athlete's physician), participation in normal training activities. The objective of this step is to restore confidence and to assess functional skills by the coaching staff. If no return of symptoms, next day advance to the return to play involving normal exertion or game activity.
 - In the absence of daily testing by knowledgeable school district staff (i.e. licensed athletic trainer, school / team physician) to clear a student athlete to begin the graduated return-to-play protocol a student –athlete should observe a 7 day rest/recovery period before commencing the protocol. Younger students (K-8) should observe the 7-day rest/recovery period (after they are symptom free at rest) prior to initiating the graduated-return-to play protocol. A physician trained in the evaluation and management of concussion as well as the parents/guardians of the student athlete shall monitor the student athlete in the absence of knowledgeable school district staff (i.e., athletic trainer, school / team physician). School nurses may serve as an advocate for student athletes in communicating signs and symptoms to physicians and parents/guardians.
 - Utilization of available tools such as symptom checklists, baseline and balance testing are suggested.

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- If the student athlete exhibits a re-emergence of any concussion signs or symptoms once they return to physical activity, he/she will be removed from further exertional activities and returned to his/her school/team physician or primary care physician.
- If concussion symptoms reoccur during the graduated return-to-play protocol, the student athlete will return to the previous level of activity that caused no symptoms.

Temporary Accommodations for Student athletes with Sports-Related Head Injuries

1. Rest is the best “medicine” for healing concussions or other head injuries. The concussed brain is affected in many functional aspects as a result of the injury. Memory, attention span, concentration and speed of processing significantly impacts learning. Further, exposing the concussed student athlete to the stimulating school environment may delay the resolution of symptoms needed for recovery.
2. Accordingly, consideration of the cognitive effects in returning to the classroom is also an important part of the treatment of sports-related concussions and head injuries.
3. Mental exertion increases the symptoms from concussions and affects recovery. To recover, cognitive rest is just as important as physical rest. Reading, studying, computer usage, testing, texting – even watching movies if a student is sensitive to light/sound – can slow a student's recovery. In accordance with the Centers for Disease Control's toolkit on managing concussions boards of education may look to address the student's cognitive needs in the following ways.
4. Students who return to school after a concussion may need to:
 - Take rest breaks as needed.
 - Spend fewer hours at school.
 - Be given more time to take tests or complete assignments. (All courses should be considered)
 - Receive help with schoolwork.
 - Reduce time spent on the computer, reading, and writing.
 - Be granted early dismissal to avoid crowded hallways.

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Legal References

- NJSA 18A:11-3 Voluntary associations regulating conduct of student activities; membership; rules and regulations; appeals
18A:19-14 Funds derived from student activities
18A:35-20 Participation in courses in which verbalization unessential to understanding of subject matter; location of and children in bilingual programs
18A: 40-41.2 et seq Student Athlete brain injuries
18A:42-5, -6 Certain student organizations declared harmful
34:13A-1 et seq. New Jersey Employer-Employee Relations
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:8-3.2 Career education and counseling
6A:9-5.19 Athletics personnel
6A:16-2.2 Required health services
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-9.1 et seq. Athletics Procedures
6A:32-14.1 Review of mandated programs and services
- 20 U.S.C.A. 4071-4074 - Equal Access Act
20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
Krupp v. Bd. of Ed. of Union County Reg. H.S. Dist. #1, 278 N.J. Super. 31 (App. Div. 1994)
Good News Club v. Milford Central School, 121 U.S. 2093 (2001)
NJSIAA Constitution, Bylaws, Rules and Regulations

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**Instructional Program
School Dances**

**Series 6000
Policy 6145.7**

**Date Adopted: June 22, 2006 Date Revised: June 27, 2012,
July 24, 2013**

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School dances are not open to the public and attendance at a dance is a privilege; not a right.

Permission slips are required for all students attending any school related dance, including those sponsored by a school activity group, PTO, 8th grade parents group, or any other related group.

- Due dates for return of the permission slip shall be final. In the case of an emergency school closing (i.e. snow day, or other similar circumstance) when school is not in session on the due date, permission slips are due on the next scheduled school day.
- Since a dance is considered an extra-curricular school activity, students who are on the Ineligible List for academic or disciplinary reasons will not be permitted to attend a dance while they are on the list. This includes the 8th grade dance.
- Dance attendance will be restricted to DTS students.
- The eighth grade dance shall be restricted to Deerfield Township School eighth grade students only. This includes any Deerfield Township School students who attend other schools based on individual educational needs, yet are the educational responsibility of the Deerfield Township School system. These students must also meet all requirements as stated in this policy to attend the eighth grade dance.
- A list of chaperones will be required to be submitted at least 1 week prior to the scheduled dance by the sponsoring group and reviewed by the Chief School Administrator.
- A list of vendors or service people will be required to be submitted at least 1 week prior to the scheduled dance by the sponsoring group. Any changes must be submitted in writing to the Chief School Administrator.

As with any school activity, all school rules and regulations are in effect. Students who attend a must be in school on the date of the activity, or, if a holiday, the day prior to the holiday unless absence is due to extraordinary circumstances. In this case a written request to attend must be made by the student's parent/guardian to the Chief School Administrator.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)

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Graduation Requirements

Policy 6146

Date Adopted: September 21, 2006 **Date Revised**

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In order to be graduated from the elementary district, and receive a state-endorsed, Board of Education diploma, a pupil must:

- A. Meet both state and district proficiency standards in language arts literacy and mathematics;
- B. Complete successfully the course requirements stated in the administrative code, unless those of the district are greater, in which case the district's standard must be met. The proficiencies required must include the proficiencies stated in the New Jersey Core Curriculum Content Standards.

Successful completion means that the pupil has demonstrated the degree of proficiency required by the district to indicate achievement of the district goals for the particular course, and has attended the required number of course sessions.

Transfer pupils must meet all state and local requirements in order to receive an elementary school diploma.

The Chief School Administrator shall put into effect the procedures necessary to assess each pupil upon entry into the system, and, annually thereafter, to identify those pupils not meeting the state or district proficiency requirements in reading, writing and mathematics. He/she shall develop the programs necessary to remedy these deficiencies at the lowest possible grade level.

Pupils with Limited English Proficiency

Pupils with limited English proficiency must be provided with the program opportunities required by law, and must fulfill the regular state and district requirements for graduation.

Special Education Pupils

A disabled pupil must meet all state and local graduation requirements in order to receive a diploma unless exempted in his/her IEP with the written approval of the Chief School Administrator.

By June 30th of a disabled pupils' last year in the elementary program, the pupils case manager, parent/guardian and teacher(s) shall meet to review the instructional guide and basic plan of the pupils IEP in view of the transition to the secondary program. Input by appropriate staff from the secondary school shall be part of the review.

The basic plan of the IEP for the pupil exiting the elementary program will address all the elements required in the administrative code. The description of the educational program will include exemptions, if any, from regular education program options or state and local graduation requirements including HSPA, along with the rationale for the exemptions.

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Legal References

NJSA 18A:4-24 Determining efficiency of schools; report to state board
18A:7C-2 Boards of education; establishment of standards
18A:35-4.9 Pupil promotion and remediation; policies and procedures

NJAC 6A:8-4.1 Statewide assessment system
6A:8-4.2 Documentation of student achievement
6A:8-5.1 Graduation requirements
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible Cross References

5113, 5120, 5124, 6142, 6142.2, 6143, 6145, 6146, 6146.2, 6147, 6171.1, 6171.3

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Series 6000

Promotion / Retention Standards of Proficiency

Policy 6146.2

Date Adopted: January 18, 2007 Date Revised: September 23, 2015

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It shall be the policy of the Board of Education that after consultation with the staff as legislated in NJAC 6A:8-4.1, the following practices shall be followed concerning student promotion or retention:

Philosophy:

It is recognized that the educational system shall attempt to foster a program that will meet the individual academic needs of each student while providing for the mastery of certain basic skills and knowledge.

It is recognized that each individual student poses a unique educational challenge and that, while certain basic skills and knowledge need to be mastered by all students, a difference in achievement and level of proficiency above the basic skills and knowledge is to be expected.

It is recognized that research indicates that fewer than twenty percent of the students who are retained in a grade progress better academically as a result of the second exposure to the grade or material.

It is recognized that any decision concerning the promotion or retention of any individual student should be made considering academic progress as well as attitude, past retentions, attendance, ability, social situation, age, parental attitude and any other factors which are known and which might have bearing on the future academic progress of the student.

It is recognized that the success of a student is enhanced by close and continuous home/school contact, especially in those cases where a student may be experiencing academic difficulties. The Board of Education exhorts the staff to make a maximum effort to facilitate this philosophy in such cases.

It is recognized that all consideration of promotion or retention must be made in consideration of district goals and objectives as developed under the Thorough and Efficient Legislation and adopted by the Board of Education as noted in NJAC 6A:8-4.2.

Retention

Within the general philosophy of this policy and recognizing that each individual student's case must be decided upon on the basis of what will be the best possible educational placement for that individual student, retention policies shall be:

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Kindergarten

Kindergarten children may be retained on the basis of the following guidelines:

- A. Immaturity
- B. Has not progressed satisfactorily in reading readiness and math
- C. Cannot work well independently or needs constant supervision
- D. Cannot accept responsibility

Grades One and Two

Students in grades one and two may be retained on the basis of the following guidelines:

- A. Failing in two or more major subjects
- B. Poor attendance – generally thirty days of absence
- C. Consistently working below achievement level
- D. Deficient in basic skills such as reading and/or mathematics to the extent that promotion would be detrimental to the continued academic success of the pupil.

Grades Three through Six

Students in grades three through six may be retained, on the basis of the following guidelines:

- A. Failing in two or more major subjects
- B. Poor attendance – generally thirty days of absence
- C. Consistently working below achievement level
- D. Deficient in basic skills such as reading, mathematics and/or language

Grades Seven and Eight

Students in grades seven and eight may be retained on the basis of the following guidelines:

- A. Failing in two or more major subjects
- B. Poor attendance – generally thirty days of absence
- C. Consistently working below achievement level

In the cases of possible non-promotion, a “Possible Retention” letter should be sent to the parents/guardians no later than at the end of the second marking period. Efforts should be made to schedule a conference to discuss the student’s academic situation at that time.

When non-promotion appears to be probable, a “Probable Retention” letter should be sent by the Chief School Administrator to the parents no later than May 1st of the school year. Efforts should be made to schedule a conference to discuss the student’s academic situation at that time.

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In all cases of possible non-promotion, a clearly documented record of warning notices, record cards and teacher/home contacts should be available for review.

A parent/teacher conference should be held after the consultation and review of a non-promotion student by the teacher (s) and the Assistant Principal.

Although consensus agreement of teacher(s), parent, Assistant Principal and Chief School Administrator is desirable and should be the aim of every case of non-promotion, the final responsibility for the best assignment for each individual student must rest with the Chief School Administrator after consultation with other professional staff members.

Summer School

In the event a student is eligible for retention, upon approval of the Chief School Administrator, a state-approved summer school program or an appropriate course of study delivered by a properly certified teacher may be undertaken by a student in order to satisfy the requirements of the failed course(s).

Guidelines for an approved course of study are as follows:

- A. A student must demonstrate proficiency (75% or better) on all major topics/units of the course as measured by tests, quizzes, class work and homework given.
- B. A time line of at least one (1) hour per day for (6) weeks or its equivalent (30 hours) spent in instruction. A log of same will be required to be submitted to the Chief School Administrator.
- C. A final test, taken under the supervision of the Chief School Administrator or his/her designee, must be given.

Grading System

Formal reporting of student progress shall occur a minimum of three times during a school year. Formal reporting shall take the form of report cards at the end of each of the three marking periods.

The grading systems to be used for academic and special areas shall be:

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Grades K through 2:

- X Not Assessed at the Time
- 1 Needs Support
The student demonstrates a limited understanding of the concept or skill.
Tasks cannot be completed without teacher support.
- 2 Approaching Standard
The student is working toward competency in the concept or skill with teacher assistance. Further practice and use of this skill or concept is needed.
- 3 Achieves Standard
The student consistently demonstrates understanding and application of a concept.

Grades 3 through 8 - Academic & Special Areas: A, B, C, D, F

Key to Grades

- A = 100 – 93
- B = 92 - 85
- C = 84 - 76
- D = 75 - 70
- F = 69 and Below

Final letter grades shall be determined on the basis of an arithmetical averaging of each marking period's numerical grade as recorded in the teachers' record books.

Special Areas subjects are Library, Computers, Music, Art, Physical Education and Spanish.

Legal References

- NJSA 18A:4-24 Determining efficiency of schools; report to state board
- 18A:7C-2 Boards of education; establishment of standards
- 18A:35-4.9 Pupil promotion and remediation; policies and procedures
- NJAC 6A:8-4.1 Statewide assessment system
- 6A:8-4.2 Documentation of student achievement
- 6A:8-5.1 Graduation requirements
- 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 6A:32-14.1 Review of mandated programs and services
- Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851
- No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
- New Jersey Quality Single Accountability Continuum (NJQSAC)

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**Instructional Program
Promotion / Retention**

**Series 6000
Policy 6146.3**

Date Adopted: July 27, 2006

Date Revised

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The Board recognizes that personal, social, physical and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

The Chief School Administrator shall direct development of and the Board shall adopt detailed regulations to govern progress of pupils through levels K-8. The regulations shall include, but not be limited to:

- A. Standards of proficiency related to district goals and objectives;
- B. Standards of attendance, and provision for review of mastery;
- C. Timely efforts to help all pupils achieve acceptable levels of proficiency;
- D. Timely notification of parents/guardians when there is a possibility of failure;
- E. Procedures for involving parents/guardians in the design of the remedial program.

Parents/guardians will be notified whenever exceptions are contemplated in a pupil's normal progression from level to level. The final decision in all cases will rest with school authorities.

Legal References

NJSA 18A:4-24 Determining efficiency of schools; report to state board
18A:7C-2 Boards of education; establishment of standards
18A:35-4.9 Pupil promotion and remediation; policies and procedures

NJAC 6A:8-4.1 Statewide assessment system
6A:8-4.2 Documentation of student achievement
6A:8-5.1 Graduation requirements
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
New Jersey Quality Single Accountability Continuum (NJQSAC)

Deerfield Township Board of Education District Policy Manual

**Instructional Program
Standards Of Proficiency**

**Series 6000
Policy 6147**

Date Adopted: July 27, 2006

Date Revised

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The Chief School Administrator, in consultation with teaching staff, shall develop criteria for evaluation, indicators of achievement of the criteria, and acceptable standards of achievement for all grade levels, courses and programs offered by the district. The criteria, indicators and standards must be related to district goals and objectives. Parents/guardians shall be informed in a timely manner whenever their child appears in danger of failing to meet required proficiency levels. Parents/guardians shall be strongly encouraged to participate in designing remedial plans for their children.

These standards of proficiency shall include but not be limited to the New Jersey Core Curriculum Content Standards identified by the State Department of Education and shall form the basis for the district's grading system.

By the date required by law, the Chief School Administrator shall annually report to the Board and the community at a regularly scheduled meeting an evaluation of pupil achievement toward meeting district and school goals and objectives.

Legal References

- NJSA 18A:7C-2 Boards of education; establishment of standards
18A:7E-2 through -5 School report card program
18A:7F-4 Periodic review of core curriculum content standard by state board; establishment of thoroughness and efficiency standards and cost per pupil
18A:7F-29 Academic achievement reward program
18A:35-4.9 Pupil promotion and remediation; policies and procedures
- NJAC 6A:8-1.1 et seq. Standards and Assessment
6A:10A-1.1 et seq. Improving Standard-Driven Instruction and Literacy and Increasing Efficiency In Abbott School Districts
6A:14-4.11 Statewide assessment
6A:15-1.1 et seq. Bilingual Education
6A:23-8.3 Commissioner to ensure achievement of the Core Curriculum Content Standards
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 et seq. Annual Reporting and Planning Requirement
6A:32-13.1 et seq. Student Behavior
6A:32-14.1 et seq. State and Federally Mandated Programs and Services
Abbott v. Burke, 149 N.J. 145 (1997) (Abbott IV)
Abbott v. Burke, 153 N.J. 480 (1998) (Abbott V)
Abbott v. Burke, 163 N.J. 95 (2000) (Abbott VI)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible Cross References

1120, 5113, 5120.1, 5121, 5123, 5124, 5125, 6000, 6140, 6141, 6146, 6171.1, 6171.3, 6300

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District Policy Manual

Instructional Program

Series 6000

Evaluation Of Individual Student Progress

Policy 6147.1

Date Adopted: January 18, 2007 Date Revised: June 22, 2017

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The Chief School Administrator, in consultation with the teaching staff and the Assistant Principal, shall develop a grading system to be used uniformly in the same grade level throughout the schools. The system should be clear, easily understood by parents/guardians and pupils, and able to be applied with consistency of interpretation. Evaluation and grading symbols shall be intended to appraise the pupil's progress toward established goals, and shall be a factor in promotion/graduation decisions.

The Board of Education encourages the certified staff, under the direction of the Chief School Administrator, to employ a comprehensive approach and monitor pupil progress. This may include recognized standardized/state tests, written and oral work, projects and tests, teacher observation and parent/guardian interviews..

The Chief School Administrator shall have the right to review disputed grades to adjust them.

Testing / State Required Assessments

The district testing program shall embody at least the tests required by state law and may supplement with others to assess the following:

- A. Improve the instructional program to assist pupils in achieving the New Jersey Core Curriculum Content Standards;
- B. Measure the needs and progress of individual pupils;
- C. Measure the achievement of grade levels;
- D. Allow comparison of district pupils with national or other norms;
- E. Aid in evaluation of programs.

The administration shall continually scrutinize the applicability and effectiveness of tests being used in the district.

In 2010, the New Jersey State Board of Education joined with forty-two (42) other states and adopted the Common Core State Standards (CCCS) as those academic standards to meet the requirements of the No Child Left Behind Act of 2001 (NCLB) and the related federal requirements to establish and report educational outcomes for all grade levels and for graduation from high school. In addition, New Jersey has also adopted the Partnership for Assessment of Readiness for College and Careers (PARCC) as the state assessment for meeting the annual progress targets for grade levels three through eight (3 – 8) and for high school graduation.

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In order to meet the goal of delivering the best program for the students of the district, the Board of Education must ensure that the district receives all funding that is due to it through state and federal sources. Accordingly, federal funding of key education programs depends on meeting the requirement of at least ninety-five percent (95%) participation of students in each subgroup as identified by NCLB. The Board recognizes that unless 95% of the affected students participate in state required assessments, federal or state aid may be adversely affected.

In addition, NJSA 18A:7C-1 requires the Commissioner of Education (Commissioner), with approval of the State Board of Education, to establish a program of standards for graduation from secondary school, and such a program shall include, “the development of a Statewide assessment test in reading, writing, and computational skills to be administered to all secondary school pupils...”

In accordance with the provisions of NJAC. 6A:8-4.1(a) and (b) provides, “the Commissioner...may implement assessment of student achievement in the State’s public schools in any grade(s) and by such assessments as he or she deems appropriate,” and the Commissioner “...shall define the scope and level of student performance on Statewide assessments that demonstrate thorough understanding of the knowledge and skills delineated by the Core Curriculum Content Standards (CCCS) at grade levels three through 12.” Subsection (c) further states that the district Board of Education “shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments,” and subsection (d) confirms that “all students at grade levels three through 12, and at any other grade(s) designated by the Commissioner...shall take appropriate Statewide assessments as scheduled.”

Furthermore, in February, 2014, the State Board passed a resolution confirming that the district Board of Education are obligated to implement the CCCS and to “ensure students meet the expectations and proficiency standards as measured by current and future State and local assessments.”

In accordance with the above, State law and regulations require all students to take State assessments. For the 2014-2015 school year, the PARCC assessment will replace the prior statewide assessments - the NJASK in grades 3-8 and HSPA in high school; as such, all students shall take the PARCC assessment as scheduled. Since the PARCC assessment is part of the State required educational program, the district schools are not required to provide an alternative educational program for students who do not participate in the statewide assessment. There are no provisions for students or their parents/guardians to “opt-out” of any state-mandated assessments.

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Throughout a student's educational career, the PARCC assessments will provide parents with important information about their child's progress toward meeting the goal of being college or career ready. The PARCC assessments will, for the first time, provide detailed diagnostic information about each individual student's performance that educators, parents and students can utilize to enhance foundational knowledge and student achievement. PARCC assessments will include item analysis, which will clarify a student's level of knowledge and understanding of a particular subject or area of a subject.

The data derived from the assessment will be utilized by teachers and administrators to pinpoint areas of difficulty and customize instruction accordingly. Such data can be accessed and utilized as a student progresses to successive school levels.

Regulation

The Board of Education and the administration strongly encourage student participation in PARCC.

However, the Board of Education recognizes that some families may have questions and concerns about these assessments, and the following regulation shall be followed by throughout the district:

1. Parents/Guardians who choose to disallow participation, must submit a written statement to the building principal prior to the actual dates of testing, documenting their intention to have their child not participate in PARCC;
2. Students whose parents/guardians have submitted a written statement disallowing participation in PARCC are expected to come to school on the days of testing, where they will be marked present. They will be provided an alternate schedule and attend classes as they would during the school day. In addition, an appropriate alternative assignment may be instituted regarding the student's work during said time.
3. A student who does not participate in a statewide assessment(s) will not receive any credit for the Statewide assessment(s) and courses for placement may be affected.
4. Students whose parents/guardians have not submitted a written statement of non-participation and who are not present on the day of the assessment will be marked absent and will sit for the PARCC make-up tests as scheduled.
5. Students whose parents/guardians have submitted a written statement of non-participation and who are not present on the day of the assessment will be marked absent. This absence will be unexcused. However, these students will not be expected to participate in the assessment on the scheduled make-up tests.

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6. Students whose parents/guardians have not submitted a written statement of non-participation and who arrive late to school will be marked as such. However, they will be expected to participate in the test make-up period as scheduled.
7. Students whose parents/guardians have submitted a written statement of non-participation and who arrive late to school will be marked as such. However, they will not be expected to participate in the test make-up period as scheduled.

State law and regulations require all students to take State assessments. There are no provisions for students or their parents/guardians to “opt-out” of any state-mandated assessments.

Any requests for surveys, pupil observations, or pupil questionnaires must be forwarded through the office of the Chief School Administrator for approval before any survey or observation can be conducted.

Individual results of standardized tests, including intelligence tests, shall be made available to parents/guardians upon their request, but shall be considered confidential information to be available only to authorized personnel. School and district test results shall be discussed in a public meeting, as per New Jersey state and federal laws and regulations.

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Legal References

- NJSA 18A:7C-3, -4, -6, -6.2 Remedial instruction for students not meeting graduation standards
18A:11-1 General mandatory powers and duties
18A:35-4.9 Pupil promotion and remediation, policies and Procedures
18A:36-34 Written approval required prior to acquisition of certain survey information from students
18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:7-1.7 Equality in school and classroom practice
6A:8-1.1 et seq. Standards and Assessments
6A:10A-3.1 et seq School districts-led standards-based instruction
6A:16-1.4(c) District policies and procedures
6A:30-1.4 Evaluation process for the annual review
6A:32-2.1 Definitions
6A:32-7.1 Student Records
6A:32-12.2 School-level planning
- 34 CFR 98 Protection of Pupil Rights
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Talarsky v. Edison Township Board of Education, 1977 S.L.D. 862
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1000/1010, 1120, 5113, 5120, 5124, 5125, 5141.3, 6142.6, 6146, 6146.2, 6147

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Instructional Program

Series 6000

Instructional Arrangements / Class Size

Policy 6150/6151

Date Adopted: July 27, 2006

Date Revised

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The Board of Education recognizes its responsibility to ensure that arrangements be tailored to suit the changing needs of the student body. As a result the Board welcomes recommendations from faculty, students, staff or community as to ways by which it may improve instructional arrangements. These might include:

1. Providing classroom or other instructional space
2. Revising class size ranges and limits
3. Permitting scheduling innovations based on individual pupil needs
4. Arranging team teaching or other means for emphasizing the inter-disciplinary nature of knowledge and the interrelatedness of learning
5. Involving pupils in directed and self-selected activities
6. Adapting instruction to diverse pupil learning styles

The Board of Education, however, reserves the right to make the final determination on all matters affecting instructional arrangements.

The Chief School Administrator shall recommend for Board approval the number of class sections for each course or grade level. He/she shall take into consideration such factors as student needs, curriculum requirements, types of instructional setting, district finances and space or equipment limitations. Particular attention shall be paid to space-per-pupil requirements of the State Department of Education.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:8-2.1 Authority for educational goals and standards
6A:10A et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:14-4.7 Program criteria: special class programs, secondary and vocational rehabilitation
6A:23-8.3 Commissioner to ensure achievement of the Core Curriculum Content Standards
6A:26-2.1 et seq. Long-Range Facilities Plans
6A:32-8.2 School enrollment
6A:32-8.3 School attendance

Possible Cross References

3240, 5118, 5120, 5145.4, 6150, 6171.4, 7110

Deerfield Township Board of Education

District Policy Manual

Instructional Program
Student Field Trips

Series 6000
Policy 6153

Date Adopted: August 24, 2004 Date Revised: September 23, 2015 Page 1 of 3

The Board of Education recognizes that field trips, used as a device for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the school.

For purposes of this policy, a field trip shall be defined as any journey by a group of pupils away from the school premises, under the supervision of a teacher, which is an integral part of an approved course of study and conducted for the purpose of affording a firsthand educational experience not available in the classroom.

Times and locations of field trips shall not be posted on any district web sites.

Educational field trips shall be planned and conducted in accordance with the following guidelines:

1. All trips, and the arrangements/specific itineraries for them, must have advanced approval. The Chief School Administrator shall review and approve all trips prior to submitting the request to the Board of Education for final approval.
2. A parental permission slip is required for each child participating in the field trip, including walking excursions. Permission slips shall be forwarded to the school office along with a list of chaperones at least one (1) week prior to the field trip. A final student list and chaperone list must be provided to the school office.
3. The teacher will provide the parents with information concerning the purpose and destination of the trip, transportation and eating arrangements, date and time of departure, estimated time of return and if the trip will extend beyond the school day, a detailed itinerary.
4. The Board of Education may assume all transportation costs for the field trip. Participating students shall provide the cost of admission, fees, etc., subject to the protective limitations for special education and financial hardship students, pursuant to NJSA 18A:36-21 and NJSA 18A36-23.
5. One or more adults in addition to the teacher will accompany each class on field trips unless otherwise approved by the Chief School Administrator. Teachers are responsible for informing accompanying adults of their duties and responsibilities. (See Guidelines of Chaperones – Policy 6153.1)
6. The teacher will review acceptable standards of conduct with the students in advance of the trip. The teacher has primary responsibility for the conduct of the children. Children who cannot be self-controlled or teacher controlled may be excluded from the trip.
7. Field trips are planned to enhance our students' education experience and provide fun-filled social time.

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Student Field Trips

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Policy 6153

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The school administration reserves the right to prohibit, deny or exclude any student from going on a field trip for what it considers to be just cause. Just cause may consist of the following criteria:

- A. Numerous (4 or more) referrals to the office for disciplinary reasons.
- B. Frequency is serious violations of the Discipline Code.
- C. General behavior that, in the judgment of the administration, consistently reflects negative and uncooperative attitude – making the student a poor risk.
- D. Failing grades that put promotion in jeopardy.
- E. Suspensions, subject to review.

Any student who is in violation of any of the criteria may be automatically excluded from field trips. The Administration reserves the right to exclude those students whose behavior or attitudes are poor in nature even though they may not meet the above criteria. Parents will be notified in writing of decisions to exclude their child from the trip.

8. The teacher planning the trip will be responsible for arranging an appropriate educational experience and supervisions for the students who do not participate in the field trip.
9. Students' safety will be a primary consideration. First-aid kits will be provided by the school nurse for all field trips.
10. The buddy system, or partners, is recommended to assure constant awareness of each child's whereabouts, needs and participation.
11. Should an emergency situation occur, the teacher is responsible for notifying the Chief School Administrator or designee by telephone as soon as possible. A school issued cell phone will be provided for this purpose.
12. Commercial carriers such as charter buses are to be used at the discretion of the Board of Education.
13. Arrangements for buses are to be made through the school office at least 1 month in advance of the trip. Should commercial carriers be used, 2 months prior notice will be required.
14. If children return to the school from a trip after school hours, the teacher and administrator shall make arrangements for their safe departure home, taking into account the age of the students and the hour.

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Pupil Self-Administration of Medication

The Board shall permit self-administration of medication on field trips for asthma or other potentially life-threatening illnesses by pupils, provided that the Board has received:

1. written authorization from the pupil's parent(s)/guardian(s) for self-administration;
2. written certification from the pupil's doctor that the pupil has a such a medical condition and can self-administer medication(s);
3. written waiver of liability from the parent(s)/guardian(s) for injury from self-administration of medication(s); and
4. letter from the parent(s)/guardian(s) indicating that the parent(s)/guardian(s) will indemnify and hold harmless the district and its employees from any claim(s) arising out of the self-administration of medication(s).

Epinephrine shall be administered via epi-pen to pupils in emergencies on field trips by the school nurse, his/her designee(s), the student's parent/guardian or the student himself/herself as provided by law.

In addition,

1. The nurse's designee must be properly trained by the nurse pursuant to Department of Education/Department of Health protocols.
2. Parents/guardians must consent in writing to the administration of medicine(s) by the designated individual.
3. There shall be no liability for the district if the Chief School Administrator informs parents/guardians that said procedures are followed.

Legal References

- NJSA 18A:25-2 Authority over pupils
18A:36-21 through -23 Field trips; costs to be borne by parents or guardians
18A:36-35 School Internet web sites; disclosure of certain student information prohibited
18A:39-20.1 Transportation to and from related school activities in private vehicle
18A:40-12.3 through -12.4 Self-administration of medication by pupils; conditions
18A:40-12.5 Policy for emergency administration of epinephrine to public school pupils
18A:40-12.6 Administration of epinephrine; primary responsibility; parental consent
- NJAC 6A:27-1.1 et seq. Student transportation
Rhodes v. Caldwell Board of Education, 1981 S.L.D. 140

Possible Cross References

1210, 1230, 3450, 3541.31, 5020, 5136, 5141.21, 6145, 6153.1, 6154

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Series 6000

Guidelines For Chaperones On Student Field Trips

Policy 6153.1

Date Adopted: August 24, 2004 Date Revised

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Although all chaperones are responsible for supervising and controlling the behavior of students in their charge, no discipline should be administered to any student by anyone other than the teachers who are in charge. Any misbehavior observed by a volunteer chaperone should be controlled to the extent safely possible, then reported to the teacher as soon as possible.

Expenses for chaperones are not usually included in the cost of the trip, so chaperones must pay their own way. Chaperones are to provide their own lunches.

In addition, all chaperones will agree to the following guidelines:

1. Chaperones may not bring other children who are not members of the group taking the trip.
2. Chaperones may travel in their own cars with prior approval from the Chief School Administrator. Chaperones may not transport students in their own cars. Unless there is an emergency, i.e., sick child, and administration approval has been granted. Any vehicle used to transport pupils shall be properly insured as required by law. In the event that an Administrator cannot be reached in a timely manner, the teacher in charge may grant this approval and inform the school Administration as soon as possible of the situation.
3. Chaperones shall not smoke in front of students and shall not smoke in the vehicle used to transport pupils during the time that the vehicle is being used for the field trip, regardless if whether pupils are present in the vehicle or not.
4. Alcoholic beverages and drugs are strictly forbidden.
5. Chaperones shall stay with their assigned group of students at all times.
6. Chaperones who desire to take their children home before a field trip ends must submit his/her request in writing to the teacher in advance of the trip. The Chief School Administrator will determine if the request will be honored or denied. The Board assumes no liability for students who are "dismissed early" from the field trip and transported by his/her parents/guardians in private cars.

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7. Chaperones are to remain at the school upon return until all students have safely departed the premises unless released by the supervising teacher.
8. Chaperones must follow a standard of ethics regarding the confidentiality of information that might be learned while supervising children.
9. Chaperones will not bring friends or family members on the field trip nor will they arrange to meet anyone at the destination of the field trip.
10. Chaperones must comply with all requests and directions of the teachers and professional staff.
11. Chaperones may use cell phones and pagers in emergencies only.

Legal References

- NJSA 18A:25-2 Authority over pupils
18A:36-21 through -23 Field trips; costs to be borne by parents or guardians
18A:36-35 School Internet web sites; disclosure of certain student information prohibited
18A:39-20.1 Transportation to and from related school activities in private vehicle
18A:40-12.3 through -12.4 Self-administration of medication by pupils; conditions
18A:40-12.5 Policy for emergency administration of epinephrine to public school pupils
18A:40-12.6 Administration of epinephrine; primary responsibility; parental consent
- NJAC 6A:27-1.1 et seq. Student transportation
Rhodes v. Caldwell Board of Education, 1981 S.L.D. 140

Possible Cross References

1210, 1230, 3450, 3541.31, 5020, 5136, 5141.21, 6145, 6153.1, 6154

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Series 6000

Homework / Makeup Work

Policy 6154

Date Adopted: January 18, 2007 Date Revised: September 22, 2010

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The Board of Education believes that homework relevant to material presented in class provides an opportunity to broaden, deepen or reinforce the pupil's knowledge. Teachers must use discretion in deciding the number and length of assignments. The Board encourages the use of interrelated major homework assignments such as projects / reports.

Pupils absent for any reason must make up assignments, class-work and tests within a reasonable length of time. In most cases, a reasonable length of time shall be the same number of school days as the days missed.

Pupils being excused for any reason must make arrangements with the teacher of the missed classes in order to make up the work missed. This must be done before the absence from class.

Classroom teacher have individual procedures for obtaining and returning missed assignments. Requirements will vary based on the grade level of the students.

Incompletes

When a pupil does not complete work missed for absence or other reasons, he/she will receive an "incomplete" for the marking period. Pupils will be given seven school days following the end of the marking period to make up the missed work.

If work critical to the pupil's understanding of the subject is not made up by the end of the next marking period, the grade for that subject area may be an "F".

If work is missing during the final marking period of the school year, the grade will be left to the discretion of the teacher. The teacher who has given an incomplete is responsible for reporting to the pupil the work he/she has missed and citing the consequences mentioned above.

The Board recognizes the desirability of homework assignments and encourages teachers to assign homework as an aid in the students' academic development. Homework shall not be used for punitive reasons.

The type, frequency and quantity of homework assignments should be determined by the needs of the individual student and should not require additional instruction beyond class period, thereby requiring parents to supplement instruction. Homework should be an application, interpretation or adaptation of a classroom experience. It should be assented for constructional purposes and not excessive in quantity.

