

1581 DOMESTIC VIOLENCE (M)

[See **POLICY ALERT No. 202 and 219**]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

New Jersey Civil Service Commission's Uniform Domestic

POLICY GUIDE

STRAUSS ESMAY ASSOCIATES

ADMINISTRATION
1581 DOMESTIC VIOLENCE (M)

Violence Policy

Adopted:

2200 CURRICULUM CONTENT (M)**M**

[See **POLICY ALERT** Nos. **95, 120, 137, 147, 153 and 209**]

The Board of Education will provide the instruction and services mandated by law and rules as necessary for the implementation of a thorough and efficient system of free public education and such other instruction and services as the Board deems appropriate for the thorough and efficient education of the students of this district. The Board shall annually approve a list of all programs and courses that comprise the district's curriculum and shall approve any subsequent changes in the curriculum in accordance with Policy 2220.

For purposes of this policy “curriculum” means planned learning opportunities designed to assist students toward the achievement of the intended outcomes of instruction.

The curriculum will be reviewed by the Superintendent and approved annually by the Board. In accordance with law, the curriculum shall, as a minimum, include the curricular mandates of N.J.S.A. 18A - Education and N.J.A.C. 6 and 6A - Education and all of the New Jersey Core Curriculum Content Standards and Cumulative Progress Indicators.

Districts with secondary school(s)

[and the courses required by Policy 5460 and N.J.A.C. 6A:8-5 for high school graduation.]

The Superintendent is responsible for implementing the curriculum approved by the Board.

The Board directs the curriculum be consistent with the educational goals and objectives of this district, the New Jersey Core Curriculum Content Standards and responsive to identified student needs. The Superintendent shall, in consultation with teaching staff members, assure the effective articulation of curriculum across all grade levels

Choose one or more of the following alternatives:

___ and among the schools of this district.

___ and among the constituent districts of the _____ Regional School District.

___ and among the school districts sending to the _____ School District.

The curriculum shall provide programs in accordance with Board policies and the New Jersey Core Curriculum Content Standards, including but not limited to:

1. Preparation of all students for employment or post secondary study upon graduation from high school;
2. Instruction in workplace readiness skills, visual and performing arts, comprehensive health and physical education, language arts literacy, mathematics, science, social studies (including instruction on the Constitution of the United States, United States history, Community Civics, and the geography, history and civics of New Jersey), and World Languages;
3. Continuous access to sufficient programs and services of a library/media facility, classroom collection, or both, to support the educational program of all students in accordance with Policy 2530;
4. Guidance and counseling to assist in career and academic planning for all students, in accordance with Policy 2411;
5. A continuum of educational programs and services for all children with disabilities, in accordance with Policy and Regulation 2460;
6. Bilingual education, English as a Second Language, and English language services for students of limited English language proficiency, when the number of such students so necessitates, in accordance with Policy 2423;
7. Programs and services for students at risk who require remedial assistance in accordance with Policies 2414, 2415, and 5460;
8. Equal educational opportunity for all students in accordance with Policies 2260, 5750, and 5755;
9. Career awareness and exploration as required, and vocational education as appropriate;
10. Educational opportunities for students with exceptional abilities, in accordance with Policy 2464;
11. Instruction in accident and fire prevention;
12. A substance abuse prevention program;
13. A program for family life education; and
14. Programs that encourage the active involvement of representatives from the community, business, industry, labor and higher education in the development of educational programs aligned with the standards.

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N.J.S.A. 18A:6-2; 18A:6-3; 18A:35-1 et seq.

N.J.A.C. 6A:8-1.1 et seq.; 6A:14 et seq.

New Jersey Core Curriculum Content Standards

Adopted:

2260 AFFIRMATIVE ACTION PROGRAM FOR SCHOOL AND CLASSROOM PRACTICES
(M)**M**

[See **POLICY ALERT Nos. 95, 116, 191 and 209**]

The Board of Education shall provide equal and bias-free access for all students to all school facilities, courses, programs, activities, and services, regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status, by:

1. Ensuring equal and barrier-free access to all school and classroom facilities;
2. Attaining minority representation within each school, which approximates the district's overall minority representation. Exact apportionment is not required, however, the ultimate goal is a reasonable plan achieving the greatest degree of racial balance, which is feasible and consistent with sound educational values and procedures;
3. Utilizing a State-approved English language proficiency measure on an annual basis for determining the special needs of English language learners and their progress in learning English pursuant to N.J.A.C. 6A:15-1.3(b);
4. Utilizing bias-free multiple measures for determining the special needs of students with disabilities, pursuant to N.J.A.C. 6A:14-3.4;
5. Ensuring that support services, including intervention and referral services and school health services pursuant to N.J.A.C. 6A:16, are available to all students; and
6. Ensuring that a student is not discriminated against because of a medical condition. A student shall not be excluded from any education program or activity because of a long-term medical condition unless a physician certifies that such exclusion is necessary. If excluded, the student shall be provided with equivalent and timely instruction that may include home instruction, without prejudice or penalty.

The Board of Education shall ensure that the district's curriculum and instruction are aligned to the State's Core Curriculum Content Standards and address the elimination of discrimination by narrowing the achievement gap, by providing equity in educational programs and by providing opportunities for students to interact positively with others regardless of race, creed, color,

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(M)**

national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status, by:

1. Ensuring there are no differential requirements for completion of course offerings or programs of study solely on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status;
2. Ensuring courses shall not be offered separately on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status;
 - a. Portions of classes which deal exclusively with human sexuality may be conducted in separate developmentally appropriate sessions for male and female students, provided that the course content for such separately conducted sessions is the same.
3. Reducing or preventing the underrepresentation of minority, female, and male students in all classes and programs including gifted and talented, accelerated, and advanced classes;
4. Ensuring that schools demonstrate the inclusion of a multicultural curriculum in its instructional content, materials and methods, and that students understand the basic tenet of multiculturalism;
5. Ensuring that African American history, as well as the history of other cultures, is infused into the curriculum and taught as part of the history of the United States, pursuant to N.J.S.A. 18A:35-1 and the New Jersey Core Curriculum Content Standards; and
6. Ensuring that instruction on the Holocaust and other acts of genocide is included in the curriculum of all elementary and secondary schools, as developmentally appropriate, pursuant to N.J.S.A. 18A:35-28.

The Board of Education shall ensure all students have access to adequate and appropriate counseling services. When informing students about possible careers, professional or vocational opportunities, the Board shall not restrict or limit the options presented to students on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status. The district will not use tests, guidance, or counseling materials which are biased or stereotyped on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status.

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The Board of Education shall ensure that the district's physical education program and its athletic programs are equitable, co-educational, and do not discriminate on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status, as follows:

1. The district shall provide separate restroom, locker room, and shower facilities on the basis of gender, but such facilities provided for students of each gender shall be comparable;
2. A school within the school district may choose to operate separate teams for both genders in one or more sports or single teams open competitively to members of both genders, so long as the athletic program as a whole provides equal opportunities for students of both genders to participate in sports at comparable levels of difficulty and competency; and
3. The activities comprising such athletic programs shall receive equitable treatment, including, but not limited to, staff salaries, purchase and maintenance of equipment, quality and availability of facilities, scheduling of practice and game time, length of season, and all other related areas or matters.

N.J.S.A. 18A:36-20

N.J.A.C. 6A:7-1.7

Adopted:

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Student Surveys, Analysis, ~~and/or~~ Evaluations,

Examinations, Testing, or Treatment

Jan 22

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[See POLICY ALERT Nos. 222 and 226]

2415.05 STUDENT SURVEYS, ANALYSIS, ~~AND/OR~~ EVALUATIONS, EXAMINATIONS, TESTING, OR TREATMENT

The Protection of Pupil Rights Amendment (PPRA) (20 USC §1232h; 34 CFR Part 98) applies to school districts that receive funding from the United States Department of Education (USDOE). The PPRA requires written consent from parents or the emancipated student the opportunity to opt out of participation in a survey, analysis, evaluation, examination, testing, or treatment funded in whole or in part by a program of the United States Department of Education that concerns one or more of the areas outlined in this Policy.

A. Definitions

“Instructional material” means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments. 20 USC §1232h(c)(6)(A).

“Invasive physical examination” means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening. 20 USC §1232h(c)(6)(B).

“Prior consent” means prior consent of the student, if the student is an adult or emancipated minor or prior written consent of the parent, if the student is an unemancipated minor. 34 CFR §98.4(b).

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“Psychiatric or psychological examination or test” means a method of obtaining information, including a group activity, that is not directly related to academic instruction and that is designed to elicit information about attitudes, habits, traits, opinions, beliefs, or feelings. 34 CFR §98.4(c)(1).

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“Psychiatric or psychological treatment” means an activity involving the planned, systematic use of methods or techniques that are not directly related to academic instruction and that is designed to affect behavioral, emotional, or attitudinal characteristics of an individual or group. 34 CFR §98.4(c)(2).

“Research or experimentation program or project” means any program or project in any program that is funded in whole or in part by the Federal Government and is designed to explore or develop new or unproven teaching methods or techniques. 34 CFR §98.3(b).

B. Parents’ or Emancipated Students’ Right to Inspection of Materials - 34 CFR §98.3 and 20 USC §1232(c)

1. All instructional material, including teachers’ manuals, films, tapes, or other supplementary instructional material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program or any research or experimentation program or project shall be available for inspection by the parents of the children engaged in such program or project in accordance with 20 USC §1232h(a) and 34 CFR §98.3(a).

a. The district shall provide reasonable access to instructional material within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(C)(ii).



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2. The parent shall have the right, upon request, to inspect a survey created by a third party before the survey is administered or distributed to their student pursuant to 20 USC §1232h(c)(1)(A)(i).

a. The district shall provide reasonable access to such survey within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(A)(ii).

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3. The parent shall have the right, upon request, to inspect any instrument used in the collection of personal information from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), before the instrument is administered or distributed to their student pursuant to 20 USC §1232h(c)(1)(F)(i).

a. The district shall provide reasonable access to such instrument within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(F)(ii).

C. Protection of Students' Privacy in Examination, Testing, or Treatment with Prior Consent - 34 CFR §98.4



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1. In accordance with 34 CFR §98.4(a) no student shall be required, as part of any program funded in whole or in part by a program of the USDOE, to submit without prior consent to psychiatric examination, testing, or treatment, or psychological examination, testing, or treatment, in which the primary purpose is to reveal information concerning one or more of the following:

- a. Political affiliations;
- b. Mental and psychological problems potentially embarrassing to the student or the student's family;
- c. Sex behavior and attitudes;
- d. Illegal, anti-social, self-incriminating, and demeaning behavior;
- e. Critical appraisals of other individuals with whom the student has close family relationships;
- f. Legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers; or

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g. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program.



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D. Protections of Students' Rights for Surveys, Analysis, or Evaluation - 20 USC §1232h

1. In accordance with 20 USC §1232h(b) no student shall be required, as part of any applicable program, to submit to a survey, analysis, or evaluation, without prior consent, that reveals information concerning:

- a. Political affiliations or beliefs of the student or the student's parent;
- 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 the student has close family relationships;
- f. Legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers;
- g. Religious practices, affiliations, or beliefs of the student or student's parent; or
- h. Income, (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program).

2. Parents' or Emancipated Students' Right to Opt Out - 20 USC §1232h(c)(2)



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a. The district shall provide notice and offer an opportunity for parents to opt their student out or for emancipated students to opt out of participation in the following activities:

(1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

(2) The administration of any survey containing one or more of the items listed in D.1. above.

(3) Any nonemergency, invasive physical examination or screening that is:

(a) Required as a condition of attendance;

(b) Administered by the school and scheduled by the school in advance; and

(c) Not necessary to protect the immediate health and safety of the student, or of other students.

b. The district shall directly notify parents at least annually at the beginning of the school year of the specific or approximate dates during the school year when activities described in D.2.a. above are scheduled or expected to be scheduled in accordance with 20 USC §1232h(c)(2)(B).