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Homework / Makeup Work**

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Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:36-14 Religious holidays; absence of pupils on; effect
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:32-10.1 et seq. Summer School Sessions

Possible Cross References

1320, 1322, 5020, 5113, 5121, 5124, 6145, 6153, 6174

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Series 6000

Instructional Planning / Scheduling

Policy 6156

Date Adopted: July 27, 2006

Date Revised

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The Chief School Administrator and staff shall keep abreast of developing technologies and teaching methodologies, investigating those likely to be of benefit to district pupils, and recommending them for Board consideration.

The Board recognizes that district pupils vary in learning styles and in ability. Therefore, the Chief School Administrator shall ensure that teaching staff adapts their instructional methods and arrangements to meet identified pupil needs and encourage maximum individual progress.

The Chief School Administrator shall ensure that district personnel, time and facilities are used in such a way as to provide the most favorable learning environment for all pupils, thus fostering achievement of district goals, objectives and standards.

Because the Board believes that pupils can learn better and faster when the skills learned in one discipline are integrated into another, programs, projects and units of study shall be encouraged which require the use of reading, writing and mathematics skills in conjunction with other areas of study, such as music, art, science, etc.

The Board directs that instruction be planned and scheduled in such a way that there is minimum disruption of the school day, including movement between classes and conflicting activities.

Nonpublic School Pupils

Required instructional services shall be delivered to nonpublic school pupils in facilities that are acceptable and convenient to staff and students.

Legal References

NJSA 18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:46-19.5 Consent of parent or guardian; location of provision of services
18A:46A-5 Consent of parent or guardian; location

NJAC 6A:8-1.1 et seq. Standards and Assessments
6A:14-1.1 et seq. Special Education
6A:15-1.1 et seq. Bilingual Education
6A:26-12.1 et seq. Operation and Maintenance of Facilities

Agostini v. Felton, 521 U.S. 203 (1997), overruling Aguilar v. Felton, 473 U.S. 402 (1985)

Possible Cross References

2224, 4113/4511.4, 5200, 6010, 6130, 6141.4, 6142.2, 6151, 6171.2, 6171.4

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Instructional Services & Resources

Policy 6160

Date Adopted: July 27, 2006

Date Revised

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The Board believes that personnel and materials appropriate to the needs of the school program must be available to each pupil and teacher.

To be in compliance with the requirements of federal law, the Board of Education directs the Chief School Administrator to distribute curriculum materials and instructional supplies to the school in such a way that equivalence of such materials is ensured among the grade levels.

When a school fails to achieve adequate yearly progress as defined by the state for two consecutive years, all provisions in federal law shall be followed.

The Board will endeavor to provide the supportive resources and personnel necessary for teachers to implement the approved curriculum in their classrooms and work effectively with children.

The instructional materials selected for the Deerfield School District shall be in accordance with the following resources:

1. Instructional materials (print or software, including videos) shall be chosen for the values of interest and enlightenment of all students in the community. Instructional materials shall not be excluded because of the race nationality, or the political or religious views of the writer.
2. Every effort will be made to provide materials that present all points of view concerning the problems and issues of our time, international national, and local. Current and proposed curriculum guides, textbooks and materials will be reviewed to detect any bias based on race, sex, religion, national origin, ancestry, or culture. It must also be ascertained whether instructional materials, singly or taken as a whole, fairly depict the contributions of both sexes and the various races, ethnic groups, and the like towards the development of human society. (Books or other reading material of sound factual authority shall not be prescribed or removed from library shelves or classrooms because of partisan doctrinal approval or disapproval.)
3. Censorship of instructional materials may be challenged in order to maintain the school responsibility to provide information and enlightenment.

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District Policy Manual**

**Instructional Program
Instructional Services & Resources**

**Series 6000
Policy 6160**

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Legal References

NJSA 18A:34-1 Textbooks; selection; furnish free with supplies; appropriations

NJAC 6A:7-1.4 et seq. Responsibilities of the district board of education
6A:8-2.1 Authority for educational goals and standards
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

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

Possible Cross References

3220/3230, 4113/4114, 5145.4, 6121, 6141, 6142.2, 6161.1, 6171.3, 6171.4

Deerfield Township Board of Education District Policy Manual

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Series 6000

Copyright Policy

Policy 6160.1

Date Adopted: July 27, 2006

Date Revised

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It is the policy of the Deerfield Township Board of Education to adhere to provisions of the United States Copyright Law (Public Law 94-553). The following procedures represent a sincere effort to operate legally and to discourage violation of this law:

- A. Administrators with responsibility for the equipment such as audio and video recorders, computers and any other technology capable of reproducing copyrighted materials will take reasonable steps to inform staff of the appropriate and legal application of their use.
- B. Information about Public Law 94-553 will be available to all employees. Ignorance of the law is not excuse for violation.
- C. No Board of Education facility or equipment may be used to violate copyright laws, regulations or guidelines.
- D. Willful infringement of the law by employees may result in disciplinary action.
- E. Legal and insurance protection will not be extended to employees who willfully violate copyright law and policies.

Be it Resolved that the Deerfield Township Board of Education directs all school personnel to comply with Public Law 94-553, otherwise known as the Copyright Law, which was enacted by the Senate and the House of Representatives of the United States and became law on October 19, 1976. Copying of all copyrighted software, and videotaping material is prohibited by law. Furthermore, all videotaping of broadcast television programs must comply with the guidelines for the Congressional Record, October 14, 1984. The Board directs the Chief School Administrator to enforce this copyright policy.

Legal References

United States Copyright Law, Title 17, U.S. Code (PL 94-553, 10/19/76)

Agreement on Guidelines for Classroom Copying in Not-for-Profit Educational Institutions, 3/19/76, printed as H.R. 94-1476, pp. 70-71

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Series 6000

Comparability Of Materials & Supplies

Policy 6161

Date Adopted: July 27, 2006

Date Revised

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To be in compliance with the requirements of P.L. 103-382, as amended, Section 1120A of Title I, Part A, the Board of Education directs the Chief School Administrator to distribute curriculum materials and instructional supplies to the schools in such a way that equivalence of such materials is ensured among the grade levels within the school.

Legal References

- NJSA 18A:4-25 Prescribing minimum courses of study for public schools; approval of courses of study
18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:34-1 Textbooks; selection; furnished free with supplies; appropriations
18A:35-1 et seq. Curriculum and Courses
P.L. 2005, c. 266 Districts to provide an alternate to dissection
- NJAC 6A:7-1.4 Responsibilities of the district board of education
6A:23-6.1 et seq. Purchase and Loan of Textbooks
6A:32-14.1 Review of mandated programs and services
- Comprehensive Equity Plan, State Department of Education
Manual for the Evaluation of Local School Districts
Multi-year Equity Plan for 1996-97 through 1998-99, SDOE Bureau of Equal Educational Opportunity, Doc. #MISM260040699
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1312, 2224, 5145.4, 6000, 6010, 6121, 6140, 6141, 6142.1, 6144, 6161.2, 6163.1

Deerfield Township Board of Education District Policy Manual

**Instructional Program
Instructional Materials**

**Series 6000
Policy 6161.1**

Date Adopted: January 18, 2007

Date Revised

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The Board of Educations believes that instructional materials should support and enrich the curriculum and make possible the achievement of the district's instructional goals. To ensure that the materials used in this district are up-to-date in the factual matter they present and also reflect the district's underlying philosophy of education, the Chief School Administrator shall develop procedures for continual review of new materials being offered and evaluation of those materials already in use. Materials should be judged against the following criteria:

1. Does the instructional material reflect the district's Affirmative Action policy that prohibits the teaching or encouragement of racial, sexual, religious, ethnic or age bias?
2. Does it stimulate growth in actual knowledge, literary appreciation, aesthetic values and ethical standards?
3. Does it help students develop abilities in critical reading and thinking?
4. Does it provide effective basic or advanced education for the students for whom it is intended?

The list of instructional materials presented for approval should be sufficient in scope to meet the needs of every student in the district.

The review process shall include, but not be limited to:

- Review and recommendation for selection by teaching staff members, particularly those teachers who will be using the materials as in integral part of the instructional program.
- Review and recommendation for selection by the Chief School Administrator and other administrative staff members.

The Board, by law, reserves the right to make the final instructional materials selection decision. However, prior to final adoption, the recommendations resulting from each review will be given thorough consideration.

Legal References

- | | |
|------|--|
| NJSA | 18A:4-25 Prescribing minimum courses of study for public schools; approval of courses of study |
| | 18A:33-1 District to furnish suitable facilities; adoption of courses of study |
| | 18A:34-1 Textbooks; selection; furnished free with supplies; appropriations |
| | 18A:35-1 et seq. Curriculum and Courses |
| | P.L. 2005, c. 266 Districts to provide an alternate to dissection |
| NJAC | 6A:7-1.4 Responsibilities of the district board of education |
| | 6A:23-6.1 et seq. Purchase and Loan of Textbooks |
| | 6A:32-14.1 Review of mandated programs and services |
| | Comprehensive Equity Plan, State Department of Education |
| | Manual for the Evaluation of Local School Districts |
| | Multi-year Equity Plan for 1996-97 through 1998-99 |
| | New Jersey Quality Single Accountability Continuum (NJQSAC) |

Deerfield Township Board of Education District Policy Manual

Instructional Program

Series 6000

Complaints Regarding Instructional Materials

Policy 6161.2

Date Adopted: July 27, 2006

Date Revised

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It is recognized that opinions may differ on the appropriateness of any given instructional materials and equipment. Occasionally, an individual or group may find instructional materials used in the school that conflict with their views. Any resident of this district shall have the right to present a request, suggestion, or complaint in reference to subject matter or instructional materials.

The Chief School Administrator shall develop procedures to give careful consideration to such requests, suggestions or complaints. These procedures must provide that:

- A. All such requests, suggestions or complaints shall be in writing;
- B. Whenever possible, the process be initiated and solved at the lowest effective level;
- C. The District response shall be courteous and prompt;
- D. Successive steps of appeal and mechanisms for review are available when necessary.

The use of challenged materials or equipment by class or school shall not be restricted until a final decision has been reached.

The final decision on controversial reading matter shall rest with the Board after careful examination and discussion of the book or reading matter with school officials or others the Board may wish to involve.

Procedures

The mechanism for the review, appeal and repeal of decisions of the Instructional Council, the Administration and the Board will be as follows:

Any person who questions the presence of any instructional materials being used in the District shall first discuss the challenged material with the Chief School Administrator. The challenged material shall remain in use unless and until the Chief School Administrator directs its removal. If the complainant is not satisfied with the results of the discussion, the complainant must be advised to the following procedures:

1. All questions regarding materials shall be submitted to the Chief School Administrator in writing. The Chief School Administrator shall send copies of the statement to the Business Administrator, who will forward copies to the President of the Board of Education.

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Complaints Regarding Instructional Materials

Policy 6161.2

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2. The author, title and publisher, if known, of the challenged material shall be stated in the complaint. The complainant must state whether he/she objects to only part of the material or all of the material. He/she must also state why he/she objects to the indicated inclusions.
3. The complainant's signature and local address and telephone number must appear on the communication. If the complainant is representing an organization, the entire name of the organization along with the local address and telephone number of the organization must be listed.

The Chief School Administrator and other designated staff members shall constitute a committee of review. The challenged material shall immediately be objectively reviewed. After a thorough consideration, the committee of review shall submit a recommendation to the Board of Education. This recommendation should include a solution and supporting information. The Board will then consider the material, the committee's report and any other factors they deem pertinent and reach a decision on the challenge. That decision shall be made in writing and will be communicate to the complainant and made a part of the Board's minutes.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)

Board of Education Island Trees U.F.S.D. v. Pico, 457 U.S. 853 (1982)

Possible Cross References

1312, 2220, 6144, 6161.1

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Instructional Program		Series 6000
Child Study Team		Policy 6161.4
Date Adopted: July 27, 2006	Date Revised	Page 1 of 2

The Board of Education shall provide the services of Child Study Team personnel in numbers sufficient to ensure implementation of pertinent law and regulation. The Chief School Administrator shall present to the Board for approval, job descriptions, qualifications and evaluation criteria for positions required, and shall present to the Board for hiring the best-qualified applicant.

When complete evaluations of pupils are necessary, the Chief School Administrator shall secure the services of qualified persons or agencies to supplement the district team. Appropriate staff members, such as the nurse and teachers assigned to the pupil, shall also be involved.

Pupils who have been identified by any professional staff member, the parents/guardians of the child, a child welfare agency or by the health services staff as possibly educationally handicapped shall be considered for evaluation.

Teachers and administrators shall provide intervention resources (e.g. adaptive teaching methods and materials, schedule changes, modified workloads, corrective or remedial instruction, etc.) in order to discover whether an observed difficulty is the result of problems within the educational delivery system. Parents/guardians shall be notified of such interventions. The members of the Child Study Team shall be available to discuss problems informally with teachers and parents/guardians.

If the problems persist despite these intervention techniques, a formal referral, requiring due process procedures, shall be initiated. The examination of each such pupil shall proceed promptly in strict accordance with law. The Board shall review and adopt the regulations governing the referral process.

Examination of each identified child shall consist of a physical examination, a psychological examination, an educational examination, a social case study, and such other examinations as may be deemed necessary by the Child Study Team.

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Child Study Team

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Disaffected Pupils:

In addition to the educationally handicapped, the Child Study Team shall consider and recommend appropriate remedies and/or programs for pupils exhibiting disaffected behavior patterns. A needs assessment shall be conducted for each such pupil. If the assessment indicates the advisability of a complete evaluation, a referral shall be initiated and due process followed. If the survey indicates a change in program, the Child Study Team shall cooperate with the teaching staff in developing an appropriate program, including, if necessary, alternative programs.

Disruptive Pupils:

All staff members shall be familiar with and implement the discipline policies and procedures adopted by this Board. This implementation will identify the pupil who is disruptive. Staff members shall report the names of pupils who disrupt the educational program to the appropriate administrator who shall initiate actions which will ensure the involvement of the pupil's family and the provision of counseling and assessment services, so as to determine the causes of the pupil's disruptive behavior. A request for pre-referral intervention or for referral for evaluation may be made to the Child Study Team. Throughout this process, administrators, support staff, teachers, parents/guardians, and if prudent, the pupil are to be involved. If all strategies prove unsuccessful, referral to the appropriate outside agency may be made.

In accordance with state law and Board policy, disruptive pupils whose continuing attendance interrupts the educational program and/or threatens harm to themselves and others may be suspended and considered for expulsion.

Legal References

- NJSA 18A:46-3.1 Regional consultants for hearing impaired; appointment; duties
- 18A:46-5.1 Basic child study team services; provision by boards of education and state operated programs ...
- 18A:46-5.2 Participation by parent or guardian
- NJAC 6A:9-13.5 School social worker
- 6A:9-13.6 Speech-language specialist
- 6A:9-13.7 Director of school counseling services
- 6A:9-13.8 School counselor
- 6A:9-13.9 School psychologist
- 6A:9-13.10 Learning disabilities teacher-consultant
- 6A:14-1.1 et seq. Special Education
- 6A:32-14.1 Review of mandated programs and services
- 20 U.S.C.A. 1400 et seq. - 1990 Individuals with Disabilities Education Act, P.L. 101-476 (formerly Education for All Handicapped Children Act - Part B)
- 29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

Possible Cross References

4111, 5114, 5120, 5131, 5200, 6010, 6146.2, 6164.4, 6171.4, 6172

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District Policy Manual**

**Instructional Program
Consultants To The Staff**

**Series 6000
Policy 6162.2**

Date Adopted: July 27, 2006

Date Revised

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The Board of Education encourages the use of consultants when it is clear that they can provide valuable and necessary specialized services.

Funds for necessary consultant help shall be provided for in planning specific projects or programs and will be charged to that particular budget category. The Board must approve the program, or project, as well as consultant fees before entering into any contractual obligation or encumbering any expenditure.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:40A-3 Pre-service training

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**Instructional Program
Community Resources**

**Series 6000
Policy 6162.4**

Date Adopted: July 27, 2006

Date Revised

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The Board will draw on the knowledge and opinions of the community in developing mandated policies and programs in compliance with statute and administrative code, and to aid in meeting the district's identified needs.

The Board of Education encourages local businesses and individual residents who are especially qualified because of training, experience or interest to take an active part in the district's educational programs. Those persons and representatives of businesses identified by the Chief School Administrator and the staff and approved by the Board may be invited to act as advisors in groups or individually in appropriate circumstances and situations.

The district shall also take advantage of the physical and financial resources of the community and of organizations including business when such facilities or locations provide learning and enrichment opportunities not otherwise available to our pupils. Pupil safety shall be a primary concern in making use of such resources.

In accordance with law, the administration shall identify and establish working relationships with community agencies that are involved in evaluation and treatment of drug/alcohol problems.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:16-1.1 et seq. Programs to Support Student Development
6A:30-1.4 Evaluation process for the annual review
6A:32-12.1 Reporting requirements

Possible Cross References

1000/1010, 1210, 1220, 1410, 1600, 3280, 4222, 5131.6, 6142.1, 6142.2, 6153,
6164.6, 6171.2, 6171.3, 6171.4, 9420

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Instructional Program

Series 6000

Research (Student Surveys)

Policy 6162.5

Date Adopted: July 27, 2006

Date Revised

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The Board of Education recognizes that educational research can be a valuable tool in identifying and applying strategies to enhance student achievement and in identifying factors that could prevent students from becoming contributing members of society. Surveys among student populations can be an important part of this research.

Students and parents/guardians retain certain rights, however, in the administration of surveys. The Board shall ensure that prior written consent is obtained from parents/guardians or emancipated students before any survey is administered that is funded in whole or in part by any program administered by the United States Department of Education, if the survey (analysis or evaluation) is designed to reveal information on any of the following:

- A. Political affiliations or beliefs of the student or the student's parents/guardians;
- B. Mental and psychological problems of the student or the student's family;
- C. Sex behavior or attitudes;
- D. Illegal, anti-social, self-incriminating, or demeaning behavior;
- E. Critical appraisals of other individuals with whom respondents have close family relationships;
- F. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, or ministers;
- G. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian; or
- H. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Written informed consent shall also be obtained from parents/guardians or emancipated students prior to the administration of any academic or nonacademic survey, assessment, analysis or evaluation that would reveal the student's social security number.

Parents/guardians shall be given the opportunity to inspect any survey, analysis or evaluation that solicits information in any of the above areas. If parents/guardians object to their child(ren)'s participation in the survey, the child(ren) shall be allowed to opt out.

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**Instructional Program
Research (Student Surveys)**

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Policy 6162.5**

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Prior approval of the Chief School Administrator is required for all other surveys on topics not listed. Anyone seeking approval of a proposed survey must provide the Chief School Administrator with details of the survey methodology, its specific educational purpose and a description of how results will be disseminated and applied.

For all surveys the identity of the respondent shall remain confidential.

The Chief School Administrator shall develop regulations to implement this policy that include reasonable timelines for parents/guardians to access and review surveys as prescribed by law, and arrangements to protect student privacy in the administration of a survey.

This policy and the regulations shall be made available to the public at least annually at the beginning of the school year, especially to parents/guardians and to district staff. The public shall be informed within a reasonable period of time if substantive change is made to policy and regulations. The public shall also be informed of specific or approximate dates, if known, when surveys may be administered.

Legal References

NJSA 18A:36-34 Written approval required prior to acquisition of certain survey information from students

NJAC 6A:16-1.4 District policies and procedures

20 U.S.C.A. 1232g - Family Educational Rights and Privacy Act

20 U.S.C.A. 1232h - Protection of Pupil Rights Amendment

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A.6301 et seq.

In re: Application of Charles V. Reilly, Robert A. Hutton and

Sean Reilly to Contest the Validity of the Enactment of

Assembly Bill 3359 (P.L. 2001, c. 364), Superior Court of New

Jersey, Appellate Division, Docket No. A-0163-02T2, 2003 N.J. Super. Lexis 376

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1140, 1315, 4132, 5020, 5124, 5141.3, 6147.1

Deerfield Township Board of Education District Policy Manual

**Instructional Program
Media Center / Library**

**Series 6000
Policy 6163.1**

Date Adopted: July 27, 2006

Date Revised

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The primary objective of the school's Media Center/Library is to implement, enrich and support the educational program of the school. It is the duty of the Media Center/Library to provide a wide range of materials on all levels of difficulty, with diversity of appeal and the presentation of different points of view.

To this end, the Board of Education reaffirms the objectives of the American Association of School Librarians and the Department of Audio-Visual Instruction and asserts that the responsibility of the school Media Center/Library is:

To provide materials that will enrich and support the curriculum, taking into consideration the varied interests and maturity levels of the students served;

To provide materials that will stimulate growth in factual knowledge, library/media center appreciation, aesthetic values and ethical standards;

To provide materials on opposing sides of controversial issues so that young citizens may develop the practice of critical analysis of all media;

To provide materials representative of the many religious, ethnic and cultural groups and their contributions to our American heritage;

To place principle above opinion and reason above prejudice in the selection of materials of the highest quality in order to ensure a comprehensive collection appropriate for the users of the Library/Media Center.

The Board of Education delegates the responsibility for selection of materials to the professional personnel giving consideration to requests from teachers, administrators, students and parents/guardians. Final decisions shall rest with the administration in accordance with Board policy.

The school system shall be a participant of the Cumberland County Audio-Visual Aids Commission.

Legal References

NJAC 6A:9-13.14 School library media specialist
6A:9-13.15 Associate school library media specialist
6A:9-13.16 Professional librarian

Board of Education Island Trees U.F.S.D. v. Pico, 457 U.S. 853 (1982)

Possible Cross References

1312, 6161.1, 6161.11

Deerfield Township Board of Education District Policy Manual

Instructional Program

Series 6000

**Intervention & Referral Services For
General Education Pupils**

Policy 6164.1

Date Adopted: July 27, 2006

Date Revised

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The Board of Education shall provide a program of intervention and referral services for general education pupils who are experiencing personal, interpersonal or academic difficulties to help them function productively and develop positively in the classroom environment.

The Chief School Administrator shall prepare procedures to:

- A. Identify pupils in need, and plan and provide for appropriate intervention or referral services and/or referral to school and community resources;
- B. Identify the roles and responsibilities of the building staff members who participate in planning and providing intervention and referral services;
- C. Provide support, guidance and professional development to school staff who identify and refer pupils and to school staff who participate in planning and providing intervention and referral services;
- D. Actively involve parents/guardians in the development and implementation of intervention and referral plans;
- E. Coordinate the access to and delivery of school services for identified pupils;
- F. Coordinate the services of community-based social and health provider agencies; and
- G. Review and assess the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral plan.

The Board shall review and adopt these procedures, and the Chief School Administrator shall report to the Board on their implementation.

Legal References

NJAC 6A: 16-8.1 et seq. Intervention and Referral Services

Possible Cross References

6161.4

Deerfield Township Board of Education District Policy Manual

**Instructional Program
Guidance Services**

**Series 6000
Policy 6164.2**

Date Adopted: July 27, 2006

Date Revised

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A guidance program shall be incorporated into the district's educational program to aid pupils in making informed and responsible decisions and in using effective decision-making processes. The guidance program shall be developed and coordinated by the Chief School Administrator in consultation with teaching staff members he/she had identified as possessing necessary skills and abilities, to help pupils acquire the insights and knowledge they need to become autonomous, mature members of adult society in a democratic nation.

The purpose of the guidance program shall be to help pupils in learning to make their own decisions concerning life's many choices-personal, educational, and career/vocational. The guidance program shall provide, as fully as possible, the information needed to make the best decisions concerning the pupil's educational program. Such information shall include facts such as test scores, grades and educational history.

Guidance services shall include establishment of a referral system that guards the privacy of the pupil and monitors the efficacy of such referrals, when district resources are not sufficient, as in drug or alcohol counseling.

Legal References

- NJSA 18A:35-4.2 Career development program
18A:36-19 Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
18A:36-19.1 Military recruiters; access to schools and student information directories
18A:38-36 Employment certificates to part-time pupils; revocation
18A:46-5.1 Basic child study team services; provision by boards of education and state operated programs
- NJAC 6A:7-1.7 Equality in school and classroom practices
6A:8-1.1 et seq. Standards and Assessment
6A:9-13.2 Substance awareness coordinator
6A:9-13.7 Director of school counseling services
6A:9-13.8 School counselor
6A:10A-3.1 et seq. School district lead standards-based instruction
6A:10A-4.1 et seq. Role of the Abbott district board of education
6A:14-3.4 Evaluation
6A:16-4.1 Adoption of policies and procedures for the intervention of student alcohol and other drug abuse
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-7.1 et seq. Student Records
6A:32-13.3 Guidance and counseling

Possible Cross References

5000, 5010, 5020, 5113, 5114, 5120, 5124, 5125, 5131.6, 6142.12, 6145, 6146, 6164.4, 6171.1, 6171.2, 6171.4, 6172, 6173

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Instructional Program

Series 6000

Intervention & Referral Services Team

Policy 6164.3

Date Adopted: July 27, 2006

Date Revised

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The Board of Education directs the establishment of an Intervention & Referral Services Team. The purpose of this committee is to assist general education pupils experiencing personal, interpersonal or academic difficulties and to function productively and to develop positively in the classroom and school environment.

The Chief School Administrator shall develop and the Board shall approve procedures for determining membership of this committee. Training shall be provided for all new Intervention & Referral Services Team members.

The Chief School Administrator shall submit an annual report to the County Chief School Administrator of Schools concerning the functions of the Intervention & Referral Services Team. This shall include, but be limited to, a summary of the components listed in the NJ Administrative Code.

Legal References

NJAC 6A: 16-8.1 et seq. Intervention and Referral Services

Possible Cross References

6161.4

Deerfield Township Board of Education District Policy Manual

Instructional Program

Series 6000

Special Educational Programs

Policy 6171

Date Adopted: July 27, 2006

Date Revised

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The regular curriculum of the district's schools is designed to accomplish the district's educational goals and objectives for a thorough and efficient system of education for all pupils.

When necessary, the regular program shall be altered or supplemented or other means used to provide for the identified need of the following pupils:

- A. The classifiable educationally disabled
- B. The gifted and talented
- C. Those requiring compensatory or remedial programs
- D. The disaffected and alienated
- E. Pregnant pupils
- F. Pupils requiring home instruction
- G. The physically handicapped
- H. Those with limited English proficiency
- I. The disruptive

Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:35-4.9 Pupil promotion and remediation; policies and procedures
18A:35-15 through -26 Bilingual Education Programs
18A:46-1 et seq. Classes and Facilities for Handicapped Children
18A:46A-1 et seq. Auxiliary services
- NJAC 6A:8-3.1 et seq. Implementation of the Core Curriculum Content Standards
6A:14-1.1 et seq. Special Education
6A:15-1.1 et seq. Bilingual Education
6A:32-14.1 Review of mandated programs and services
- No Child Left Behind Act of 2001, Pub. L. 107-110
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

6142.2, 6171.1, 6171.2, 6171.3, 6171.4, 6172, 6173, 6174, 6178

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**Instructional Program
Basic Skills Instruction**

**Series 6000
Policy 6171.1**

Date Adopted: July 27, 2006

Date Revised

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Pupils, whose proficiency in subjects assessed through the Core Curriculum Standards Process is below acceptable levels of performance, shall be required to participate in a basic skills program. Proficiency shall be evaluated through a multi-skills assessment, standardized tests, diagnostic instruments, teacher observation and pupil progress reports.

The program shall include procedures to evaluate pupil achievement related to the acquisition of basic skills standards as relative to the New Jersey Core Curriculum Content Standards. The Chief School Administrator shall coordinate continuous communication between teaching staff members and parents/guardians of pupils participating. This program shall supplement the regular program to assist students to be successful in the school program.

All parents/guardians shall be notified in writing of a pupil's needs for a basic skills improvement program and shall be encouraged to participate in its design. Regulations governing these programs and procedures shall be reviewed and adopted by the Board as required by law.

The Chief School Administrator shall evaluate the remedial education programs each school year and report to the Board of Education as to their effectiveness in achieving and maintaining acceptable levels of pupil proficiency.

Legal References

NJSA 18A:7C-1 et seq. High School Graduation Standards
18A:35-4.9 Pupil promotion and remediation; policies and procedures

NJAC 6A:8-4.3 Accountability
6A:8-4.4 Annual review and evaluation of school districts
6A:8-5.1 Graduation
6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

4138.2, 5120, 6141, 6142, 6142.6, 6147, 6171.3

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Instructional Program

Series 6000

Gifted & Talented Program

Policy 6171.2

Date Adopted: October 27, 2004 Date Revised

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The district shall provide a program of study for exceptionally able (gifted and/or talented) students in grades Kindergarten through 8 who display outstanding intellectual abilities, academic aptitudes, unique creativity, productive thinking, leadership traits or exceptional talent in the visual and performing arts and in psychomotor skills. Students will have opportunities to enhance/expand their basic education and gain further knowledge and proficiency in areas of special interest and ability. The Board of Education recognizes its responsibility to provide continuous, differentiated, and appropriate educational programs for those exceptionally able students, from the standpoint of sound educational practice and in terms of the intent of State and Federal Law.

Programs will be developed to respond to the range of needs and abilities among gifted and talented students. A variety of instructional methods, grouping and schedules shall be used to provide programs designed to encourage creative thinking, problem solving, and research skills in an effort to further develop higher order thinking skills, abilities, interests, and independent learning.

Acknowledging that special abilities and skills appear at different times in the development of many children the district will carry out a broad-based screening of all students at all grade levels (K-8). Recognizing there is a range of abilities among these identified students, this screening will identify exceptionally able students using multiple indicators of academic and creative potential, including but not limited to tests of academic achievement, aptitude and creativity, samples of student work, nominations obtained from teachers, parents, community members and the students themselves. The screening process will take place each Spring in preparation for the following academic year.

Students moving into the district during the year will be reviewed for participation based on the program criteria from their previous district. As with all Deerfield students, students new to the district may be recommended to participate in the Spring for the following school year.

The chief school administrator shall coordinate development of criteria to identify gifted and /or talented students and present them to the Board for approval.

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The Board directs the Chief School Administrator to develop educational programs for the gifted and talented that both discover and develop special skills but also provide the opportunity for all students to express their special skills and talents. Such programs shall be developed in consultation with the teaching staff members and involve, whenever possible, parents and the students. All programs shall conform to the guidelines developed by the NJ Department of Education.

Legal References

NJSA 18A:35-4.15 through -4.16 Legislative findings and declarations; chess instruction for second-grade pupils in gifted and talented and special education programs ...
18A:61C-1 Program promoting cooperation between high schools and institutions of higher education; establishment; objective; increased availability of college-level instruction; scope
18A:61C-4 Program providing college credit courses for high school students on high school campuses; establishment

NJAC 6A:8-1.3 Definitions
6A:8-3.1 Curriculum and instruction
6A:8-3.3 Enrollment in college courses
6A:30-1.4 Evaluation process for the annual review
6A:32-14.1 Review of mandated programs and services

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1600, 6010, 6121, 6171

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**Instructional Program
At-Risk & Title 1**

**Series 6000
Policy 6171.3**

Date Adopted: July 27, 2006

Date Revised

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The district shall comply with all state and federal requirements in developing, implementing, administering and evaluating funded compensatory education programs for pupils determined to be at risk.

Such instructional services and activities shall be designed to improve the level of proficiency in reading, writing, mathematics and other skills of pupils whose academic, social or environmental needs prevent them from succeeding in regular school programs, and to prevent their regression in such skills when regular programs are not in session. Parents/guardians shall be kept informed of their children's progress and shall be invited to consult with staff on ways to give their children the maximum benefits of such programs.

At least once annually, a public meeting shall be held for the express purpose of informing parents/guardians of the programs and activities provided with the Title 1 funds. The agenda shall include:

- A. Informing parents/guardians of their right to consult in the design and implementation of the Title 1 project;
- B. Providing parents/guardians with information about the Title 1 law, regulations and instructional programs;
- C. Soliciting parents/guardians' input about basic skills improvement programs and related activities;
- D. Providing parents/guardians an opportunity to establish mechanisms for maintaining ongoing communication among parents/guardians, staff and the Board.

The parents/guardians of all eligible children shall be invited to attend.

Mandated Policy Statements in Addition to Parent Consultation

- A. Comparability of personnel
To be in compliance with the requirements of 20U.S.C. 3807, Section 558(2)(B) (Title1), the Deerfield Township Board of Education directs the Chief School Administrator to assign teachers, administrators, and auxiliary personnel to the school in such a way that equivalence of personnel is ensured.
- B. Comparability of materials and supplies
To be in compliance with the requirements of 20U.S.C. 3807, Section 558(2)(B) (Title1), the Deerfield Township Board of Education directs the Chief School Administrator to distribute curriculum materials and instructional supplies to the school in such a way that equivalence is ensured.

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C. Supplement not supplant

The Deerfield Township School District shall use Title 1 and/or state compensatory education funds only to supplement and to the extent practical increase the level of funds that would, in the absence of Title 1 and/or state compensatory education funds, be made available for the education of pupils participating in Title 1 or state compensatory education projects. In no case shall Title 1 and/or state compensatory education funds be used to supplant those non-Title 1 or nonstate compensatory education funds.

Eligibility for State and Federal Funds

The Chief School Administrator shall ensure that all requirements for receiving state and federal funds shall be fulfilled in an accurate and timely manner.

Control of such funds and title to equipment and supplies purchased with such funds shall remain with the Board of Education. Procurement, control, use and disposition of equipment and supplies purchased with state/federal funds shall be in full compliance with the law.

General

The Chief School Administrator shall direct appropriate administrative personnel to pursue vigorously all possible sources of funding, either state or federal, that support such compensatory services, and shall keep abreast of all changes in the law that restrict or expand the district's use of state or federal funds.

Programs especially designed for migrant children shall be provided as necessary.

Legal References

NJSA 18A:35-4.9 Pupil promotion and remediation; policies and procedures
18A:59-1 through -3 Apportionment and distribution of federal funds; exceptions

NJAC 6A:32-14.1 Review of mandated programs and services

42 U.S.C.A. 2000d - 2000d4 - Title VI of the Civil Rights Act of 1964
Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100-297)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible Cross References

3220/3230, 3514, 5120, 5200, 6122, 6141, 6142.2, 6142.6, 6171.1, 6171.4

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In compliance with state department of education interpretation of the administrative code on special education, the Board adopts the following revision/amendment of its existing policies on providing educational and related services to pupils identified as having educationally disabling conditions as defined in federal and state law.

- A. Exemption of educationally disabled pupils from the high school graduation requirements according to NJAC 6A:14-4.11.

A disabled pupil must meet all state and local high school graduation requirements in order to receive a state-endorsed high school diploma unless exempted in his/her IEP. When a pupil has been exempted from any graduation requirement, his/her IEP shall address alternate requirements to be met. By the year specified in code, the Board shall ensure that all pupils with disabilities participate in statewide assessments with appropriate accommodations or modifications, as determined by the pupil's IEP. If the nature of the pupil's disability is so severe that the pupil is not receiving instruction in any of the knowledge and skills measured by the statewide assessment and the pupil cannot complete any of the questions on the assessment in a subject area with or without accommodations, the pupil shall participate in a locally determined assessment of pupil progress.

By June 30th of a disabled pupil's last year in the elementary program, the pupil's case manager, parent/guardian and teacher(s) shall meet to review the pupil's IEP in view of the transition to the secondary program. Input from appropriate staff from the secondary school shall be part of the review.

The transition plan of the IEP for the pupil entering the secondary program will address all the elements required in the administrative code, including specifically addressing graduation requirements.

A disabled pupil who has not been exempted from the proficiencies or has performed below the state minimum level of pupil proficiency on one or more areas of the state-mandated high school proficiency test may participate in the special review assessment (SRA).

Educationally disabled pupils meeting the standards for graduation according to NJAC 6A:14-4.11 shall have the opportunity to participate in graduation exercises and related activities on a nondiscriminatory basis.

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B. Prevention of needless public labeling of educationally disabled pupils

The Board directs that the names and other personally identifiable data concerning educationally disabled children shall be kept confidential and shall not be included in the public acts and public records of this district. Such names and data shall be reduced to code for inclusion in the public record. A special confidential file shall be maintained listing the names of educationally disabled pupils on whose behalf the Board of Education must take public action. Motions concerning disabled pupils made at public meetings shall be anonymous and referred to this confidential file. This file shall be maintained in accordance with NJAC 6A:32-7.1.

Further, the Board, administrators, faculty and other personnel shall avoid unnecessary and needless public labeling of such pupils. This shall include the avoidance of public address announcements so designating pupils, any open identification of classrooms with signs so designating, or any item of open or general circulation, such as photographs, audio/videotapes, etc., that so designates an individual pupil or class. Pupil records shall be maintained in accordance with NJAC 6A:32-7.4.

C. Compilation, maintenance, access to and confidentiality of pupil records according to NJAC 6A:32-7.4 through -7.6.

To ensure proper accessibility and confidentiality, the records of educationally disabled pupils shall be gathered, updated, maintained, stored, transferred, made accessible and finally disposed of in accordance with the district policy 5125 on pupil records in general.

To assure the security of special education records:

1. Provision shall be made for access and security of computer-stored records of educationally disabled pupils;
2. Clerical and secretarial tasks related to such records shall be performed only under the supervision of appropriately certified staff.

As with all pupil records, access shall be guaranteed to persons authorized according to NJAC 6A:32-7.5 within 10 days of the request, but prior to any review or hearing conducted in accordance with state Board of Education regulations.

For the district's general policy and regulation on pupil records see 5125, which deals with all requirements common to disabled and general pupil records including enumeration and description of records, provisions for access, notice to parents/guardians of their rights in regard to the child's records, etc.

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- D. Identification, location and evaluation of potentially educationally disabled pupils, according to NJAC 6A:14-3.3

The Superintendent of Schools shall prepare written procedures for identifying those pupils ages three through 21, including pupils attending nonpublic schools, within the district and may be educationally disabled, regardless of their district of residence. Procedures shall include provision for the referral of pupils who may be experiencing physical, sensory, emotional, communication, cognitive or social difficulties. In order to ensure program placement by a disabled child's third birthday, a written request for initial evaluation shall be forwarded to the district at least 120 days prior to the preschooler attaining age three.

The Board shall ensure that all preschool pupils with disabilities shall have their IEPs implemented no later than their third birthdays. To provide a smooth transition between a child's preschool program and his/her school age program (public or private), particular attention shall be paid to articulation between those programs.

These procedures and arrangements shall be adopted by the Board after review and possible revision. The procedures shall include criteria by which to identify the potentially disabled, and require the participation of staff, parents/guardians and appropriate agencies.

Evaluation and Determination of Eligibility

The evaluation process to determine a pupil's eligibility for educational and related services beyond those available within the regular public school program shall be conducted in strict compliance with the provisions of NJAC 6A:14-2.3, 2.5, 3.4 and 3.5 dealing with:

- Parental notice, notification, consent and involvement, including determination of the parents/guardians' dominant language and necessary accommodations if the language is other than English or if the parents/guardians are deaf;
- An initial evaluation that consists of a multi-disciplinary assessment in all areas of suspected disability and a written report of the results of each assessment;
- Determination that a pupil is eligible for special education and related services when he/she has been identified as having one or more of the fourteen categories of disability described in the administrative code, and the disability adversely affects the pupil's educational performance.

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The Superintendent of Schools shall oversee development of detailed procedures to govern the evaluation process, and shall implement them after they have been reviewed and adopted by the Board.

The Board shall ensure that a variety of assessment tools and strategies shall be applied to gather information to develop and monitor the IEP, including cooperation and input from the parents/guardians. Relevant information shall also be related to enabling the pupil to be involved in and progress in the general education curriculum or, for preschool children with disabilities to participate in appropriate activities.

E. Provision of full educational opportunity to educationally disabled pupils

The Board of Education is responsible for providing education for all children resident in the district. All reasonable efforts will be made to resolve an enrolled child's learning and adjustment difficulties prior to his/her referral to the child study team for screening and/or evaluation. When a pupil is found eligible for special education and related services and the Board of Education cannot provide required instruction and related services from its own resources and facilities, the Board will seek appropriate placement outside the district, and will assume such costs of that placement as are required by law.

The goal of the Board's special education program is to provide full educational opportunity to all educationally disabled resident pupils ages three through 21, as those terms are defined in federal and state law. The Board will make available to parents/guardians of educationally disabled children below the age of three information regarding services available through other state, county and local agencies.

F. Participation of and consultation with the parents of educationally disabled pupils toward the goal of providing full educational opportunity to all educationally disabled pupils ages three through 21

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In order to achieve the district's goal of providing full educational opportunity to all educationally disabled pupils in accordance with the administrative code, parent/guardian participation shall be sought in every successive stage of the special education decisional process, pursuant to NJAC 6A:14-2.3 and 2.4. All notifications shall be made and all necessary conferences conducted in the language used for communication by the parent/guardian and the pupil unless it is not feasible to do so, in which case the provisions of administrative code shall be followed.

Written notice to parents/guardians and/or adult pupils shall be provided as follows:

- The Board shall provide written notice no later than 15 calendar days after making a determination;
- The Board shall provide written notice at least 15 calendar days prior to the implementation of a proposed action so that the parents/guardians and/or adult pupil may consider the proposal.

The Superintendent of Schools shall develop and present to the Board for review and adoption procedures for:

1. NJAC 6A 14:2.3 through 2.5 will be followed regarding written notice, consent, provision of information and evaluation.
2. Particularly, parental consent shall be obtained prior to implementation of the initial IEP resulting from evaluation; prior to reevaluation except in the circumstances outlined in code; and prior to the release of pupil records according to NJAC 6:3-6.

Procedures set out in the administrative code shall be followed when parent/guardian cooperation and/or participation cannot be obtained. When necessary, a surrogate parent shall be appointed to ensure the protection of a pupil's rights when the parents/guardians cannot be identified or located or the child is a ward of the State of New Jersey. The district shall select and train such surrogate parents in compliance with the administrative code.

No more than 90 calendar days after parental consent has been received shall be allowed for the evaluation, determination of eligibility and, if the pupil is eligible, the development and implementation of the IEP.

- G. Provision of special services to enable educationally disabled pupils to participate in regular educational programs to the maximum extent appropriate.

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When instruction in health, industrial arts, fine arts, music, home economics, and other education programs is provided to groups consisting solely of pupils with disabilities, the size of the groups and age range shall conform to the requirements for special class programs described in the administrative code.

When pupils with disabilities participate in physical education, intramural and interscholastic sports, on-academic and extracurricular activities in groups consisting solely of pupils with disabilities, the age range and group size shall be based on the nature of the activity, needs of the pupils participating in the activity and the level of supervision required.

The evaluation process to determine a pupil's eligibility for educational and related services beyond those available within the regular public school program shall be conducted in strict compliance with the provisions of the administrative code.

H. Determination of eligibility according to NJAC 6A:14-2.3(i)1 and 3.5 through -3.6

Eligibility for special education and related services shall be determined collaboratively by the parents/guardians; a teacher who is knowledgeable about the pupil's educational performance or district's programs; the pupil, where appropriate; at least one child study team member who participated in the evaluation; the case manager; other appropriate individuals at the discretion of the parent or district; and for an initial eligibility meeting, certified school personnel referring the pupil as potentially disabled, or the school principal or designee if they choose to participate.

A pupil shall be determined eligible and classified for special education and related services when it is determined that the pupil has one or more of the disabilities defined in the administrative code. A pupil shall be determined eligible for speech-language services when he/she exhibits a speech or language disorder as outlined in the administrative code.

I. The individualized education program for each educationally disabled pupil shall be developed in accordance with the provisions of the administrative code, at NJAC_6A:14-3.7.

The Board shall ensure that an IEP is in effect for every pupil in the district who is receiving special education and related services.

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A written individualized education program shall be developed and implemented for each classified pupil and, in accordance with New Jersey law, a review shall be conducted by the appropriate staff members annually or more often, if necessary, to evaluate the disabled pupil's progress and to revise the individualized education program.

Meetings shall be conducted to determine eligibility and to develop, review and revise a pupil's individualized education program. Such meetings shall be scheduled at a mutually agreed upon time and place, and notice of the meetings shall indicate the purpose, time, location and participants. If the parents/guardians cannot attend the meetings, the Superintendent of Schools/designee shall attempt to ensure parental participation, including the use of individual or conference telephone calls.

Documentation shall be maintained of all attempts to secure parent/guardian participation.

Parents/guardians shall receive a copy of the pupil's IEP and of any revisions made to it.

All communication with parents/guardians, including written notice, notifications and required meetings, shall be conducted in the language used for communication by the parent/guardian and pupil unless it is not feasible to do so. This shall include providing foreign language interpreters or translators and sign language interpreters for the deaf at no cost to the parents.

The IEP shall be developed and monitored with the cooperation and input of parents/guardians. In addition to educational programming, the IEP shall provide for necessary disciplinary action and specify graduation requirements when appropriate. Any accommodations and/or modifications for the administration of statewide assessments shall be specified in the IEP.

1. No more than 90 calendar days after parental consent has been received shall be allowed for the evaluation, determination of eligibility and, if the pupil is eligible, the development and implementation of the IEP. The IEP shall be implemented as soon as possible following the IEP meeting.
2. The Board of Education will provide those special education-related services prescribed in the IEP to enable educationally disabled pupils to participate in general educational programs to the maximum extent appropriate. Such education-related services may include transportation, ensuring that hearing aids worn by deaf and/or hard of hearing children in school are functioning properly, etc.

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- J. Protection of pupils' rights in regard to evaluation and reevaluation procedures according to NJAC 6A:14-3.4 and 3.8.

Procedures shall provide all due process protection for the rights of the pupil and his/her parents/guardians whether the pupil is already enrolled in the schools or has been located through the process for identification in the section D of this policy.

In order to achieve the district's goal of providing full educational opportunity to all educationally disabled pupils in accordance with the administrative code, parent/guardian participation shall be sought in every successive stage of the special education decisional process. All notifications shall be made and all necessary conferences conducted in the language used for communication by the parent/guardian and the pupil unless it is not feasible to do so, in which case the provisions of administrative code shall be followed. The Superintendent of Schools shall develop and present to the Board for review and adoption procedures for:

1. Giving notice to parents/guardians and adult pupils in accordance with NJAC 6A:14-2.3 when an initial request is being made for consent to evaluate or when a proposal has been made to initiate or change a classification, evaluation or educational placement of the pupil, or the provision of a free, appropriate education. For each instance, all required information and documentation shall be supplied to the parents/guardians within the timelines set by the administrative code. Particular care must be taken to inform parents/guardians and adult pupils of their right to review all educational records with respect to the identification, evaluation and educational placement of the pupil; to appeal these by requesting a due process hearing; and their rights in regard to free and low cost legal services and legal fees;
2. An independent evaluation at the request of the parent/guardian or adult pupil. In no case, shall the district limit the parents'/guardians' rights to an independent educational evaluation by first conducting an assessment in an area not already assessed by the initial evaluation or reevaluation before the parents'/guardians' request is granted. Such independent evaluation shall be at no cost to the parent/guardian if it is conducted in compliance with administrative code, unless the district Board of Education initiates a due process hearing to show that its evaluation is appropriate and a final determination to that effect is made following the hearing. The IEP team shall consider any independent evaluation submitted to it when making decisions regarding special education and/or related services;

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3. Mediation when disputes arise during any stage of the special education process which cannot be settled between the original parties. A due process hearing may be initiated by the Board of Education, a parent/guardian or adult pupil;
4. Ensuring what all evaluation procedures, including but not limited to observations, tests and interviews used to determine eligibility and placement of disabled pupils, shall comply with the requirements of NJAC 6A:14-3.4, 3.5 and 3.7.

- K. Placement of educationally disabled pupils in the least restrictive environment according to NJAC 6A:14-4.2.

Educational placement decisions made for each disabled pupil shall always be, insofar as possible, in the least restrictive environment commensurate with the pupil's educational needs. This means that to the maximum extent appropriate, educationally disabled pupils shall be educated with children who are not educationally disabled. These decisions should be designed to produce a positive effect on the pupil and to ensure the quality of services which he/she requires.

The Superintendent of Schools shall encourage positive attitudes toward the educationally disabled in all district pupils and personnel.

Special classes, separate schooling or other removal of educationally disabled pupils from the regular educational environment shall occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

In order to ensure a continuum of alternative placements, when the Board cannot provide required instruction and related services from its own resources and facilities, it will seek appropriate placement outside the district and will assume such costs of that placement as are required by law.

Placement of a disabled pupil in the least restrictive environment shall be determined annually. Placement shall be provided in appropriate educational settings as close to home as possible. When the IEP does not describe specific restrictions, the pupil shall be educated in the school he/she would attend if not disabled.

- L. Establishment and implementation of procedural safeguards according to NJAC 6A:14-2.3 through -2.4 and NJAC 1:6A. The Board of Education directs the Superintendent of Schools to establish and implement the required procedural safeguards.

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Procedural safeguards shall include:

1. Giving notice to parents/guardians per NJAC 6A:14-2.3 when an initial request is being made for consent to evaluate or when a proposal has been made to initiate or change a classification, evaluation or educational placement of the pupil, or the provision of a free, appropriate education. For each instance, all required information and documentation shall be supplied to the parents/guardians within the timelines set by the administrative code. Particular care must be taken to inform parents/guardians of their right to appeal and their rights in regard to legal fees;
2. Seeking consent of parents/guardians to the actions in 1, when such consent is required;
3. Seeking parent/guardian participation in conferences and determinations as specified in 1, and in evaluation of the success of the educational plan for their child. When necessary, conference schedules shall be altered to accommodate working parents/guardians;
4. Mediation when disputes arise during any stage of the special education process which cannot be settled between the original parties.

The Superintendent of Schools shall ensure that the district's special education programs comply with the law in every respect, including fiscal regulations and reports.

These procedures shall provide all due process protection for the rights of the pupil and his/her parents/guardians. Procedures shall be conducted in strict compliance with the provisions of the administrative code dealing with parental notification, consent and involvement, including determination of the parents/guardians' dominant language and necessary accommodations if the language is other than English or if the parents/guardians are deaf.

Discipline

In general, educationally disabled pupils are subject to the same disciplinary constraints and sanctions as nondisabled pupils. However, before disciplinary action is taken against an educationally disabled pupil, consideration must be given to whether the behavior is caused by the disabling condition, whether the program that is being provided meets the pupil's needs, whether a component of the pupil's IEP covers the behavior, or whether the pupil is an immediate danger to himself/herself or others.

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A disabled pupil may be removed for disciplinary reasons from his/her current educational placement to an interim alternative educational setting, another setting, or a suspension without the provision of educational services for up to 10 consecutive or cumulative school days in a school year. Such suspensions are subject to the same district Board of Education procedures as nondisabled pupils. However, at the time of removal, the principal shall forward written notification and a description of the reasons for such action to the case manager.

Procedures for imposing and implementing disciplinary sanctions on educationally disabled pupils, including removal to an interim alternative educational setting, suspension for more than 10 school days in a school year, or expulsion, shall be in strict compliance with the provisions of state and federal law and the administrative code. (See NJAC 6A:14-2.8, 3.7 and Appendix A)

Early Intervention

The Superintendent of Schools or designee shall gather and make available to parents/guardians of disabled children below the age of three information regarding ameliorative services and programs provided by other state, county and local agencies. The procedures for such dissemination shall be reviewed and adopted by the Board.

Preschool Disabled Program

New Jersey code will be followed in regard to providing services to children age 3 to 5 who have disabilities.

Placement in Nonpublic Schools

The Board shall provide a genuine opportunity for the equitable participation of pupils with disabilities who have been enrolled in nonpublic schools by their parents/guardians, in accordance with federal law and regulations. All special education programs and services shall be provided with the consent of parents/guardians.

Pupils shall receive programs and services as specified in NJAC 6A:14-6.1.

Limited English Proficient

Pupils with limited English proficiency may have educationally disabling conditions that must be addressed in order to provide them the full educational opportunity that is the goal of the district for every child. Evaluation procedures shall be selected so that the pupil's cultural background and language abilities are taken into consideration unless it is clearly unfeasible to do so; and shall accurately reflect the pupil's ability rather than the

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implementation of actions under Parent/Guardian Notification, Consent and Participation are to be conducted in the parents/guardians' dominant language, unless that is clearly impossible. In that case, care shall be taken that the facts and procedures are made intelligible to the parents/guardians.

Cooperation with Other Agencies

The Superintendent of Schools shall investigate the possibilities of working with organizations and agencies providing services for the disabled, and shall present feasible programs and relationships to the Board for consideration.

Eligibility for State and Federal Funds

The Superintendent of Schools shall ensure that all requirements for receiving, using and accounting for state and federal funds shall be fulfilled in an accurate and timely manner.

Procurement, control, use and disposition of equipment and supplies purchased with state/federal funds shall be in full compliance with law.

Access

In addition to educational programs, the Board directs that the Superintendent of Schools take into consideration physical access to district facilities for disabled pupils, staff and the community in determining location of programs or planning new facilities per state and federal law.

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Board of Education Policies & Procedures for Eligibility Under Part B of the IDEA for 2016-2017

Part I - Policies

In accordance with Part B of the IDEA and N.J.A.C. 6A:14-1.1, N.J.A.C. 6A:14-1.2(b) and (c), the district Board of Education shall adopt and assure compliance with the following policies:

Policy #1

All students with disabilities, who are in need of special education and related services, including students with disabilities attending nonpublic schools, regardless of the severity of their disabilities, are located, identified and evaluated according to N.J.A.C. 6A:14-3.3.

Policy #2

Homeless students are located, identified and evaluated according to N.J.A.C. 6A:14-3.3, and are provided special education and related services in accordance with the IDEA, including the appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. §§11431 et seq.

Policy #3

Students with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4.

Policy #4

An individualized education program is developed, reviewed, and as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7.

Policy #5

To the maximum extent appropriate, students with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2.

Policy #6

Students with disabilities are included in statewide and district-wide assessment programs, with appropriate accommodations, where necessary according to N.J.A.C. 6A:14- 4.10. All students with disabilities will participate in statewide assessments or the applicable Alternate Proficiency Assessment, in grades 3, 4, 5, 6, 7, 8 and high school in the applicable courses.

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Policy #7

Students with disabilities are afforded the procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent, when appropriate

Policy #8

The rules set forth in N.J.A.C. 6A:14 ensure a free appropriate public education is available to all students with disabilities between the ages of three and 21, including students with disabilities who have been suspended or expelled from school.

1. The obligation to make a free, appropriate public education available to each eligible student begins no later than the student's third birthday and that an individualized education program (IEP) is in effect for the student by that date;
2. If a child's third birthday occurs during the summer, the child's IEP team shall determine the date when services under the IEP will begin;
3. A free, appropriate public education is available to any student with a disability who is eligible for special education and related services, even though the student is advancing from grade to grade;
4. The services and placement needed by each student with a disability to receive a free, appropriate public education are based on the student's unique needs and not on the student's disability; and,
5. The services and placement needed by each student with a disability to receive a free, appropriate public education are provided in appropriate educational settings as close to the student's home as possible, and, when the IEP does not describe specific restrictions, the student is educated in the school he or she would attend if not a student with a disability.

Policy #9

Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under this chapter will experience a smooth transition and have an individualized education program developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.

Policy #10

Full educational opportunity to all students with disabilities is provided.

Policy #11

The compilation, maintenance, access to and confidentiality of student records are in accordance with N.J.A.C. 6A:32-7.

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Policy #12

Provision is made for the participation of students with disabilities who are placed by their parents in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2.

Policy #13

Students with disabilities who are placed in private schools by the district Board of Education, are provided special education and related services at no cost to their parents according to N.J.A.C. 6A:14-1.1 and N.J.A.C. 6A:14-7.5(b)3.

Policy #14

All personnel serving students with disabilities are highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law, pursuant to N.J.A.C. 6A:14-1.2(b)13.

Policy #15

Pursuant to N.J.A.C. 6A:14-1.2(b)4, the in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified and that appropriate in-service training is provided. The district Board of Education shall maintain information to demonstrate its efforts to:

1. Prepare general and special education personnel with the content knowledge and collaborative skills needed to meet the needs of children with disabilities;
2. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;
3. Acquire and disseminate to teachers, administrators, school Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;
4. Insure that the in-service training is integrated to the maximum extent possible with other professional development activities; and,
5. Provide for joint training activities of parents and special education, related services and general education personnel.

Policy #16

Instructional materials will be provided to blind or print-disabled students in a timely manner.

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Policy #17

For students with disabilities who are potentially eligible to receive services from the Division of Developmental Disabilities in the Department of Human Services, the district will provide, pursuant to the Developmentally Disabled Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., and N.J.A.C. 6A:14-1.2(b)17, the necessary materials to the parent to apply for such services.

Policy #18

When the school district utilizes electronic mail, parents are informed as to whether they may use electronic mail to submit requests to school officials regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education. If this is permitted, parents shall be informed of the procedures to access the electronic mail system and that they may not utilize electronic mail to provide written consent when the district provides written notice and seeks parental consent as required by N.J.A.C. 6A:14-1.2(b)18.

Policy #19

The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each student's IEP pursuant to N.J.A.C. 6A:14-4.5(d).

Policy # 20

The school district has a plan in effect to establish stability in special education programming. The plan takes into account the consistency of the location, curriculum, and staffing in the provision of the special education services as required by N.J.A.C. 6A:14-3.7 (c) 4.

Policy #21

The school district screens students who have exhibited one or more potential indicators of dyslexia or other reading disabilities in accordance with N.J.S.A. 18A:40-5.1 et seq.

Part II – Procedures

In accordance with Part B of the IDEA and N.J.A.C. 6A:14-1.1, N.J.A.C. 6A:14-1.2(b) and (c), the Board of Education shall assure compliance with the following policies and related procedures below:

Policy #1

All students with disabilities, who are in need of special education and related services, including students with disabilities attending nonpublic schools, regardless of the severity of their disabilities, are located, identified and evaluated according to N.J.A.C. 6A:14-3.3, and

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Policy #2

Homeless students are located, identified and evaluated according to N.J.A.C. 6A:14-3.3, and are provided special education and related services in accordance with the IDEA, including the

appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. §§11431 et seq. and

Policy #7

Students with disabilities are afforded the procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq. including appointment of a surrogate parent, when appropriate.

Pursuant to 20 U.S.C. §1412(a)(3), procedures to locate students with disabilities (child find) must ensure that:

1. Person(s) responsible to conduct child find activities are identified.
2. Child find activities are conducted for all children ages three through 21, who reside within the district or attend nonpublic schools within the district.
3. Child find activities are conducted at least annually.
4. Child find activities (meetings, printed materials and/or public service announcements) are conducted in the native language of the population, as appropriate.
5. Child find activities address public and nonpublic students, including highly mobile students such as migrant and homeless students.
6. Child find activities for nonpublic school students are comparable to activities conducted for public school students.
7. Child find activities for nonpublic school children provide for consultation with appropriate representatives of the nonpublic school and parents on how to carry out these activities.
8. Child find activities include outreach to a variety of public and private agencies and individuals concerned with the welfare of students, such as clinics, hospitals, physicians, social service agencies and welfare agencies.

Procedures for interventions in the general education program must ensure that:

1. Criteria/steps for initiating interventions in the general education program are identified.
2. Parents, teachers and other school professionals, as appropriate, are informed of the procedures to initiate interventions in the general education program.
3. Activities are in place to determine whether the interventions are effective.
 - School personnel who are responsible for the implementation/evaluation of the interventions are identified; and,
 - The type, frequency, duration and effectiveness of the interventions are documented.

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Procedures for referral must ensure that:

1. Steps are in place to refer students after it has been determined that interventions in the general education program are not effective in alleviating the educational difficulties.
2. Steps are in place to refer students directly to the child study team when warranted.
3. Steps are in place to refer students who have a disability but are advancing from grade to grade.
4. Steps for initiating a referral to the child study team by school personnel identify:
 - The information/documentation of student performance required in the referral;
 - Forms, if any, that are to be submitted by school personnel;
 - School personnel who are responsible to process referrals; and,
 - Timelines for processing referrals including the date that initiates the 20-day timeline for conducting the referral/identification meeting.
5. Steps for processing written referrals received from parents identify:
 - School personnel who are responsible to process referrals from parents; and,
 - Timelines for processing referrals including the date that initiates the 20-day timeline for conducting the referral/identification meeting.
6. School personnel, parents and agencies are informed of referral procedures.

For students with disabilities potentially in need of a surrogate parent, procedures must ensure that:

1. A surrogate parent is provided to a student in accordance with N.J.A.C. 6A:14-2.2 when:
 - The parent of the student cannot be identified or located.
 - An agency of the State has guardianship of the student and that agency has not taken steps to appoint a surrogate parent for the student.
 - The student is a ward of the state and no State agency has taken steps to appoint a surrogate parent for the student.
 - No parent can be identified for the student in accordance with N.J.A.C. 6A:14-1.3 except a foster parent, the foster parent does not agree to serve as the student's parent and no State agency has taken steps to appoint a surrogate parent for the student.
 - The student is an unaccompanied homeless youth and no State agency has taken steps to appoint a surrogate parent for the student.
2. The district will make reasonable efforts to appoint a surrogate parent within 30 days of its determination that a surrogate parent is required for a student.
3. The district will appoint a person who will be responsible for appointing surrogate parents and overseeing the process. The responsible person will:

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- determine whether there is a need for a surrogate parent for a student;
 - contact any State agency that is involved with the student to determine whether the State has had a surrogate parent appointed for the student; and,
 - make reasonable efforts to select and appoint a surrogate parent for the student within 30 days of determining that there is a need for a surrogate parent for the student.
4. The district will establish a method for training surrogate parents that includes provision of information with respect to parental rights and procedural safeguards available to parents and students in accordance with N.J.A.C. 6A:14.
- The district will appoint a person that will be responsible for training surrogate parents;
 - The training of surrogate parents will ensure that surrogate parents have knowledge and skills that ensure adequate representation of the child with a disability;
 - The training will be designed to make surrogate parents familiar with State and federal requirements for assessment, individualized education program development, and parental rights with respect to the referral and placement process, including their rights with respect to seeking a due process hearing if they disagree with the local procedure or decisions;
 - Surrogate parents will be provided with copies of: The Parental Rights in Special Education booklet; N.J.A.C. 6A:14; the Special Education Process; Code Training Materials from the Department of Education Website; and other relevant materials; and,
 - Surrogate parents will be provided information to enable them to become familiar with the nature of the child's disability.
5. The district will ensure that:
- All persons serving as surrogate parents have no interest that conflicts with those of the student, he or she represents;
 - All persons serving as surrogate parents possess knowledge and skills that ensure adequate representation of the student;
 - All persons serving as surrogate parents are at least 18 years of age;

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- If the school district compensates the surrogate parent for providing such services, a criminal history review of the person in accordance with N.J.S.A. 18A:6-7.1 is completed prior to his or her serving as the surrogate parent; and,
- No person appointed as a surrogate parent will be an employee of the New Jersey Department of Education, the district Board of Education or a public or nonpublic agency that is involved in the education or case of the child.

Policy #3

Students with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4.

Procedures

Due to the specificity of the requirements at N.J.A.C. 6A:14-2.5 and 3.4, no additional written procedures are required.

Policy #4

An individualized education program is developed, reviewed, and as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7.

Procedures

Due to the specificity of the requirements at N.J.A.C. 6A:14-2.6 and 3.7, no additional written procedures are required.

Policy #5

To the maximum extent appropriate, students with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-4.2, no additional written procedures are required.

Policy #6

Students with disabilities are included in statewide and districtwide assessment programs, with appropriate accommodations, where necessary according to N.J.A.C. 6A:14- 4.10. All students with disabilities will participate in statewide assessments or the applicable alternate –assessment, in grades 3, 4, 5, 6, 7, 8 and high school in the applicable courses-

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Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-4.10, no additional written procedures are required.

Policy #8

A free, appropriate public education is available to all students with disabilities between the ages of three and 21, including students with disabilities who have been suspended or expelled from school.

Procedures regarding the provision of a free, appropriate public education to students with disabilities who are suspended or expelled must ensure that:

1. School officials responsible for implementing suspensions/expulsions in the district are identified.
2. Each time a student with a disability is removed from his/her current placement for disciplinary reasons, notification of the removal is provided to the case manager.
3. A system is in place to track the number of days a student with disabilities has been removed for disciplinary reasons.
4. Suspension from transportation is counted as a day of removal if the student does not attend school.
 - If transportation is included in the student's IEP as a required related service, the school district shall provide alternate transportation during the period of suspension from the typical means of transportation.
5. Removal for at least half of the school day is reported via the Electronic Violence and Vandalism Reporting System.
6. If the district has an in-school suspension program, participation in the program is not considered a removal when determining whether a manifestation determination must be conducted if the program provides the following: (For the purpose of documenting all removals, in-school suspension must be reported via the Electronic Violence and Vandalism Reporting System even if services were provided.)
 - Opportunity for the student to participate and progress in the general curriculum;
 - Services and modifications specified in the student's IEP;
 - Interaction with peers who are not disabled to the extent they would have in the current placement; and,
 - The student is counted as present for the time spent in the in-school suspension program.
7. When a series of short-term removals will accumulate to more than 10 school days in the year:

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- School officials and the case manager consult to determine whether the removals create a change of placement according to N.J.A.C. 6A:14-2.8(c)2;
 - Written documentation of the consultation between school officials and the case manager is maintained;
 - If it is determined that there is no change in placement, school officials, the case manager and special education teacher consult to determine the extent to which services are necessary to:
 - Enable the student to participate and progress appropriately in the general education curriculum; and,
 - Advance appropriately toward achieving the goals set out in the student’s IEP; and,
 - Written documentation of the consultation and services provided is maintained.
8. Steps are in place to convene a meeting of the IEP team and, as necessary or required, conduct a functional behavioral assessment and review the behavioral intervention plan according to N.J.A.C. 6A:14 Appendix A, Individuals with Disabilities Education Act Amendments of 2004 20 U.S.C. §1415 et seq.

Procedures regarding the provision of a free, appropriate public education to preschool age students with disabilities must ensure that eligible preschool age children who are not participating in an early intervention program have an IEP in effect by their third birthday. Steps include:

1. Responding to referrals according to N.J.A.C. 6A:14-3.3(e)
2. Having a program in place no later than 90 calendar days from the date of consent.

Procedures regarding the provision of a free, appropriate public education to students with disabilities who are advancing from grade to grade must ensure that a student with a disability, who is advancing from grade to grade with the support of specially designed services, may continue to be eligible when:

1. As part of a reevaluation, the IEP team determines that the student continues to require specially designed services to progress in the general education curriculum; and,
2. The use of functional assessment information supports the IEP team’s determination.

Policy #9

Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under this chapter will experience a smooth transition and have an individualized education program developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.

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1. A child study team member of the district will participate in the preschool transition planning conference arranged by the designated service coordinator from the early intervention system and will:
 - Review the Part C Individualized Family Service Plan for the child;
 - Provide the parent(s) written district registration requirements;
 - Provide the parents written information with respect to available district programs for preschool students, including general education placement options; and,
 - Provide the parent(s) a form to use to request that the Part C service coordinator be invited to the child's initial IEP meeting.
2. The Part C service coordinator will be invited to the initial IEP meeting for a student transitioning from Part C to Part B.

Policy #10

Full educational opportunity to all students with disabilities is provided, according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3.

Procedures: Due to the specificity of the requirements at N.J.A.C. 6A:14-1.1, no additional written procedures are required.

Policy #11

The compilation, maintenance, access to and confidentiality of student records are in accordance with N.J.A.C. 6A:32-7.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:32-7, no additional written procedures are required.

Policy #12

Provision is made for the participation of students with disabilities who are placed by their parents in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-6.1 and 6.2, no additional written procedures are required.

Policy #13

Students with disabilities who are placed in private schools by the district Board of Education, are provided special education and related services at no cost to their parents according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3.

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Procedures

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.1(d) and 7.5(b)3, no additional written procedures are required.

Policy #14

All personnel serving students with disabilities are highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.2(b)13, no additional written procedures are required.

Policy #15

The in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified and that appropriate in-service training is provided. The district Board of Education shall maintain information to demonstrate its efforts to:

1. Prepare general and special education personnel with the content knowledge and collaborative skills needed to meet the needs of children with disabilities;
2. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;
3. Acquire and disseminate to teachers, administrators, school Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;
4. Ensure that the in-service training is integrated to the maximum extent possible with other professional development activities; and,
5. Provide for joint training activities of parents and special education, related services and general education personnel.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.2(b)14, no additional Written procedures are required.

Policy #16

Instructional materials will be provided to blind or print-disabled students in a timely manner.

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Instructional materials will be provided to blind or print-disabled students in accordance with a plan developed by the district. The plan will be the Individualized Education Program of each student with a disability, which will set forth the instructional materials needed, how they will be provided, and address any assistive technology needed to permit the student to utilize the materials.

Policy #17

For students with disabilities who are potentially eligible to receive services from the Division of Developmental Disabilities in the Department of Human Services, the district will provide, pursuant to the Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., the necessary materials to the parent to apply for such services.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.2(b)17, no additional written procedures are required.

Policy #18

When the school district utilizes electronic mail, parents are informed as to whether they may use electronic mail to submit requests to school officials regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education. If this is permitted, parents shall be informed of the procedures to access the electronic mail system and that they may not utilize electronic mail to provide written consent when the district provides written notice and seeks parental consent as required by N.J.A.C. 6A:14.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.2(b)18, no additional written procedures are required.

Policy #19

The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each student's IEP.

Procedures: Due to the specificity of the requirements at N.J.A.C. 6A:14-4.5(d), no additional written procedures are required.

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Policy #20

The school district has a plan in effect to establish stability in special education programming. The plan takes into account the consistency of the location, curriculum, and staffing in the provision of special education services.

Procedures: Due to the specificity of the requirements in N.J.A.C. 6A: 14-3.7 (c)4, no additional written procedures are required.