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3. Exceptions – 20 USC §1232h(c)(4)

a. The provisions of 20 USC §1232h do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

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(1) College or other postsecondary education recruitment, or military recruitment in accordance with Policy 9713;

(2) Book clubs, magazines, and programs providing access to low-cost literary products;

(3) Curriculum and instructional materials used by schools in the district;

(4) Tests and assessments used by schools in the district to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;

(5) The sale by students of products or services to raise funds for school-related or education-related activities;
and

(6) Student recognition programs.



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b. The provisions of this Policy:

(1) Shall not be construed to preempt applicable provisions of New Jersey law that require parental notification; and

(2) Do not apply to any physical examination or screening that is permitted or required by an applicable New Jersey law, including physical examinations or screenings permitted without parental notification.

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4. Policy Adoption or Revision – 20 USC §1232h(c)(2)(A)(i)

The district shall provide this Policy to parents and students at least annually at the beginning of the school year, and provide notice within a reasonable period of time after any substantive change is made to this Policy.

E. Student Privacy – 20 USC §1232h and 34 CFR §98

The district shall ensure a student's privacy is protected regarding any information collected in accordance with this Policy.



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F. Violations of the PPRA – 20 USC §1232h and 34 CFR §98

Parents or students who believe their rights under PPRA may have been violated may file a complaint with the USDOE.

In addition to the provisions of 20 USC §1232h, 34 CFR §98, and this Policy, the Superintendent or designee shall ensure compliance with the provisions of N.J.S.A. 18A:36-34 and Policy 9560 – Administration of School Surveys before students are required to participate in any academic or nonacademic survey, assessment, analysis, or evaluation.

The Protection of Pupil Rights Amendment (PPRA)

20 USC §1232h

34 CFR Part 98

Elementary and Secondary Education Act of 1965 (20 USC 2701 et seq.) as

amended by the Every Student Succeeds Act

N.J.S.A 18A:36-34

Adopted:



2415.30 TITLE I – EDUCATIONAL STABILITY FOR CHILDREN IN FOSTER CARE (M)

2415.30 TITLE I – EDUCATIONAL STABILITY FOR CHILDREN IN FOSTER CARE (M)**[See POLICY ALERT No. 210]****M**

The Federal Every Student Succeeds Act (ESSA), which reauthorized the Elementary and Secondary Education Act (ESEA), initiated protections for children in foster care that further enhanced the requirements of the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act). These provisions require school districts to work with child welfare agencies to ensure the educational stability of children in foster care. New Jersey statutes support and implement Federal legislation and require New Jersey's child welfare agencies and school districts to collaborate and to keep children placed in foster care in the same school when their living placements change if remaining in that school is in the child's best interest. The educational stability of children in foster care is the joint responsibility of both the educational and child welfare systems.

The _____ shall be designated as the Board of Education's point of contact person for all matters related to the educational stability for children in foster care. The point of contact person for the school district shall not be the same person designated as the school district liaison for the education of homeless children.

For the purpose of this Policy, "child welfare agency" shall be the New Jersey Department of Children and Families.

For the purpose of this Policy, "foster care" means twenty-four hour substitute care for children placed away from their parents and for whom the 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.

For the purpose of this Policy, "school of origin" is the school district in which the child is enrolled at the time of placement in foster care or the school district of residence as per N.J.S.A. 30:4C-26 and N.J.S.A. 18A:7B-12.

A child in foster care shall remain in his/her school of origin if it is determined to be in the best interest of the child for the duration of time in foster care.

If a student attending the school district in accordance with the provisions of N.J.S.A. 18A:38-1 et seq. is placed in foster care, the school district contact person will collaborate with child welfare agencies to determine whether it is in the child's best interest to remain in the school district taking into consideration all factors relating to the child's best interest. These factors shall include the appropriateness of the current educational setting and proximity of placement (ESEA Section 1111(g)(1)(E)(i)). These factors may include, but are not limited to:

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1. Preferences of the child;
2. Preferences of the child's parent(s) or educational decision maker(s);
3. The child's attachment to the school, including meaningful relationships with staff and peers;
4. The proximity of the resource family home to the child's present school;
5. The age and grade level of the child as it relates to the other best-interest factors;
6. The needs of the child, including social adjustment and well-being;
7. The child's performance, continuity of education, and engagement in the school the child presently attends;
8. The child's special education programming if the child is classified;
9. The point of time in the school year;
10. The child's permanency goal and likelihood of reunification;
11. The anticipated duration of the placement;
12. Placement of the child's sibling(s);
13. Influence of the school climate on the child, including safety;
14. The availability and quality of the services in the school to meet the child's educational and socioemotional needs;
15. History of school transfers and how they have impacted the child;
16. How the length of the commute would impact the child, based on the child's developmental stage;
17. Whether the child is a student with a disability under the Individuals with Disabilities Act (IDEA) who is receiving special education and related services or a student with a disability under Section 504 who is receiving special education or related aids and services and, if so, the availability of those required services in a school other than the school of origin; and

2415.30 TITLE I – EDUCATIONAL STABILITY FOR CHILDREN IN FOSTER CARE (M)

18. Whether the child is an English language learner (ELL) and is receiving language services, and, if so, the availability of those required services in a school other than the school of origin, consistent with Title VI and the Equal Educational Opportunities Act of 1974 (EEOA).

The school district's point of contact person will discuss these factors and will make every effort to gather meaningful input and participation from the relevant parties, including appropriate school personnel, in the best-interest determination.

Eligible students with disabilities retain their right to receive a free appropriate public education in the least restrictive environment. When making a best-interest determination regarding the educational placement of a student with a disability under IDEA and Section 504, the Board must ensure that all required special education and related services are provided in the least restrictive placement where the child's unique needs, as described in the student's Individualized Education Program (IEP) or Section 504 Plan, can be met. The school district will identify and assess all potential ELL students and provide all ELL students, including ELL students in foster care, with a language assistance program that is educationally sound and proven successful. When a best-interest determination is made for an ELL student in foster care, the Board of Education will comply with its obligations under Title VI and the EEOA.

To the extent feasible, a child shall remain in his/her school of origin until a final best-interest determination is made. The child welfare agency will notify the school district of origin of the child's school placement after collaboration with the Board of Education's point of contact person and after the child's best-interest determination has been made. If a change of school is recommended by the child welfare agency, the new school shall immediately contact the school of origin to obtain relevant academic and other records of the foster care child. The financial responsibility for the payment of tuition for a foster care child placed outside the school district of origin and attending school outside the school district of origin shall be determined by the Commissioner of Education in accordance with N.J.S.A. 18A:7B-12 – Determination of District of Residence.

A foster care child who has been placed in this district and exits foster care during the school year [____ **will** ____ **will not**] be permitted to continue in this school district for the remainder of the school year.

In the event there is a disagreement regarding school placement for a child in foster care, the school district will comply with the legal requirements for resolving the dispute. A parent can appeal a best-interest determination whenever the child changes schools.

Children placed in foster care outside the school district of origin, attending a school in that district, will be provided transportation to and from school in accordance with N.J.A.C. 6A:27-6.1 et seq. and the Transportation Policy of that district. The district of origin is financially responsible for transportation costs to and from school.

2415.30 TITLE I – EDUCATIONAL STABILITY FOR CHILDREN IN FOSTER CARE (M)

Children placed in foster care outside the school district of origin, but remaining in a school within the school district of origin, shall receive transportation to and from school on a “cost-efficient” manner and in accordance with Section 475(4)(A) of the Social Security Act for the duration of the time the child is in foster care. The district of origin is financially responsible for transportation costs to and from school.

The cost of transportation shall not be considered when determining the best interest of the child.

Section 475(4)(A) of the Social Security Act provides guidance on “cost-effective” transportation as it relates to the cost of reasonable travel for foster care children placed outside the school district of origin to their school of origin indicating: the child may be dropped off at a bus stop just within the school district of origin to be transported to a school in the district of origin; the school district may offer a public transportation option; the foster care parents or other families may be willing to drive the child to school in the school district of origin; the school district may utilize pre-existing bus routes or stops close to the out-of-district foster care placement that cross school district boundaries; or the foster care child may be eligible for transportation under other Federal or State requirements.

In the event there is a disagreement regarding transportation for a child in foster care, the school district will comply with the New Jersey Department of Education requirements for resolving the dispute. The Board of Education shall provide or arrange for adequate and appropriate transportation for foster care children while any disputes are being resolved.

In all cases regarding student data and records, the Board of Education will comply with all statutory requirements to protect student privacy, including Family Education Rights and Privacy Act (FERPA), and all other privacy requirements under Federal laws, State statutes, and administrative codes.

N.J.S.A. 18A:7B-12

N.J.S.A. 30:4C-26

New Jersey Department of Education Memorandum dated October 4, 2016 –

Ensuring Educational Stability for Children in Foster Care United States Departments of Education and Health and Human Services – Non-Regulatory Guidance - Ensuring Educational Stability for Children in Foster Care – June 23, 2016

Adopted:

2423 BILINGUAL AND ESL EDUCATION (M)**M**

[See **POLICY ALERT Nos. 94, 102, 110, 120, 137, 141, 145, 187, 191 and 209**]

The Board of Education will provide programs of bilingual education, English as a second language (ESL), and English language services for English language learners (ELLs) as required by law and rules of the State Board of Education. ELLs are those students whose native language is other than English and who have varying degrees of English language proficiency in any one of the domains of speaking, reading, writing, or listening and is synonymous with limited English speaking ability pursuant to N.J.S.A. 18:35-15 to 26.

Identification of ELLs

The Board will conduct a screening process to determine the native language of each ELL at the time of enrollment in the school district. A census shall be maintained of all identified students whose native language is other than English. The English language proficiency of each student whose native language is not English shall be determined by a screening process that includes the administration of a New Jersey Department of Education-approved English language proficiency test, an assessment of the student's level of reading in English, a review of the student's previous academic performance including their performance on standardized tests in English, and a review of the input of teaching staff members responsible for the educational program for ELLs.

Program Implementation

The district shall provide the following programs:

1. An English language services program to improve the English language proficiency of ELLs whenever there are at least one, but fewer than ten ELLs enrolled in the school district. English language services shall be provided in addition to the regular school program;
2. An ESL program that provides at least one period of ESL instruction based on student language proficiency whenever there are ten or more ELLs enrolled in the school district; and
3. A bilingual education program whenever there are twenty or more ELLs in any one-language classification enrolled in the school district pursuant to N.J.S.A. 18A:35-18. Where the age range, grade span, and/or geographical location of eligible students makes a full-time bilingual program impractical, the Board may annually offer an instructional program alternative, provided a waiver for the alternative program has been requested and approval has been granted by the

Department of Education. The Board may establish a program in bilingual education for any language classification with fewer than twenty students.

All teachers in these programs shall be appropriately certified in accordance with the requirements as outlined in N.J.A.C. 6A:15-1.9. Every student participating in a bilingual, ESL, or English language services program shall be entitled to continue such participation for a period of three years pursuant to N.J.S.A. 18A:35-19.

Bilingual, English as a Second Language, and English Language Services Program Enrollment, Assessment, Exit, and Re-entry

Students enrolled in a bilingual, ESL, or English language services program shall be assessed annually using a New Jersey Department of Education-approved English language proficiency test to determine their progress in achieving English language proficiency goals and readiness for exiting the program. ELLs enrolled in a bilingual, ESL, or English language services program shall be placed in a monolingual English program when they have demonstrated readiness to function successfully in the English-only program. The process to determine the readiness or inability of the individual student to function successfully in the English-only program shall be initiated by the student's level of English proficiency as measured by a New Jersey Department of Education-established standard on an English language proficiency test. The readiness of the student shall be further assessed on the basis of multiple indicators that shall include, at a minimum: classroom performance; the student's reading level in English; the judgment of the teaching staff member or members responsible for the educational program of the student; and performance on achievement tests in English.