Policy #21

The school district screens students who have exhibited one or more potential indicators of dyslexia or other reading disabilities is screened for dyslexia or other reading disability in accordance with N.J.A.C. 18A:40-5.1 et seq. The district board of education shall maintain information to demonstrate its efforts to:

1. Select and implement age-appropriate screening instruments for the diagnosis of dyslexia and other reading disabilities.
2. Ensure that each student enrolled in the district who has exhibited one or more potential indicators of dyslexia or other reading disabilities is screened for dyslexia and other reading disabilities using the selected screening tool no later than the student's completion of the first semester of second grade.
3. Develop a procedure to screen eligible newly-enrolled students in accordance with the legislation.
4. Ensures the screening is administered by a teacher or other teaching staff member properly trained in the screening process for dyslexia and other reading disabilities; and,
5. Ensures that students who are diagnosed with dyslexia or other reading disability receive appropriate evidence-based interventions.

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Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:46-1 et seq. Classes and Facilities for Handicapped Children
18A:46A-1 et seq. Auxiliary Services
- NJAC 5:23-7 Barrier free subcode of the uniform construction code
6A:7-1.7 Equality in school and classroom practices
6A:8-1.2 Scope
6A:8-3.1 Curriculum and instruction
6A:8-4.1 et seq. Implementation of the Statewide Assessment System
6A:8-5.1 et seq. Implementation of Graduation Requirements
6A:9-1.1 et seq. Professional Licensure and Standards
6A:14-1.1 et seq. Special Education
6A:15-1.4 Bilingual programs for limited English proficient students
6A:23-1.1 et seq. Finance and Business Services
6A:26-6.1 et seq. Planning and Construction Standards for School Facilities
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-7.1 et seq. Student Records
6A:32-8.3 School attendance
6A:32-12.1 Reporting requirements
6A:32-14.1 Review of mandated programs and services
- No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
20 U.S.C.A. 1400 et seq. - 1990 Individuals With Disabilities Education Act,
P.L. 101-476 (formerly Education for All Handicapped Children Act--Part B)
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
34 CFR 76.1 et seq. - General Administrative Regulation EDGAR
34 CFR 77.1 et seq. - General Administrative Regulation EDGAR
34 CFR 300 - Assistance to States for the Education of Children with Disabilities
Community School District v. Garrett F., 526 U.S. 66 (1999)
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1120, 4112.2, 4131/4131.1, 5125, 6121, 6145, 9322

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Policy 6171.45

Date Adopted: February 25, 2015 Date Revised:

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When assessments of a pupil have been conducted by or on behalf of this district to determine initial or continuing eligibility for special education and related services as part of an initial evaluation or reevaluation, the student's parents/guardians are entitled by law to request an Independent Educational Evaluation (IEE) of the student if there is disagreement with any assessment conducted by the district. Upon receipt of a request for an IEE the district has the option of to either provide the IEE at no cost to the parents/guardians or to initiate a due process hearing to demonstrate that its evaluation is appropriate.

Upon receipt of a parental request for an IEE, the district shall either provide the parents(s)/guardian(s) with information about where an IEE may be obtained and the criteria specified below in this policy or not later than 20 calendar days after receipt of the parental request for an IEE, request a due process hearing in accordance with the provisions of NJAC 6A:14-2.7, et seq. to show that its evaluation is appropriate.

Criteria for Independent Evaluations at District Expense

- A. An IEE paid for with public funds shall:
 - Be conducted in accordance with the provisions of NJAC 6A:14-3.4; and
 - Be obtained for another public school district, educational services commission, jointure commission, a clinic or agency approved in accordance with the provisions of NJAC 6A:14-5, or private practitioner who is certified and/or licensed, where certification or a license is required.

- B. An independent medical evaluation may be obtained in accordance with the provisions of NJAC 6A:14-5.1(c).

- C. The Board of Education will only pay for an IEE that meets the following additional criteria, unless the parent/guardian can demonstrate to the satisfaction of the Board of Education, that unique circumstances warrant deviation from these criteria when the parent/guardian seeks to utilize an evaluator who is not on the list provided by the district. These criteria are the same as those used by the district in selecting evaluators for district-initiated assessments:
 - Where certification or licensure is required, the evaluator must possess the appropriate certification or license issued by an agency or other applicable licensing body of the State of New Jersey. Where certification or licensure is not required, the parents/guardians must provide the Board of Education with documentation demonstrating that the independent evaluator has appropriate education, training and experience to perform the particular evaluation;

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- The costs of the IEE are reasonable and customary in accordance with item D below;
 - The independent evaluator must be free from any conflict of interest (by way of illustration and not limitation, former employees of this district will not meet this criterion, except where the separation from employment was due to retirement);
 - The parents/guardians must authorize and permit the independent evaluator and members of the Child Study Team to directly communicate and share information with each other. The independent evaluator must also agree to release the assessment information, results and report(s) to this district prior to receipt of payment for services and prior to or contemporaneous with the submission of the report to the parents/guardians;
 - For an independent evaluation, whether paid for with public or private funds, this district will permit the evaluator to observe the pupil in the classroom or other educational setting as applicable. The observation may not exceed 2 hours and a district staff person shall accompany the evaluator for the duration of the observation. The evaluator shall not disrupt the learning process during the observation. The evaluator may clarify following the observation as to whether the day was typical of the student/class. Other questions the evaluator may have as, as a result of the observation may be made to the case manager in writing and the case manager shall follow up and respond as appropriate;
 - The independent evaluator shall communicate at least once with the pupil's case manager for the purpose of obtaining the district's perspective on how the pupil is progressing in his/her current program; and,
 - The evaluator should be located within a 40 mile radius of this district. Evaluators outside of this area will be approved only on an exception basis and the parent/guardian must demonstrate the necessity of using personnel outside of the approved geographic area.
- D. The maximum allowable cost for an IEE will be limited to the reasonable and customary rate within the district or as determined by the Board of Education annually. This rate shall be in the range of what it would cost the Board of Education to provide the same type of assessment through either another public school district, educational services commission, jointure commission, a clinic or agency in accordance with the provisions of NJAC 6A:14-5 or an appropriately certified or licensed private practitioner. The maximum fee shall not be an average of the fees customarily charged in this area, but they shall be established so as to allow parents/guardians to choose from among the qualified professions

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in this area, while eliminating unreasonably excessive fees. The Board-approved rate shall be provided to the parents/guardians with the district's response to the request for an IEE. The Board of Education shall not be responsible for any costs beyond the IEE, such as transportation, lodging, food, etc.

Parents may provide documentation the Board of Education, demonstrating unique circumstances in order to justify an IEE that exceeds the maximum allowable cost established by the Board of Education. If, in the judgment of the Board of Education or the Chief School Administrator/designee, there is no justification for the excess cost, the Board of Education will fund the IEE up to the district's maximum allowable cost and, if the parents/guardians do not agree to assume the remaining costs, the Board of Education will initiate a due process hearing as soon as possible, in order to demonstrate that the evaluation obtained by the parents/guardians did not meet the Board of Education's cost criteria.

Additional Considerations

Parents/guardians are entitled to only 1 IEE paid for by the Board of Education each time the district conducts an evaluation or reevaluation that contains an assessment with which the parents/guardians disagree. One IEE may include multiple assessments, but the parents/guardians must specify all independent assessments sought at the time they request the IEE and the parents/guardians shall not add to the list of desired assessments after the IEE request is submitted.

If the parents/guardians request an IEE, the district may request that the parent explain why they object to the district evaluation. However, the district shall not require such an explanation and shall not delay either providing the IEE or initiating a due process hearing to defend the district evaluation.

Any IEE submitted to the district, including an IEE obtained by the parents/guardians at private expense, shall be considered in making decisions requiring special education and related services.

If an Administrative Law Judge orders that an IEE be conducted, the district, in accordance with the decision or Order of the Administrative Law Judge shall obtain the IEE, and the Board of Education shall pay the cost of the IEE in accordance with the provisions of this policy.

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Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:46-1 et seq. Classes and Facilities for Handicapped Children
18A:46A-1 et seq. Auxiliary Services
- NJAC 5:23-7 Barrier free sub code of the uniform construction code
6A:7-1.7 Equality in school and classroom practices
6A:8-1.2 Scope
6A:8-1.3 Definitions
6A:8-3.1 Curriculum and instruction
6A:8-4.1 et seq. Implementation of the Statewide Assessment System
6A:8-5.1 et seq. Implementation of Graduation Requirements
6A:9-1.1 et seq. Professional Licensure and Standards
6A:14-1.1 et seq. Special Education
6A14-2.5 Protection in evaluation procedures
6A:14-2.7 Due process hearings
6A:15-1.4 Bilingual programs for limited English proficient students
6A:23-1.1 et seq. Finance and Business Services
6A:26-6.1 et seq. Planning and Construction Standards for School Facilities
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-7.1 et seq. Student Records
6A:32-8.3 School attendance
6A:32-12.1 Reporting requirements
6A:32-14.1 Review of mandated programs and services
- CFR Section 300.502 Independent educational evaluations
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
20 U.S.C.A. 1400 et seq. - 1990 Individuals With Disabilities Education Act,
P.L. 101-476 (formerly Education for All Handicapped Children Act--Part B)
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
34 CFR 76.1 et seq. - General Administrative Regulation EDGAR
34 CFR 77.1 et seq. - General Administrative Regulation EDGAR
34 CFR 300 - Assistance to States for the Education of Children with Disabilities
(IDEA Regulations)
Agostini v. Felton, 521 U.S. 203 (1997), overruling Aguilar v. Felton, 473 U.S. 402
(1985)
Honig v. Doe, 484 U.S. 305 (1988)
Oberti v. Board of Education of Clementon School District, 995 F.2d 1204,1216-17
Cedar Rapids Community School District v. Garrett F., 526 U.S. 66 (1999)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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District Policy Manual

Instructional Program
Surrogate Parents

Series 6000
Policy 6171.5

Date Adopted: January 18, 2007 Date Revised: September 25, 2013 Page 1 of 3

Federal and State laws require the Board of Education to ensure the rights of a pupil are protected through the provision of an individual to act as surrogate for the parent and assume all parental rights under N.J.A.C. 6A:14-2.2 when the parent (as defined according to N.J.A.C. 6A:14-1.3) cannot be identified or located after reasonable efforts or when an agency of the State of New Jersey has guardianship of the pupil.

Qualifications and Selection

The person serving as a surrogate parent shall have no interest that conflicts with those of the pupil he/she represents and shall possess the knowledge and skills that ensure adequate representation of the pupil. The person serving as a surrogate parent may not be an employee of the Department of Education, the Deerfield Township School District, or a public or nonpublic agency that is involved in the education or care of the child.

When a pupil (who is or may be a pupil with a disability) is in the care of a foster parent residing in this district, the parent(s)/guardian(s) shall contact the pupil's case manager at the New Jersey Division of Child Protection & Permanency (DCP&P) in the Department of Human Services to determine whether the parent/legal guardian retains the right to make educational decisions and to determine the whereabouts of the parent/legal guardian.

If the parent/legal guardian retains the right to make educational decisions and the parent's whereabouts are known, the school office shall obtain all required consent from and provide written notices to the parent/legal guardian. If the district cannot ascertain the whereabouts of the parent/legal guardian, the surrogate/foster parent(s) shall consult with the pupil's case manager at DCP&P to assist in identifying an individual, including the foster parent, who may serve as a surrogate. The Board shall appoint a surrogate parent and the school office shall obtain all required consent from and provide written notices to the appointed surrogate parent.

If the rights of the parent/legal guardian have been terminated, the surrogate/foster parent(s) shall consult with the pupil's case manager at DCP&P to determine whether the foster parent meets the criteria established at N.J.A.C. 6A:14-1.3 in the definition of "parent" and can act on behalf of the pupil. If so, the school office shall obtain all required consent from and provide written notices to the foster parent.

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If it is determined the foster parent cannot serve as the parent on behalf of the pupil, the Board, in consultation with DCP&P, shall appoint a surrogate parent and the school office shall obtain all required consent from and provide written notices to the appointed surrogate parent.

Training

N.J.A.C. 6A:14-2.2(b) requires the district train surrogate parents so they have the knowledge and skills that ensure adequate representation of the pupil. The school office shall coordinate the training for surrogate parents. The training will include, but not be limited to:

1. Providing the surrogate parent a copy of Special Education Statutes (N.J.S.A. 18A:46 & 46A); Administrative Code - Special Education (N.J.A.C. 6A:14 & 14A); Administrative Code - Pupil Records (N.J.A.C. 6:3-6); a list of low cost legal or other services relevant to a due process hearing; and due process rules (N.J.A.C. 1:6A);
2. Providing the surrogate parent an opportunity to meet with the school office to discuss the rights of the surrogate parent and the applicable statutes, administrative codes, and federal laws;
3. Providing the surrogate parent adequate time to become familiar with the pupil and the pupil's disability through a review of the pupil's record;
4. Providing the surrogate parent an opportunity to confer with the pupil's case manager to discuss the pupil; and
5. Other information and resources to provide the surrogate parent the knowledge and skills to ensure adequate representation of the pupil.

Rights of the Surrogate Parent

A surrogate parent appointed in accordance with N.J.A.C. 6A:14-2.2 shall assume all parental rights under N.J.A.C. 6A:14.

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6A:7-1.7 Equality in school and classroom practices
6A:8-1.2 Scope
6A:8-1.3 Definitions
6A:8-3.1 Curriculum and instruction
6A:8-4.1 et seq. Implementation of the Statewide Assessment System
6A:8-5.1 et seq. Implementation of Graduation Requirements
6A:9-1.1 et seq. Professional Licensure and Standards
6A:14-1.1 et seq. Special Education
6A:15-1.4 Bilingual programs for limited English proficient students
6A:23-1.1 et seq. Finance and Business Services
6A:26-6.1 et seq. Planning and Construction Standards for School Facilities
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-7.1 et seq. Student Records
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6A:32-12.1 Reporting requirements
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- No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
20 U.S.C.A. 1400 et seq. - 1990 Individuals With Disabilities Education Act,
P.L. 101-476 (formerly Education for All Handicapped Children Act--Part B)
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
34 CFR 76.1 et seq. - General Administrative Regulation EDGAR
34 CFR 77.1 et seq. - General Administrative Regulation EDGAR
34 CFR 300 - Assistance to States for the Education of Children with Disabilities
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Agostini v. Felton, 521 U.S. 203 (1997), overruling Aguilar v. Felton, 473 U.S. 402
(1985)
Honig v. Doe, 484 U.S. 305 (1988)
Oberti v. Board of Education of Clementon School District, 995 F.2d 1204,1216-17
Cedar Rapids Community School District v. Garret F., 526 U.S. 66 (1999)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1120, 4112.2, 4131/4131.1, 5125, 6121, 6145, 9322

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Series 6000

Special Education Medicaid Initiative Program (SEMI) Policy 6171.6

Date Adopted: September 24, 2008 Date Revised

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The Board of Education directs the Board Secretary/Business Administrator to oversee and ensure that appropriate steps are taken to maximize its revenue from the Special Education Medicaid Initiative Program (SEMI) by following the policies and procedures as set forth in this policy.

However, the Board of Education also directs that the Board Secretary/Business Administrator may seek, in the prebudget year, a waiver of the requirements of NJAC 6A:23A-5.3 upon demonstration that for the subsequent school year:

- The district projects, based on reliable evidence, that it will have 30 or fewer Medicaid eligible classified students; or
- The district demonstrates that efforts to participate in SEMI would not provide a cost benefit to the district, based on the projection of the district's available SEMI reimbursement for the budget year as set forth in below.

The waiver request must be submitted to the Executive County Superintendent by the date stipulated by law and the Executive County Superintendent shall promptly review the request and render a decision by the date specified by law. If the waiver is not granted, the district shall submit a SEMI action plan to the Executive County Superintendent as required as part of its annual district budget submission or demonstrate to the Executive County Superintendent that the district has achieved maximum participation in the SEMI program in the prebudget year.

As part of the annual budget information, the New Jersey Department of Education shall provide the district with a projection of available SEMI reimbursement for the budget year, as determined by the New Jersey State Department of Treasury's third party administrator for SEMI. The projection shall be based on the following:

- Number of Medicaid eligible students;
- Assumption of 20 services per eligible students per year;
- One IEP meeting per eligible student per year; and,
- Applicable SEMI reimbursement rates.

Beginning with the 2009-10 school year, the district shall recognize as revenue in its annual district budget no less than 90 percent of said projection.

The district may seek approval from the Executive County Superintendent to use its own projection of SEMI reimbursement upon demonstration that the numbers it used in calculating the projection are more accurate than the projection provided.

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Special Education Medicaid Initiative Program (SEMI) Policy 6171.6

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The district shall strive to achieve maximum participation in the SEMI program. For purposes of this section, “maximum participation” means obtaining a 90 percent return rate of parental/legal guardian consent forms for all SEMI eligible students and the district shall enter all students following their evaluations into the third-party system to identify the district’s universe of eligible students. This can be done without parental/legal guardian consent.

When participating in the SEMI reimbursement program, the district shall comply with program requirements as follows:

- Any service submitted to Medicaid for reimbursement shall be rendered by a Medicaid qualified practitioner, or rendered by a provider under the supervision of a Medicaid qualified practitioner. The following outlines the required documentation for each related service provider:
 - A. Nurses – copy of license (DOE certification is not required for SEMI)
 - B. Occupational Therapist – copy of license and DOE certification
 - C. Physical Therapist - copy of license and DOE certification
 - D. Psychologist – copy of DOE certification
 - E. Social Worker - copy of DOE certification
 - F. Speech Therapist – copy of license, DOE certification, and ASHA certification or Masters Degree in Speech Pathology on or after January 1, 1993.
- Practitioners who are not Medicaid qualified can deliver services under the direction of Medicaid qualified practitioners. These include certified occupational therapist assistants (COTAs), physical therapist assistants (PTAs) and speech correctionists.
- Any direct therapy or other related service shall be prescribed in the related services section of the student’s IEP prior to submitting a claim to Medicaid for reimbursement. Delivery of nursing services and dispensing of medication must be referenced in the IEP and supported by physicians’ orders or prescriptions. These documents must be maintained on file. Supporting documentation to be maintained by the district shall be the cover/signature page, related services section of the IEP, therapy logs, and the evaluations and assessments conducted by the Medicaid-qualified practitioners.
- Entities where the district has placed SEMI eligible students shall take steps to enable districts to maximize participation, including either logging the eligible services provided directly through the vendor or the sending district, as mutually agreed upon with the district, and obtaining SEMI provider qualification

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Special Education Medicaid Initiative Program (SEMI) Policy 6171.6

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- certifications. Every out-of-district placement must provide copies of SEMI provider qualifications, certifications and licenses. This rule applies to the following out-of-district placement options:
- A. Approved Private Schools for Students with Disabilities;
 - B. Educational services commissions;
 - C. Jointure commissions;
 - D. Vocational half-time programs;
 - E. Department of Education Regional Day Schools; and,
 - F. Special Service School Districts.
- All supporting documentation for a Medicaid claim shall be maintained on file and available for audit or State review for at least seven years from the date of service. Supporting documentation shall include provider certification (current and historical for each provider), provider service logs, licenses and certifications, physician authorizations for nursing services, parental/legal guardian consent forms, attendance records, and copies of the student IEP.

If the district has less than 90 percent participation of SEMI eligible students in the 2007-2008 school year or has failed to comply with all program requirements set forth above, the district shall demonstrate a good faith effort to achieve maximum participation and to maximize available SEMI revenue during the 2008-2009 school year by submitting a SEMI action plan to the Executive County Superintendent for review and approval by September 1, 2008. In subsequent years, each district that has less than 90 percent participation of SEMI eligible students in the prebudget year or that has failed to comply with all program requirements set forth above shall submit a SEMI action plan to the Executive County Superintendent for review and approval as part of the district's proposed budget submission.

The SEMI action plan shall include the following components:

- Procedures for obtaining parental/legal guardian consent forms including the Parental/Legal Guardian Consent Best Practices which are available from the Department.
- Establishment of a benchmark for the 2008-09 school year or for the first year that the district does not have an approved waiver pursuant to the provisions above, whichever is applicable, for obtaining maximum participation of all SEMI eligible students by the start of the subsequent school year.

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Special Education Medicaid Initiative Program (SEMI) Policy 6171.6

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The benchmarks for the 2008-09 school year or for the first year that the district does not have an approved waiver, whichever is applicable, for achieving maximum participation shall at a minimum close the gap between current participation and maximum participation by 50 percent by the beginning of the subsequent school year.

The benchmarks shall be based on the percentage of parental/legal guardian consent forms collected from eligible students. The number of parental/legal guardian consent forms shall reflect one parental/legal guardian consent form for each eligible student. This should include documentation of parental/legal guardian refusal to give consent.

Procedures to ensure that all IEP meetings are documented in the third-party administrator's system. IEPs are only claimable if a Medicaid qualified practitioner is present.

Procedures to ensure that all SEMI eligible services, including services provided by entities where the district has placed SEMI eligible students, are documented in the third-party administrator's system.

Procedures to ensure that a valid IEP is on file and the IEP date is on file in the third-party administrator's system for each SEMI eligible student for whom parental/legal guardian consent has been obtained.

Procedures to ensure that service providers used by the district and entities where the district has placed SEMI eligible students have valid licenses and certifications documenting SEMI provider qualifications on file in the third-party administrator's system.

If the district did not achieve 90% participation or achieve its approved benchmarks in the SEMI program for a given budget year and cannot demonstrate that they fully implemented their Department approved SEMI action plan required above, the district shall be subject to review for the withholding of State aid by the Commissioner pursuant to NJSA 18A:55-3 in an amount equal to the SEMI revenue projection based on their approved benchmark for the budget year, if applicable, less actual SEMI reimbursements for the budget year. The State aid deduction shall be made in the second subsequent year after the budget year.

Legal References

NJSA 18A:55-3 School districts, conditions for receipt of State aid; efficiency standards

NJAC 6A:23A-5.3 Accountability Regulation

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Appeals / Grievances Regarding Section 504 Issues

Policy 6171.7

Date Adopted: November 18, 2009 Date Revised:

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The district does not discriminate on the basis of disability with regard to admission, access to services, treatment or employment in its programs or activities based on the requirements outlined in Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA). The definition of an "individual with a disability" is a person who: has a mental or physical impairment which substantially limits one or more major life activities, such as seeing, hearing, speaking, breathing, learning, or working; or has a record of such impairment; or is regarded as having such an impairment.

The district will evaluate students, identify student eligibility according to 504 law, and provide accommodations so that those eligible receive a free appropriate education. Parents of all students are entitled to and will receive procedural safeguards, including individual notice and an impartial hearing. No discrimination against any person with a disability will be knowingly permitted in any of the programs and practices of the district.

The Board of Education has established the following grievance procedure to resolve complaints of discrimination as mandated by the family education rights and privacy act (FERPA):

Procedural Safeguards Under Section 504 of the Rehabilitation Act of 1973

Section 504 prohibits discrimination against persons with a disability in any program receiving Federal financial assistance. Each parent or guardian of a child being served under 504 or ADA or considered for such service are guaranteed all of the FERPA.

These rights include, but are not limited to:

- The right to file a grievance over alleged violation of Section 504;
- The right to be represented by counsel in the impartial hearing process ;
- To receive information in your native language or primary mode;
- The right to have an evaluation that draws information from a variety of sources;
- The right to be notified of any proposed action related to eligibility or 504 plan;
- The right to periodic reevaluations and an evaluation before any significant change in program or eligibility;
- The right for students to be given an equal opportunity to participant in non-academic and extracurricular activities offered by the district

504 Appeals / Grievance Procedure

Appeals of the recommendations of the multi-disciplinary team regarding 504 services will be resolved via mediation wherever possible. The initial level of local mediation will be provided by the Building Principal.

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Appeals / Grievances Regarding Section 504 Issues

Policy 6171.7

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Should an impartial due process hearing be required to resolve the dispute, the appeal will be heard by a Board appointed hearing officer. Hearing request must be made in writing to the District Section 504 Compliance Coordinator.

Definitions

For the purposes of this Policy / Procedure, the following definitions shall apply:

1. A “grievance” is a claim by a student, an employee or representative(s) of the student or an employee based upon an interpretation and/or application that a violation of Section 504 of the Rehabilitation Act of 1973 has occurred. To be considered under this procedure, a “grievance” must be initiated by the student or employee or their representative(s) within thirty (30) days of the time the student or employee knew or should have known of its occurrence.
2. A “grievant” is the person or persons making the claim.

Purpose

The purpose of this procedure is to secure, at the lowest lever, equitable solutions to problems that may arise under the provisions of Section 504 of the Rehabilitation Act of 1973.

Procedure

Step 1

A student or employee grievant and/or their representative(s) shall first discuss the alleged grievance with the Principal/immediate supervisor.

Step 2

If, after consultation with the Principal/immediate supervisor, a satisfactory solution has not been reached within seven (7) calendar days, a written, formal grievance, designating the grievance and all parties to the grievance may be filed with the Principal. The grievant shall state the remedy or solution sought in writing.

The grievant will submit any grievance on the form that accompanies this policy/procedure. This form may be secured at any school office as well as the office of the Affirmative Action Officer. If such written formal grievance is not filed within seven (7) calendar days after the initial discussion in Step 1, the grievance shall be considered to be waived.

Step 3

If the grievant is not satisfied with the disposition of his/her written grievance as noted in Step 2, or if no decision has been remedied within seven (7) calendar days after

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Appeals / Grievances Regarding Section 504 Issues

Policy 6171.7

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presentation of the written grievance, he/she may file the grievance in writing with the Chief School Administrator.

The Chief School Administrator shall render a decision within twenty (20) calendar days.

Step 4

If the grievant is not satisfied with the resolution of the grievance at Step 3, then the grievance shall be submitted in writing to the Board of Education within seven (7) calendar days of receipt of the decision of the Chief School Administrator and the Board of Education shall render a decision in writing within thirty (30) calendar days after the submission of said grievance.

The grievant can request an appearance before the Board of Education. The Board of Education will decide if an appearance is appropriate on a case-by-case basis. The appearance shall be limited to fifteen (15) minutes. When appearance occurs, the Board of Education shall render a decision within thirty (30) calendar days of the appearance.

Legal References:

29 USCA 794 et seq – Section 504 of the Rehabilitation Act of 1973
Americans With Disabilities Act (ADA)

**Deerfield Township School District
Section 504 – Rehabilitation Act of 1973
Grievance Procedure Form**

Nature of Grievance: _____

Remedy or Solution Sought: _____

Step 1
Grievance Discussed with Building Principal: _____
Date

Step 2
Grievance Reduced to Writing. Three (3) Copies Filed with the Building
Principal and One (1) Copy Forwarded to the Chief School Administrator.

Date

Signed: _____
Administrator Grievant

The Administrator shall insert the grievance disposition on three (3) copies of the Grievance Form, sign and date same. The Administrator shall return two (2) copies to the Grievant and one (1) copy to the Superintendent of Schools immediately.

Building Principal's Disposition

Granted Remarks: _____
Rejected Remarks: _____
Withdrawn Remarks: _____
Adjusted Remarks: _____
Referred to the Chief School Administrator

Signed: _____ Date: _____

**Deerfield Township School District
Section 504 – Rehabilitation Act of 1973
Grievance Procedure Form (continued)**

Step 3

Date Filed with the Chief School Administrator:

Step 4

Disposition of the Chief School Administrator

- Granted Remarks: _____
Rejected Remarks: _____
Withdrawn Remarks: _____
Adjusted Remarks: _____
Referred to the Board of Education

Signed: _____ Date: _____

Step 5

Date Filed with the Board Secretary: _____

Disposition of the Board of Education

- Granted Remarks: _____
Rejected Remarks: _____
Withdrawn Remarks: _____
Adjusted Remarks: _____
Date of Appearance of Grievant (if applicable): _____

Signed: _____ Date: _____

Deerfield Township School District
Section 504 – Rehabilitation Act of 1973
Office of Civil Rights Complaint Procedure

If a person believes that any aspect of Section 504 of the Rehabilitation Act of 1973 has been violated, he/she may initiate a complaint to the Office of Civil Rights (OCR). The person or organization filing the complaint need not be the victim of the alleged discrimination; but may issue a complaint on behalf of another person or group. A complaint must be filed within 180 calendar days of the date of the alleged discrimination, unless the time for filing is extended by OCR for good cause. The complaint should be in the form of a letter, explaining:

- Who was discriminated against? (Name, Address, Phone Number)

- In what way? (On the basis of being a “handicapped person” as defined in Section 504, describe how the major life activity of learning is being impacted by your child’s disabling condition)

- When the discrimination took place. (On what date did the alleged act of discrimination take place?)

- State in full what occurred to lead you to believe that your child was discriminated against. Provide names, dates and other forms of information which are available to you, such as supporting documents. If you do not already have your child’s complete pupil record, this would be an important time to request it of your school district.

- Define the desired outcome(s).

- Who can be contacted for additional information? (List the names, addresses, and phone numbers, if available, of any persons having knowledge of the discriminatory treatment.)

- If you have filed a complaint with any other federal, state or local civil rights agencies, please list these.

- Writer’s name, address and phone number (daytime)

Send Letter To:

Officer of Civil Rights, Region II
US Department of Education
26 Federal Plaza
Room 33-130, 02-1010
New York, NY 10278-0082
(212) 264-4633
DT (212) 264)-9464

For Technical Assistance
(Not Enforcement) Contact:

Charles Masterton
Equal Opportunity Specialist
(212) 264-6618

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Alternative Educational Programs

Policy 6172

Date Adopted: July 27, 2006

Date Revised: February 15, 2007

March 27, 2013

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The Board endeavors to provide an educational program adjusted to the needs of the individual child within the financial means of the district. Grouping enables a more efficient use of staff in meeting these needs. Program adaptations provide another means of using staff efficiently and effectively to meet the needs of many children.

When the needs of special individuals or groups cannot be met through adaptation or independent study, the Superintendent/designee shall investigate and propose to the Board for approval alternative programs and facilities.

Each alternative education program shall fulfill the program criteria that are specified in NJAC 6A:16-9.2 including but not limited to:

- A. A maximum student-teacher ratio of 10:1 for middle school programs,
- B. An Individualized Program Plan (IPP) shall be developed for each general education student enrolled in the program,
- C. For students with disabilities the alternate education program shall be consistent with the student's Individualized Education Plan (IEP).

Home Schooling

The Board of Education acknowledges the right of parents/guardians to educate their children at home. The Board is not required by law to allow a resident child educated elsewhere than at school to participate in the regular school curriculum or in extracurricular or sports activities. The Board of Education may allow a child educated elsewhere than at school to participate in curricular and extracurricular activities or sports activities and/or loan books or materials to a child educated elsewhere than at school.

In the event the Chief School Administrator determines there is credible evidence that the parent/guardian is not causing the child to receive equivalent instruction elsewhere than at school, the Chief School Administrator may request a letter of intent from the parent/guardian confirming the child is receiving equivalent instruction elsewhere than at school. The Chief School Administrator may report to the appropriate municipal authorities children whom he/she has reason to believe are not receiving an education in accordance with NJSA 18A:38-25. The New Jersey Department of Education encourages the parent/guardian of school-aged children to notify the Chief School Administrator of the intent to educate said school-aged children elsewhere than at school to avoid questions with respect to compliance with the compulsory education laws of this state.

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Alternative Educational Programs**

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Policy 6172**

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Required Services to Home Schooled Students

When a student of this district is home schooled, the district shall:

- Provide payment for tuition when a student is enrolled in a shared-time vocational school program. Once a resident student is enrolled in a shared-time vocational school program the student becomes a public school student;
- Review any written request for a special education evaluation and if warranted conduct an evaluation as described in Policy 6171.4 Special Education and in accordance with the federal special education law, Individuals with Disabilities Education Act (P.L. 108-446 §612).

If the student is eligible for special education and related services, the district shall make a free, appropriate public education available only if the student enrolls in the district. If the student does not enroll in the district, but the district chooses to provide services, the district will develop a plan for the services to be provided.

Disruptive/Disaffected Children

The Board of Education recognizes that the active engagement of each pupil is a primary requisite for sound teaching and learning to take place. When a child is unable to benefit from the educational program because he/she is either disruptive or disaffected, then the educational goals of the district for that child will not be realized and the efforts of other pupils may be impeded. In an effort to optimize the educational experience for each child, the Superintendent/designee shall develop procedures to identify and work with disruptive/disaffected pupils.

When it is determined by the child study team that a disruptive/disaffected pupil is not classifiable, the Board shall consider some other program as an alternative to regular classroom attendance. When the district does not have a suitable alternative program available, the Superintendent/designee shall recommend to the Board placement in a program of another district, or home instruction.

In accordance with state law and Board policy, disruptive pupils whose continuing attendance interrupts the educational program and/or threatens harm to themselves and others may be suspended and considered for expulsion. (See Policy 5114).

Removal for Weapons Offenses or Assault

Any pupil who is convicted or found to be delinquent for the following offenses shall be immediately removed by the principal from the district's regular education program for a period of not less than one calendar year and placed in an alternative education school or program pending a hearing before the Board of Education to remove the pupil:

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- A. Possessing a firearm on any school property, on a school bus, or at a school sponsored function; or,
- B. Committing a crime while possessing a firearm.

The Superintendent/designee shall determine at the end of the year whether the pupil is to return to the district's regular education program, in accordance with procedures established by the Commissioner of Education.

Any pupil who assaults a pupil, teacher, administrator, Board member, or other district employee with a weapon other than a firearm on school property, on a school bus, or at a school-sponsored function must be immediately removed from the school's regular education program and placed in an alternative school or program, pending a hearing before the Board. The Superintendent/designee shall determine when the child shall return to the regular education program.

Potential Dropouts

While statute requires attendance of each pupil only until 16 years of age, it is in the best interests of both pupils and the community that they complete the educational program that will equip them with skills and increase their chances for a successful and fulfilling life beyond the schools.

The Board directs that whenever a pupil wishes to withdraw, or has been identified as a potential withdrawal, effort should be made to determine the underlying reason and the resources of the district should be used to assist the pupil in reaching his/her career goals. No pupil under the age of 18 will be permitted to withdraw without the written consent of a parent/guardian.

The Superintendent/designee shall develop procedures for withdrawal from school that:

- A. Make counseling services available to any pupil who wishes to withdraw;
- B. Make every effort to satisfy the pupils' future educational needs;
- C. Help the pupil define his/her own educational life goals and help plan the realization of those goals;
- D. Inform the pupil of the high school equivalency program;
- E. Point out to the pupil the opportunities available in the armed forces.

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Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:37-1 et seq. Discipline of pupils
18A:38-1, -25 Attendance at school free of charge ...
18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:8-5.1 Graduation requirements
6A:8-5.2 High school diplomas
6A:10A-3.1 et seq School district-led standards-based instruction
6A:10A-4.1 et seq Role of Abbott district board of education
6A:14-1.1 et seq. Special Education
6A:16-5.5 Removal of students from general education for firearms offense
6A:16-5.6 Removal of students from general education for assaults with weapons
6A:16-9.1 et seq. Alternative Education Programs
6A:16-10.1 et seq. Home or Out-of-School Instruction for General Education Students
6A:30-1.4 Evaluation process for the annual review
6A:32-13.1 et seq. Student Behavior
- State v. Vaughn, 44 N.J. 142, 1965
State v. Massa, 95 N.J. Super. 382, 1967
20 USCA Section 8921 Gun Free Schools Act
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

6142.2, 6142.12, 6164.2, 6164.4, 6171.4, 6173

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**Instructional Program
Home Instruction**

**Series 6000
Policy 6173**

**Date Adopted: July 27, 2006 Date Revised: February 15, 2007
November 18, 2009**

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To provide uninterrupted education for pupils unable to attend their regular classes because of illness, disability, court order or administrative action, the Board of Education shall provide away-from-school instruction when proper application has been made and subject to the following restrictions:

- A. The period of absence must be expected to be longer than two weeks except in special circumstances.
- B. A parent/guardian or appropriate adult authority must be within calling distance during the period of instruction.
- C. In cases of illness or disability, medical certification is required both of the necessity for the pupil's absence and his/her fitness to benefit from the instruction.

Each case must be approved by Board of Education action; all requirements for receipt of state aid must be fulfilled.

The Board of Education shall provide home or out-of-school instructional services no later than five (5) days after the student has left the general education program.

Temporary or Chronic Health Condition

The Board of Education is committed to providing home instruction to students who cannot participate in the regular education program due to temporary or chronic health conditions or treatment needs which preclude participation. The Chief School Administrator and/or designee shall select the instructors and oversee coordination between the home instructor and the regular classroom teacher in determining the student's instructional program. The home or out-of-school instructional services shall meet the minimum standards that are specified in NJAC 6A:16-10.1(c) including but not limited to:

- A. For general education students whose projected confinement will exceed 30 days, the school district shall develop an Individualized Program Plan (IPP) for delivery of instruction. The district shall maintain a record of delivery of instructional services and student progress;
- B. For general education students, the instruction shall meet the Core Curriculum Content Standards. Home instruction shall meet the requirements of the Board of Education for promotion at the grade level. When the provision of home instruction will exceed 60 calendar days, the school physician shall refer the student to the child study team for evaluation;

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- C. For special education students, the home instruction shall be consistent with the student's Individualized Education Plan (IEP) to the extent appropriate. The home instruction shall meet the Core Curriculum Content Standards. When the provision of home instruction will exceed 30 consecutive school days in a school year, the IEP team shall convene a meeting to review and, if appropriate, revise the student's IEP;
- D. Teachers providing home instruction shall be appropriately certified for subject, grade level and special needs of the student;
- E. The teacher shall provide one-on-one instruction for no fewer than five hours per week on three separate days of the week. If the student is physically able, the instruction shall also include no fewer than five hours per week of additional guided learning experiences. This may include the use of technology to provide audio and visual connections to the student's classroom.

Reasons Other Than a Temporary or Chronic Health Condition

The district shall provide home or out-of-school instruction for a general education student for reasons other than a temporary or chronic health condition when:

- A. The student is mandated by State law and rule for placement in an alternative education program for firearms offenses and/or assault with weapons offenses but placement is not immediately available;
- B. The student is placed on short-term or long-term suspension;
- C. A court order requires that the student receive instructional services in the home or other out-of-school setting.

The Chief School Administrator and/or designee shall select the instructors and oversee coordination between the home instructor and the regular classroom teacher in determining the student's instructional program. The home or out-of-school instructional services for reasons other than a temporary or chronic health condition shall meet the minimum standards that are specified in NJAC 6A:16-10.2(d) including but not limited to:

- A. The school district shall develop an Individualized Program Plan (IPP) for delivery of instruction and maintain a record of delivery of instructional services and student progress (the IPP is not required for students on short-term suspension). The IPP shall be developed in accordance with law;
- B. The teacher providing instruction shall be appropriately certified for subject, grade level and special needs of the student;

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- C. The teacher shall provide one-on-one instruction with no fewer than 10 hours each week on three separate days. The instruction shall also include no fewer than 10 additional hours per week of guided learning experience;
- D. The instruction shall meet the Core Curriculum Content Standards and Board of Education requirements for promotion and graduation.

A pupil receiving home instruction is not considered absent.

Legal References

- NJAC 6A:14-1.1 et seq. Special education
6A:16-4.3 Reporting, notification and examination procedures for students suspected of being under the influence of alcohol or other drugs
6A:16-5.5 Removal of students from general education for firearms offenses
6A:16-5.6 Removal of students from general education for assaults with weapons offenses
6A:16-10.1 et seq. Home or Out-of-School Instruction
8:61-1.1 Attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV)
- H.A. v. Board of Education Warren Hills Regional, 1976 S.L.D. 336
Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)
Somerset County Educational Services Commission v. North Plainfield Board of Education 1999 S.L.D. September 7 State in re G.S. 330 N.J. Super. 338 (Ch. Div. 2000)

Possible Cross References

4112.2, 5113, 5114, 5131, 5131.6, 5131.7, 5134, 5141.2, 6146, 6164.2, 6164.4, 6172

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Early Childhood Education/Preschool

Policy 6178

Date Adopted: July 27, 2006

Date Revised: November 16, 2006

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The Board of Education believes that preschool education experiences contribute to later academic success for all children. Therefore, within the limits of the budget and as required by law, the Chief School Administrator shall recommend to the Board for approval programs designed for district children under the age required for regular admission. Programs shall address the needs of children who have been identified as requiring Special Education, as well as those who have not been so identified.

The Chief School Administrator shall direct the development of approved preschool programs. He/she shall ensure adherence to all applicable laws and regulation in pursuing funding at the federal and state levels, as well as from private sources.

Implementing procedures shall address the following:

- A. The preschool curriculum shall consist of developmentally appropriate experiences that provide each child with individual opportunities to develop positive self-esteem, social/emotional growth, language skills, motor development and conceptual skill development.
- B. All preschool programs sponsored by the Board shall be consistent with the overall philosophy of the school district and aligned with the Core Curriculum Content Standards. They shall be coordinated with other relevant district programs such as Special Education and Title 1 and articulated with the K-8 curriculum.
- C. Each preschool classroom shall be assigned at least one certificated teacher with required training or experience with young children, as described in administrative code.
- D. Class sizes shall not exceed the limits defined in the code, but in no case, will exceed 15 children.
- E. In cases wherein the number of registering children will cause class sizes to exceed 15 per class, a waiting list will be established for those children who cannot be served at the time. Children will be accepted on a “first come, first served” basis.
- F. Proof of immunizations against communicable diseases and examinations shall be in accord with requirements for kindergarten and first grade admission.
- G. Programs shall be designed to include parents/guardians as active participants and provide them with meaningful opportunities to be involved in the educational experiences of their children.

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Legal References

NJSA 18A:11-1 General mandatory powers and duties

NJAC 6A:8-2.1 Authority for educational goals and standards
6A:8-3.4 Requirements for Early Childhood Education

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Evaluation Of The Instructional Program

Policy 6300

Date Adopted: July 27, 2006

Date Revised

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The Board directs the Chief School Administrator to develop and implement a systematic short-range and long-range plan for the continuing assessment of the progress of the educational program toward the goals established by the district. To this end, he/she shall recommend tests and methods indicated by his/her best professional judgment.

The Board reserves the right to review each test and to approve those that serve a legitimate purpose without infringing upon the personal rights' of the pupils or their parents/guardians. The Chief School Administrator using district-wide data may release the results of any evaluation. Parents/guardians may obtain an explanation of the results of their child's test from qualified school personnel.

The Chief School Administrator shall annually recommend improvements in the program and staff based upon the evaluation of the district's program.

The Board will cooperate with the New Jersey Commissioner of Education in the conduct of such statewide assessment programs as are required by the New Jersey Department of Education and shall use the data gained thereby toward the improvement of the schools of this district.

Legal References

NJSA 18A:7A-10 Evaluation of performance of each school
18A:7E-2 through -5 School report card program

NJAC 6A:7-1.4 Responsibilities of the district board of education
6A:8-1.1 et seq. Standards and Assessment
6A:14-4.1(i) General requirements
6A:23-8.3 Commissioner to ensure achievement of the Core Curriculum Content Standards
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-1.2 Definitions

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

Possible Cross References

1000/1010, 1120, 5120, 6000, 6010, 6011, 6141, 6147, 6171.4

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Goals & Objectives in Alterations & New Construction

Policy 7010

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The Board of Education recognizes the importance of planning, developing, and maintaining a physical plant appropriate to the personal and educational needs of the pupils and the educational program needs of the district and the school.

It is the Board's intention to ensure that:

- A. Any new school facilities shall be planned, pursuant to law and regulations, and shall be prepared by a registered architect or professional engineer to reflect current research and recommendations on the relationship of school design and size of educational program to a positive learning environment;
- B. The school building and site shall provide, pursuant to law and regulation, suitable accommodations to carry out the educational program of the school including provision for the handicapped;
- C. The school building shall be safe, clean, attractive and in good repair.

Any changes to the facilities relative to the allocation of space to accommodate classroom, administrative, recreational, or support services shall be submitted to and approved by the Board before any changes in allocation are undertaken.

Educational specifications shall be prepared in writing under the direction of the Chief School Administrator and approved by the Board of Education.

The submission of schematic through final plans for school facilities shall be to the Department of Education Bureau of Facility Planning Services in accordance with law.

Legal References

- NJSA 18A: 18A-15 Specifications generally
- 18A: 18A-16 Preparation and approval of plans and specifications for public schoolhouses
- 18A: 18A-20 American goods and products to be used where possible

Possible Cross References

3510

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Long-Range Facilities Planning

Policy 7110

Date Adopted: September 29, 2004 Date Revised

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To ensure that district facilities will be able to meet the future needs of the educational program, the Board directs the Chief School Administrator to develop procedures for collecting relevant information, including but not limited to:

- A. The changing educational needs of the district;
- B. Relations with the total community served;
- C. Plant and site aesthetics;
- D. Changing makeup of population served as to age distribution, educational levels, etc.;
- E. Community planning and zoning;
- F. Financial ability of the school district;
- G. Safety and welfare of pupils;
- H. True economy reflecting full value for each tax dollar expended;
- I. Optimum access for handicapped pupils;
- J. Relationship between projected new facilities and those already in existence.

Planning for major rehabilitation and remodeling will be addressed in a feasibility study, if possible, and incorporated into the school district master plan on a scheduled basis.

Substandard Facilities

All existing school facilities will be evaluated annually for their suitability to current district needs. Any facilities found to be substandard according to the administrative code shall be corrected as quickly as possible in compliance with law.

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Legal References

NJSA 18A:7F-7 Appropriation by school district of undesignated fund balance; amounts allowable
18A:7F-26 Distribution of state aid for facilities
18A:7G-1 through -44 et al. Educational Facilities Construction and Financing Act
18A:11-2 Power to sue and be sued; report; census of school children
18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:33-1.1 Substandard facility; approval; inspection; abandonment

NJAC 5:23-1.1 et seq. Uniform Construction Code
5:23-7.1 et seq. Barrier Free Subcode
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:23-8.1 et seq. Annual Budget Development, Review and Approval
6A:25-1.1 et seq. Qualified Zone Academy Bond Program
6A:26-1.1 et seq. Educational Facilities
6A:30-1.4 Evaluation process for the annual review
6A:32-8.1 et seq. Attendance and Pupil Accounting
6A: 32-12.1 Reporting requirements
6A: 32-12.2 School level-planning
6A: 32-14.1 Review of mandated programs and services

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2240, 2255, 3100, 3260/3270

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School Safety & Hygienic Management	Policy 7111
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The Board of Education recognizes that the safety, health and physical well-being of the pupils and staff of the district depend, in large measure, upon the cleanliness and sanitary management of the school facilities.

Safety

The Board will provide, publish, and post rules for safety and the prevention of accidents; instruct pupils in safety and accident prevention; provide protective devices and where they are required by law for the safety of pupils and employees; and provide suitable and safe equipment where such equipment is necessary for the operation of the school.

The Chief School Administrator shall prepare regulations governing school safety and the prevention of accidents and fire that include, as a minimum, the requirements of law and the applicable rules of various departments of state government. Such regulations shall provide procedures and precautions for the safety of pupils in school, employees in the performance of their duties, users of school vehicles, pupils in transit to and from school, injured pupils and employees, and visitors to the school. Safety regulations shall be promulgated to all school employees and shall be reviewed and evaluated annually. The Chief School Administrator is directed to instruct teaching staff members in property safety precautions.

Hygienic Management

The Board directs that a program of hygienic management be instituted in the school facilities and explained annually to all staff members. All facilities shall be inspected for cleanliness and sanitation by the Cumberland County Board of Health not less than once each year.

In consultation with the school medical inspector, the Chief School Administrator shall prepare procedures to be followed in the handling and disposal of blood and body fluids, whether or not pupils or staff members with HIV infection are present. School staff members and volunteers shall be provided the supplies for implementing the procedures. In particular, school nurses, custodians, and teachers shall be trained in proper handling procedures.

The Board recognizes that school employees may, in the performance of their duties, reasonably anticipate contact with human blood or other potentially infectious body fluids that may expose them to bloodborne pathogens such as hepatitis B virus (HBV) and human immunodeficiency virus (HIV). In accordance with federal OSHA regulations, the Board will establish a written Exposure Control Plan designed to eliminate or minimize employee exposure to such infection. The plan shall list all job classifications to tasks in which exposure occurs; describe and require the implementation of workplace controls to eliminate or minimize exposure; require the

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provision of hepatitis B vaccination to employees who have occupational exposure; and require the provision of a training program for employees who have occupational exposure. The plan shall be updated annually and as required to include new or revised employees' positions with occupational exposure. A copy of the plan shall be made accessible to employees.

The Chief School Administrator shall develop and supervise a program for the cleanliness and sanitary management of the school, school grounds and equipment pursuant statute, rules of the New Jersey State Board of Education and the regulations of the Board of Health.

The day-to-day cleanliness of the school facilities shall be the responsibility of the Chief School Administrator/designee.

Indoor Air Quality Standards

The Board of Education will provide for air quality in the school building that meet the standards established by the New Jersey Department of Labor pursuant to NJAC 12:100-13.

The Board designates that Board Secretary/Business Administrator as the individual who is responsible to ensure compliance with New Jersey Department of Labor standards. The Board Secretary/Business Administrator will ensure that preventative maintenance programs for heating, ventilation, and air-conditioning (HVAC) systems are implemented and documented and that general and local exhaust ventilation is used for employees working with equipment or hazardous chemicals or particulate exposure. He/she shall ensure that HVAC systems are working properly when the building temperatures are outside of the range of 68° to 79° Fahrenheit and make sure that buildings without mechanical ventilation have operable windows, doors, vents, stacks and other portals designated or used for natural ventilation are operational. He/she will also promptly investigate all employee complaints of signs or symptoms that may be associated with building-related illnesses.

Air quality will be maintained at acceptable standards during renovation and remodeling that results in the diffusion of dust, stone and other small particles, toxic gases or other harmful substances in quantities hazardous to health. The Board Secretary/Business Administrator will notify employees at least 24 hours in advance or promptly in emergency situations of work to be performed in the building that may induce air contaminants into their work areas.

The Board Secretary/Business Administrator will respond to a complaint received by the Department of Labor within 15 working days of the receipt of the complaint.

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Hazardous Substances

The Board of Education will comply with laws governing hazardous substances in the school district. Employees shall be informed of the hazards associated with the handling of certain substances and trained to work safely with hazardous substances.

For the purposes of this policy, “hazardous substances” means any substance or substance in a mixture included on the hazardous substance list developed by the New Jersey Department of Health and Senior Services. Hazardous substances shall not include:

- A. Any article containing a hazardous substance if the hazardous substance is present in a solid form that does not pose any acute or chronic health hazard to any person exposed to it;
- B. Any hazardous substance constituting less than 1% of a mixture unless the hazardous substance is present in an aggregate amount of 500 pounds or more in a container;
- C. Any hazardous substance that is a special health hazardous substance constituting less than the threshold percentage established by the Department of Health and Senior Services for that special health hazardous substance when present in a mixture;
- D. Any hazardous substance present in the same form and concentration as a product packaged for distribution and use by consumers and which is not a product intended for commercial use;
- E. Any fuel in a motor vehicle;
- F. Tobacco or tobacco products;
- G. Wood or wood products;
- H. Foods, drugs or cosmetics;
- I. Hazardous substances that are an integral part of a building’s structure or furnishings;
- J. Products that are personal property and are intended for personal use; and,
- K. Any substance used in the routine maintenance, including the heating or cooling of the facilities.

No person shall use or allow the use of any hazardous substance in or on the facilities when children are expected to be present.

The Chief School Administrator may delegate authority for the maintenance of hazardous substances and for the development of safety and training standards for the handling of such substances to a safety officer.

The Board Secretary/Business Administrator shall conduct periodic audits of hazardous substances in use in the district, ensure that substances are being handled in accordance with

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appropriate safety requirements, and determine that the employees who are required to handle hazardous substances are properly equipped to do so.

The Board Secretary/Business Administrator shall inform the Chief School Administrator of all hazardous substances in use in the district, the purpose of each, and the precautions required for each. The Chief School Administrator shall take such action as may be necessary and feasible to minimize the use of hazardous substances in the district.

The Chief School Administrator shall report periodically to the Board of Education on hazardous substances in district use and the purpose of each.

Legal References

- NJSA 18A:6-2 Instruction in accident and fire prevention
18A:11-1 General mandatory powers and duties
18A:17-42 et seq. Public School Safety Law
18A:40-12.1, -12.2 Protective eye devices required for teachers, pupils and visitors in certain cases
18A:41-1 et seq. Fire Drills and Fire Protection
18A:54-20 Powers of board (county vocational schools)
34:5A-1 et seq. Worker and Community Right to Know Act
- NJAC 5:23 Barrier free subcode of the uniform construction code
6A:16-1.4 District policies and procedures
6A:19-10.1 et seq. Safety and Health Standards
6A:26-1.1 et seq. Educational Facilities
6A:26-12.1 et seq
6A:27-12.2 Accident reporting
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

5141.1, 5142, 5142.1

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Series 7000

Annual Building Review

Policy 7113

Date Adopted: September 29, 2004 Date Revised

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Existing facilities of the school district shall be evaluated annually for safety and structural soundness as required by law, and for suitability to the goals and objectives of the goals and objectives of the educational program.

The Chief School Administrator shall include in the report to the Board an itemization of all necessary repairs and alterations with their estimated cost, and suggestions for improved utilization of available space.

After the Board has acted on the annual building review report, the Chief School Administrator shall be responsible for making the necessary additions to the school district's Master Plan.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:33-1 et seq District to furnish suitable facilities

NJAC 6A:26-12 et seq Operation and maintenance of facilities

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Retirement of Buildings

Policy 7113.1

Date Adopted: September 29, 2004 Date Revised

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The Board recognizes that efficient administration of the district requires the disposition of property no longer necessary for the maintenance of the educational program or the operation of the district.

Real estate property shall be disposed of by sale or otherwise, in accordance with law. To dispose of an operational school building and all or part of the total acreage the Board will submit a written report for approval to the Department of Education, Bureau of Facility Planning Services with a copy to the County Superintendent of Schools who shall make a recommendation to the Bureau.

Upon written approval by the Bureau, the Board shall dispose of the school building and/or acreage according to law.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
- 18A:20-5 Exchanging lands owned by the board
- 18A:20-6 Sale at public sale
- 18A:20-7. Sale at fixed minimum prices; rejection of bids
- 18A:20-36 Commissioner may order alteration or abandonment of buildings
- 18A: 33-1. District to furnish suitable facilities; adaptation of courses of study

- NJAC 6A:26-7.4 Approval for the disposal of land, including rights or interest therein
- 6A:26-7.5 Approval for the closing of a school facility

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Alterations, Additions, Repairs & Change of Use

Policy 7114.1

Date Adopted: September 29, 2004 Date Revised

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In considering proposals for alterations, additions or major repairs to the district's existing facilities, the Board may employ the services of a licensed architect as a consultant to help determine:

1. Necessity for the project;
2. Probable cost;
3. Alternatives.

The Chief School Administrator shall be consulted on all plans and specifications for any remodeling or additions to the schools and make recommendations concerning repairs and alterations to buildings, grounds and equipment. All changes of use will be applied for via the New Jersey Department of Education.

All requests for change of use will be applied for to the Department of Education, Bureau of Facility Planning Services via the County Superintendent of Schools who shall make a recommendation to the Bureau.

Legal References

NJSA 18A: 11-1 General mandatory powers and duties

18A: 33-1. District to furnish suitable facilities; adaptation of courses of study

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Developing Educational Specifications

Policy 7115

Date Adopted: September 29, 2004 Date Revised

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Educational needs should determine the plan and design of the schools. Therefore, the Chief School Administrator shall develop comprehensive educational specifications for any projected facilities, whether built or altered, owned or leased, temporary or permanent, for consideration by the Board.

In developing the specifications, the Chief School Administrator shall draw on recommendations of citizens, professionals and support staff, pupils, and other appropriate sources. The factors on which the specifications are based shall include but not be limited to:

- A. The plan of school organization and estimated size and type of enrollment in the proposed facility;
- B. Provisions for the handicapped;
- C. Space requirements for all functions, including an indication of relative locations of various spaces;
- D. Desired layout of special areas and the equipment needed for such areas;
- E. Mechanical features and special finishes desired;
- F. Standard codes and regulations (school district, community, county, and state) affecting planning;
- G. Other requirements under existing law and regulation;
- H. Pertinent budget and related factors.

The Board needs the specifications to:

- A. Clarify and consolidate the thinking of the administration, the Board, and the community on the needs, desires, and objectives of the educational program to be conducted within the proposed new facility.
- B. Organize this important information in a manner that can be easily and clearly interpreted by the architect.

Deerfield Township Board of Education District Policy Manual

Property
Developing Educational Specifications

Series 7000
Policy 7115

Page 2 of 2

Legal References

- NJSA 18A:7G-1 through -44 et al. Educational Facilities Construction and Financing Act
18A:18A-16 Preparation and approval of plans and specifications for public schoolhouses
18A:18A-16.1 Regulations; construction standards for school buildings
18A:18A-17 Facilities for handicapped persons
18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:46-13 Types of facilities and programs
18A:46-14 Enumeration of facilities and programs
18A:46-15 Facilities and programs; approval by commissioner; special classes for handicapped children; review; improvement
- NJAC 5:23-7.1 et seq. Barrier Free Subcode
6A:26-1.1 et seq. Educational Facilities
- 29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2240, 7100

Deerfield Township Board of Education District Policy Manual

Property

Series 7000

Public Participation

Policy 7120

Date Adopted: September 29, 2004 Date Revised

Page 1 of 1

The Board of Education wishes to have input from all parties interested in planning and construction of new facilities and major alterations. Therefore, the Chief School Administrator shall develop procedures for encouraging parents, staff and community members to participate in all four stages of school construction:

1. Identifying school building needs;
2. Planning the school plant;
3. Constructing the buildings;
4. Accepting and using the plant.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

NJAC 6A:26 Educational facilities

Possible Cross References

7115

Deerfield Township Board of Education District Policy Manual

Property

Series 7000

Designing/Architectural/Engineering Services

Policy 7200

Date Adopted: September 29, 2004 Date Revised

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The Board of Education's criteria for the selection of architects and engineers shall be such as to ensure a high degree of competency. Selection of architects for each project will be made from a Board of Education approved, limited listing developed by applying the criteria referred to below.

The Chief School Administrator shall, through appropriate delegation, be responsible for:

1. Developing criteria applicable to the selection of architects and similar professionals for the Board of Education approval;
2. Recommending a limited list of architects and similar professionals to be approved by the Board of Education;
3. Providing the information necessary to facilitate review and reappraisal of the limited list of architects and similar professionals;
4. Recommending specific firms from the approved list for each project.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:18A-5. Exceptions to requirement for advertising

NJAC 6A:26 Educational facilities

Deerfield Township Board of Education District Policy Manual

**Property
Bids**

**Series 7000
Policy 7400**

Date Adopted: September 29, 2004 Date Revised

Page 1 of 1

The Business Administrator/Board Secretary shall be responsible for performing or supervising all the steps of the bid solicitation process in accordance with the law. The steps include:

1. Advertisement and solicitation;
2. Provision of plans and specifications;
3. Notification of time for preparation of bids;
4. Receiving deposits from bidders when required;
5. Determining qualifications of bidders;
6. Receiving and opening bids;
7. Notifying bidders of awarding of contract.

The Board reserves the right to refuse all bids.

Legal References

NJSA 10:5-1 et seq. Law Against Discrimination
18A:18A-1 et seq. Public Schools Contracts Law
18A:18A-21 et seq Bids

Deerfield Township Board of Education District Policy Manual

**Property
Contracts**

**Series 7000
Policy 7420**

Date Adopted: September 29, 2004 Date Revised

Page 1 of 1

The Solicitor shall be responsible for reviewing all construction contracts to be entered into by the Board. In general, all contracts or agreements, which require public advertisement for bids, shall be awarded to the lowest responsible bidder. However, the Board of Education reserves the right to reject all bids.

Only the Board can approve such contracts.

Legal References

- NJSA 18A:18A-1 et seq. Public Schools Contracts Law
 18A:19-1 et seq. Expenditure of Funds; Audit and Payment of Claims

- NJAC 6A:23-7.1 et seq. Management of Public School Contracts
 6A:23A-6.10 Financial system and payment approval process

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Property

Series 7000

Change Orders

Policy 7430

Date Adopted: September 29, 2004 Date Revised

Page 1 of 1

After the contract has been signed, only the Board of Education can issue a change order. This holds true whether or not the change would add to the cost of the project.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
 18A:18A-7 Emergency contracts

NJAC 6A:23-7.1et seq. Management of Public School Contracts
 6A:26-4.9 Submission of change orders

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Property

Series 7000

Protection & Guarantees

Policy 7440

Date Adopted: September 29, 2004 Date Revised

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Included in the contract shall be provisions to protect the district from monetary loss or from loss due to the project not being completed according to the terms of the contract. Such provisions would include:

1. Surety bonds;
2. Guarantee of safe working conditions during construction;
3. Contractor's insurance during construction;
4. Guarantees for adjustments and corrections after completion;
5. Guaranteed completion date.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:18A-40 et seq Form and execution of contracts and bonds

NJAC 6A:23-7.2 Acceptance of bonds under the Public School Contracts Law
6A:27-9.5 Bidder's guarantee
6A:27-9.6 Performance surety bond

Deerfield Township Board of Education District Policy Manual

Property

Series 7000

Insurance During Construction

Policy 7443

Date Adopted: September 29, 2004 Date Revised

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Contractors who submit a quote or bid to the Board of Education must also submit a copy of their Certificate of Insurance with the bid or quote.

The successful bidder's Certificate of Insurance will be filed in the Board Secretary/Business Manager's Office for a period of one year following the completion of the work.

The minimum accepted Certificate of Insurance will be \$100,000 - \$300,000 Bodily Injury and \$50,000 Property Damage.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:18A-40 et seq Form and execution of contracts and bonds

NJAC A:23-7.2 Acceptance of bonds under the Public School Contracts Law
6A:27-9.5 Bidder's guarantee
6A:27-9.6 Performance surety bond

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Property

Series 7000

Naming Of Facilities

Policy 7550

Date Adopted: September 29, 2004 Date Revised

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To avoid confusion, the Board of Education will not change the name of any facility unless its function changes.

In naming new facilities, the Board will consider all names submitted.

Legal References

NJSA 18A:11-1 General mandatory powers and duties

Deerfield Township Board of Education



"The Bucks"

District Policy Manual

Series 9000

Bylaws of the Board

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

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Series 9000

Role Of The Board

Policy 9000

Date Adopted: May 25, 2004

Date Revised

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The Constitution requires the Legislature to “provide for the maintenance and support of a thorough and efficient system of free public schools”. The Legislature, therefore, has sought to maintain in the management of schools an appropriate balance between local authority and initiative on the one hand, and State control and supervision on the other hand.

The State Department of Education, consisting of the State Board of Education and the Commissioner of Education, with his/her staff, has been created by the Legislature to exercise general control and supervision of public education. The school district has similarly been created as a unit for the exercise of local authority and initiative as defined in Title 18A of New Jersey statutes. Other sections of the statutes state or imply that a local Board of Education or school district have full power to operate the public school program in its charge as it deems fit in compliance with state and federal mandates and pertinent laws of the governing entity.

The Board of Education shall be a body corporate and shall be known as the Board of Education.

The Board of Education shall organize and operate in the manner provided by law and shall have all the powers as are now or may hereafter be provided by law.

In the interpretation of the powers and duties of the Board, it is understood that the Board shall act as a governing body in the determination of general policies for the control, operation, maintenance and expansion of the school district. The details of the administration of these policies shall be the responsibility of the Chief School Administrator and his/her administrative staff. The Board functions only when it is in session.

The Board of Education sees these as its required functions:

A. Legislative or policy-making

The Board is responsible for the development of policy and for the employment of a Chief School Administrator who shall carry out its policies through the development and implementation of regulations/procedures.

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**Bylaws Of The Board
Role Of The Board**

**Series 9000
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- B. Appraisal
The Board is responsible for evaluating the effectiveness of its policies and their implementation.
- C. Educational Planning
The Board is responsible for requiring and acquiring reliable information from responsible sources that will enable it and the staff to work toward the continuing improvement of the educational program.
- D. Provision of financial resources
The Board has major responsibilities for the adoption of a budget that will provide the wherewithal in terms of buildings, staff, materials, and equipment to enable the school system to carry out its functions.
- E. Interpretation
The Board is responsible for providing adequate and direct means for keeping the local community informed about the school and for keeping itself and the school staff informed about the concerns and opinions of the public.

The Board believes that, by diligently exercising these functions, it will be able to provide, within the financial limitations set by the community, the best educational opportunities available for our children.

The Board shall exercise its powers through the legislation of bylaws and policies for the organization and operation of the school district.

The Board shall be responsible for the operation of the school but shall delegate the administration to the Chief School Administrator, who shall be appointed by a recorded roll call majority vote of the full Board.

The Board may hear appeals and complaints in grievance and disciplinary actions as defined in their policies and by the law.

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Legal References

NJSA	18A:10-1	Constitution of Boards of Education
	18A:11-1	General mandatory powers and duties
	18A:12-21 et seq.	School Ethics Act
	18A:17-15	Appointment of superintendents; terms
	18A:33-1	District to furnish suitable facilities; adoption of courses
	18A:34-1	Textbooks; selection; furnished free with supplies
	18A:36-2	Time when schools are open; determination
NJAC	6A:4-1.1 et seq.	Appeals
	6A:8-1.1 et seq.	Standards and Assessments
	6A:28-1.1 et seq.	School Ethics Commission
	6A:30-1.1 et seq.	Evaluation of the Performance of School Districts
	6A:32-1.1 et seq.	School District Operations
	6A:32-3.2	Requirements for the Code of Ethics for school board members and charter school board of trustees members

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Bylaws Of The Board

Series 9000

Role Of The Board Member

Policy 9010

Date Adopted: May 25, 2004

Date Revised

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It is understood that the members of the Board have authority only when acting as a Board legally in session. The Board shall not be bound in any way by any action or statement on the part of any individual Board Member except when such statement or action is in pursuance of specific instructions from the Board.

No Board Member, by virtue of his/her office, shall exercise any administrative responsibility with respect to the daily operation of the school or school district or command the services of any school employee.

Board Members visiting the schools for any reason shall observe district regulations for all visitors.

Legal References

NJSA 18A:11-1

General mandatory powers and duties

18A:12-21 et seq.

School Ethics Act

NJAC 6A:28-1.1 et seq.

School Ethics Commission

Possible Cross References

1250, 9020, 9271

Deerfield Township Board of Education District Policy Manual

Bylaws Of The Board

Series 9000

Limits Of Authority

Policy 9011

Date Adopted: May 25, 2004

Date Revised

Page 1 of 1

All powers of the Board of Education lie in its actions as a duly constituted quorum acting at a legal meeting of the Board. Individual Board Members lack authority over district affairs.

The Board shall make its members, the district staff, and the public aware that only the Board, acting as a duly constituted quorum at a legal meeting, has authority to take official actions. All other actions, whether individual or collective, have no legal basis.

The Board shall be responsible for the operation of the schools but shall delegate the administrative function to the Chief School Administrator, who shall be appointed by a recorded roll call majority vote of the whole number of members of the Board. All policies of the Board will be enforced by the Chief School Administrator who will be accountable to the Board of Education.

No Board Member, by virtue of his/her office, shall exercise any administrative responsibility with respect to the daily operation of the school or school district or command the services of any school employee.

Board Members visiting the schools for any reason shall observe district regulations for all visitors.

The Board may hear appeals in complaints, grievance and disciplinary actions as defined in these policies and in the statutes.

Legal References

NJSA 18A:11-1	General mandatory powers and duties
18A:12-21 <u>et seq.</u>	School Ethics Act
NJAC 6A:28-1.1 <u>et seq.</u>	School Ethics Commission

Possible Cross References

1250, 9020, 9271

Deerfield Township Board of Education District Policy Manual

Bylaws Of The Board

Series 9000

Public Statements Made By Board Members

Policy 9020

Date Adopted: May 25, 2004

Date Revised

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The Board of Education recognizes that arbitrary or independent actions of Board Members can produce serious consequences for the effectiveness of school operations. An essential quality of a good Board Member is a deep sense of loyalty to associates and to group decisions cooperatively reached.

All public statements in the name of the Deerfield Township Board of Education shall be issued by the Board President, or if appropriate, by the Chief School Administrator at the direction of the Board President. No individual Board Member shall make public statements in the name of the Board.

No Board Member shall make public statements that contradict the policies and actions of the Board, or that may jeopardize the ability of the Board to act effectively.

Board Members should emphasize to the media, public officials or individual citizens that Board Members may only speak as private citizens unless empowered by the Board to speak for it.

Legal References

NJSA 18A:11-1
18A:42-4

General mandatory powers and duties
Distribution of literature to candidacy, Board
Issues or other public question to be submitted at
election; prohibited

Possible Cross References

1100, 1110, 9010, 9271, 9326.5

Deerfield Township Board of Education District Policy Manual

Bylaws Of The Board

Series 9000

Organization Of The Board

Policy 9100

Date Adopted: May 25, 2004

Date Revised

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The Organization Meeting of the Board of Education shall be held no later than 8:00 PM on any day of the first or second week following the annual school election. If the Organization Meeting cannot take place on that day by reason of a lack of quorum or for any other reason, said meeting shall be held within three days thereafter. Upon organization of the new Board, the term of the retiring members shall immediately expire.