In accordance with provisions of N.J.S.A. 18A:35-22.1, a parent may remove a student who is enrolled in a bilingual education program at any time; except that during the first three years of a student's participation in a bilingual education program, the parent may only remove the student at the end of each school year. If during the first three years of a student's participation in a bilingual education program, a parent wishes to remove the student prior to the end of each school year, the removal must be approved by the Executive County Superintendent of Schools. The parent may appeal the Executive County Superintendent's decision to the Commissioner of Education.

Newly exited students who are not progressing in the mainstream English program may be considered for re-entry to bilingual and ESL programs in accordance with the provisions of N.J.A.C. 6A:15-1.10(e)1 through (e)5.

When the review process for exiting a student from a bilingual, ESL, or English language services program has been completed, the student's parent shall be informed by mail of the placement determination. A parent or teaching staff member who disagrees with the proposed placement may appeal the decision in writing to the Superintendent of Schools or designee, who will provide a written explanation for the decision within seven working days. The complainant may appeal this decision in writing to the Board within seven calendar days of receiving the

Superintendent's or designee's written explanation of the decision. The Board will review the appeal and respond in writing to the parent within forty-five calendar days of the Board's receipt of the parent's written appeal to the Board. A complainant not satisfied with the Board's determination of the appeal may appeal to the Commissioner of Education.

Parental Involvement

The parents of ELLs will be notified in accordance with the provisions of N.J.A.C. 6A:15-1.13 that their child has been identified as eligible for enrollment in a bilingual, ESL, or English language services program. Notice shall be in writing and in the language in which the parent(s) possesses a primary speaking ability, and in English. The notice must also include a statement that the parents have the option of declining their child's enrollment in a bilingual program, and shall be given an opportunity to do so if they choose.

The district will notify the parents of ELLs by mail within thirty days of the child's identification.

Parents shall receive progress reports of students enrolled in bilingual, ESL, or English language services programs in the same manner and frequency as progress reports are sent to parents of other students enrolled in the district.

The Superintendent or designee will provide for the maximum practical involvement of parent(s) of ELLs in the development and review of program objectives and dissemination of information to and from the district Boards of Education and communities served by the bilingual, ESL, or English language services education programs. A school district that implements a bilingual education program shall establish a parent advisory committee on bilingual education of which the majority membership will be parents of ELLs.

Graduation

ELLs will qualify for graduation from high school in accordance with N.J.A.C. 6A:8-5.1(a) and Policy 5460.

Program Plan

The Superintendent shall prepare and submit a plan for a bilingual, ESL, or English language services program every three years to the Board and the New Jersey Department of Education for approval in accordance with the provisions of N.J.A.C. 6A:15-1.6.

N.J.S.A. 18A:35-15 through 18A:35-25

N.J.A.C. 6A:15-1.1 et seq.

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STRAUSS ESMAY ASSOCIATES

PROGRAM

2423 BILINGUAL AND ESL EDUCATION (M)

Adopted:

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Prevention and Treatment of Sports-Related
Concussions and Head Injuries

Jan 22

M

[See **POLICY ALERT** Nos. 190, 194, 197, and 226]

2431.4 PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES

A concussion is a traumatic brain injury 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 impairments including, but not limited to, problem solving, planning, memory, and behavioral problems. In order to ensure safety, it is imperative that students participating in athletic competition, coaches, and parents are educated about the nature and treatment of sports-related concussions and other head injuries. Allowing a student to return to athletic competition before recovering from a concussion increases the chance of a more serious brain injury.

For the purpose of this Policy and Regulation 2431.4, programs of athletic competition shall include high school interscholastic athletic programs, middle school interscholastic athletic programs where school teams or squads play teams or squads from other school districts, intramural athletic programs within a school or among schools in the district, and any cheerleading program or activity in the school district.

The school district shall adopt an athletic head injury safety training program. The program shall be completed by the school physician, any individual who coaches in an athletic competition, an athletic trainer involved in any athletic competition, and the school nurse. The training program shall be in accordance with guidance provided by the New Jersey Department of Education (NJDOE) and the requirements of N.J.S.A. 18A:40-41.2.

The school district shall annually distribute the NJDOE-developed educational fact sheet regarding sports-related concussions and other head injuries to all parents of students participating in any athletic competition or practice and shall obtain a signed acknowledgement of the receipt of the fact sheet by the student and their parent in accordance with N.J.S.A. 18A:40-41.2(c).



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Prevention and Treatment of Sports-Related Concussions and Head Injuries

A student who participates in an athletic competition or practice and who sustains or is suspected of sustaining a concussion or other head injury shall be immediately removed from athletic competition or practice. A student removed from athletic competition or practice shall not participate in further athletic competition or practice until they are evaluated by a physician or other licensed healthcare provider trained in the evaluation and management of concussions and receives written clearance from a physician trained in the evaluation and management of concussions to return to athletic competition or practice; and the student returns to regular school activities and is no longer experiencing symptoms of the injury when conducting those activities in accordance with N.J.S.A. 18A:40-41.4.

The return of a student to athletic competition or practice shall also be in accordance with the graduated, six-step “Return to Play Progression” recommendations and any subsequent changes or other updates to these recommendations as developed by the Centers for Disease Control and Prevention (CDC). The Board shall revise this Policy and Regulation 2431.4 whenever the CDC changes or otherwise updates the “Return to Play Progression” recommendations.

The school district shall provide a copy of this Policy and Regulation 2431.4 to all youth sports team organizations that operate on school grounds. In accordance with the provisions of N.J.S.A. 18A:40-41.5, the school district shall not be liable for the injury or death of a person due to the action or inaction of persons employed by, or under contract with, a youth sports team organization that operates on school grounds, if the youth sports team organization provides the school district proof of an insurance policy of an amount of not less than \$50,000 per person, per occurrence insuring the youth sports team organization against liability for any bodily injury suffered by a person and a statement of compliance with this Policy and Regulation 2431.4.



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Pursuant to N.J.S.A. 18A:40-41.5 and for the purpose of this Policy, a “youth sports team organization” means one or more sports teams organized pursuant to a nonprofit or similar charter or which are member teams in a league organized by or affiliated with a county or municipal recreation department.

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2431.4/page 3 of 3
Prevention and Treatment of Sports-Related
Concussions and Head Injuries

This Policy and Regulation 2431.4 shall be reviewed and approved by the school physician annually and updated as necessary to ensure it reflects the most current information available on the prevention, risk, and treatment of sports-related concussions and other head injuries in accordance with N.J.S.A. 18A:40-41.3.

N.J.S.A. 18A:40-41.1; 18A:40-41.2; 18A:40-41.3; 18A:40-41.4; 18A:40-41.5



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Adopted:



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Adult High School

Jan 22

M

[See POLICY ALERT Nos. 221 and 226]

2451 ADULT HIGH SCHOOL

The Board of Education may determine a need exists in the community for the provision of educational services that will enable out-of-school adults to qualify for a State-endorsed high school diploma issued by the Board. The purpose of this program is to provide comprehensive life-long learning opportunities for adults. Accordingly, the Board may establish and implement a State-approved adult high school ~~in accordance with rules of the State Board of Education.~~

The Board of Education may open and operate an adult high school, which shall offer ~~students adults~~ opportunity, accessibility, and flexibility while maintaining high standards inherent in the awarding of a high school diploma pursuant to N.J.S.A. ~~18A:49-1 et seq., 18A:50-1 et seq., and N.J.A.C. 6A:20-2.1 18A:50A-1 et seq.~~ Courses shall be sufficiently varied ~~to for meet meeting~~ the educational needs of ~~students adults~~ and shall be designed to challenge ~~students participants~~ to achieve their highest level of educational ability.

An educational plan shall be developed for each student in the district's adult high school program reflecting the student's past academic record, an analysis of past experiences for which credit may be awarded **pursuant to N.J.A.C. 6A:20-2.6**, graduation requirements, and a proposed schedule of courses for the current school year leading to completion of graduation requirements.

A. Eligibility for Enrollment – N.J.A.C. 6A:20-2.2

1. To qualify for enrollment in the adult high school, a person shall:



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a+. Be a New Jersey resident **at least sixteen years of age**;

2. ~~Meet the age and out of school requirement at N.J.A.C. 6A:20-1.3;~~

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Adult High School

(1)~~a.~~ A **student person** enrolled in secondary school with senior standing who lacks an opportunity to take at ~~their his or her~~ secondary school courses that are available in an adult high school shall be **eligible to take courses at the adult high school** ~~exempt from the out of school requirement provisions of N.J.A.C. 6A:20-1.3~~, provided the Superintendents of both the sending and receiving school districts approve in a written joint agreement the participation of ~~the student such a person~~ on a space-available basis in ~~the an~~ adult high school. The written approval shall explicitly state the course(s) to be taken, **the credits offered for each subject**, and the time frame covered by the agreement. Tuition established by the receiving school district on a cost-recovery basis may be charged to the sending school district for ~~students persons~~ enrolled under this exception-, **if applicable**;

b3. Have not earned a ~~locally-issued~~, State-endorsed **or State-issued** high school diploma;;

(1)~~a.~~ Persons holding **State-endorsed** ~~locally-issued~~ high school diplomas may enroll in an adult high school on a space-available basis for the express purpose of supplementing their high school record. Tuition established by the host school district on a cost-recovery basis may be charged to persons enrolling under this exception; and



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c4. Complete and sign a **locally created** ~~an~~ application for enrollment, including a statement of responsibilities.

B. English Language Learners ~~Adults with Special Needs~~ – N.J.A.C. 6A:20-2.3

1. **English language learners (ELLs)** ~~Limited English proficient adults~~ shall be required to demonstrate language **proficiency fluency** on a State-approved English proficiency assessment at a score level determined by the New Jersey State Board of Education ~~in accordance to N.J.A.C. 6A:20-2.3(a).~~

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Adult High School

a. ELLs shall be referred to appropriate classes in the adult high school to attain English language proficiency.

(1) If the language improvement needs of the individual cannot be met by the adult high school, then the Principal shall refer the person to a New Jersey Department of Labor and Workforce Development Career Connections website.

C. Individuals with Disabilities – N.J.A.C. 6A:20-2.4

1. For an **individual adult** with a previous **Individualized Education Program (IEP)** ~~experience in a special education program now~~ seeking similar services at an adult high school, the Principal of the adult high school shall request, with **the written consent of the individual** ~~the concurrence of the adult~~, the most recent evaluation and **individualized educational plan (IEP)** for the **individual adult** from the high school of last attendance, provided the evaluation was made within the last three years ~~pursuant to N.J.A.C. 6A:20-2.3(b).~~

a1. The Principal shall review the IEP to determine the services required by the plan and ~~also~~ the availability of such services at the adult high school.

(1)~~a~~. If the IEP can be carried out, it shall serve as the instructional guide for the **individual adult**.

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(2)~~b~~. If the Principal determines the IEP cannot be carried out, the Principal shall promptly refer the **individual** ~~adult~~ to the nearest adult high school with staff available to offer the special services required in the IEP or to ~~the~~ appropriate county or State agencies or institutions with resources and personnel able to serve the **individual's** ~~special~~ needs ~~of the adult~~.

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Adult High School

b2. If the evaluation was made more than three years prior to application to the adult high school, the IEP may not serve as a guide for the **individual's** ~~adult's~~ instructional program at the adult high school. **The individual shall be referred to the IEP team for a reevaluation in accordance with N.J.A.C. 6A:14 - Special Education.**

2. For an individual who previously had a 504 Plan, the Principal of the adult high school shall request, with the written consent of the individual, the most recent 504 Plan for the individual from the high school of last attendance, provided the evaluation was made within the last year. The school district shall determine if the 504 Plan needs to continue, be discontinued, and/or updated. The Principal of an adult high school may request a doctor's note with a rationale and treatment plan to verify the continued need for the 504 Plan.