Legal References

NJSA	18A:10-3	First regular meeting of Board
	18A:10-5	Organization meeting as business meeting
	18A:11-1	General mandatory powers and duties

Deerfield Township Board of Education District Policy Manual

Bylaws Of The Board

Series 9000

Membership & Terms Of Office

Policy 9110

Date Adopted: May 25, 2004 Date Revised: January 25, 2012

Page 1 of 1

The Board of Education shall be comprised of seven (7) members who are qualified voters and residents of the school district, and who are elected by the voters of Deerfield Township, at the annual School Board election.

The term of a Board Member shall be three years, except that a member appointed to fill a vacancy shall serve until the organization meeting following the next annual election, unless he/she has been appointed to fill a vacancy occurring within 60 days immediately preceding such election to fill a term extending beyond such election, in which case he/she shall serve until the organization meeting following the second annual election next succeeding the occurrence of the vacancy. All members shall serve after the expiration of their respective terms until the appointment and qualification of their successors.

Legal References

NJSA 18A:11-1

General mandatory powers and duties

18A:12-11

Election and Number of Board Members; terms

Deerfield Township Board of Education District Policy Manual

Bylaws Of The Board

Series 9000

Qualifications Of Board Members

Policy 9111

**Date Adopted: May 25, 2004 Date Revised: August 24, 2011,
June 25, 2014**

Page 1 of 2

A member of the Board of Education must possess the qualifications required by law and shall be bound by the provisions of the School Ethics Act.

A Board Member:

- Must be a citizen of the United States of America and have been so for at least one year immediately preceding his/her election or appointment;
- Reside within the confines of this district and have been such for at least one year immediately preceding his/her election or appointment;
- Must be at least 18 years of age;
- Shall not have any legal claim against the Board of Education;
- May not have been convicted of a felony;
- Must be able to read and write;
- Must be registered to vote in this district and must not be disqualified from voting pursuant to the provisions of NJSA 19:4-1; and,
- Cannot concurrently hold office as Mayor or a member of the governing body of Deerfield Township.

Criminal Background Check

Within 30 days of his/her election or appointment to the Board of Education, each Board Member shall undergo a criminal background check investigation for the purpose of ensuring that the member is not disqualified for membership due to a conviction of a crime or offense pursuant to NJSA 18A-12-1. Individuals who do not complete the process or whose background checks reveal conviction(s) for any of the offenses listed in the statute are ineligible to serve.

Any newly elected/appointed Board Member who can truthfully swear or affirm that he/she possesses the qualifications of membership prescribed by law, including a specific declaration that he/she is not disqualified as a voter pursuant to R.S.19:4-1 and a specific declaration that he/she is not disqualified due to a conviction of a crime or offense listed in NJSA 18A:12-1, may take the oath of office notwithstanding that results of the criminal history background investigation required by NJSA 18A:12-1.2 are not yet available.

Board Members who have not submitted fingerprints to the Commissioner should be reminded of their statutory obligation to do so.

The Board of Education may, at its sole discretion, reimburse the member for the cost of the criminal history check, including all costs for administering and processing it.

**Deerfield Township Board of Education
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**Bylaws Of The Board
Qualifications Of Board Members**

**Series 9000
Policy 9111**

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Legal References

NJSA 18A:11-1	General mandatory powers and duties
18A:12-1	Qualifying Oaths of Board Members
18A:21 et seq	School Ethics Act

Possible Cross References

9270

Deerfield Township Board of Education District Policy Manual

**Bylaws Of The Board
Elections**

**Series 9000
Policy 9112**

Date Adopted: May 25, 2004 Date Revised: June 22, 2017

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Elections of Board Members shall be in accordance with law. During two successive elections, two members of the Board shall be duly chosen each for a full term. The following year, three members of the Board shall be duly chosen each for a full term. Other members, as may be necessary to replace members who will vacate un-expired terms, shall be duly chosen at an annual election on the date prescribed by law. A Board member's term of office shall be three (3) years.

Legal References

NJSA 18A:11-1

General mandatory powers and duties

18A:12-11

Election and Number of Board Members; terms

Deerfield Township Board of Education District Policy Manual

**Bylaws Of The Board
Filling Vacancies**

**Series 9000
Policy 9113**

Date Adopted: May 25, 2004

Date Revised

Page 1 of 1

The Board shall fill vacancies created by the resignation, removal by the Board for cause or death of a serving member, or when a member ceases to be a qualified resident of the district. The vacancy shall be filled within 65 days prescribed by law.

Procedures by which to select the persons to fill such vacancies may include advertisement of the vacancy in suitable local media, and interviews with interested parties conducted in public by the Board acting as a committee of the whole.

The person appointed shall serve until the next organizational meeting of the Board of Education, following the next annual School Board Election unless he/she is appointed to fill a vacancy occurring within 60 days immediately preceding such election to fill a term extending beyond such election, in which case he/she shall serve until the organizational meeting following the second School Board Election as outlined in NJSA 18A:12-15.

The County Superintendent of Schools is empowered to fill any vacancies that the Board fails to fill within 65 days, and those caused by the voters' failure to elect a member, or by the removal of a member because of lack of qualification, some flaw in the election, or when a recount or contested election fails to elect a member. The County Superintendent of Schools may also appoint enough members to make up a quorum.

Vacancies filled by special election or the Commissioner of Education are covered under NJSA 18A:12-15.

In case the office of President or Vice President shall become vacant, the Board shall, within 30 days thereafter, fill the vacancy for the un-expired term. If the Board fails to fill such vacancy within said time, the County Superintendent of Schools shall fill the vacancy for the un-expired term.

Legal References

NJSA 18A:6-56	Election of members of representative assembly
18A:12-1	Qualifications of Board Members
18A:12-3	Removal of members
18A:12-7	Type I District
18A:12-15	Vacancies Type II District
18A:13-11	Vacancies of Board – Filling
18A:38-8.1	Additional member of Board in each sending district
19:27A-1 et seq	Uniform Recall Election Law

Deerfield Township Board of Education District Policy Manual

**Bylaws Of The Board
Resignation From Office**

**Series 9000
Policy 9114**

Date Adopted: May 25, 2004

Date Revised

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The resignation of a member of the Board shall become effective upon official Board motion and the affirmative vote of a plurality of the Board at a legally convened meeting. The resignation of an officer of the Board from his/her office shall become effective by official Board motion and the affirmative vote of a majority of the total Board Membership at a legally convened meeting.

If the Board fails to fill the office of President or Vice President within 30 days thereafter, the County Superintendent of Schools shall fill the vacancy for the un-expired term.

Legal References

NJSA 18A:11-1	General mandatory powers and duties
18A:15	Vacancies
Silverstein 1998	

Possible Cross References

9113

Deerfield Township Board of Education District Policy Manual

**Bylaws Of The Board
Removal From Office**

**Series 9000
Policy 9115**

Date Adopted: May 25, 2004

Date Revised

Page 1 of 1

A President or Vice President who shall refuse to perform a duty imposed upon him/her by this title may be removed by the majority vote of all the members of the Board. This action requires a recorded roll-call majority vote of the full membership of the Board of Education.

The Board may remove a fellow member who shall fail to attend three consecutive regular meetings, without good cause by the affirmative vote of a majority of the full Board provided that such action shall have been proposed at the preceding meeting of the Board and provided that notice of such action has been given to the absent member in advance of the meeting for which such action has been proposed. This action requires a recorded roll-call majority vote of the full membership of the Board of Education.

Legal References

NJSA 18A:11-1	General mandatory powers and duties
18A:12-3	Removal of members
18A:15	Vacancies

Possible Cross References

9114

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

**Bylaws Of The Board
Oath Of Office**

**Series 9000
Policy 9116**

Date Adopted: May 25, 2004

Date Revised

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Before entering the duties of his/her office the Board Member shall take and subscribe the oaths prescribed by the statute and file the same with the Board Secretary.

Legal References

NJSA 18A:11-1

General mandatory powers and duties

18A:12-1

Qualifying Oaths of Board Members

Deerfield Township Board of Education District Policy Manual

Bylaws Of The Board

Series 9000

Election & Appointment Of Officers

Policy 9120

Date Adopted: May 25, 2004

Date Revised

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Election of officers shall be by plurality vote of the Board. Officers shall serve for one year and until their respective successors are elected and shall qualify. Appointees may be appointed at the organization meeting, but if the Board shall fail to hold said election as prescribed by law, the County Superintendent of Schools shall appoint from among the members of the Board a President and Vice President.

Officers shall serve for one year and/or until their respective successors are elected and may be removed by a majority vote of the full membership of the Board, should either officer refuse to perform the duties of his/her office. This action requires a recorded roll-call majority vote of the full membership of the Board of Education.

In case the office of President or Vice President shall become vacant, the Board shall, within 30 days thereafter, fill the vacancy for the un-expired term. If the Board fails to fill such vacancy within said time, the County Superintendent of Schools shall fill the vacancy for the un-expired term.

If the Board President or Vice President resigns his/her seat as a member of the Board of Education, the newly appointed Board Member shall not assume the role of the President or Vice President, unless elected to do so by the Board. In all cases, upon the resignation or removal of the President or Vice President, an election will be held at the next regularly scheduled meeting of the Board of Education to elect a President or Vice President.

Legal References

NJSA 18A:11-1

General mandatory powers and duties

18A:15-1

President and Vice President election

Possible Cross References

9121, 9122

Deerfield Township Board of Education District Policy Manual

**Bylaws Of The Board
President**

**Series 9000
Policy 9121**

Date Adopted: May 25, 2004

Date Revised

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A President shall be elected by a roll call majority vote of the full Board at the annual organization meeting.

The President shall preside at all meetings of the Board and shall perform other duties as directed by statute, State Department of Education regulations, and the Deerfield Township Board of Education. In carrying out these responsibilities, the President shall:

- ❑ Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the Board;
- ❑ Consult with the Chief School Administrator on the Boards' agendas;
- ❑ Appoint Board committees and chairpersons;
- ❑ Call such meetings of the Board as he/she may deem necessary upon at least two day's notice (in accordance with law - NJAC 6:3-1.2);
- ❑ Be an ex officio member of all Board committees;
- ❑ Confer with the Chief School Administrator on crucial matters that may occur between Board meetings;
- ❑ Approve all bills for expenses or charges incurred with the authority of the Board including expenses of individual Board Members;

As presiding officer at all meetings of the Board the President shall:

- ❑ Call the meeting to order at the appointed time;
- ❑ Be responsible for the orderly conduct of all Board meetings;
- ❑ Announce the business to come before the Board in its proper order;
- ❑ Enforce the Board's policies relating to the order of business and the conduct of meetings;

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**Bylaws Of The Board
President**

**Series 9000
Policy 9121**

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- Recognize persons who desire to speak and protect the speaker who has the floor from disturbance or interference;
- Explain what the effect of a motion would be if it is not clear to every member;
- Restrict discussion to the question when a motion is before the Board;
- Answer all parliamentary inquiries, referring questions of law to the Board Attorney.

The President shall have the right, as other Board Members have, to offer resolutions, discuss questions and vote.

Legal References

NJSA 18A:6-20	Right to testify
18A:6-54	Representative assembly; organization
18A:13-12	Organization of Board
18A:15-1	President and Vice President - election
18A:19-9	Compensation of teachers
NJAC 6A:32-3.1	Special meetings of the Board

Possible Cross References

1120, 9020, 9130, 9322

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**Bylaws Of The Board
Vice President**

**Series 9000
Policy 9122**

Date Adopted: May 25, 2004

Date Revised

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A Vice-President shall be elected by a roll call majority vote of the full Board at the organizational meeting.

In case of the absence or disability of the President, the Vice President shall perform the duties of the President. In case of absence or disability of both the President and Vice President, the Board shall choose a President pro-tempore, who shall perform all the duties of the President.

In case of the resignation or removal of the President, the Vice President shall perform the duties of the President until such time as the Board conducts a special election to name a new President. This election should take place at the next regularly scheduled meeting of the Board.

Legal References

NJSA 18A:6-20	Right to testify
18A:6-54	Representative assembly; organization
18A:13-12	Organization of Board
18A:15-1	President and Vice President - election
18A:19-9	Compensation of teachers
NJAC 6A:32-3.1	Special meetings of the Board

Possible Cross References

1120, 9020, 9130, 9322

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**Bylaws Of The Board
Board Secretary**

**Series 9000
Policy 9123**

Date Adopted: May 25, 2004

Date Revised

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A Secretary shall be appointed by a recorded roll call majority vote for a term to expire not later than the following June 30th, except as subject to the tenure laws, but he/she shall continue to serve after the expiration of his/her term until his/her successor is appointed and qualified. The Board Secretary shall:

Provide adequate notice of all public meetings (including the organization meeting) of the Board to the members and those requesting notice in accordance with law.

Record the minutes of all proceedings of the Board and the results of annual or special school elections.

Post and give notice of annual and special elections.

Post and maintain a schedule of the regular meetings of the Board.

Be responsible for all duties concerning school Board elections as specified in NJSA 19:60-1 et seq.

Collect tuition fees and other monies due to the Board and transmit them to the Treasurer.

Examine and audit all accounts and demands against the Board, present them to the Board at its meetings, indicate the Board's approval and send them to the Treasurer for payment.

Keep accounts of the school district's financial transactions including a correct detailed account of all expenditures.

Report to the Board at each regular meeting the amount of the total appropriations and cash receipts for each account, and the amounts of warrants drawn against each account, and the amounts of orders or contractual obligations incurred and chargeable against each account.

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District Policy Manual**

**Bylaws Of The Board
Board Secretary**

**Series 9000
Policy 9123**

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Keep all contracts, records and documents belonging to the Board.

Give the Board a detailed report of its financial transactions at the close of each fiscal year and file a copy with the County Superintendent of Schools.

Report to the Commissioner annually the amount of unpaid school debt, the interest rate payable, the dates of issue and the due dates of bonds or of the indebtedness.

Prepare a summary of the annual audit and recommendations prior to the meeting of the Board to act thereon and supply copies of the summary to interested persons.

Perform such other duties as may be required by the Board.

Legal References

NJSA 18A:17-5 Appointment of Board Secretary; term. Compensation, vacancy

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Bylaws Of The Board		Series 9000
Treasurer Of School Monies		Policy 9125
Date Adopted: May 25, 2004	Date Revised	Page 1 of 2

There must be a Treasurer of School Monies in every school district who shall receive, hold in trust, and disburse all school monies.

The Treasurer of School Monies of each school district shall be the Treasurer of the monies of the municipality unless the Board of Education shall designate the tax collector of the municipality as such Treasurer provided, however, that if both the Treasurer of the municipality and the tax collector of the municipality submit written notifications to the Board that they do not want to serve as Treasurer of school monies, the Board shall appoint any other suitable person except a member or employee of the Board, with a term of office fixed by the Board as such Treasurer.

The municipality has no control over the monies belonging to the school district and in the hands of the Treasurer.

The Board of Education shall provide a surety bond in the amount prescribed in NJAC 6A:23-2.5 for the Treasurer. The auditor shall verify the adequacy of the Treasurer's surety bond which is required by NJSA 18A:17-32, and shall include appropriate comment, and a recommendation, if needed, in the annual school report.

The Treasurer shall receive from the Board of Education such compensation as the Board shall determine.

The money or funds of the Board in the custody of its Treasurer of School Monies shall be expended by such Treasurer by, and only by, warrants, each made payable to the order of the person entitled to receive the amount thereof and specifying the object for which it is issued, signed by the President and Secretary of the Board, and the Treasurer of School Monies:

1. After audit of the account or demand to be paid, by the secretary after approval by the Board, or
2. In accordance with payrolls duly certified as provided by this title, or
3. For debt service.

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**Bylaws Of The Board
Treasurer Of School Monies**

**Series 9000
Policy 9125**

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Payment of the compensation of teachers and other employees may be made on the basis of payrolls certified by the President and Secretary of the Board, slating the names and amounts to be paid to each, and delivered to the Treasurer of School Monies.

Deposit is made by the Board Secretary into the payroll and agency account.

The Treasurer shall keep records of sums received and paid on books provided for that purpose.

The Treasurer shall render to the Board monthly, and at such other times as shall be requested by the Board, reports giving a detailed account of all receipts, the amounts of all warrants signed by him/her since the date of his/her last report and the accounts against which, and the purposes for which, the warrants were drawn and the balance to the credit of each account, and at the close of the school year and not later than August 1 of each year he/she shall render an annual report showing the amounts received and disbursed by him/her for school purposes during said year, a duplicate whereof shall be filed with the County Superintendent of Schools, and shall also report to the County Superintendent in the manner and form prescribed by the Commissioner.

Legal References

NJSA 18A:16-1	Officers and employees
18A:17-31 et seq	Treasurer of School Monies
18A:19-1	Expenditure of funds on warrant only

Possible Cross References

9126

Deerfield Township Board of Education District Policy Manual

**Bylaws Of The Board
Auditor**

**Series 9000
Policy 9126**

Date Adopted: May 25, 2004

Date Revised

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The Auditor shall conduct the necessary investigation, accounting and checking of those accounts, bills, revenues, etc., essential to the public statement of the financial status of the Board for the school year as demanded by State Department of Education rules of audit, which audit shall be completed not later than three months after the end of the school fiscal year.

Each annual audit shall include an audit of the books, accounts and monies, and a verification of all cash and bank balances, of the Board and of any officer or employee thereof and of monies derived from athletic events or the activities of any organization of public school pupils conducted under the auspices of the Board, from the date of the last annual audit to the date of the audit in question.

The report of each annual audit shall be filed by the public school accountant making the same, with his/her recommendations to the Board of Education of the district, and such Auditor shall within five days thereafter file two duplicate copies thereof certified under his/her signature in the office of the County Superintendent of Schools.

The Secretary of the Board shall prepare or have prepared a synopsis or summary of the annual audit and recommendations, prior to the holding of the meeting of the Board of Education to take action thereon; a copy of which shall be available for distribution to interested parties at the meeting.

Within 30 days following receipt of the report of the annual audit the Board of Education of the district shall, at a regularly scheduled public meeting, cause the recommendations of the Auditor to be read and to be discussed. The discussion shall be duly noted in the official minutes of said meeting.

In the event of the resignation or dismissal of the Board Secretary/Business Administrator or the Treasurer, or any other individual charged with the responsibility of handling school funds, the Auditor shall be asked to review the appropriate books within a thirty (30) day period.

Legal References

NJSA 18A:23-1 through -9 Annual Audit

Possible Cross References

9123, 9125

Deerfield Township Board of Education District Policy Manual

**Bylaws Of The Board
Attorney**

**Series 9000
Policy 9127**

Date Adopted: May 25, 2004 Date Revised: January 28, 2009

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The School Board Attorney (Solicitor) shall be selected by the Board of Education and employed at will.

The Attorney should advise the Board as to proper legal and contractual procedures in which the Board must take action and/or make a decision.

The Attorney shall be accessible for consultation by the Chief School Administrator, Board President, Board Vice-President and Board Secretary concerning legal matters. Legal inquiries of administrative staff shall be directed through the Chief School Administrator.

The Attorney shall act as counsel for the Board in prosecuting and defending any action or suit in which the Board is involved and perform such other legal services as the Board may from time to time subscribe.

The Attorney or representative shall attend Board meetings upon request.

Legal References

NJSA	18A:16-1	Officers and employees
	18A:19-1	Expenditure of funds on warrant only
NJAC	6A:23A-5.2	Additional Measures To Ensure Effective and Efficient Expenditures Of District Funds

Deerfield Township Board of Education

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Bylaws Of The Board
Legal Services

Series 9000
Policy 9127.5

Date Adopted: January 28, 2009 Date Revised

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The Board of Education recognizes that the use of legal services is an integral part of the governance of the school district it serves and that these legal services must be used prudently and ethically.

Procedures and Recordkeeping

The Board of Education hereby establishes procedures and recordkeeping of the use of those legal services. The Chief School Administrator shall establish and the Board of Education shall approve procedures that shall include:

- A. A limited number of contact persons (Chief School Administrator, Board President, Board Vice-President and Board Secretary) with the authority to request services or advice from contracted legal counsel;
- B. The criteria or guidance to prevent the use of legal counsel unnecessarily for management decisions or readily available information contained in district materials such as policies, administrative regulations or guidance available through professional source materials;
- C. A provision that requests for legal advice shall be made in writing and shall be maintained on file in the district offices and a process to determine whether the request warrants legal advice of if legal advice is necessary.
- D. A provision to maintain a log of all legal counsel contact including name of legal counsel contacted, date of contact, issue discussed and length of contact. Legal bills shall be compared to the contract log and any variances shall be investigated and resolved.

Contracts for legal services comply with payment requirements and restrictions pursuant to NJSA 18A:19-1 et seq., and as follows:

- A. Advance payments shall be prohibited;
- B. Services to be provided shall be described in detail in the contract;
- C. Invoices for payment shall itemize the services provided for the billing period; and,
- D. Payment shall only be for services actually provided.

Professional services contracts for legal services shall be issued in a deliberative and efficient manner such as through a Request For Proposal (RFP) based on cost and other specified factors or other comparable process that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement.

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Legal Services**

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Policy 9127.5**

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Professional services contracts for legal services shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct

District employees and Board Members are prohibited from contracting with legal counsel or using in-house legal counsel to pursue any affirmative claim or cause of action on behalf of district employees, administrators and/or Board Members for any claim or cause of action in which the damages to be awarded would benefit an individual rather than the district as a whole.

Legal References

NJSA	18A:16-1	Officers and employees
	18A:19-1	Expenditure of funds on warrant only
NJAC	6A:23A-5.2	Additional Measures To Ensure Effective and Efficient Expenditures Of District Funds

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**Bylaws Of The Board
Committees**

**Series 9000
Policy 9130**

Date Adopted: May 25, 2004

Date Revised

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In order to use the time, effort and expertise of the members of the Board effectively, the Board shall operate under a committee system.

Standing Committees

The Board may authorize the establishment of such standing committees from among its membership as it finds necessary to study operations in specific areas and to make recommendations for Board action. The following rules will govern the appointment and function of such committees:

- A. The committee shall be established through action of the Board.
- B. The committee chairperson and members shall be appointed by the Board President.
- C. The committee shall be provided with a list of its functions and duties.
- D. The committee may make recommendations for Board action, but it may not act for the Board.
- E. The Board President and Chief School Administrator shall be ex officio members of all standing committees.
- F. The committee chairman, with the option of assistance from the office of the Chief School Administrator, shall schedule all meetings.
- G. In emergency situations pertaining to specific committee affairs, the Chief School Administrator will advise the Board President and committee chair of action anticipated or taken.

The standing committees shall include:

- 1. Board Administration / Policy
- 2. Transportation
- 3. Finance
- 4. Curriculum
- 5. Negotiations
- 6. Property
- 7. Technology
- 8. Personnel

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**Bylaws Of The Board
Committees**

**Series 9000
Policy 9130**

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Special Committees

Special committees may be created for special assignments. The same rules shall apply to special committees as apply to standing committees, except that they shall be dissolved upon completion of their assignment.

Ad Hoc Committees

Ad Hoc committees shall be appointed by the President to research specific problems before deliberation by the full Board. The same rules shall apply to Ad Hoc committees as apply to standing committees, except that they shall be dissolved upon completion of their assignment.

Committee of the Whole

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

Legal References

NJSA	10:4-6 et seq	Open Public Meetings Act
	18A:10-6	Board Meeting Public; Frequency; etc - Quorum
	18A:11-1	General Mandatory Powers and Duties
NJAC	6A:28-1.1 et seq	School Ethics Commission
		School Ethics Commission Advisory Opinion A01-93
		School Ethics Commission Advisory Opinion A10-93
		School Ethics Commission Advisory Opinion A33-95
		School Ethics Commission Advisory Opinion A02-00
		School Ethics Commission Advisory Opinion A14-00

Possible Cross References

1220, 9121, 9320

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Bylaws Of The Board

Series 9000

Board Representatives (Pupils, PTO)

Policy 9140

Date Adopted: June 22, 2004 Date Revised

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Board Members and the Chief School Administrator and/or designee are encouraged to participate in meetings of the Parent Teacher Organization and student functions.

Legal References

NJSA 18A:11-1

General mandatory powers and duties

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**Bylaws Of The Board
Board Consultants**

**Series 9000
Policy 9150**

Date Adopted: June 22, 2004 Date Revised: January 28, 2009

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In order to pursue its educational mission and to protect the public's financial investment in the schools, the Board may, from time to time, engage the services of qualified professional consultants to provide new insights and ideas for dealing with especially difficult problems and/or to provide special services that the staff is unable to provide.

The Board will not contract for vague services such as undefined "management studies," and all proposals will be submitted to the school solicitor for review before a contract for consulting services is signed. The Chief School Administrator will establish procedures necessary for an efficient working relationship between the consultant and the Board and/or staff members.

Professional services contracts shall be issued in a deliberative and efficient manner such as through a Request For Proposal (RFP) based on cost and other specified factors or other comparable process that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement.

Professional services contracts shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct.

District employees and individual Board Members are prohibited from contracting with consultants without the written approval of the Board of Education.

The Board shall fix compensation for consultant services.

Legal References

NJSA 18A:11-1	General Mandatory Powers and Duties
18A:18A-5(a)(1)	Professional Services

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Series 9000

Public Relations Initiatives & Services

Policy 9160

Date Adopted: January 28, 2009 Date Revised

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The Board of Education recognizes that the use of public relations initiatives is an integral part of the governance of the school district it serves and that public relations activities must be used prudently, ethically and only to further the educational program of the district.

The Board of Education shall annually approve a maximum dollar limit to be used for public relations activities of the district as defined in NJAC 23A-9.3(c)14, and each type of professional service, with appropriate notification to the Board of Education if it becomes necessary to exceed the established maximum dollar limit. Upon such notification, the Board of Education may adopt a specified dollar amount of increase to the amount established. Such increase shall be approved by formal action of the Board of Education.

Professional Public Relations Services

Professional services contracts for public relations services shall be issued in a deliberative and efficient manner such as through a Request For Proposal (RFP) based on cost and other specified factors or other comparable process that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement.

Professional services contracts for public relations services shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct.

District employees and Board Members are prohibited from contracting with professional public relations firms or using in-house resources for personal gain or promotion.

Publications

District publications shall be produced and distributed in the most cost-efficient manner possible that will enable the district to inform and educate the target community. The use of expensive materials or production techniques where lower cost methods are available, such as the use of multi-color glossy publications instead of suitable, less expensive alternatives, is prohibited.

The Board of Education prohibits the distribution, via mass mailings or other means to the district community at large, publications that include the picture(s) of any members of the Board of Education within 90 days before any election in which any Board Member is seeking any elective office or any election relating to district operations held in the district.

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Public Relations Initiatives & Services**

**Series 9000
Policy 9160**

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Any publication(s) distributed by the Board of Education via mass mailings or other means to the district community at large within 60 days before any election in which any Board Member is seeking any elective office or any election relating to district operations held in the district must be submitted to the Executive County Superintendent for review prior to distribution to ensure that the public funds are being expended in a reasonable and cost-effective manner.

Public relations activities, such as booths at statewide conferences, marketing activities and celebrations for opening schools and community events and TV productions that are not part of the instructional program or do not provide, in a cost-effective way, information about district or Board operations to the public, that are excessive in nature are prohibited.

All activities involving promotional efforts to advance a particular position on school elections or any referendums are prohibited.

Nothing herein shall preclude the Board of Education from accepting donations or volunteer services from community members, local provide education foundations and local business owners to conduct or assist in public relations services. Examples include, but are not limited to:

- A. Providing district flyers, newsletters or other materials containing district related information of public concern to local businesses, public meeting places or other local organizations to display or make available for dissemination;
- B. Making district related information of public concern available to local newspapers to publish related articles; and,
- C. Utilizing volunteered services of local community members, district employees, members of parent organizations or local business with expertise in related areas such as printing, advertising, publishing or journalism.

Legal References

NJSA 18A:16-1	Officers and employees
18A:19-1	Expenditure of funds on warrant only
NJAC 6A:23A-5.2	Additional Measures To Ensure Effective and Efficient Expenditures Of District Funds
6A:23A-9.3(c)14	Public Relations Expenses

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Bylaws Of The Board

Series 9000

Orientation and Training of Board Members

Policy 9200

Date Adopted: June 22, 2004 Date Revised: April 29, 2009

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Orientation of New Board Members

The Chief School Administrator shall prepare materials to introduce new Board Members to the operating procedures of the district and the details of the curriculum.

Sufficient funds shall be allocated to reimburse Board Members for attending NJSBA training in superintendent evaluation within the first six months after taking office, and an NJSBA New Board Member Orientation within the first year of taking office.

As required and stipulated by law, all newly elected and reelected Board Members shall attend New Jersey School Boards Association (NJSBA) training within the timeframes established by law.

Administrative code defines "newly elected or appointed Board Member" as any Board Member who has never served as a member of either an elected or appointed School Board.

Code of Ethics Training

The Board shall ensure that all Board Members receive and review a copy of the Code of Ethics for School Board Members. Each Board Member shall sign an acknowledgement that he/she has received and read it. Training as required by the administrative code shall be scheduled to familiarize board members with the contents and requirements of the Code of Ethics.

Within one year after being newly elected or appointed or being re-elected or re-appointed to the Board of Education, a Board Member shall complete a training program on harassment, intimidation, and bullying in schools, including the district's responsibilities as required by law (N.J.S.A. 18A:37-13 et seq.). Board Members are required to complete the program only once (N.J.S.A. 18A:12-33).

Inservice Development

State, regional and national workshops, conventions, conferences and seminars developed by associations such as the New Jersey School Boards Association, the National School Boards Association, the New Jersey Association of School Administrators, etc., provide unique opportunities for Board Members to broaden their understanding of their responsibilities, learn new tools and techniques for coping with them, and keep up to date on educational trends.

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Policy 9200**

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Therefore, the board recommends that, in addition to sending the mandated delegate to the New Jersey School Boards Association's Delegate Assemblies, the Board send representatives to such educational conferences, workshops, conventions and seminars as it shall decide upon each year.

The same regulations regarding travel arrangements and reimbursement developed for other district-paid attendance at such events shall apply.

District representatives who attend such events, shall prepare reports for the Board and the district as a whole. The report shall be presented at a regular meeting of the Board within a month of the delegation's return

Legal References

NJSA	18A:6-45 through - 50	NJSBA Established
	18A:11-1	General Mandatory Powers and Duties
	18A:12-24.1	Code of Ethics for Board Members
	18A:12-33	Training Program for Board Members
	18A:17-20.3	Evaluation of Superintendents; Board Training
NJAC	6A:28-1.2	Definitions
	6A:28-1.6	Board Member Training
	6A:32-3.2	Requirements for the Code of Ethics
	6A:32-4.3	Evaluation of Chief School Administrator

Possible Cross References

1500, 2131, 3335, 9250, 9271

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**Bylaws Of The Board
Expenses**

**Series 9000
Policy 9250**

Date Adopted: June 22, 2004 Date Revised

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Board Members may not receive payment for their services. With Board approval, they may be reimbursed for out-of-pocket expenses incurred on Board business.

Sufficient money will be allocated to reimburse Board Members for expenses incurred attending required orientation sessions.

Such expenses must be approved by a motion of the Board either in advance or at the meeting immediately following the expenditure. Such expenses shall be for the Board Member only, and shall be itemized and documented.

Prior to each trip, the Business Administrator will review reasonable and customary expenses with the Board Members.

The Finance Committee shall recommend a schedule of allowable expenditures for meals, lodging, mileage, and telephone expenses to the Board annually. Reimbursements shall not exceed these limitations.

Legal References

NJSA	18A:2-1	Power to Effectuate Action
	18A:4-23	Supervision of Schools; Enforcement of Rules
	18A:4-24	Determining Efficiency
	18A:11-1	General Mandatory Powers & Duties
	18A:12-4	Compensation of Members
	18A:12-21 et seq	School Ethics Act
	18A:12-24.1	Code of Ethics
NJAC	6A:23A-5.8	Out of State and High Cost Travel
	6A:23A-7.1 et seq	Travel Reimbursement
	PL 2005 c.132	Appropriations Act
	PL 2007 c.52 A5	Various Accountability Measures
		Anthony Esagro, Luis Perez, Clifford Meeks and Frank Speziali, Glassboro Board of Education, CO7-97, March 30, 1998
		NJ Department of Treasury NJOMB Circular A-87

Possible Cross References

3335, 3571, 9200, 9270

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Reservation Commitments

Policy 9250.1

Date Adopted: June 22, 2004 Date Revised

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In the event that unusual circumstances make it impossible for a Board Member to attend a Board-related function for which reservations have been obtained or financial commitments made, it shall be the responsibility of that member to notify the appropriate administrative office of the change in plans in order that a refund be obtained or so that a substitute member may have the opportunity to attend the function.

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Legal References

NJSA 18A:11-1

General Mandatory Powers and Duties

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**Bylaws Of The Board
Protection**

**Series 9000
Policy 9260**

Date Adopted: June 22, 2004 Date Revised

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Indemnification

Whenever a civil or criminal action has been brought against any person for any act or omission arising out of and in the course of the performance of his/her duties as a member of a Board of Education, and in the case of a criminal action such action results in final disposition in favor of such person, the cost of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any, shall be borne by the Board of Education.

Legal References

NJSA 18A:11-1
18A:12-20

General Mandatory Powers / Duties
Indemnity for Board Members

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Bylaws Of The Board
Conflict Of Interest

Series 9000
Policy 9270

Date Adopted: June 22, 2004 Date Revised: June 22, 2006

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The Board of Education accepts the responsibility of governing the operation of the district in the best interests of the total community. Individual members shall all subscribe to the philosophy and guidelines for action outlined by Policy #9271 (Code of Ethics for School Board Members). The Board as a body, and the members individually, wish at all times to avoid attitudes and actions that might give rise to public questioning of the integrity of any Board decision.

Therefore:

- A. No Board Member shall hold any form of paid employment with the district while he/she is serving, nor for six months after leaving office;
- B. No spouse, sibling, parent, child, or grandchild of a serving Board Member shall be considered for any paid employment in the district. Pre-existing employment shall not be affected. Where such pre-employment exists, the Board Member shall take no active part in contract negotiations, nor shall he/she discuss the vote on the resulting contract, or any other agreement entered into between the Board and the relative.
- C. When a relative of a Board Member is employed by the Board, that Board Member shall take no active part in contract negotiations, nor any other agreement entered into between the Board and the relative, nor any action concerning that specific employee, unless a majority of the remaining Board Members present requests that he/she vote;
- D. No Board Member will accept gratuities or favors for himself/herself or on behalf of relatives that are offered by a vendor or contractor to the district. Should a Board Member learn that such a situation exists between a relative and a vendor or contractor to the district, he shall recognize that the Board deems this to represent the appearance of conflict of interest. The Board Member shall refrain from voting on matters pertaining to that vendor/contractor, and enter the reason for his/her abstention in the minutes;
- E. No Board Member shall be a contractor for goods or services to the district during the Board Member's term or for six months after leaving office.
- F. In the event a Board Member is employed by a corporation or business or has secondary interest in a corporation or business which furnishes goods or services to the school district, the Board Member shall declare that interest and refrain from debating or voting upon the question of contracting with the company.
- G. Employees of the school district are precluded from serving on the Board by statute which makes it unlawful for a Board member to receive compensation or reward for services to the district.

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Conflict Of Interest**

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Policy 9270**

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H. No Board Member having immediate family members employed by the district shall participate in decisions affecting the terms and/or conditions of employment, salary, benefits, appointment, dismissal, etc., of the Chief School Administrator.

It is not the intent of this policy to prevent the district from contracting with corporations or businesses because a Board Member is an employee of the firm. The policy is designed to prevent placing a Board Member in a position whereby his/her interest in the public schools and his/her interest in his/her place of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even when no such conflict may exist

Legal References

NJSA	18A:6-8	Interest of School Officers in Sale of Supplies
	18A:6-8.4	Right to Hold Elective/Appointive Office
	18A:4-24	Determining Efficiency
	18A:12-1.1	Ineligibility for Appointment to Paid Office
	18A:12-2	Inconsistent Interests or Office Prohibited
	18A:12-21 et seq	School Ethics Act
	18A:52:13D-12 et seq	Legislative Findings – Conflict of Interest
NJAC	6A:4-1.1 et seq	Appeals
	6A:28-1.1 et seq	School Ethics Commission
	6A:32-3.2	Requirements for Code of Ethics for Board Members
	6A:23A-1.2 et seq	Fiscal Accountability Definitions
	6A:23A-6.2 et seq	Accountability - Nepotism

Visoticky v. City Council of Garfield 113 NJ Super 263 App Div 1971

Vittoria v. W. Orange Bd of Ed. 122 NJ Super 340 App Div 1973

Elms v. Mt Olive Bd of Ed 1977 SLD 713

Scola v. Frinwood Bd of Ed 1978 SLD 413

Salerno v. Old Bridge Twp Bd of Ed 1984 SLD April 23

Scannella v. Scudillo School Ethics Decision Complaint No. C-14-93

School Ethics Commission Advisory Opinion A01-93

School Ethics Commission Advisory Opinion A10-93

School Ethics Commission Advisory Opinion A33-95

School Ethics Commission Advisory Opinion A02-00

School Ethics Commission Advisory Opinion A14-00

Possible Cross References

4112.8, 4212.8, 9271

Deerfield Township Board of Education District Policy Manual	
Bylaws Of The Board Code Of Ethics For School Board Members	Series 9000 Policy 9271
Date Adopted: June 22, 2004	Date Revised
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The Board of Education adheres to the following code as it applies to all Board Members:

1. I will be a staunch advocate of free public education.
2. I will uphold and enforce all laws, State Board of Education rules and regulations and court orders pertaining to schools. Desired changes should be brought about only through legal and ethical procedures.
3. I will make decisions in terms of the educational welfare of children and will strive for public schools which can meet the individual needs of all children regardless of their ability, race, sex, creed or social standing.
4. I will join with my fellow members on the Board, the staff, the community and the students in continuing study of the nature, value and direction of contemporary education in our society in order to facilitate needed change in our schools.
5. I will work unremittingly to help the people of my community understand the importance of public education and the need to support it.
6. I will strive to ensure that people are accurately informed about our schools, and I will try to interpret to the staff the aspirations of the community for its schools.
7. I will recognize that my responsibility is not to run the schools but, together with my fellow Board Members, to see that they are well run.
8. I will confine my Board action to policy making, planning and appraisal, and I will help to frame policies and plans only after the Board has consulted those who will be affected by them.
9. I will arrive at conclusions only after discussing all aspects of the issues at hand with my fellow Board Members assembled in meeting.
10. I will recognize that authority rests with the whole Board assembled in public meeting and will make no personal promises nor take any private action which may compromise the Board.

Deerfield Township Board of Education District Policy Manual

**Bylaws Of The Board
Code Of Ethics For School Board Members**

**Series 9000
Policy 9271**

Page 2 of 2

11. I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
12. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools.
13. I will vote to appoint, upon proper recommendation by the appropriate administrative officer, the best trained technical and professional personnel available.
14. I will support and protect school personnel in proper performance of their duties.
15. I will refer all complaints to the Chief School Administrator and will act on such complaints at public meetings only after failure of an administrative solution.

The Board shall see that all members of the Board receive training in understanding and adhering to this Code of Ethics and shall discuss it annually at a regularly scheduled public meeting. Each member shall sign documentation that he/she has received a copy of it and has read and understood it.

Legal References

NJSA	18A:11-1	General Mandatory Powers / Duties
	18A:12-2	Inconsistent Interests or Office Prohibited
	18A:12-21 et seq	School Ethics Act
	18A:12-24 et seq	Conflict of Interest
NJAC	6A:4-1.1 et seq	Appeals
	6A:28-1.1 et seq	School Ethics Commission
	6A:32-3.2	Requirements for Code of Ethics for Board Members
	6A:23A-1.2 et seq	Fiscal Accountability Definitions
	6A:23A-6.2 et seq	Accountability - Nepotism

Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

4112.8, 4212.8, 9270

Deerfield Township Board of Education

District Policy Manual

Bylaws Of The Board

Series 9000

Prohibition of “Pay-to-Play”

Policy 9272

Date Adopted: October 22, 2008

Date Revised

Page 1 of 2

The Board of Education wishes to maintain honest and ethical relations with vendors and to avoid any appearance of impropriety or favoritism in its contracting practices. Therefore the Board of Education prohibits “pay-to-play.”

The Board of Education will not vote upon or otherwise participate in the awarding of any contract in the excess amount of \$17,500 to any individual, firm, partnership, corporation, association or other business entity which has contributed funds including campaign contributions to that member of the Board of Education within the previous one-year period pursuant to P.L. 1973, c.83 (NJSA 19:44A-1 et. seq.).

Contributions to any Board Member from any individual, firm, partnership, association, or other business entity doing business with the school district are prohibited during the term of a contract, pursuant to P.L. 1973, c.83 (NJSA 19:44A-1 et. seq.).

When a business entity referred to above is a natural person, a contribution by that person’s spouse or child that resides therewith shall be deemed to be a contribution by the business entity. Where a business entity is other than a natural person, a contribution by any person or the business entity having an interest therein shall be deemed to be a contribution by the business entity.

The disclosure requirement set forth in section 2 of P.L. 2005, c. 271 (NJSA 19:44A-20.26) also shall apply when the contract is required by law to be publicly advertised for bids.

Contributions that are prohibited include cash contributions, in-kind contributions, pledges to make contributions of any kind to a candidate for or holder of public office, or any other thing of value pursuant to P.L. 1973, c.83 (NJSA 19:44A-1 et. seq.).

Not later than 10 days prior to entering into any contract having an anticipated value in excess of \$17,500, except for a contract that is required by law to be publicly advertised for bids, any business entity bidding thereon or negotiating therefore, shall submit along with its bid or price quote, a list of political contributions made by the corporation, its principals and employees, or others on its behalf, along with the date and amount of each contribution and the name of the recipient of each contribution. If the required list of contributions is missing, incomplete or untimely, the contract is void *ab initio*, as a material defect that invalidates the contract.

In addition, the business entity may be subject to a fine imposed by the New Jersey Election Law Enforcement Commission.

Deerfield Township Board of Education District Policy Manual

**Bylaws Of The Board
Prohibition of “Pay-to-Play”**

**Series 9000
Policy 9272**

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Provisions of this ban on pay-to-play will not apply to a contract when a public emergency requires the immediate delivery of goods or services.

The Board of Education directs the Board Secretary/Business Administrator to file this policy with the N.J. Secretary of State, Office of Secretary of State, Laws & Commission Section, (P.O. Box 300, Trenton, NJ, 08625-0300), to inform vendors of the requirements of this policy, and to keep the Board of Education informed about the implementation of this policy.

This policy shall not apply to a contract when a district emergency requires the immediate delivery of goods or services.

Legal References

NJSA	18A:11-1	General Mandatory Powers / Duties
	18A:12-21 et seq	School Ethics Act
	19:44-1 et seq	Fair & Open Procurement Process
	19:44A:20.26	Political Contributions
NJAC	6A:4-1.1 et seq	Appeals
	6A:28-1.1 et seq	School Ethics Commission
	6A:32-3.2	Requirements for Code of Ethics for Board Members
	6A:23A-1.2 et seq	Fiscal Accountability Definitions
		Manual for the Evaluation of Local School Districts
		New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

9270, 9271

Deerfield Township Board of Education District Policy Manual

**Bylaws Of The Board
Governance**

**Series 9000
Policy 9300**

Date Adopted: June 22, 2004 Date Revised

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Three functional activities are recognized in respect to policies of the Board:

1. Legislative – Planning is basic to all activity. It is that function which makes policies, selects an executive, and delegates to the executive the placing of plans and policies into operation, and provides the financial means for their execution.
2. Executive – The executive function is that which is concerned with the placing into operation the plans and policies, keeping the Board of Education informed, and furnishing creative leadership to the Board of Education and to the profession.
3. Appraisal – Appraisal is the function which attempts, through careful examination and study of facts and conditions, to determine the (a) efficiency of operation of the general activities, and (b) the worth and value of results of the activities in relation to the efficiency and value of instruction.

The Board of Education reserves to itself the legislative and appraisal functions, and shall make periodically such appraisal. The executive function shall be completely delegated to the Chief School Administrator. The Chief School Administrator shall be completely responsible for devising ways and means for executing efficiently the policies adopted by the Board of Education.

Legal References

NJSA 18A:11-1 General Mandatory Powers / Duties
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Deerfield Township Board of Education District Policy Manual

Bylaws Of The Board

Series 9000

Development, Distribution & Maintenance

Of Policy Manual

Policy 9310

Date Adopted: June 22, 2004 Date Revised

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The Board of Education desires to make this manual of Bylaws and Policies a useful guide to all members of the Board, and the administration of this district; therefore, copies of this manual shall be given to the following people: Board Members, Chief School Administrator, Assistant Principal, Board Secretary, Board Attorney, and each recognized bargaining unit.

Copies of this manual shall be numbered and a record maintained by the Board Secretary as to the placement of each copy. Copies of revised pages will be furnished to the holders of copies as changes are made. An additional copy shall be placed in the school library as a reference tool for all staff members.

The manual of bylaws, policies and procedures shall be considered a public record and shall be open for inspection in the Board offices and in each school building during regular office hours, in accordance with the Open Public Records Laws and regulations.

The Chief School Administrator shall maintain an orderly plan for the promulgation of policies to staff members who are affected by them and shall provide easy accessibility to an up-to-date collection of bylaws and policies for all employees of the school system. In addition, he/she is designated to review existing policies in light of Board actions and in light of revisions to state statutes and procedures, and to recommend such changes as may be desirable to maintain the Board Manual of Bylaws, Policies and Procedures in a current status.

Each holder of a policy manual shall return the same to the Board Secretary upon the termination of his/her service with the district.

The Chief School Administrator shall maintain a master policy manual that shall be the official record of the bylaws, policies and procedures adopted by the Board.

No copies of individual policies or sections of the manual will be made by any holder of a copy of the manual without the approval of the Chief School Administrator and then, in that case, copies will be made in accordance with the provisions of Policy 9330 Public Access To Board of Education Records.

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

**Bylaws Of The Board
Development, Distribution & Maintenance
Of Policy Manual**

Series 9000

Policy 9310

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Legal References

NJSA 10:4-6 et seq
18A:10-6
18A:11-1
18A:17-20

Open Public Meetings Act
Board Meetings
General Mandatory Powers / Duties
Superintendents – Powers / Duties

NJ Dept of State – School District Records
Matawan Teachers Assn v Bd of Ed 233 NJ Super 504 App Div 1988

Possible Cross References

2210, 9000, 9311, 9314, 9322, 9323/9324

Deerfield Township Board of Education

District Policy Manual

Bylaws Of The Board

Series 9000

Formulation, Adoption & Amendment Of Policies

Policy 9311

Date Adopted: June 24, 2004 Date Revised: Oct. 16, 2016

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Introduction

In formulating any policy, the Deerfield Township Board of Education has pledged to consider the will and needs of the community within the parameters of New Jersey law. The passage of time and changing circumstances may alter the community's point of view. Changes in the law may alter what is allowable or what is required.

Except for policy actions to be taken on emergency measures, the adoption of new Board policies shall follow this sequence that will take place at two consecutive regular meetings of the Board.

Except for policy actions to be taken on emergency measures, the adoption of new Board policies shall follow this sequence that will take place at two consecutive regular meetings of the Board:

1. Proposed new or revised policies shall be placed in their entirety on the agenda, and formally introduced at both meetings. It shall be noted on the agenda in the minutes whether it is the first "reading" or second "reading" of the proposal(s). During the first and second "readings" of any new or revised policies, a copy of these new or revised policies shall be available for reference, but it shall not be necessary for the entire text of the policies to be read.
2. Discussion and final action by the Board on a policy shall occur after the second "reading."
3. In the case of revised policies, only one (1) reading shall be required for adoption.
4. At least two (2) weeks shall elapse between the meeting at which policy proposals are first placed on the agenda and the meeting at which the final vote to adopt or not to adopt occurs.

Final Action

1. Prior to enactment, all policy proposals shall be titled and coded as appropriate to subject and in conformance with the codification system used in the Board Policy Manual.
2. Insofar as possible, each policy statement shall be limited to one subject.
3. Policies and amendments adopted by the Board shall be part of the minutes of the meeting at which they are adopted and shall also be included in the policy manual of the district as soon as possible.
4. Policies and amendments to policies shall be effective immediately upon adoption unless a specific effective date is provided in the adopted resolution.

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**Bylaws Of The Board
Formulation, Adoption & Amendment Of Policies**

**Series 9000
Policy 9311**

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Emergency Procedures

On matters of unusual urgency, the Board may waive the two (2) week limitation and take immediate action to adopt new or revised existing policies. When such immediate action is necessary, the Chief School Administrator shall inform affected groups or individuals of the new or revised policies within three (3) working days after adoption.

In the interest of efficient administration, the Chief School Administrator shall have the power to decide all matters of detail that may arise for which no specific provision is made in the policies adopted by the Board, but no emergency action shall constitute official Board policy.

Whenever possible, the Chief School Administrator shall consult with the Board President prior to such emergency action. The Chief School Administrator shall present the matter at the next Board meeting so the Board can consider policy to deal with that situation in the future.

The Board reserves to itself the final determination of what shall be the official policy of the school district.

Continual Review of Board Policies

The Board directs the Chief School Administrator to develop procedures for continuous orderly review of the policies in the Board policy manual during the time provided for “policy” on the agenda of the regular Board meeting. Each policy shall be reviewed at least once every five years. Any necessary revisions shall be made in conformity with this Board Bylaw #9311 – Formulation, Adoption and Amendment of Policies. new policies shall require two (2) readings, and revised policies or policies to be deleted shall only require one (1) reading for final approval.

If the terms of the policy are not affected by the changes in law, and the policy still reflects the intent of the Board in the matter, then the policy shall be officially readopted as of that date.

The Board directs the Chief School Administrator to review the rules and regulations implementing any revised or altered policy to ensure that they confirm to the intent of the policy as revised or changed.

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties
18A:17-20	Superintendents – Powers / Duties
NJ Dept of State – School District Records	
Matawan Teachers Assn v Bd of Ed 233 NJ Super 504 App Div 1988	

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Bylaws Of The Board

Series 9000

Formulation, Adoption & Amendment Of Bylaws

Policy 9312

Date Adopted: June 22, 2004 Date Revised: Oct. 16, 2016

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The Board of Education's Bylaws (Series 9000) are rules designed to organize and control its internal operations. Some Bylaws are set by statute. Others may be formulated and adopted at its option by the Board of Education itself, as long as they are in harmony with the intent and specifics of the statutes.

In its deliberations leading to the establishment or amendment of its Bylaws, the Board's central concern will be for increased efficiency and effectiveness in carrying out its legally mandated tasks.

The Board will formulate and adopt a Bylaw safeguarding the right of Board Members to be informed of and to participate fully in the discussion of each proposed new or amended Bylaw.

Proposed new Bylaws and suggested amendments to or revisions of existing Bylaws shall be adopted by a majority vote of all members of the Board during the second of two regularly scheduled meetings of the Board.

In all cases, Bylaws shall follow the same procedures as stipulated in Bylaw #9311 – Formulation, Adoption and Amendment of Policies, i.e., new Bylaws shall require two (2) readings, and revised Bylaws or Bylaws to be deleted shall require only one (1) reading for final approval.

Legal References

NJSA 10:4-6 et seq

18A:10-6

18A:11-1

18A:17-20

Open Public Meetings Act

Board Meetings

General Mandatory Powers / Duties

Superintendents – Powers / Duties

NJ Dept of State – School District Records

Matawan Teachers Assn v Bd of Ed 233 NJ Super 504 App Div 1988

Possible Cross References

2210, 9000, 9311, 9314, 9322, 9323/9324

Deerfield Township Board of Education District Policy Manual

**Bylaws Of The Board
Formulation, Adoption & Amendment
Of Administrative Regulations (Rules)**

Series 9000

Policy 9313

Date Adopted: June 22, 2004 Date Revised

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The Board of Education shall delegate to the Chief School Administrator the function of specifying required actions and designing the detailed arrangements under which the schools will be operated. Such rules and detailed arrangements shall constitute the administrative regulations governing the schools.

The administrative regulations must be in every respect consistent with the policies adopted by the Board. The Board itself will formulate and adopt administrative regulations only when specific state laws require Board adoption, and may do so when the Board so desires or when the Chief School Administrator recommends Board adoption.

These administrative rules and regulations must be consistent with Board contracts and policies, the law rulings of the Commissioner of Education, and rules of the State Board of Education.

In the development of rules, regulations, and procedures for the operation of the school system, the Chief School Administrator shall include at the planning stage, whenever appropriate, those employees who will be affected by such provisions.

Such rules and regulations shall be binding on all employees unless or until the Board should vote to change or rescind any such rule or regulation following its presentation at a public meeting of the Board. The Board itself will adopt administrative regulations when specific state laws require Board adoption, and may do so when the Chief School Administrator recommends Board adoption.

The Board reserves the right to review and request revisions of administrative regulations should they, in the Board's judgment, be inconsistent with the policies adopted by the Board.

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties
18A:17-20	Superintendents – Powers / Duties
NJ Dept of State – School District Records	
Matawan Teachers Assn v Bd of Ed 233 NJ Super 504 App Div 1988	

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Bylaws Of The Board

Series 9000

Adoption & Amendment Of Administrative Regulations Policy 9313.1

Date Adopted: June 22, 2004 Date Revised

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The Board does not adopt administrative regulations unless specifically required to do so by law, or unless requested to do so by the Chief School Administrator, or as required by negotiated agreements with employee organizations, in which case, any such regulation shall be subject to amendment as provided in any such agreement. Adoption and amendment of such Board adopted regulations shall be by the same procedure as that specified for policies in 9311.

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties
18A:17-20	Superintendents – Powers / Duties
NJ Dept of State – School District Records	
Matawan Teachers Assn v Bd of Ed 233 NJ Super 504 App Div 1988	

Possible Cross References

2210, 9000, 9311, 9314, 9322, 9323/9324

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Bylaws Of The Board

Series 9000

Suspension Of Policies, Bylaws & Regulations

Policy 9314

Date Adopted: June 22, 2004 Date Revised

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The Board of Education has developed a careful and deliberate process of formulating and adopting its policies and bylaws. Requests for suspension of any existing policy or bylaw should receive the same careful consideration.

Therefore:

- A. Any request for a waiver of policy or bylaw shall be considered in light of the policy or bylaw itself, rather than any particular circumstances of the moment.
- B. The Board shall decide whether the policy or bylaw still reflects the considered intent of the Board. If it does, the suspension will be denied and the policy or bylaw reaffirmed in the minutes.
- C. If the policy or bylaw does not reflect the intent of the Board, then the policy shall be waived by a majority vote of the members of the Board present and voting and development of a revised policy or bylaw shall become the Board's prime policy priority.

Development of a new policy shall become the Board's prime policy priority. In the event of an emergency requiring immediate action, the Chief School Administrator shall have the authority to waive policy or regulation in the single instance. In such cases, the Chief School Administrator shall report the instance to the Board President immediately, and request reconsideration of the policy at the next regular meeting.

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties
18A:17-20	Superintendents – Powers / Duties
NJ Dept of State – School District Records	
Matawan Teachers Assn v Bd of Ed 233 NJ Super 504 App Div 1988	

Possible Cross References

2210, 9000, 9311, 9314, 9322, 9323/9324

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Bylaws Of The Board	Series 9000
Meetings	Policy 9320
Date Adopted: June 22, 2004	Date Revised
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The Board of Education shall organize annually at a date and time specified by law at which time newly appointed members shall take office.

During its organization meeting, the Board shall elect one of its members as President and another as Vice President; officially select a depository and Treasurer of school monies; appoint a Secretary to the Board and an auditor; and establish the time and place of Board meetings for the ensuing year.

The Board may conduct such other business as it deems desirable.

Regular Meetings

The time and place of the regular business meetings of the Board of Education shall be established at the organization meeting.

The Board of Education shall conduct its business in public in accordance with the provisions of the New Jersey Open Public Meetings Act.

The Board of Education will consider and act upon matters within its authority as prescribed by the statutes, the rules and regulations of the State Board of Education, and its own policies.

Special Meetings

Special meetings of the Board shall be held whenever called by the President or upon the signed petition of a majority of the whole number of members of the Board.

Special meetings of the Board of Education shall be held in public in accordance with the provisions of the New Jersey Open Public Meetings Act. The notice and purpose of all special meetings shall be given to all Board Members and the public. Public discussion shall be limited to those items on the agenda.

Adjourned Meetings

An adjourned meeting is the continuation of the meeting from which there was an adjournment. At the adjourned meeting the business interrupted by the adjournment motion is the first order of business after the reading of the minutes.

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**Bylaws Of The Board
Meetings**

**Series 9000
Policy 9320**

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Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
10:4-9.1	Electronic Notice of Meetings
18A:10-3	First Regular Board Meeting
18A:10-4	Secretary to Give Notice
18A:10-5	Organization Meeting as Business Meeting
18A:10-6	Board Meetings
NJAC 6A:32-3.1	Special Meetings of the Board

Possible Cross References

1120, 2240, 9321

Deerfield Township Board of Education District Policy Manual

Bylaws Of The Board

Series 9000

Time, Place & Notification Of Meetings

Policy 9321

Date Adopted: June 22, 2004 Date Revised

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Time/Place of Meetings

The Board of Education shall adopt annually, at its organization meeting, a schedule of meetings for the next ensuing year for the purpose of conducting the regular business of the Board and enabling full discussion of issues before the Board. The schedule shall list the time and date of each meeting, its location, and shall be posted, delivered to the Board's official newspaper, and filed with the clerk of the township. If the schedule so adopted and published is subsequently revised during said year, the Board will publish the revised schedule in the same manner within seven days of its adoption.

Notice of Meetings

The Secretary of the Board shall give notice to all Board Members of all meetings. Adequate notice must be given for all meetings of the Board except in the event of an emergency or when dealing with matter exempted from public purview under the law. Adequate notice means written advance notice of at least 48 hours, giving time, date and location, and to the extent known, the addenda of the meeting. The notice must state whether formal action may or may not be taken at the meeting. The notice must be:

1. Prominently posted in at least one public place reserved for such announcement.
2. Communicated to the designated official newspaper.
3. Filed with the clerk of the township.
4. Sent to those persons requesting that such notice be mailed to them.

Annual Notice

Annual notice of the year's regular meeting schedule must be posted publicly, sent to the official newspaper, and the clerk of the municipality within 10 days following the annual organization meeting. This notice shall contain the location of each meeting to the extent it is known as well as the time and date. If the schedule is revised at all, notice must be given within 10 days of the revision. This schedule of meetings must be posted and maintained throughout the year.

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**Bylaws Of The Board
Time, Place & Notification Of Meetings**

**Series 9000
Policy 9321**

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Advance Notice

Any person may request advance written notice of the current school year's regular or special meetings of the Board of Education. The Board reserves the right to assess a fee for providing such notice with the exclusion of fee for the official newspaper for the district that shall receive such notice free of charge. All requests for notice made under this resolution shall terminate at midnight on the current operating year.

Emergency Meetings

The Board of Education may hold a meeting without providing adequate notice if:

1. Three-quarters of the members present vote to do so, and
2. The meeting is required to deal with matters of such urgency and importance that delay would be likely to result in substantial harm to the public interest; and
3. The meeting will be limited to discussion of an action on these matters; and
4. Notice of such meeting was provided as soon as possible following the calling of the such meeting; and
5. One of the following:
 - a. either the Board could not reasonably have foreseen at a time when adequate notice could have been provided; or
 - b. the need could have been foreseen in time but the Board failed to do so.

Statement of Adequate Notice

At the beginning of every meeting, the Board President shall announce that adequate notice of the meeting has been provided and shall specify the time, place and or in which the notice was provided. If adequate notice was not provided, the President shall say so and in addition, shall state:

1. The nature of the matter of urgency or importance for which the meeting without adequate notice was called; and

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**Bylaws Of The Board
Time, Place & Notification Of Meetings**

**Series 9000
Policy 9321**

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2. The nature of the substantial harm to the public interest likely to result from a delay in holding the meeting; and
3. That the meeting will be limited to discussion of and action on such matters of urgency and importance; and
4. The time, place and manner in which some notice of the meeting as provided; and
5. Either of the following:
 - a. that the need for such meeting could not reasonably have been foreseen at a time when adequate notice could have been provided and why this was so, or
 - b. that such need could reasonably have been foreseen in time for adequate notice, but nevertheless such notice was not provided, and the reasons why.

Statements concerning the provision of adequate notice, or the lack thereof, shall be entered in the minutes of the meeting.

Mailing Lists

A mailing list will be established to send the annual schedule and notice of any additional meetings to persons who apply in writing and submit an annual fee established by the Board. This notice will not include a complete detailed agenda.

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
10:4-9.1	Electronic Notice of Meetings
18A:10-3	First Regular Board Meeting
18A:10-4	Secretary to Give Notice
18A:10-5	Organization Meeting as Business Meeting
18A:10-6	Board Meetings
NJAC 6A:32-3.1	Special Meetings of the Board

Possible Cross References

1120, 2240, 9320

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Bylaws Of The Board

Series 9000

Public & Executive Sessions

Policy 9322

Date Adopted: June 22, 2004

Date Revised: June 26, 2013

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The Board of Education shall officially transact all business at a legal meeting of the Board in accordance with New Jersey law.

All meetings of the Board of Education shall be open to the public with the exception of meetings to discuss:

- A. Any matter which by the express provision of state or federal law or rule of court shall be rendered confidential;
- B. Any matter in which the release of information would impair a right to receive federal funds;
- C. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy, unless the individual (or all of the individuals) concerned shall request in writing that the same be disclosed publicly. This included information contained in public records, and any reports or recommendations concerning a specific individual (see Policy 1120 for “needless public labeling”);
- D. Any collective bargaining agreement or the terms and conditions that are proposed for inclusion in any collective bargaining agreement, including the actual negotiating sessions with representatives of employee groups;
- E. Any matter involving the purchase, lease or acquisition of real property (land or buildings) with public funds, where it could adversely affect the public interest if discussion of such matters were disclosed;
- F. The tactics and techniques used in protecting the safety and property of the public, provided that their disclosure could impair such protection;
- G. Any investigation of violations or possible violations of law;
- H. Any pending or anticipated litigation or contract negotiations other than collective bargaining, and any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his/her ethical duties as a lawyer;
- I. Any matter involving employment, appointment, termination, terms and conditions of employment, evaluation, promotion or disciplining of any prospective or current public employee or officer unless all the individual employees whose rights could be adversely affected request in writing that the matter be discussed at a public hearing;
- J. Any deliberations occurring after a public hearing that may result in the imposition of a specified civil penalty or loss of license to an individual.

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**Bylaws Of The Board
Public & Executive Sessions**

**Series 9000
Policy 9322**

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Such sessions shall be closed to the public and press, shall be declared so by a formal motion at a public meeting. Minutes taken at such meetings shall remain confidential only so long as their publication would defeat the purpose of the executive session. That such a meeting will be or was held shall be recorded in the minutes of the preceding or subsequent regular meeting. Board Members and other persons attending the session are honor-bound not to disclose the topic or details of any discussions during the executive session.

The Board may invite staff members or others to attend executive sessions at its discretion.

No official action shall be taken during executive sessions, except such as may be sanctioned by law. To take final action on any matter discussed, the Board shall convene or reconvene in open session.

Public Participation

Meetings of the Board are open to the public and all members of the community should feel free to attend. A time for public discussion of agenda items shall be included in the order of business at an appropriate time. The Board President has the discretion to limit the time an individual may speak based upon the available time on the agenda. Where possible, notice of time limits will be given at the beginning of the meeting. At least one week prior to the meeting, a member of the public may request time on the agenda. This will be granted at the discretion of the Board President.

Brief comments on any matter of interest to the district should be reserved for the time provided in the order of business.

Provision may be made for the introduction by a member of the public of business not on the agenda when the matter is of such urgency or wide interest that delaying consideration of it until the next meeting would not be in the public interest.

No member of the public is permitted to present orally or discuss at an open meeting of the Board complaints against individual employees or students of the district.

Grievances or complaints that have not previously been considered through administrative channels shall not be acted upon by the Board.

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Legal References

NJSA	2C:33-8	Disrupting Meetings
	10:4-6 et seq	Open Public Meetings Act
	18A:10-6	Board Meetings
	18A:11-1	General Mandatory Powers / Duties
	47:1A-1 et seq	Public Records
NJAC	6A:32-12.1	Reporting Requirements
	Rice v. Union City Board of Education, 143 NJ Super 64 (1978)	
	5 USC Section 552 as amended by Public Law	
	No. 104-231, 110 Stat. 3048 Freedom of Information Act	
	Garcetti v. Ceballos 2006 US LEXIS 4341 (May 2006)	
	New Jersey Quality Single Accountability Continuum (NJQSAC)	

Possible Cross References

1120, 3570, 6142.10, 9121, 9271, 9323/9324, 9326, 9330

Deerfield Township Board of Education District Policy Manual

Bylaws Of The Board

Series 9000

Electronic Communications

Among Board Members

Policy 9322.1

Date Adopted: July 27, 2005 Date Revised: April 29, 2015

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The Board of Education believes that electronic communication among its members and the administration is an efficient and convenient way to exchange information, but must not be misused to deliberate issues that are appropriately discussed only in a public meeting. Therefore, Board Members and administrators shall exercise caution when communicating between and among themselves via electronic messaging services including, but not limited to, Internet Web Forums and Internet Chat Rooms. Board Members should understand at all times that these communications represent permanent school district records that can be subject to public disclosure. Electronic messaging communication shall conform to the same standards of judgment, propriety and ethic as other forms of Board-related communication (committee meetings, telephone calls, etc.). Board Members shall adhere to the following guidelines when communicating electronically:

- A. Board Members shall not use or any other electronic messaging service as a substitute for deliberations at Board meetings. The Open Public Meetings Act defines a “meeting” as any gathering attended by, or open to the members of a public body, held with the intent to discuss or act as a unit upon the specific public business of that body.
- B. Board Members shall be aware that any attachments received or prepared for use in Board business are likely to be regarded as public records that may be inspected by any person upon request, unless otherwise made confidential by law.
- C. Board Members shall avoid reference to confidential information about employees, students or others in communications because of the risk of improper disclosure.
- D. Board Members shall adhere to the district “acceptable use” policy in all communications and shall refrain from sending inappropriate, profane, harassing or abusive e-mails.
- E. Board Members shall not reveal their passwords to others in the network or to anyone outside of it, except to the system administrator. If any Board Member has reason to believe a password has been lost or stolen, or that e-mail is being accessed by someone without authorization, he/she shall notify the Chief School Administrator immediately.

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Electronic Communications
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E-mail Accounts for Board Members

The district shall assign an electronic mail (e-mail) account to each Board Member to be used for allowable communications only. This e-mail account shall be used only by the assigned Board Member and only for Board business and communications.

Board Members shall not use personal e-mail accounts to conduct district or school business, but shall use the district assigned e-mail account, instead.

Board Members are urged to review all e-mail communications made to their respective e-mail accounts regularly, in order to be kept fully informed.

Under most instances, Board Members will be excluded from receiving e-mail messages directed to staff members or groups of staff members, unless particular e-mail communications are deemed to be appropriate to be distributed to Board Members by the Chief School Administrator.

Board Members shall not use their assigned e-mail account to communicate with staff members directly to discuss district business. Conversely, staff members shall not use their assigned e-mail account to communicate with Board Members directly to discuss district business. Board Members or staff members who receive such e-mail communications shall notify the Chief School Administrator immediately.

E-mail communications using such e-mail accounts are subject to the provisions of the Open Public Records Act – NJSA 47:2A-1, et. seq.

Social Networking Websites

The Board of Education is aware of the importance of maintaining proper decorum in the on-line, digital world as well as in person. Board Members must conduct themselves in ways that do not distract from or disrupt the educational process, and/or the business of the district. Board Members are cautioned against improper fraternization with students or staff members using social networking websites on the Internet. Board Members may not list current students or staff members as “friends” on social networking sites.

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Electronic Communications
Among Board Members**

Series 9000

Policy 9322.1

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Legal References

NJSA	10:4-6 et seq	Open Public Meetings Act
	18A:10-6	Board Meetings
	18A:11-1	General Mandatory Powers / Duties
	18A:12-21 et seq	School Ethics Act
	19:44-1 et seq	Fair & Open Procurement Process
	47:1A-1 et seq	Public Records
NJAC	6A:28-1.1 et seq	School Ethics Commission
	6A:32-3.2	Requirements for Code of Ethics for Board Members

Possible Cross References

1120, 3570, 6142.10, 9121, 9271, 9323/9324, 9326, 9330

Deerfield Township Board of Education District Policy Manual

**Bylaws Of The Board
Organization Meeting**

**Series 9000
Policy 9322.3**

Date Adopted: June 22, 2004 Date Revised

Page 1 of 1

The annual organizational meeting shall be held at a date and time specified by law.