3. An individual with a disability who does not qualify for special education and related services, pursuant to N.J.A.C. 6A:14, N.J.A.C. 6A:20-2.4(a), and C.1. above, and who does not have a previous 504 Plan shall be counseled regarding educational options that would lead to a high school diploma.

~~Disabled adults without previous experience in a special education program or individuals with IEPs that have been issued more than three years prior to their application to the adult high school shall be counseled regarding educational options that would lead to high school graduation and shall be served to the maximum extent appropriate to the needs of the disabled adult within the capability of the program to provide such services in accordance to N.J.A.C. 6A:2.3(e).~~



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D. Graduation Requirements – N.J.A.C. 6A:20-2.54

1. Adult high school students must pass the Statewide assessment ~~test~~ for graduation **pursuant to N.J.A.C. 6A:8-5.1.**

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a. **Students who are enrolled in the adult high school and are** ~~When an adult is unable to pass the Statewide assessment for graduation test, pursuant to N.J.A.C. 6A:8-5.1, there shall receive be further evaluation through the portfolio appeal process, Alternative High School Assessment pursuant to N.J.A.C. 6A:8-5.1, Standards and Assessments.~~

b. **ELLs who are enrolled in the adult high school and** ~~When limited English proficient adults are unable to pass the Statewide assessment for graduation test, required at N.J.A.C. 6A:8-5.1, they shall receive be further evaluation evaluated through the Alternative High School Assessment pursuant to N.J.A.C. 6A:8-5.1(h), and shall demonstrate English language fluency on a New Jersey Department of Education State-approved English proficiency assessment as a requirement for graduation. The portfolio appeals process shall be undertaken in the ELL's native language, when available.~~

2. When operating an adult high school, the Board shall **ensure that students** meet the requirements for high school graduation pursuant to N.J.A.C. 6A:8-5 and ~~Policy 5460.~~



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3. The staff of the adult high school shall distribute to each entering ~~student adult~~ a copy of all State and local adult high school graduation requirements. At the beginning of each course, all ~~students adults~~ shall receive a list of proficiencies required for the successful completion of the course.

4. Successful completion of the requirements ~~set forth as outlined~~ in N.J.A.C. 6A:20-2.54(a) and (b), **D.1. and D.2. above, and the requirements those** established by the Board, of Education shall be required as conditions for awarding a locally issued, State-endorsed diploma.

5. The Board shall not issue ~~a State-endorsed an adult~~ high school diploma without State approval of the adult high school program ~~and without signed verifications for all credit awarded for experience and an official transcript(s) being on file.~~

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Adult High School

6. **The Board shall not issue a State-endorsed high school diploma without signed verifications for all credit awarded for experience and an official transcript(s) being on file.**

E. Award of Credit – N.J.A.C. 6A:20-2.65

A Board of Education operating an adult high school shall annually adopt, at a public meeting, policies that provide for the awarding of credit, subject to the provisions outlined in N.J.A.C. 6A:20-2.65(a)1. through 6A:20-2.65(a)12.

F. Awarding of Credit for Foreign ~~Studies Students~~ – N.J.A.C. 6A:20-2.76

Credit for the equivalent of American secondary school studies experienced in a foreign country shall be reviewed by **the school district operating the adult high school. If the school district cannot review the secondary studies experienced in a foreign country, the secondary studies shall be reviewed by** a recognized foreign credential evaluation expert or service ~~following an evaluation of transcript(s) presented by the adult.~~ The cost of **the foreign credential evaluation expert or service such review** shall be borne by the ~~adult~~ student.



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G. Maintaining Student Records – N.J.A.C. 6A:20-2.87

The adult high school ~~program~~ shall have the responsibility to compile, maintain, and retain student records, including daily attendance records, and to regulate access to and security of such records.

~~Attendance records will be compiled and maintained in accordance with Board Policy No. 9330 and State Board of Education rules governing student records and with law and State Board of Education rules governing financial records.~~

H. Staffing – N.J.A.C. 6A:20-2.98

1. ~~Pursuant to N.J.A.C. 6A:20-2.8,~~ The adult high school shall have an adequate number of professional staff, properly certified for their respective assignments; however, persons involved in adult advisement shall be certified as either a Principal, supervisor, counselor, or teacher.

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Adult High School

2. The Board ~~of Education~~ shall assign to professional staff members only position titles recognized in N.J.A.C. 6A:9B –, State Board of Examiners and Certification.

I. Special Conditions – N.J.A.C. 6A:20-2.109

The rules set forth elsewhere in N.J.A.C. 6A governing the operation of a high school within ~~the a~~ school district shall govern the operation of an adult high school, unless otherwise explicitly stated in **N.J.A.C. 6A:20-2** and this Policy ~~pursuant to N.J.A.C. 6A:20-2.~~



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Monitoring — N.J.A.C. 6A:20-2.10

~~Staff of the New Jersey Department of Education’s Adult Education Unit shall monitor the adult high school program pursuant to the monitoring process outlined in N.J.A.C. 6A:20-1.6. The indicators of program quality with associated measures of performance as outlined in N.J.A.C. 6A:20-2.10(b) shall be used by the monitoring teams in carrying out the monitoring process in adult high schools.~~

N.J.S.A. 18A:7C-8; 18A:38-16; 18A:48-1; 18A:50-1 et seq.

N.J.A.C. 6A:20-2.1 et seq.

Adopted:



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STRAUSS ESMAY ASSOCIATES

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2481 HOME OR OUT-OF-SCHOOL INSTRUCTION FOR A GENERAL EDUCATION
STUDENT FOR REASONS OTHER THAN A TEMPORARY OR CHRONIC HEALTH
CONDITION (M)

2481 HOME OR OUT-OF-SCHOOL INSTRUCTION FOR A GENERAL EDUCATION
STUDENT FOR REASONS OTHER THAN A TEMPORARY OR CHRONIC HEALTH
CONDITION (M)

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[See **POLICY ALERT Nos. 158, 173, 177 and 203**]

The Board of Education shall provide instructional services to an enrolled general education student at the student's home or other suitable out-of-school setting under the following conditions:

- A. The student is mandated by State law and rule for placement in an alternative education program, but placement is not immediately available;
- B. The student is placed on short-term or long-term suspension from participation in the general education program; or
- C. A court order requires the student receive instructional services in the home or other out-of-school setting.

The school district in which a student resides shall be responsible for the costs of providing instruction in the home or out-of-school setting either directly, or through online services, including any needed equipment, or through contract with another Board of Education, Educational Services Commission, Jointure Commission, or approved clinic or agency. The district shall provide services no later than five school days after the student has left the general education program.

The services to be provided shall meet the minimum standards as required in N.J.A.C. 6A:16-10.2(d).

The teacher(s) providing instruction shall be a certified teacher. The teacher shall provide one-on-one instruction for no fewer than ten hours per week on three separate days of the week and no fewer than ten hours per week of additional guided-learning experiences that may include the use of technology to provide audio and visual connections to the student's classroom.

The instruction shall meet the Core Curriculum Content Standards and the Board of Education's requirements for promotion and graduation.

If instruction is delivered in the student's home, a parent or other adult twenty-one years of age or older who has been designated by the parent shall be present during all periods of home instruction.

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2481 HOME OR OUT-OF-SCHOOL INSTRUCTION FOR A GENERAL EDUCATION
STUDENT FOR REASONS OTHER THAN A TEMPORARY OR CHRONIC HEALTH
CONDITION (M)

N.J.S.A. 18A:38-1 through 18A:38-25
N.J.A.C. 6A:16-10.2

Adopted:

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Student Assessment
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[See POLICY ALERT Nos. 197, 205, 209, 211, 220, and 226]

2622 STUDENT ASSESSMENT

State assessments provide parents with important information about their child's progress; detailed diagnostic information about each individual student's performance that educators, parents, and students can utilize to enhance foundational knowledge and student achievement; and 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 State assessments are 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.

The Commissioner of Education, in accordance with N.J.S.A. 18A:7C-1 et seq. and 18A:7E-2 and 3, may implement assessments of student achievement in any grade(s) and by such assessments as the Commissioner deems appropriate. The system and related schedule of Statewide assessments shall be approved by the New Jersey State Board of Education. The school district shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments pursuant to N.J.A.C. 6A:8-4.1(c) and (d).

Pursuant to N.J.A.C. 6A:8-4.1(c), all students at grade levels three through twelve, and at any other grade(s) designated by the Commissioner pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled. The school district will provide accommodations or modifications to the Statewide assessment system in accordance with the provisions of N.J.A.C. 6A:8-4.1(d).

Students with disabilities as defined in N.J.A.C. 6A:14-1.3 shall participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10. The school district shall administer the alternative State assessment for students with disabilities in accordance with the provisions of N.J.A.C. 6A:8-4.1(d)3.



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The school district shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(a)6, (f), (g), (h), or (i), as applicable.

PROGRAM
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Student Assessment

The school district shall maintain an accurate record of each student's performance on Statewide assessments and maintain for every student a ninth grade through graduation transcript in accordance with the provisions of N.J.A.C. 6A:8-4.2(d). The Superintendent shall report assessment results to the public and provide educators, parents, and students with assessment results in accordance with the provisions of N.J.A.C. 6A:8-4.3.

N.J.S.A. 18A:7C-1 et seq.; 18A:7E-2; 18A:7E-3

N.J.A.C. 6A:8-4.1 et seq.; 6A:8-5.1; 6A:14-1.1 et seq.; 6A:14-3.7; 6A:14-4.10



POLICY GUIDE

Adopted:



3125 EMPLOYMENT OF TEACHING STAFF MEMBERS (M)**M**

[See **POLICY MEMO Nos. 35 and 74**]

[See **POLICY ALERT Nos. 79, 85, 95, 103, 116, 135, 149, 156, 166, 202 and 209**]

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

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

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

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

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

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

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

POLICY GUIDE

STRAUSS ESMAY ASSOCIATES

TEACHING STAFF MEMBERS

3125 EMPLOYMENT OF TEACHING STAFF MEMBERS (M)

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

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

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

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

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

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

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

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

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TEACHING STAFF MEMBERS

3125 EMPLOYMENT OF TEACHING STAFF MEMBERS (M)

Commissioner for an extension of time, not to exceed two months, in order to retain the employee.

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

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

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

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

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

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

Adopted:

3144.12 CERTIFICATION OF TENURE CHARGES - INEFFICIENCY (M)

[See **POLICY ALERT No. 200**]

M

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

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

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

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

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

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

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STRAUSS ESMAY ASSOCIATES

TEACHING STAFF MEMBERS

3144.12 CERTIFICATION OF TENURE CHARGES - INEFFICIENCY (M)

Adopted:

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TEACHING STAFF MEMBERS

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Political Activities

Jan 22

[See POLICY ALERT No. 226]

3233 POLITICAL ACTIVITIES

The Board of Education recognizes and encourages the right of all citizens, including teaching staff members, to engage in political activity. ~~However, the Board prohibits the use of school grounds premises and school time, however, for partisan political purposes.~~

The Board establishes the following guidelines to govern teaching staff members in their political activities:

1. A teaching staff member shall not engage in political activity on school ~~grounds premises~~ unless permitted in accordance with Board Policy No. 7510 - Use of School Facilities and/or applicable Federal and State laws;
2. A teaching staff member shall not post political circulars or petitions on school ~~grounds premises~~ nor distribute such circulars or petitions to students nor solicit campaign funds or campaign workers on school ~~grounds premises~~;
3. A teaching staff member shall not display any material that would tend to promote any candidate for office on an election day ~~on in a school grounds facility~~ that ~~are is~~ used as a polling place;
4. A teaching staff member shall not engage in any activity in the presence of students while on school ~~grounds property~~, which ~~activity~~ is intended and/or designed to promote, further or assert a position(s) on labor relations issues.



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In accordance with N.J.S.A. 18A:6-8.1., a ~~A teaching certified~~ staff member employed by this district who is a member of the Senate or General Assembly of the State of New Jersey shall be entitled to time off from school district duties, without loss of pay, during the periods of ~~the teaching staff member's his/her~~ attendance at regular or special sessions of the legislature and hearings or meetings of any legislative committee or commission.

TEACHING STAFF MEMBERS

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Political Activities

In accordance with N.J.S.A. 18A:6-8.2., a ~~A teaching certified~~ staff member employed by this district who is a member of the Board of ~~County Commissioners Chosen Freeholders~~ of any county of New Jersey shall be entitled to time off from ~~the teaching staff member's his/her~~ duties, without pay, during the periods of ~~the teaching staff member's his/her~~ attendance at regular or special meetings of the Board of **County Commissioners and of any committee thereof and at such other times as ~~the teaching staff member he/she~~ shall be engaged in performing the necessary functions and duties of ~~the teaching staff member's his/her~~ office as a member of the Board of **County Commissioners**.**

No other teaching staff member who holds elective or appointive office is ~~so~~ entitled to time off, except as such time off may be provided for by Board policy or negotiated agreement.

The provisions of this ~~P~~olicy do not apply to the discussion and study of politics and political issues appropriate to the curriculum, the conduct of student elections, or the conduct of employee representative elections.

Nothing in this Policy shall be interpreted to impose a burden on the constitutionally protected speech or conduct of a **teaching** staff member or a student.

N.J.S.A. 11:17-2

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N.J.S.A. 18A:6-8.1.; 18A:6-8.2.; 18A:6-8.4.; 18A:42-4

N.J.S.A. 19:34-42

Green Township v. Rowe, Superior Court of New Jersey - Appellate Division

A-2528-98T5

Adopted:



3283 ELECTRONIC COMMUNICATIONS BETWEEN TEACHING STAFF MEMBERS
AND STUDENTS (M)

M

[See **POLICY ALERT No. 203**]

The Board of Education recognizes electronic communications and the use of social media outlets create new options for extending and enhancing the educational program of the school district. Electronic communications and the use of social media can help students and teaching staff members communicate regarding: questions during non-school hours regarding homework or other assignments; scheduling issues for school-related co-curricular and interscholastic athletic activities; school work to be completed during a student's extended absence; distance learning opportunities; and other professional communications that can enhance teaching and learning opportunities between teaching staff members and students. However, the Board of Education recognizes teaching staff members can be vulnerable in electronic communications with students.

In accordance with the provisions of N.J.S.A. 18A:36-40, the Board of Education adopts this Policy to provide guidance and direction to teaching staff members to prevent improper electronic communications between teaching staff members and students.

The Commissioner of Education and arbitrators, appointed by the Commissioner, have determined inappropriate conduct may determine a teaching staff member unfit to discharge the duties and functions of their position. Improper electronic communications by teaching staff members may be determined to be inappropriate conduct.

For the purposes of this Policy, "electronic communication" means a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. "Electronic communications" include, but are not limited to, e-mails, text messages, instant messages, and communications made by means of an Internet website, including social media and social networking websites.

For the purposes of this Policy, "professional responsibility" means a teaching staff member's responsibilities regarding co-curricular, athletic coaching, and any other instructional or non-instructional responsibilities assigned to the teaching staff member by the administration or Board of Education.

For the purposes of this Policy, "improper electronic communications" means an electronic communication between a teaching staff member and any student of the school district when:

1. The content of the communication is inappropriate as defined in this Policy; and/or

2. The manner in which the electronic communication is made is not in accordance with acceptable protocols for electronic communications between a teaching staff member and a student as defined in this Policy.

Inappropriate content of an electronic communication between a teaching staff member and a student includes, but is not limited to:

1. Communications of a sexual nature, sexually oriented humor or language, sexual advances, or content with a sexual overtone;
2. Communications involving the use, encouraging the use, or promoting or advocating the use of alcohol or tobacco, the illegal use of prescription drugs or controlled dangerous substances, illegal gambling, or other illegal activities;
3. Communications regarding the teaching staff member's or student's past or current romantic relationships;
4. Communications which include the use of profanities, obscene language, lewd comments, or pornography;
5. Communications that are harassing, intimidating, or bullying;
6. Communications requesting or trying to establish a personal relationship with a student beyond the teaching staff member's professional responsibilities;
7. Communications related to personal or confidential information regarding another school staff member or student; and
8. Communications between the teaching staff member and a student that the Commissioner of Education or an arbitrator would determine to be inappropriate in determining the teaching staff member is unfit to discharge the duties and functions of their position.

The following acceptable protocols for all electronic communications between a teaching staff member and a student shall be followed:

1. E-Mail Electronic Communications Between a Teaching Staff Member and a Student
 - a. All e-mails between a teaching staff member and a student must be sent or received through the school district's e-mail system. The content of all

e-mails between a teaching staff member and a student shall be limited to the staff member's professional responsibilities regarding the student.

- b. A teaching staff member shall not provide their personal e-mail address to any student. If a student sends an e-mail to a teaching staff member's personal e-mail address, the staff member shall respond to the e-mail through the school district e-mail system and inform the student his/her personal e-mail address shall not be used for any electronic communication between the teaching staff member and the student.
- c. A teaching staff member's school district e-mail account is subject to review by authorized school district officials. Therefore, a teaching staff member shall have no expectation of privacy on the school district's e-mail system.

2. Cellular Telephone Electronic Communications Between a Teaching Staff Member and a Student

- a. Communications between a teaching staff member and a student via a personal cellular telephone shall be prohibited.
 - (1) However, a teaching staff member may, with prior approval of the Principal or designee, communicate with a student using their personal cellular telephone if the need to communicate is directly related to the teaching staff member's professional responsibilities for a specific purpose such as a field trip, athletic event, co-curricular activity, etc. Any such approval for cellular telephone communications shall not extend beyond the specific field trip, athletic event, co-curricular activity, etc. approved by the Principal or designee.

3. Text Messaging Electronic Communications Between Teaching Staff Members and Students

- a. Text messaging communications between a teaching staff member and an individual student are prohibited.
 - (1) However, a teaching staff member may, with prior approval of the Principal or designee, text message students provided the need to text message is directly related to the teaching staff member's professional responsibilities with a class or co-curricular activity. Any such text message must be sent to every student in the class or every member of the co-curricular activity. Any such approval for

text messaging shall not extend beyond the class or activity approved by the Principal or designee.

4. Social Networking Websites and other Internet-Based Social Media Electronic Communications Between Teaching Staff Members and a Student
 - a. A teaching staff member is prohibited from communicating with any student through the teaching staff member's personal social networking website or other Internet-based website. Communications on personal websites are not acceptable between a teaching staff member and a student.
 - b. A teaching staff member shall not accept "friend" requests from any student on their personal social networking website or other Internet-based social media website. Any communication sent by a student to a teaching staff member's personal social networking website or other Internet-based social media website shall not be responded to by the teaching staff member and shall be reported to the Principal or designee by the teaching staff member.
 - c. If a teaching staff member has a student(s) as a "friend" on their personal social networking website or other Internet-based social media website they must permanently remove them from their list of contacts upon Board adoption of this Policy.
 - d. Communication between a teaching staff member and a student through social networking websites or other Internet-based social media websites is only permitted provided the website has been approved by the Principal or designee and all communications or publications using such websites are available to: every student in the class; every member of the co-curricular activity and their parents; and the Principal or designee.

Reporting Responsibilities

In the event a student sends an improper electronic communication, as defined in this Policy, to a teaching staff member, the teaching staff member shall report the improper communication to the Principal or designee by the next school day. The Principal or designee will take appropriate action to have the student discontinue such improper electronic communications. Improper electronic communications by a teaching staff member or a student may result in appropriate disciplinary action.

[Optional: District may select one of the following exemption options]

POLICY GUIDE

STRAUSS ESMAY ASSOCIATES

TEACHING STAFF MEMBERS

3283 ELECTRONIC COMMUNICATIONS BETWEEN TEACHING STAFF MEMBERS AND STUDENTS (M)

— A teaching staff member and student may be exempt from the provisions outlined in this Policy if a teaching staff member and student are relatives. The parent of a student and the teaching staff member requesting an exemption from the provisions of this Policy must submit a written request to the Principal of the student's school indicating the family relationship between the student and the teaching staff member. The Principal will

provide written approval of the request to the teaching staff member and the student. If the Principal does not approve the request, the teaching staff member and the student must comply with all provisions of this Policy. The Principal's approval of a request for this exemption shall only be for the individual teaching staff member and student included in the request and for the school year in which the request is submitted.

— A teaching staff member and student may be exempt from the provisions outlined in this Policy if a teaching staff member and student are relatives. The teaching staff member and the student's parent shall submit notification to the Principal of the student's school of their family relationship and their exemption from the provisions outlined in this Policy.]

The provisions of this Policy shall be applicable at all times while the teaching staff member is employed in the school district and at all times the student is enrolled in the school district, including holiday and summer breaks.

A copy of this Policy will be made available on an annual basis, to all parents, students, and school employees either electronically or in school handbooks.

N.J.S.A. 18A:36-40

Adopted:

4283 ELECTRONIC COMMUNICATIONS BETWEEN SUPPORT STAFF MEMBERS AND STUDENTS (M)

4283 ELECTRONIC COMMUNICATIONS BETWEEN SUPPORT STAFF MEMBERS AND STUDENTS (M)**M**

[See **POLICY ALERT No. 203**]

In accordance with the provisions of N.J.S.A. 18A:36-40, the Board of Education adopts this Policy to provide guidance and direction to support staff members to prevent improper electronic communications between support staff members and students. The Board of Education recognizes support staff members can be vulnerable in electronic communications with students.

The Board prohibits all electronic communications between a support staff member and a student. However, based on a support staff member's professional responsibilities electronic communications between a support staff member and a student may be permitted with written approval of the Superintendent or designee. The approval is only for the school year in which the approval is granted. If the Superintendent or designee approves electronic communications between a support staff member and a student, the support staff member shall be required to comply with all the provisions of this Policy.

The Commissioner of Education has determined inappropriate conduct may determine a school staff member unfit to discharge the duties and functions of their position. Improper electronic communications by school staff members may be determined to be inappropriate conduct.

For the purposes of this Policy, "electronic communication" means a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular telephone, computer, computer network, personal data assistant, or pager. "Electronic communications" include, but are not limited to, e-mails, text messages, instant messages, and communications made by means of an Internet website, including social media and social networking websites.

For the purposes of this Policy, "professional responsibility" means a support staff member's responsibilities assigned to the support staff member by the administration or Board of Education.

For the purposes of this Policy, "improper electronic communications" means an electronic communication between a support staff member and any student of the school district when:

1. The content of the communication is inappropriate as defined in this Policy; and/or
2. The manner in which the electronic communication is made is not in accordance with acceptable protocols for electronic communications between a support staff member and a student as defined in this Policy.

4283 ELECTRONIC COMMUNICATIONS BETWEEN SUPPORT STAFF MEMBERS AND STUDENTS (M)

Inappropriate content of an electronic communication between a support staff member, who has been approved by the Superintendent or designee to have electronic communications, and a student includes, but is not limited to:

1. Communications of a sexual nature, sexually oriented humor or language, sexual advances, or content with a sexual overtone;
2. Communications involving the use, encouraging the use, or promoting or advocating the use of alcohol or tobacco, the illegal use of prescription drugs or controlled dangerous substances, illegal gambling, or other illegal activities;
3. Communications regarding the support staff member's or student's past or current romantic relationships;
4. Communications which include the use of profanities, obscene language, lewd comments, or pornography;
5. Communications that are harassing, intimidating, or bullying;
6. Communications requesting or trying to establish a personal relationship with a student beyond the support staff member's professional responsibilities;
7. Communications related to personal or confidential information regarding another school staff member or student; and
8. Communications between the support staff member and a student that the Commissioner of Education would determine to be inappropriate in determining the support staff member is unfit to discharge the duties and functions of their position.