The suggested Order of Business shall be as follows, unless altered by the chairperson or a majority of those present and voting:

1. Call to Order
2. Reading of Open Public Meetings Act
3. Flag Salute
4. Report of Election Totals
5. Installation of New Members
6. Nominations and Election of President
7. Nominations and Election of Vice-President
8. Appointment of Treasurer of School Monies
9. Appointment of School Auditor
10. Appointment of School Solicitor
11. Adoption of Rules, Regulations, and Policies
12. Designation of Official Newspapers
13. Establish Monthly Meeting Date, Time and Place
14. Transfer Bank Accounts
15. Bank Depository for Bank Accounts with Authorized Signatures
16. Bank Depository for Money Market Instruments
17. Appointment of Delegates to County School Board Association and New Jersey School Board Association.
18. Appointment of Board Committees
19. Adoption of Curricula
20. Approval of Petty Cash Funds
21. Appointment of Agent for Grants
22. Adoption of Rules of Order
23. Public Discussion
24. Adjournment

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
10:4-9.1	Electronic Notice of Meetings
18A:10-3	First Regular Board Meeting
18A:10-4	Secretary to Give Notice
18A:10-5	Organization Meeting as Business Meeting
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties

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Bylaws Of The Board

Series 9000

Agenda Preparation/Advance

Delivery Of Meeting Material

Policy 9323/9324

Date Adopted: June 22, 2004 Date Revised

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The Chief School Administrator and the Board President shall prepare the agenda for all meetings of the Board. In doing so, they shall consult the Board Secretary.

Items of business suggested by any Board Member, staff member, or citizen of the district may be included at the discretion of the Chief School Administrator and Board President. The agenda shall allow time for the remarks of citizens, staff members or pupils who wish to speak briefly before the Board.

The Board shall follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present and voting. At a regularly scheduled meeting, notice of which has been provided in the annual schedule of meetings, items of business not on the agenda may be discussed and acted upon if a majority of the Board present and voting agrees to consider them. However, existing Board policies and bylaws may not be revised or new ones adopted unless the proposals are on the written agenda.

The Board of Education will provide an agenda of the topics called upon for any and all special or emergency meetings. The Board will also make note of any action that will be taken but this action is solely at the discretion of the Board.

The agenda together with supporting materials, shall be distributed to Board Members sufficiently prior to the Board meeting to permit Board Members to give items of business careful consideration. The agenda shall also be made available to the press, representatives of the community, and staff groups, and others upon request.

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
18A:10-4	Secretary to Give Notice
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties
18A:12-21 et seq	School Ethics Act

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Advance Notice & Agenda Requests / Fees

Policy 9324.1

Date Adopted: June 22, 2004 Date Revised

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Any person may request that the Board of Education mail to him/her advance written notice giving the time, date, location and to the extent known the agenda of any regular, special or rescheduled meetings upon prepayment by such person of a reasonable sum to cover the costs of providing such notice. All requests for notice shall terminate at midnight on June 30th of each year, but shall be subject to renewal upon a new request to the Board of Education as provided in section 10:4-19 of the Open Public Meetings Act.

Any fees to be charged individuals and organizations requesting notification of Board meetings other than those required by law shall be set by the Board Secretary and approved by the Board.

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
18A:10-4	Secretary to Give Notice
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties
18A:12-21 et seq	School Ethics Act

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**Bylaws Of The Board
Meeting Conduct**

**Series 9000
Policy 9325**

Date Adopted: July 27, 2004 Date Revised: January 26, 2017 Page 1 of 2

All actions of the Board of Education shall be taken only in official Board meetings called, scheduled and conducted according to these bylaws and the New Jersey State statutes.

Orderly Procedure

In order to provide for orderly discussion and careful consideration of questions and to expedite business, it is understood that the following procedures will be followed during meetings of the Board:

1. Members wishing to speak will address the President and be recognized;
2. Any person wishing to address the Board shall be given the opportunity provided his/her remarks are relevant to the subject being considered and provided he/she does not become personal or abusive. It shall be the responsibility of the President to place any restriction on the time that may be allotted to a speaker;
3. Members of the Board and the Chief School Administrator shall address the President and be recognized in their participation in questions being discussed by the Board. The Board, through the President, may call upon other officers of the Board or consultants to participate in the discussion of questions at any time.

Board Member Deliberations / Discussions

In order to ensure efficient use of time during public meetings of the Board of Education, discussion of any motion, item and/or issue before the Board shall be limited to a total of no more than fifteen (15) minutes. However, this time limit may be extended if the matter before the Board is such that additional discussion is warranted. In such cases, any individual Board Member, may put forth a motion to extend the time limit of the discussion underway, and that Board Member's motion is voted upon and receives an affirmative vote of the majority of the members present at that meeting.

The Board President or his/her designee shall be authorized to track the amount of time devoted to any matter before the Board and to call discussions to a close. If the majority of the Board Members present so decide, any discussion underway may be continued at the next regularly scheduled Board meeting or at a specially convened meeting of the Board.

This requirement shall also pertain to executive or closed session meetings of the Board.

Board Actions

All actions of the Board of Education shall be taken only during official Board meetings called, scheduled and conducted according to these bylaws and New Jersey statutes.

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District Policy Manual**

**Bylaws Of The Board
Meeting Conduct**

**Series 9000
Policy 9325**

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When a question is submitted to vote, every member present shall vote upon it, unless excused by the Board.

Public Participation

In order to insure full dissemination of its official actions, to apprise the public of the schools and the educational program, and to hear the views of the public, the Board of Education shall provide a period of public participation in each of its regular and special meetings, but the Board reserves the right to establish rules for the conduct of such public participation.

Legal References

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

Open Public Meetings Act
Secretary to Give Notice
Board Meetings

Deerfield Township Board of Education District Policy Manual

**Bylaws Of The Board
Quorum**

**Series 9000
Policy 9325.1**

Date Adopted: July 27, 2004

Date Revised

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Five (5) members present shall constitute a quorum of the Board of Education. In the event a quorum is not present at the hour of convening, the meeting may be recessed to a time not later than 9:00 PM of the same day. If a quorum is not then present the members may adjourn the meeting to commence on a later day within seven days.

In the event that any meeting of the Board is rescheduled due to lack of a quorum of the Board or for any other reason, the public will be given appropriate notice of the date, time and location of the rescheduled meeting.

Legal References

NJSA 10:4-6 et seq

18A:10-6

18A:11-1

Open Public Meetings Act

Board Meetings

General Mandatory Powers / Duties

Deerfield Township Board of Education District Policy Manual

Bylaws Of The Board

Series 9000

Regular Meeting / Order Of Business

Policy 9325.2

Date Adopted: July 27, 2004

Date Revised

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The order of business shall be as follows, unless altered by the chairperson or a majority of those present and voting:

1. Call to Order
2. Pledge to the Flag
3. Reading of Open Public Meetings Act
4. Roll Call of Members
5. Approval of Minutes of Previous Meeting(s)
6. Communications
7. President's Report
8. Committee Reports
9. Old Business
10. New Business
11. Audience Participation – Agenda Topics
12. Chief School Administrator's Report
13. Board Secretary / Business Administrator's Report
14. Audience Participation – Open Topics
15. Recess into Executive Session (if warranted)
16. Resumption of Public Portion of the Meeting (following executive sessions)
17. Adjournment

The Board of Education may take action on any subject within the agenda or additional matters that it deems appropriate.

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
18A:10-4	Secretary to Give Notice
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties

Possible Cross References

1000/1010, 1100, 1100.1, 1250, 9020, 9271, 9325.4

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**Bylaws Of The Board
Parliamentary Procedure**

**Series 9000
Policy 9325.3**

Date Adopted: July 27, 2004

Date Revised

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In the conduct of its business, the procedure of the Board will be governed by the educational laws of the State, by principles and rules set forth in the Board of Education Bylaws, or otherwise by *Robert's Rules of Order*.

Legal References

NJSA 18A:10-6
18A:11-1

Board Meetings
General Mandatory Powers / Duties

Deerfield Township Board of Education District Policy Manual

**Bylaws Of The Board
Voting Methods**

**Series 9000
Policy 9325.4**

Date Adopted: July 27, 2004

Date Revised

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Official actions may be taken only at a regular monthly or specially called meeting at which a quorum is present. All motions shall require for adoption a simple majority vote of those present and voting (minimally, a majority of the quorum), except as provided by statute. Abstentions shall not be counted as votes, but shall be recorded and are deemed to count as no vote at all.

A vote can be conducted by voice, show of hands or roll call, provided that the vote of each member is recorded, except where a recorded roll call majority is required by statute. Proxy voting is prohibited. Any member may request that the Board be polled.

It shall be the responsibility of the President to certify the results of every matter voted upon by the Board. He/she may at his/her discretion poll the members of the Board to be certain of the outcome of the vote.

The Board Secretary will record, by name, the individual votes of Board Members anytime a roll call vote is taken. This record will be made a part of the minutes of the meeting.

A member may abstain from voting. An abstention shall be so recorded and shall not be counted as either an affirmative or a negative vote. Abstentions are to be so recorded, regardless of whether a person speaks for or against a motion prior to stating his/her wish to abstain. The silence of a member on any vote shall be recorded as an abstention.

Actions requiring a two-thirds vote of the full membership of the Board of Education:

- A. Placement of a contract following failure to receive responsible bids on two occasions. (NJSA 18A:18A-5(c))
- B. Adopting a refunding bond ordinance. (NJSA 18A:24-61.4)
- C. Selling or exchanging refunding bonds. (NJSA:18A24-61.9)
- D. Authorizing to negotiate, award or enter into a contract or agreement after the Board has solicited and received at least three quotations on materials, supplies or equipment for which a state contract has been issued, and the lowest responsible quotation is at least 10% less than the cost charged under the state contract. (NJSA 18A:18A-5(e))
- E. Determining the necessity to raise funds for capital project(s) in Type II districts having a Board of School Estimate. (NJSA 18A:22-27)

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Policy 9325.4**

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- F. Permitting the private sale of certain bonds if no legally acceptable bid is received by a Type II district. (NJSA 18A:24-45(c))
- G. Adopting a resolution endorsing approval of the lease purchase concept of acquiring property for building construction/renovation and authorizing the Chief School Administrator and/or Board Secretary to advertise and solicit proposals for the selection of a lessor and underwriter and to request the approval of the Commissioner and Local Finance Board in the Department of Community Affairs of a lease purchase agreement in excess of five years. (NJAC 6A:26-7.1, 6A:26-10.1 et seq)

Actions involving holding a meeting, notwithstanding the failure to provide adequate notice shall require an affirmative vote of three-quarters of the members present (NJSA 10:4-9(b))

Actions requiring a recorded roll-call majority vote of the full membership of the Board of Education:

- A. Adopting or altering a course of study. (NJSA 18A:33-1)
- B. Appointment and fixing of the term of Chief School Administrator. (NJSA 18A:17-15), Board Secretary (NJSA 18A:17-5), Assistant or Acting Board Secretary. (NJSA 18A:17-13)
- C. Appointing or removing an Assistant Chief School Administrator. (NJSA 18A:17-16)
- D. Appointment or transfer of a teaching staff member. (NJSA 18A:25-1; 18A:27-1)
- E. Approval of employee salary deductions for governmental bonds. (NJSA 18A:16-8)
- F. Disposition or exchange of lands owned by the Board of Education. (NJSA 18A:20-5, 18A:20-8)
- G. Selection of textbooks. (NJSA 18A:34-1)
- H. Restoration or removal following suspension by the Chief School Administrator, Assistant Principal, Teacher or Instructional Aid. (NJSA 18A:25-6)
- I. Withholding, for inefficiency or other good cause, a prescribed employment or adjustment salary increment. (NJSA 18A:29-14)
- J. Admission after October 1st of a pupil who has never attended public or private school. (NJSA 18A:38-6)
- K. Appointing a School Business Administrator. (NJSA 18A:17-14.1); appointing or removing and fixing the salary of a Business Manager in a Type I District. (NJSA 18A:17-25)

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Policy 9325.4**

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- L. Decision to establish with other school district(s) a county audiovisual educational aids center (NJSA 18A:51-1); application for membership in an already established county audiovisual educational aids center. (NJSA 18A:51-11)
- M. Determining sufficiency of charges warranting dismissal or reduction in salary of a tenured employee. (NJSA 18A:6-11)
- N. Removal of the President or Vice President of the Board. (NJSA 18A:15-2)
- O. Purchase of bonds or other obligations as securities. (NJSA 18A:20-37)
- P. Sale of bonds or other obligations purchased as securities. (NJSA 18A:20-39)
- Q. Adoption of school budget to be submitted to voters. (NJSA 18A:22-32)
- R. Adoption of school budget in Type II districts with a Board of School Estimate. (NJSA 18A:22-26)
- S. Approval of capital construction projects. (NJSA 18A:7G-1 et seq, NJAC 6A:26-1 et seq)
- T. Authorization of school bonds. (NJSA 18A:24-10)

Additional Legal References

NJSA 18A:11-1

General Mandatory Powers / Duties

Aurentz v Little Egg Harbor Twp Planning Bd 171 NJ Super Law Div 1979

King v. Asbury Park Bd of Ed 1939-49 SLD 20

Matawan Teachers Assn v Bd of Ed 223 Super 504 App Div 1988

Lincoln Park Bd of Ed v Boonton Bd of Ed 97 NJAR 2d EDU July 24

Little Ferry Bd of Ed v Ridgefield Park Bd of Ed 97 NJAR 2d EDU July 24

Green Twp Bd of Ed v Newton Bd of Ed 97 NJAR 2d EDU August 5

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Persons Addressing The Board

Policy 9325.5

Date Adopted: July 27, 2004

Date Revised

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Prior to addressing the Board, each speaker is requested to state his/her name, address and nature of his/her remarks.

At the discretion of the Board President and if confirmed by a majority vote of the entire Board of Education, public remarks may be limited to a specific amount of time.

Legal References

NJSA 18A:11-1

General Mandatory Powers / Duties

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**Bylaws Of The Board
Adjournment**

**Series 9000
Policy 9325.6**

Date Adopted: July 27, 2004

Date Revised

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The Board may at any time recess or adjourn to an adjourned meeting at a specified date and place. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was acted upon.

Legal References

NJSA 18A:10-6
18A:11-1

Board Meetings
General Mandatory Powers / Duties

Deerfield Township Board of Education District Policy Manual		
Bylaws Of The Board Minutes		Series 9000 Policy 9326
Date Adopted: July 27, 2004	Date Revised	Page 1 of 2

The minutes of the meetings of the Board of Education shall include:

- A. The classification (regular, adjourned or special), date and place of meeting;
- B. The call to order stating time, person presiding and his/her office;
- C. The record of the roll call of Board Members;
- D. A notation of the presence of the Chief School Administrator, Board Secretary/Business Administrator, administrators and the public;
- E. Announcement of notification listing the newspapers by name;
- F. A record of any corrections to the minutes of the previous meetings and the action approving them;
- G. A record of all communications presented to the Board;
- H. A record of each motion placed before the Board, the result of the vote, and the vote of each member.

A copy of the minutes shall be filed permanently for reference purposes.

All reports requiring Board action, resolutions, agreements and other written documents shall be placed in the files of the Board Secretary and/or the Chief School Administrator as a permanent record.

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**Bylaws Of The Board
Minutes**

**Series 9000
Policy 9326**

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Legal References

NJSA	18A:10-6 et seq	Open Public Meetings Act
	18A:11-1	General Mandatory Powers / Duties
	18A:17-7	Secretary to Give Notices / Keep Minutes
	47:1A-1 et seq	Examination/Copies of Public Records OPRA
NJAC	6A:8-4.3	Accountability
	6A:30-1.4	Evaluation Process for Annual Review
	6A:32-12.1	Reporting Requirements
	6A:23A-1.2 et seq	Fiscal Accountability Definitions

Exec Order No. 9 Sept 30, 1963 modified by Exed Order No. 11 Nov 15, 1974

Maurice River Bd of Ed v Maurice River Teachers Assn 193 NJ Super 488 App Div 1984

Matawan Ed Assn v. Matawan-Aberdeen Ed Bd 121 NJ Super 328

Liebeskind v Mayor & Mun Coun of Bayonne 265 NJ Super 389 400-401 App Div 1993

Atlantic City Convention Cntr Auth v South Jersey Publishin Co Inc 135 NJ 53 1994

Manual for the Evaluation of Local School Districts

NJ Dept of State Div Archives & Records Management School District Records Retention Schedule

Robt Wayne Tarus v Boro of Pine Hill et al NJ Supreme Court A-93-2005 decided March 7, 2007

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3570, 9123, 9330

Deerfield Township Board of Education District Policy Manual		
Bylaws Of The Board		Series 9000
Public Access To Minutes		Policy 9326.1
Date Adopted: July 27, 2004	Date Revised	Page 1 of 2

The approved minutes of the Board shall be shown to the public upon request in the presence of the Board Secretary or his/her designee. Requests for single copies of minutes shall be honored at the convenience of the Board Secretary. The Board reserves the right to assess a charge to copy the cost of copying the minutes.

A copy of the approved minutes of Board of Education meetings will be made available to the staff members of the Deerfield Township School.

Any other persons may request, in writing, copies of minutes of all meetings of the Board of Education to be mailed to them as soon as conveniently possible. The Board reserves the right to assess a charge to cover the cost of copying and mailing meeting minutes.

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Legal References

- NJSA 10:4-6 et seq. Open Public Meetings Act
18A:4-14 Uniform system of bookkeeping for school districts
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
18A:11-2 Power to sue and be sued; reports; census of school
18A:17-7 through -12 Secretary to give notices and keep minutes, etc.
18A:17-28(e) Duties of business manager
18A:17-35 Records of receipts and payments
18A:17-36 Accounting; monthly and annual reports
18A:17-46 Act of violence; report by school employee; notice of action taken; annual report
18A:36-19 Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
47:1A-1 et seq. Examination and copies of public records ("Open Public Records Act")
47:3-15 et seq. Destruction of Public Records Law
- NJAC 2:36-1.1 et seq. Child Nutrition Programs
6A:16-5.3 Incident reporting of violence, vandalism and substance abuse
6A:23-2.1 et seq. Double Entry Bookkeeping and GAAP Accounting in Local School Districts
6A:27-7.9 Vehicle records
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A: 32-7.1 et. seq. Student Records
6A:32-12.2 School level planning
15:3-2.1 et. seq. Records Retention
- Annual Data Collection Plan, New Jersey State Department of Education Records Retention Schedule, New Jersey State Department of Education
Matawan Regional Teachers Association v. Matawan-Aberdeen Bd. of Ed., 212 N.J. Super. 328 (Law Div. 1986)
Laufgas v. Barnegat Twp. Bd. of Ed., 1987 S.L.D. 2442, aff'd St. Bd. 1988 S.L.D. 2496
Horner v. Kingsway Regional, 1990 S.L.D. 752 Beatty v. Chester Bd of Ed, 1999 S.L.D. (Sept.)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3570, 4112.6, 4212.6, 5125, 9330

Deerfield Township Board of Education District Policy Manual

**Bylaws Of The Board
Taping Of Meetings**

**Series 9000
Policy 9326.2**

Date Adopted: July 27, 2004

Date Revised

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At its option, the Board of Education may cause any or all of its public meetings to be tape recorded for the purpose of providing clarification, if needed, during the preparation of the official minutes of that meeting. Should tapes be prepared, they shall be treated and maintained in conformity with N.J.S.A. 47:1A-1 et seq., "The Right to Know Law" (Open Public Records Act) and N.J.S.A. 47:3-15 et seq., "The Destruction of Public Records Law".

Public access to the contents of meeting tapes that are extant in conformity with the previously cited passages of N.J.S.A. 47 shall be provided exclusively through the Board office. Requests for such access shall be made to the Board Secretary in writing, with an appointment to be set by the Board Secretary. The Board reserves the right to assess a reasonable charge for providing copies of said tapes.

The Board also recognizes that there may be occasions when the use of a tape recording device may be a useful tool for a parent/guardian or citizen. At the same time, the Board recognizes that the indiscriminate use of these devices and the uncontrolled disclosure of recordings, has a real potential for abuse, invasion of privacy, a detrimental effect on the educational purpose of the schools. Therefore, no equipment that interferes with the orderly conduct of a meeting of the Board of Education will be permitted.

Anyone wishing to audio or video record a Board of Education meeting shall give notice to the Board Secretary/Business Administrator one day prior to the meeting to be recorded.

Guidelines

1. After the citizen session ends, no more than two cameras shall be used at any one time on a first come, first served basis, after the citizen session ends. The Board reserves the right to videotape its proceedings with a third camera.
2. The camera(s) shall be placed in inconspicuous corners of the room towards the rear. The specific location shall be approved by the Board President but shall be in such a place as shall permit unobstructed view of the meeting by the camera(s). The organization conducting the videotaping of the meeting shall take all necessary safety precautions to properly secure the power cable and the actual videotaping equipment to minimize the danger and risk of an accident to the general public and Board Members attending the meeting.
3. Those meetings or portions of meetings that are permitted by law to be closed to the public shall not be videotaped.

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Taping Of Meetings**

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Legal References

NJSA 18A:10-6 et seq
18A:11-1
18A:17-7
47:1A-1 et seq

Open Public Meetings Act
General Mandatory Powers / Duties
Secretary to Give Notices / Keep Minutes
Examination/Copies of Public Records
OPRA

Maurice River Bd of Ed v Maurice River Teachers Assn 193 NJ Super 488
App Div
Atlantic City Convention Cntr Auth v South Jersey Publishin Co Inc 135 NJ
53 1994

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Bylaws Of The Board

Series 9000

Staff Members Addressing The Board

Policy 9326.4

Date Adopted: July 27, 2004

Date Revised

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In order to provide for an efficient and orderly method of communication between the Deerfield Township Teachers Association (DTTA), the administration of the school and the Board of Education, the following procedures shall be used in connection with the DTTA addressing meetings of the Board.

- ❑ Areas of concerns to any individual employee or the DTTA should be discussed informally with the administration in an attempt to resolve matters to the mutual satisfaction of all involved.

- ❑ When an individual or the DTTA is dissatisfied with the outcome of the procedure above and wishes to present the concern to the Board, that individual or the DTTA shall submit the concern or question to the Chief School Administrator. This submission shall be in writing and be accompanied by any documentation necessary. An indication that it is desired for this submission to be placed on the agenda of an upcoming Board meeting shall be made as a part of the submission.

- ❑ Such submission shall be made no later than the close of school on the Wednesday preceding the next upcoming Board meeting in order that it be available for distribution to the appropriate individuals.

- ❑ The individual or a representative of the DTTA shall be present at the Board meeting to present the area of concern to the Board if requested.

- ❑ In the event of an extremely heavy agenda, the Chief School Administrator may, after consultation with the President of the Board, defer placing the item on the agenda. The individual and the President of the DTTA will be so notified in writing by the Chief School Administrator if time permits. In any case the individual and the President of the DTTA shall be notified by the DTTA verbally of this situation and the concern will be addressed at the next Board meeting.

Legal References

NJSA 18A:11-1

General Mandatory Powers / Duties

Deerfield Township Board of Education District Policy Manual

Bylaws Of The Board

Series 9000

Public Statements At Board Meetings

Policy 9326.5

Date Adopted: July 27, 2004

Date Revised

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It shall be the policy of the Board of Education that a copy of any statement read by a member of the public at a public Board meeting shall be requested of the individual reading such a statement.

Such copy of any statement read shall be filed as a part of the official minutes of the Board meeting and shall so serve as an accurate report of what was, in fact, read.

In the event that a copy of a statement to be read or having been read is not available for any reason, the Board Secretary shall be advised to record simply that the individual, by name, read a prepared statement concerning a particular topic and did not make a copy available to the Board.

In any case where a particular student is discussed, it shall be the procedure that no names or designations that would identify a student or class be used. The Chief School Administrator is directed to devise methods to protect the identity of the student by using other identification means both in public meetings and in executive sessions of the Board of Education.

Legal References

NJSA 18A:11-1
18A:42-4

General mandatory powers and duties
Distribution of literature to candidacy, Board
Issues or other public question to be submitted at
election; prohibited

Possible Cross References

1100, 1110, 9010, 9020, 9271

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

**Bylaws Of The Board
Challenge**

**Series 9000
Policy 9327**

Date Adopted: July 27, 2004

Date Revised

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When any action of the Board is challenged by any person on the grounds it was taken at a meeting in violation of the Open Public Meetings Act, the Board may cure the alleged defect by action taken at a public meeting to which adequate advance notice has been given or, where circumstances warrant, at a duly convened special meeting. Such action shall not be mere ratification of the prior act; the Board shall consider the matter fully and record its action as if for the first time. Absent a declaration of the Superior Court that the initial action is void, however, the action shall be considered to have been taken at the meeting at which it was first acted upon.

Legal References

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

Open Public Meetings Act
General Mandatory Powers / Duties

Deerfield Township Board of Education District Policy Manual

Bylaws Of The Board

Series 9000

Public Access To Board of Education Records

Policy 9330

Date Adopted: July 27, 2004

Date Revised

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In accordance with the provisions of P.L. 2001, c.404, the Deerfield Township Board of Education will provide reasonable access, inspection, copying and examination of all public records except those specifically exempted by law.

For the purpose of this policy, Board records shall be defined as, “any paper, written or printed book, document drawing, map, plan, photograph, microfilm, data processed or image processed, stored or maintained electronically or by sound-recording or in a similar device or any copy thereof, that has been made, maintained or kept on file in the course of the Board’s official business and/or that has been received in the course of the Board’s official business.”

Exemptions

Documents, records and/or information that are exempted from public access include:

1. In general, the portion of any document that discloses the social security number, credit card number, unlisted telephone number or driver license number of any person;
2. Personnel or pension records, except that an individual’s name, title, position, salary, payroll record, length of service, date of separation and the reason therefore, and the amount and type of any pension received are considered government records;
3. Inter-agency or intra-agency advisory consultative or deliberative material;
4. Any record within the attorney-client privilege;
5. Administrative or technical information regarding computer hardware, software or networks that, if disclosed, would jeopardize computer security;
6. Emergency or security information or procedures for any building or facility that, if disclosed, would jeopardize security;
7. Information that, if disclosed would give an advantage to competitors or bidders;
8. Information relating to any sexual harassment complaint;
9. Information relating to any grievance filed by or against an individual in connection with collective negotiations;
10. Information that is a communication between the Board and its insurance carrier, administrative service organization or risk management office; and
11. Information that is to be kept confidential pursuant to a court order.

Custodian of Board Records

The Custodian of Board Records shall be the Board Secretary/Business Administrator.

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Public Access To Board of Education Records

Policy 9330

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Responsibility of the Custodian of School Records

The Custodian of Board Records must permit Board records to be inspected, examined, and copied during regular business hours. The district position of Board Secretary/Business Administrator is officially designated by this action custodian of Board records. The Board Secretary/Business Administrator is required to keep and maintain all records and documents belonging to the Board except those required by the Treasurer of School Moneys.

Timely Access

In general, the Custodian of Board Records has a duty to provide access to a Board record immediately. However, there may be instances where the requested record(s) may be archived. In that case, the Custodian of Board Records will attempt to provide the requested record(s) within seven (7) business days after receiving the request. In general, failure to respond within seven (7) business days may be deemed a denial of the request.

Redaction of Records

In general, before providing public access, the Custodian of School Records has a duty to redact any information that discloses the social security number, credit card number, unlisted telephone number, driver license number and/or other exempted information.

Form for Requesting Records

The custodian shall adopt a form for the public to use to make requests for Board records. The form must provide the following:

1. Space for the name, address and telephone of the requestor;
2. Space for a brief description of the record sought;
3. Space for the custodian to indicate which record will be made available, and fees (if any), to be charged;
4. Specific directions and procedures for requesting the record;
5. A statement as to whether prepayment of fees (if any) are required;
6. An indication that, in general, the custodian has seven (7) business days after receiving the request to respond;
7. A statement of the requestor's right to challenge a decision denying access and the procedure for filing an appeal;
8. Space for the requestor to sign and date the form;
9. Space for the custodian to sign and date the form if the request is fulfilled or denied.

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Public Access To Board of Education Records

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Fees Charged for Copying Records

The Board may assess fees for providing copies of records. If the Custodian of School Records can demonstrate that the actual cost for duplicating a record exceeds these rates, he/she shall charge the actual cost per page. Under certain circumstances, special service fees may also be charged.

Appeal of Denial or Access to Records

A person who is denied access to a Board Record may file suit in Superior Court or may file a complaint with the newly created Government Records Council within the New Jersey Department of Community Affairs.

Deerfield Township Board of Education District Policy Manual

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Public Access To Board of Education Records**

**Series 9000
Policy 9330**

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Legal References

- NJSA 10:4-6 et seq. Open Public Meetings Act
18A:4-14 Uniform system of bookkeeping for school districts
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
18A:11-2 Power to sue and be sued; reports; census of school
18A:17-7 through -12 Secretary to give notices and keep minutes, etc.
18A:17-28(e) Duties of business manager
18A:17-35 Records of receipts and payments
18A:17-36 Accounting; monthly and annual reports
18A:17-46 Act of violence; report by school employee; notice of action taken; annual report
18A:36-19 Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
47:1A-1 et seq. Examination and copies of public records ("Open Public Records Act")
47:3-15 et seq. Destruction of Public Records Law
- NJAC 2:36-1.1 et seq. Child Nutrition Programs
6A:16-5.3 Incident reporting of violence, vandalism and substance abuse
6A:23-2.1 et seq. Double Entry Bookkeeping and GAAP Accounting in Local School Districts
6A:27-7.9 Vehicle records
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A: 32-7.1 et. seq. Student Records
6A:32-12.2 School level planning
15:3-2.1 et. seq. Records Retention
- Annual Data Collection Plan, New Jersey State Department of Education Records Retention Schedule, New Jersey State Department of Education
Matawan Regional Teachers Association v. Matawan-Aberdeen Bd. of Ed., 212 N.J. Super. 328 (Law Div. 1986)
Laufgas v. Barnegat Twp. Bd. of Ed., 1987 S.L.D. 2442, aff'd St. Bd. 1988 S.L.D. 2496
Horner v. Kingsway Regional, 1990 S.L.D. 752 Beatty v. Chester Bd of Ed, 1999 S.L.D. (Sept.)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3570, 4112.6, 4212.6, 5125

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Series 9000

Membership In Organizations

Policy 9340

Date Adopted: July 27, 2004

Date Revised

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The Board of Education shall be a member of the New Jersey School Boards Association, the County School Boards Association and such other associations as shall be determined by the Board of Education annually.

Legal References

NJSA 18A:11-1

General Mandatory Powers / Duties

18A:6-45

NJSBA Established

18A:6-50

NJSBA Dues

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**Bylaws Of The Board
Legislative Program**

**Series 9000
Policy 9360**

Date Adopted: July 27, 2004

Date Revised

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To ensure that the Board has the opportunity to make its views known to the elected representatives of the district at the local, state and national level, the Chief School Administrator is directed to notify the Board of any pending legislation that might affect the district.

Legal References

NJSA 18A:11-1

General Mandatory Powers / Duties

Deerfield Township Board of Education District Policy Manual

Bylaws Of The Board

Series 9000

Monitoring Products & Processes

Of The School District

Policy 9370

Date Adopted: July 27, 2004

Date Revised

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The school district's written educational plan shall be sequential and specific. The standards and procedures for assessing and evaluating the plan's long and short-range objectives shall be based on the following major elements:

1. Clear statements of expectations and purposes (i.e. philosophy, goals and objectives) coupled with specifications of how successful achievement will be determined.
2. Provisions for the staff, resources, and support necessary to achieving purposes.
3. Evaluation carefully designed to determine how well expectations and purposes are met, and
4. Revisions and modifications as needed for continued improvement.

Every effort shall be made by the Board, Chief School Administrator, and staff to fulfill the responsibilities of providing a thorough and efficient education for the pupils of the Deerfield Township School District.

Legal References

NJSA 18A:11-1

General Mandatory Powers / Duties

Deerfield Township Board of Education District Policy Manual

**Bylaws Of The Board
Board Self-Evaluation**

**Series 9000
Policy 9400**

Date Adopted: July 27, 2004

Date Revised

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The members of the Board of Education shall conduct an annual self-evaluation each year to determine the degree to which they are meeting their responsibilities as Members of the Board of Education and the needs of their educational community. This self-evaluation shall be positive, frank and honest, and shall be used to establish priorities for action and specific goals and objectives to strengthen the operation of the Board.

The Board shall use a multifaceted self-evaluation instrument as recommended by the New Jersey School Boards Association.

Legal References

NJSA 18A:11-1

General Mandatory Powers / Duties

Deerfield Township Board of Education District Policy Manual

Bylaws Of The Board

Series 9000

**Evaluation & Public Announcement
of District Accomplishments**

Policy 9410

Date Adopted: July 27, 2004

Date Revised

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The Board directs the Chief School Administrator to employ all appropriate means to provide for continuous and candid reports of accomplishments in the pursuit of district goals and objectives and to establish reliable indicators of accomplishment. The purpose of these accomplishment reports shall be to provide the Board with information needed for making continual policy and planning decisions.

The Board of Education, in compliance with the rules of the State Board of Education, shall provide district citizens with an annual report at a public Board meeting. As required by law, the accomplishment report shall include:

1. The implementation of school-level plans, NJAC 6:8-4.4;
2. The achievement of performance objectives, NJAC 6:8-4.4;
3. Each school report card, including pupil performance results and pupil behavior data, NJAC 6:8-4.4;
4. Professional development activities, NJAC 6:8-4.8;
5. The condition of the school facilities, NJAC 6:8-4.9;
6. The status of mandated program reviews, NJAC 6:8-4.10; and
7. Community support data consisting of:
 - a. A review of demographic data,
 - b. A Community survey,
 - c. Identification of available resources and linkages to social service agencies,
 - d. Strategies to overcome any community and environmental conditions that hinder learning,
 - e. Methods to eliminate any barriers to community participation,
 - f. Planned level of community involvement, and
 - g. Strategies for parental involvement, and parent-teacher interaction.

The annual accomplishment report shall be in the form of the Quality Assurance Annual Report (as required by law) and presented in clear and concise language.

Special and/or significant accomplishments of staff, students or the district as a whole shall be announced as they occur at the discretion of the Board.

Legal References

NJSA 18A:11-1

General Mandatory Powers / Duties

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Series 9000

Recognition Of Retired Employees & Board Members

Policy 9420

Date Adopted: July 27, 2004

Date Revised

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Wishing to recognize the loyalty and service of long-time employees and Board Members with a tangible proof of appreciation, the Board directs the Chief School Administrator to procure appropriate certificates, plaques, or other appropriate symbols of recognition for employees who are retiring from active employment in the district and Board Members who have completed their appointed or elected terms of office. Recognition is to be made on a non-discriminatory basis.

Legal References

NJSA 18A:11-1

General Mandatory Powers / Duties

Deerfield Township Board of Education District Policy Manual

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Series 9000

Evaluation Of District Accomplishments

Policy 9430

Date Adopted: July 27, 2004

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The Board has directed the annual evaluation of all parts of the district operation. The evaluation of the district as a whole must rest on the results of these individual evaluations. Therefore, the Chief School Administrator is directed to coordinate the results of the evaluation of:

- A. Administration
- B. Business and Non-Instructional Operations (including all construction of whatever type)
- C. Personnel (as a whole)
- D. Instructional Programs (including pupil progress and the State evaluation) into a unified report to the Board on the strengths and weaknesses of the district on or before the October meeting of the Board.

This unified report shall state the indicators of achievement used in each area.

Legal References

NJSA 18A:11-1

General Mandatory Powers / Duties