The following acceptable protocols for all electronic communications between a support staff member, who has been approved by the Superintendent or designee to have electronic communications, and a student shall be followed:

1. E-Mail Electronic Communications Between a Support Staff Member and a Student
 - a. All e-mails between a support staff member and a student must be sent or received through the school district's e-mail system. The content of all e-mails between a support staff member and a student shall be limited to the staff member's professional responsibilities regarding the student.

4283 ELECTRONIC COMMUNICATIONS BETWEEN SUPPORT STAFF MEMBERS AND STUDENTS (M)

- b. A support staff member shall not provide their personal e-mail address to any student. If a student sends an e-mail to a support staff member's personal e-mail address, the staff member shall respond to the e-mail through the school district e-mail system and inform the student his/her personal e-mail address shall not be used for any electronic communication between the support staff member and the student.
 - c. A support staff member's school district e-mail account is subject to review by authorized school district officials. Therefore, a support staff member shall have no expectation of privacy on the school district's e-mail system.
- 2. Cellular Telephone Electronic Communications Between a Support Staff Member and a Student
 - a. Communications between a support staff member and a student via a personal cellular telephone shall be prohibited.
 - (1) However, a support staff member may, with prior approval of the Principal or designee, communicate with a student using their personal cellular telephone if the need to communicate is directly related to the support staff member's professional responsibilities for a specific purpose such as a field trip, athletic event, co-curricular activity, etc. Any such approval for cellular telephone communications shall not extend beyond the specific field trip, athletic event, co-curricular activity, etc. approved by the Principal or designee.
- 3. Text Messaging Electronic Communications Between Support Staff Members and Students
 - a. Text messaging communications between a support staff member and an individual student are prohibited.
 - (1) However, a support staff member may, with prior approval of the Principal or designee, text message students provided the need to text message is directly related to the support staff member's professional responsibilities regarding the student. Any such text message must be sent to every student in the class or every member of the co-curricular activity. Any such approval for text messaging shall not extend beyond the activity approved by the Principal or designee.

4. Social Networking Websites and other Internet-Based Social Media Electronic Communications Between Support Staff Members and a Student
 - a. A support staff member is prohibited from communicating with any student through the support staff member's personal social networking website or other Internet-based website. Communications on personal websites are not acceptable between a support staff member and a student.
 - b. A support staff member shall not accept "friend" requests from any student on their personal social networking website or other Internet-based social media website. Any communication sent by a student to a support staff member's personal social networking website or other Internet-based social media website shall not be responded to by the support staff member and shall be reported to the Principal or designee by the support staff member.
 - c. If a support staff member has a student(s) as a "friend" on their personal social networking website or other Internet-based social media website they must permanently remove them from their list of contacts upon Board adoption of this Policy.
 - d. Communication between a support staff member and a student through social networking websites or other Internet-based social media websites is only permitted provided the website has been approved by the Principal or designee and all communications or publications using such websites are available to: every student in the class; every member of the co-curricular activity and their parents; and the Principal or designee.

Reporting Responsibilities

1. In the event a student sends an electronic communication to a support staff member who has not been approved by the Superintendent or designee to have electronic communications, the support staff member shall report the communication to the Principal or designee. The Principal or designee will take appropriate action to have the student discontinue such electronic communications. Electronic communications by a support staff member or a student where such communications are not approved by the Superintendent or designee may result in appropriate disciplinary action.
2. In the event a student sends an improper electronic communication, as defined in this Policy, to a support staff member who has been approved by the Superintendent or designee to receive electronic communications, the support staff member shall report the improper electronic communication to the Principal

4283 ELECTRONIC COMMUNICATIONS BETWEEN SUPPORT STAFF MEMBERS AND STUDENTS (M)

or designee. The Principal or designee will take appropriate action to have the student discontinue such improper electronic communications. Improper electronic communications by a support staff member or a student may result in appropriate disciplinary action.

[Optional: District may select one of the following exemption options

- _____ A support staff member and student may be exempt from the provisions outlined in this Policy if a support staff member and student are relatives. The parent of the student and the support staff member requesting an exemption from the provisions of this Policy must submit a written request to the Principal of the student's school indicating the family relationship between the student and the support staff member. The Principal will provide written approval of the request to the support staff member and the student. If the Principal does not approve the request, the support staff member and the student must comply with all provisions of this Policy. The Principal's approval of a request for this exemption shall only be for the individual support staff member and student included in the request and for the school year in which the request is submitted.
- _____ A support staff member and student may be exempt from the provisions outlined in this Policy if a support staff member and student are relatives. The support staff member and the student's parent shall submit notification to the Principal of the student's school of their family relationship and their exemption from the provisions outlined in this Policy.]

The provisions of this Policy shall be applicable at all times while the support staff member is employed in the school district and at all times the student is enrolled in the school district, including holiday and summer breaks.

A copy of this Policy will be made available on an annual basis, to all parents, students, and school employees either electronically or in school handbooks.

N.J.S.A. 18A:36-40

Adopted:

5120 ASSIGNMENT OF STUDENTS (M)

[See **POLICY ALERT Nos. 96 and 199**]

M

The Board of Education directs the assignment of students to the schools, programs, and classes of this district consistent with the best interests of students and the best uses of the resources of this district.

Students shall generally attend the school located in the attendance area of their residence. The Superintendent may assign a student to a school other than that designated by the attendance area when such an exception is justified by circumstances and/or is in the best interest of the student. Every effort will be made to continue a student in the same elementary school once the student has been enrolled in that elementary school.

The Superintendent shall assign incoming transfer students to the school in their attendance area of their residence provided the district's school or class size requirements can accommodate the student's enrollment. The Building Principal may assign students in his/her school to grades, classes, and groups on the basis of the needs of the student as well as the sound administration of the school.

In accordance with the provisions of N.J.S.A. 18A:36-38.a.(1), a parent of twins or higher order multiples enrolled in the same Kindergarten through eighth grade level at the same public school may request, in writing, the children be placed in the same classroom or in separate classrooms. The Principal shall make the classroom placement requested in accordance with the provisions of N.J.S.A. 18A:36-38.a.(1).

In accordance with the provisions of N.J.S.A. 18A:36-38a.(2), a parent of twins or higher order multiples enrolled in the same ninth through twelfth grade level at the same public school may request, in writing, the children be placed in the same classroom or in separate classrooms. The placement of such children shall be made at the discretion of the Principal in the best interest of the school and its students. The parent may appeal the Principal's classroom placement decision to the Board of Education, which shall make a final determination on the placement.

The written request must be submitted to the Principal no later than fourteen days after the first day of each school year. Parents of twins or higher order multiples enrolling after the school year commences shall request the classroom placement in writing no later than fourteen days after the first day of attendance.

In accordance with the provisions of N.J.S.A. 18A:36-38.(2)(b), a Principal may, after consultation with the students' parent and teachers at the end of the initial grading period, request the Board make a different classroom placement determination for the twins or higher order multiples if the initial classroom placement is determined to be disruptive to any of the students

in the class or classes, or if the Principal concludes the initial placement does not sufficiently support the students' academic or social development. Upon receiving such request, the Board shall make a final classroom placement determination.

“Higher order multiples” means triplets, quadruplets, quintuplets, or larger group siblings born at one birth. Provisions of N.J.S.A. 18A:36-38 do not apply to a school district which maintains only a single classroom for the grade level in which twins or higher order multiples are enrolled. The parent shall be responsible for any additional student transportation costs that are incurred by the district as a result of providing the requested classroom placement, unless the district is in agreement with the placement. In the event one of the twins or higher order multiples receives special education services, the requested placement shall not be accommodated if the placement is inconsistent with a student's Individualized Education Plan.

N.J.S.A. 18A:36-38

Adopted:

5308 STUDENT HEALTH RECORDS (M)**M**

[See **POLICY ALERT No. 178 and 204**]

The school district shall maintain mandated student health records for each student pursuant to N.J.A.C. 6A:16-2.4. The district will document student health records using a form approved by the Commissioner of Education.

The maintenance and security of student health records shall be in accordance with N.J.A.C. 6A:32-7.4 and 6A:16-2.4. Student health records may be stored electronically or in paper format and shall be maintained separately from other student records in a secure location accessible to authorized personnel while school is in session. The health history and immunization record shall be removed from the student's health record and placed in the student's mandated record upon graduation or termination and kept according to the schedule set forth in N.J.A.C. 6A:32-7.8.

The transfer of student health records when a student transfers to or from a school district shall be in accordance with N.J.A.C. 6A:16-7.1 et seq.

Any Board of Education employee with knowledge of, or access to, information that identifies a student as having HIV infection or AIDS; information obtained by the school's alcohol or drug program which would identify the student as an alcohol or drug user; or information provided by a secondary school student while participating in a school-based alcohol or drug counseling program that indicates a parent, guardian, or other person residing in the student's household is dependent upon or illegally using a substance shall comply with restrictions for sharing such information in accordance with N.J.A.C. 6A:16-2.4(b) through (e) and as required by Federal and State statutes and regulations.

Access to and disclosure of information in a student's health record shall meet the requirements of the Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, and 34 CFR Part 99, incorporated herein by reference, as amended and supplemented, and N.J.A.C. 6A:32-7, Student Records.

The school district shall provide access to the student's health record to licensed medical personnel not holding educational certification who are working under contract with or as employees of the school district only to the extent necessary to enable the licensed medical personnel to perform their duties. Secretarial or clerical personnel under the supervision of the certified school nurse shall be permitted access to those portions of the student health record necessary for entry and recording of data and for conducting routine clerical tasks as outlined in N.J.S.A. 18A:40-3.4 and N.J.A.C. 6A:32-7.5.

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STRAUSS ESMAY ASSOCIATES

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5308 STUDENT HEALTH RECORDS (M)

Nothing in N.J.A.C. 6A:16-2.4 or in Policy and Regulation 5308 shall be construed to prohibit school personnel from disclosing to students or adults in connection with an emergency the information contained in the student health record if the release is necessary to protect the immediate health or safety of the student or other persons pursuant to N.J.A.C. 6A:32-7.5.

N.J.A.C. 6A:16-2.4 et seq.; 6A:32-7.4 et seq.;
6A:32-7.5 et seq.

Adopted:

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[See POLICY ALERT Nos. 186, 205, 208, 209, 211, and 226]

5460 HIGH SCHOOL GRADUATION

The Board of Education will recognize the successful completion of the secondary school instructional program by the award of a State-endorsed diploma certifying the student has met all State and local requirements for high school graduation in accordance with N.J.A.C. 6A:8-5.1 et seq. The Board will annually certify to the Executive County Superintendent each student who has been awarded a diploma and has met the requirements for graduation.

As defined in N.J.A.C. 6A:8-1.3, “credit” means the award for the equivalent of a class period of instruction, which meets for a minimum of forty minutes, one time per week during the school year or as approved through N.J.A.C. 6A:8-5.1(a)2 and A.1.b. below.

A. High School Graduation Requirements – N.J.A.C. 6A:8-5.1

1. For a State-endorsed diploma, the Board shall develop, adopt, and implement graduation requirements that prepare students for success in post-secondary degree programs, careers, and civic life in the 21st century, and that include the following:
 - a. A graduating student must have earned a minimum of _____ **(four-year high school: no fewer than 120)** credits in courses designed to meet all of the New Jersey Student Learning Standards (NJSLS), including, but not limited to, the following credits:
 - (1) ____ **(At least twenty)** credits in English language arts aligned to grade nine through twelve standards;
 - (2) ____ **(At least fifteen)** credits in mathematics, including Algebra I or the content equivalent; geometry or the content equivalent; and a third year



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of mathematics that builds on the concepts and skills of algebra and geometry and that prepares students for college and 21st century careers;

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- (3) ____ **(At least fifteen)** credits in science, including at least five credits in laboratory biology/life science or the content equivalent; one additional laboratory/inquiry-based science course, which shall include chemistry, environmental science, or physics; and one additional laboratory/inquiry-based science course;
- (4) ____ **(At least fifteen)** credits in social studies, including satisfaction of N.J.S.A. 18A:35-1 and 18A:35-2; five credits in world history; and the integration of civics, economics, geography, and global content in all course offerings;
- (5) ____ **(At least two and one-half)** credits in financial, economic, business, and entrepreneurial literacy;
- (6) ____ **(At least three and three-quarters)** credits in health, safety, and physical education during each year of enrollment, distributed as one hundred fifty minutes per week, as required by N.J.S.A. 18A:35-5, 7, and 8;
- (7) ____ **(At least five)** credits in visual and performing arts;
- (8) ____ **(At least five)** credits in world languages or student demonstration of proficiency as set forth in N.J.A.C. 6A:8-5.1(a)2ii(2) and A.1.b.(2)(b) below;
- (9) Technological literacy, consistent with the NJSLs, integrated throughout the curriculum;



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- (10) ____ (**At least five**) credits in 21st century life and careers, or career-technical education; and
- (11) Electives as determined by the high school program sufficient to total a minimum of ____ (**must be at least 120**) credits.

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- b. The 120-credit requirement set forth in N.J.A.C. 6A:8-5.1(a)1. and in A.1.a. above may be met in whole or in part through program completion of a range of experiences that enable students to pursue a variety of individualized learning opportunities, as follows:
 - (1) The district shall establish a process to approve individualized student learning opportunities that meet or exceed the NJSLS.
 - (a) Individualized student learning opportunities in all NJSLS areas include, but are not limited to, the following:
 - (i) Independent study;
 - (ii) Online learning;
 - (iii) Study abroad programs;
 - (iv) Student exchange programs; and
 - (v) Structured learning experiences, including, but not limited to, work-based programs, internships, apprenticeships, and service learning experiences.



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(b) Individualized student learning opportunities based upon specific instructional objectives aimed at meeting or exceeding the NJSLS shall:

(i) Be based on student interest and career goals as reflected in the Personalized Student Learning Plans;

(ii) Include demonstration of student competency;

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(iii) Be certified for completion based on the district process adopted according to N.J.A.C. 6A:8-5.1(a)2.ii. and A.1.b.(2) below; and

(iv) Be on file in the school district and subject to review by the Commissioner of Education or designee.

(c) Group programs based upon specific instructional objectives aimed at meeting or exceeding the NJSLS shall be permitted and shall be approved in the same manner as other approved courses.

(2) The district shall establish a process for granting of credits through successful completion of assessments that verify student achievement in meeting or exceeding the NJSLS at the high school level, including standards achieved by means of the individualized student learning opportunities enumerated at N.J.A.C. 6A:8-5.1(a)2 and A.1.b.



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above. Such programs or assessments may occur all or in part prior to a student's high school enrollment; no such locally administered assessments shall preclude or exempt student participation in applicable Statewide assessments at grades three through twelve.

- (a) The district shall choose assessments that are aligned with or exceed the NJSLs and may include locally designed assessments.
- (b) The district shall choose from among the following assessment options to determine if students have achieved the level of language proficiency designated as Novice-High as

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defined by the American Council on the Teaching of Foreign Languages (ACTFL) and recognized as fulfilling the world languages requirement of the NJSLs:

- (i) The Standards-based Measurement of Proficiency (STAMP) online assessment;
 - (ii) The ACTFL Oral Proficiency Interview (OPI) or the Modified Oral Proficiency Interview (MOPI); or
 - (iii) New Jersey Department of Education-approved locally designed competency-based assessments.
- (3) The district shall establish a process to approve post-secondary learning opportunities that may consist of Advanced Placement (AP) courses,



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College-Level Examination Program (CLEP), or concurrent/dual enrollment at accredited higher education institutions.

- (a) The district shall award credit for successful completion of an approved, accredited college course that assures achievement of knowledge and skills that meets or exceeds the NJSLS.

- c. Local student attendance requirements;
- d. Other requirements established by the Board of Education as indicated below:

_____;

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- e. Any statutorily mandated requirements for earning a high school diploma;
- f. The requirement that all students demonstrate proficiency by achieving a passing score on the English Language Arts (ELA) and mathematics components of the State graduation proficiency test or through the alternative means at N.J.A.C. 6A:8-5.1(h) and A.7. below, if applicable, or for students who take the State graduation proficiency test but do not achieve a passing score through the alternative means set forth at N.J.A.C. 6A:8-5.1(g) and (i) and A.6. and A.8. below:
 - (1) Students in the graduating classes of 2019, 2020, 2021, and 2022 shall be required to demonstrate proficiency by achieving a passing score on the high



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school end-of-course PARCC assessments in ELA 10 and Algebra I or through alternative means set forth at N.J.A.C. 6A:8-5.1(f), (h), and (i) and A.5., A.7., and A.8. below.

g. For students who have not demonstrated proficiency on the ELA and/or mathematics components of the State graduation proficiency test, the opportunity for the following will be provided:

- (1) Remediation, pursuant to N.J.S.A. 18A:7C-3.; and
- (2) One or more additional opportunities to demonstrate proficiency on the State graduation proficiency test, pursuant to N.J.S.A. 18A:7C-6; and

h. Students graduating from an adult high school shall demonstrate proficiency in the ELA and mathematics components of the State graduation proficiency test, or through alternative means set forth at N.J.A.C. 6A:8-5.1(f) through (i) and A.5. through A.8. below.

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2. In the development of Personalized Student Learning Plans according to N.J.A.C. 6A:8-3.2(a), the district shall actively encourage all students who have otherwise met the requirements for high school graduation according to N.J.A.C. 6A:8-5.1(a)1 through 3 and A.1.a. through A.1.c. above, to include in their programs of study the following additional credits:

a. Five credits in mathematics during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers;



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- b. Five credits in a laboratory science during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers;
 - c. Five credits in social studies during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers; and
 - d. Five credits in world languages during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers.
3. The district shall provide to the Executive County Superintendent the district's graduation requirements each year they are evaluated through Quality Single Accountability Continuum (QSAC) and update the district's filed copy each time the graduation policy is revised.
4. The district shall provide each student entering high school and their parents with a copy of the district's requirements for a State-endorsed diploma and the programs available to assist students in attaining a State-endorsed diploma, in accordance with N.J.S.A. 18A:7C-5.
5. To ensure adequate transition to the new Statewide assessment systems, the district shall provide students in the graduating classes of 2018, 2019, 2020, 2021, and 2022 who have not demonstrated proficiency on the high school end-of-course PARCC assessments in ELA 10 and Algebra I with the opportunity to demonstrate competence through one of the alternative means set forth below:

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 - a. For the graduating classes of 2018, 2019, 2020, 2021, and 2022, students who did not take the ELA 10 and the Algebra I end-of-course PARCC assessment or who take but do not achieve a passing score on both assessments, as required by N.J.A.C. 6A:8-5.1(a)6 and A.1.f. above, may satisfy the State requirement to demonstrate proficiency in



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English language arts and/or mathematics in one of the following ways:

- (1) Achieve a passing score, as determined by the Commissioner of Education, on a corresponding substitute competency test in English language arts and/or mathematics, as applicable, or substitute a passing score on another end-of-course PARCC assessment, including ELA 9, ELA 11, Geometry, or Algebra II; or
 - (2) Meet the criteria of the portfolio appeals process.
6. For students in the graduating classes of 2023, 2024, and 2025, the alternative means referenced at N.J.A.C. 6A:8-5.1(a)6 and A.1.f. above shall be as follows:
 - a. Achieve a passing score, as determined by the Commissioner of Education and approved by the New Jersey State Board of Education, on a corresponding substitute competency test in English language arts and/or mathematics, as applicable; and/or
 - b. Demonstrate proficiency through the portfolio appeals process, pursuant to N.J.S.A. 18A:7C-3.
7. All English language learners (ELLs) shall satisfy the requirements for high school graduation, except ELLs may demonstrate they have attained State minimum levels of proficiency through passage of the portfolio appeals process in their native language, when available, and passage of a New Jersey Department of Education-approved, English fluency assessment.

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8. Students, including students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act



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who participate in the alternative assessment for students with disabilities, are not required to participate in repeated administrations of high school assessment components required at N.J.A.C. 6A:8-4.1(c).

9. For students in the graduating classes of 2019, 2020, 2021, and 2022, the New Jersey Department of Education (NJDOE) shall consider high school end-of-course State assessments to be equivalent to the corresponding high school end-of-course PARCC assessments.

B. High School Diplomas – N.J.A.C. 6A:8-5.2

1. The Board of Education shall award a State-endorsed high school diploma to prospective graduates who have met all of the requirements adopted in accordance with N.J.A.C. 6A:8-5.1(a), (c), or N.J.A.C. 6A:8-5.2(d) and A.1 above, C.1. below, or B.4. below.
2. The Board shall not issue a high school diploma to any student not meeting the criteria specified in the rule provisions referenced in B.1. above.
 - a. The district shall provide students exiting grade twelve without a diploma the opportunity for continued high school enrollment to age twenty or until the requirements for a State-endorsed diploma have been met, whichever comes first.
 - b. The district shall allow any out-of-school individual to age twenty who has otherwise met all State and local graduation requirements but has failed to pass the State proficiency test to demonstrate proficiency through alternative means as set forth at N.J.A.C. 6A:8-5.1(a)6 through N.J.A.C. 6A:8-5.1(i) and in A.1.f. through A.8. above, as applicable, pursuant to the standards applicable to the student's graduating class. Students in graduating classes prior to 2018 shall demonstrate proficiency as set

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forth for the classes of 2018 through 2022 at N.J.A.C. 6A:8-5.1(f)1 and A.5.a. above. Upon certification of passing the test applicable to the student's class in accordance with N.J.A.C. 6A:8 and this Policy, a State-endorsed diploma shall be granted by the high school of record.

3. Pursuant to N.J.A.C. 6A:20-1.4, the Commissioner of Education shall award a State-issued high school diploma based on achieving the Statewide standard score on the General Education Development test (GED) or other adult education assessments to individuals age sixteen or older who are no longer enrolled in school and have not achieved a high school credential.
4. The Commissioner of Education shall award a State-issued high school diploma to individuals age sixteen or older and no longer enrolled in high school based on official transcripts showing at least thirty general education credits leading to a degree at an accredited institution of higher education. Included in the thirty general education credits must be a minimum of fifteen credits with at least three credits in each of the five general education categories as follows: English; mathematics; science; social science; and the humanities.
5. The Board shall award a State-endorsed high school diploma to any currently enrolled student, regardless of grade level, who:
 - a. Has demonstrated proficiency in the State graduation proficiency test, pursuant to N.J.A.C. 6A:8-5.1(a)6 and A.1.f. above, or as set forth at N.J.A.C. 6A:8-5.1(g) and A.6. above:
 - (1) The Board shall award a State-endorsed high school diploma to any currently enrolled student in the graduating classes of 2019, 2020, 2021, and 2022 who has demonstrated proficiency in the high school end-of-course PARCC assessments in ELA 10 and Algebra I, or as set forth in N.J.A.C. 6A:8-5.1(f) and in A.5. above;



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- b. Has presented official transcripts showing at least thirty general education credits leading to a degree at an accredited institution of higher education; and
 - c. Has formally requested such early award of a State-endorsed high school diploma.
6. Pursuant to N.J.S.A. 18A:7C-7 and 18A:7E-3, the Superintendent shall report annually to the Board at a public meeting not later than September 30, and to the Commissioner of Education:
- a. The total number of students graduated;
 - b. The number of students graduated under the substitute competency test process;
 - c. The number of students graduated under the portfolio appeals process;
 - d. The number of students receiving State-endorsed high school diplomas as a result of meeting any alternate requirements for graduation as specified in their individualized education programs (IEP);
 - e. The total number of students denied graduation from the twelfth grade class; and
 - f. The number of students denied graduation from the twelfth grade class solely because of failure to pass the high school end-of-course PARCC assessments, the State graduation proficiency test, substitute competency tests, or portfolio appeals process based on the provisions of N.J.A.C. 6A:8.

C. Students with Disabilities – N.J.A.C. 6A:8-5.1(c) and N.J.A.C. 6A:14-4.11



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1. Through the IEP process set forth at N.J.A.C. 6A:14-3.7 and pursuant to N.J.A.C. 6A:14-4.11, the Board may specify alternate requirements for a State-endorsed diploma for individual students with disabilities as defined at N.J.A.C. 6A:14-1.3.

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- a. The district shall specifically address any alternate requirements for graduation in a student's IEP, in accordance with N.J.A.C. 6A:14-4.11.
- b. The district shall develop and implement procedures for assessing whether a student has met the specified alternate requirements for graduation individually determined in an IEP.
2. The IEP of a student with a disability who enters a high school program shall specifically address the graduation requirements. The student shall meet the high school graduation requirements pursuant to N.J.A.C. 6A:8-5.1 and A. above, except as specified in the student's IEP. The IEP shall specify which requirements would qualify the student with a disability for the State-endorsed diploma issued by the Board responsible for the student's education.
3. Graduation with a State-endorsed diploma is a change of placement that requires written notice pursuant to N.J.A.C. 6A:14-2.3(f) and (g).
 - a. As part of the written notice, the parent shall be provided with a copy of the procedural safeguards statement published by the NJDOE.
 - b. As with any proposal to change the educational program or placement of a student with a disability, the parent may resolve a disagreement with the proposal to graduate the student by requesting mediation or a due process hearing prior to graduation.
 - c. In accordance with N.J.A.C. 6A:14-3.8(d), a reevaluation shall not be required.



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- d. When a student graduates or exceeds the age of eligibility, the student shall be provided a written summary of their academic achievement and functional performance prior to the date of the student's graduation or the conclusion of the school year in which the student exceeds the age of eligibility. The summary shall include recommendations to assist the student in meeting their postsecondary goals.

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4. If a student attends a school other than that of the school district of residence that is empowered to grant a diploma, the student shall have the choice of receiving the diploma of the school attended or the diploma of the school district of residence.
 - a. If the school the student is attending declines to issue a diploma to the student, the Board of the school district of residence shall issue the student a diploma if the student has satisfied all State and local graduation requirements, as specified in the student's IEP.
5. If the Board grants an elementary school diploma, a student with a disability who fulfills the requirements of their IEP shall qualify for and receive a diploma.
6. Students with disabilities who meet the standards for graduation according to N.J.A.C. 6A:14-4.11 and C. of this Policy shall have the opportunity to participate in graduation exercises and related activities on a nondiscriminatory basis.

[Optional]

D. State Seal of Biliteracy – N.J.A.C. 6A:8-5.3

1. The Board may award a State Seal of Biliteracy to any student who has met all requirements in N.J.A.C. 6A:8-5.2 and B. above and demonstrates proficiency in the following:



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- a. One or more world languages via an approved assessment pursuant to N.J.A.C. 6A:8-5.3(f) and D.6. below during the student's next to last or final year of high school; and
 - (1) Pursuant to N.J.S.A. 18A:7C-15, a foreign language other than English also shall include, but not be limited to, American Sign Language, Latin, and Native American languages.
- b. English language arts as set forth in N.J.A.C. 6A:8-5.1(a)6 and A.1.f. above.

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- 2. A Board that chooses to award the State Seal of Biliteracy shall incorporate the process into the developed, adopted, and implemented Policy 5460 – High School Graduation pursuant to N.J.A.C. 6A:8-5.1(a) and A.1. above, denoting participation in the voluntary program. A Board choosing to participate shall submit, in accordance with N.J.A.C. 6A:8-5.1(d) and A.3. above, a copy of Policy 5460 – High School Graduation that reflects the option for students to participate in the State Seal of Biliteracy.
- 3. The Board of Education [**___ shall pay the costs ___ shall charge a fee to the student**] for related assessments and transcript insignias.
- 4. The Board of Education shall do the following:
 - a. Provide the NJDOE with information regarding students who qualify for the State Seal of Biliteracy pursuant to N.J.A.C. 6A:8-5.3(a) and D.1. above;
 - b. Present each student who qualifies pursuant to D.1. above with a New Jersey Department of Education-issued certificate;



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- c. Include the Commissioner of Education-developed insignia on the student's transcript; and
 - d. Maintain appropriate records to identify students who have earned the State Seal of Biliteracy.
5. The Board shall not award a State Seal of Biliteracy to any student who does not meet the criteria in N.J.A.C. 6A:8-5.3(a) and D.1. above and shall not include the Commissioner of Education-developed insignia on the student's transcript.
6. A list of New Jersey Department of Education-approved, nationally recognized assessments and the Statewide scores necessary for a student to satisfy requirements for the State Seal of Biliteracy shall be set by a resolution approved by the New Jersey State Board of Education.

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- a. If an approved assessment, pursuant to N.J.A.C. 6A:8-5.3(f) and D.6. above, does not exist for a particular language, the Board may administer a NJDOE-approved, locally designed proficiency-based assessment.]

N.J.S.A. 18A:7C-3; 18A:7C-5; 18A:7C-6, 18A:7C-7; 18A:7C-15; 18A:7E-3

18A:35-1; 18A:35-2; 18A:35-5; 18A:35-7; 18A:35-8

N.J.A.C. 6A:8-1.3; 6A:8-5.1 et seq.; 6A:14-1.3; 6A:14-2.3; 6A:14-3.7

6A:14-3.8; 6A:14-4.11; 6A:20-1.4



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Adopted:



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[See POLICY ALERT No. 226]

**[MANDATED FOR SCHOOL DISTRICTS WITH A MIDDLE SCHOOL
AND/OR HIGH SCHOOL AND OPTIONAL FOR SCHOOL DISTRICTS
WITH ONLY AN ELEMENTARY SCHOOL(S)]**

5541 ANTI-HAZING

A safe and civil environment in school is necessary for students to learn and achieve high academic standards. Hazing is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe and disciplined environment. The Board of Education prohibits acts of hazing and adopts this Policy against hazing in accordance with N.J.S.A. 18A:37-32.2. The provisions of this Policy apply to [___ high school(s); ___ middle school(s); and/or ___ elementary school(s)] in the school district.

"Hazing" in a school setting includes, but is not limited to, conduct by an individual(s) who is a member and/or representative of a school-sponsored student organization, club, or athletic team where such individual(s) conditions a student's acceptance as a member into such group on whether the student engages in activities that are humiliating, demeaning, intimidating, and exhausting to the student.

N.J.S.A. 2C:40-3.a. indicates hazing may also include, but is not limited to, the conduct outlined below:

1. An individual(s) causes, coerces, or otherwise induces a student to commit an act that violates Federal or State criminal law;
2. An individual(s) causes, coerces, or otherwise induces a student to consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm or is otherwise deleterious to the student's health;



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3. An individual(s) subjects a student to abuse, mistreatment, harassment, or degradation of a physical nature, including, but not limited to, whipping, beating, branding, excessive calisthenics, or exposure to the elements;

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Anti-Hazing

4. An individual(s) subjects a student to abuse, mistreatment, harassment, or degradation of a mental or emotional nature, including, but not limited to, activity adversely affecting the mental or emotional health or dignity of the individual, sleep deprivation, exclusion from social contact, or conduct that could result in extreme embarrassment;
5. An individual(s) subjects a student to abuse, mistreatment, harassment, or degradation of a sexual nature; or
6. An individual(s) subjects a student to any other activity that creates a reasonable likelihood of bodily injury to the student.

Board of Education members, school employees, and contracted service providers are required to report an alleged incident of hazing that may take place or has taken place on or off school grounds to the Principal or designee on the same day when the individual witnessed or received reliable information regarding such an incident. Students, parents, volunteers, or visitors are encouraged to report an alleged incident of hazing that may take place or has taken place on or off school grounds to the Principal or designee on the same day when the individual witnessed or received reliable information regarding any such incident.

Any report of an alleged incident of hazing shall be immediately investigated by the Principal or designee in accordance with procedures used to investigate alleged violations of the Student Discipline/Code of Conduct and Policy and Regulation 5600. A Principal or designee who receives a report of an alleged incident of hazing and fails to initiate or conduct an investigation and fails to minimize or eliminate the hazing may be subject to disciplinary action.

The Principal or designee may identify behavior when investigating an alleged incident of hazing indicating harassment, intimidation, or bullying (HIB) pursuant to N.J.S.A. 18A:37-14 et seq. – the New Jersey Anti-Bullying Bill of Rights Act



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(ABR). If the Principal or designee identifies behavior indicating HIB, the Principal or designee shall ensure a separate investigation is conducted in accordance with the ABR and Policy 5512.

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Anti-Hazing

The Superintendent or designee shall report to local law enforcement any hazing incident that rises to the level of mandatory reporting under the “Uniform Memorandum of Agreement Between Education Officials and Law Enforcement Officials” or any other agreement between local law enforcement and the school district pursuant to N.J.A.C. 6A:16-5.1(b).

Hazing that involves the participation of a coach, teacher, or other adult may constitute child abuse and shall be addressed in accordance with N.J.S.A. 18A:36-25 and Policy and Regulation 8462.

The Board shall enforce any penalty for violation of this Policy in accordance with the student code of conduct and Policy and Regulation 5600, or any other applicable Board Policy or Regulation. In accordance with N.J.S.A. 18A:37-32.3 appropriate penalties for a violation of this Policy may include, but are not limited to:

1. Withholding of diplomas or transcripts pending compliance with the rules;
2. Rescission of permission for the organization or group whose student member(s) are being penalized under this Policy, to operate on school property or to otherwise operate under the sanction or recognition of the school district; and
3. The imposition of probation, suspension, dismissal, or expulsion of a student member(s).



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Any discipline instituted in response to a violation of this Policy may be in addition to discipline for a violation of Policy 5512, Policy and Regulation 5600, and any other applicable Board Policy and Regulation.

The school district shall ensure that students are informed of this Policy, including the rules, penalties, and program of enforcement under this Policy. This Policy shall be posted on the school district's publicly accessible Internet website.

N.J.S.A. 18A:36-25; 18A:37-13.2; 18A:37-14 et seq.; 18A:37-32.2;
18A:37-32.3
N.J.A.C. 6A:16-5.1

Adopted:



5550 DISAFFECTED STUDENTS (M)**M**

[See **POLICY ALERT No. 68, 147 and 172**]

The Board of Education believes that the educational needs of all students should be served. The Board will make every reasonable effort to identify and serve disaffected students whose learning is impeded by environmental circumstances, the student's attitude, or an inappropriate instructional program.

For the purposes of this policy, "disaffected student" means the student who has instructional needs that are not being met by the regular instructional program and who is performing well below his/her social or academic capacity.

Disaffected students may include students unable to function properly within a traditional school program; students of average or above average intelligence and ability who achieve below their potential; students unable to establish occupational or future goals; students with a pattern of behavior problems, including problems with attendance and tardiness; students who lack motivation, direction, and decision making ability; students who possess a poor self-image; students suffering stressful family settings; students hostile toward adults and authority figures; students in difficulty with community and law enforcement agencies; and students lacking interest in school and avoiding involvement in school activities.

Teaching staff members shall be alert to students experiencing difficulty in their classes. Any such student who does not appear to be disabled may be referred to the Intervention Referral Team (IRT).

A disaffected student who may have disabilities shall be referred to the Child Study Team for evaluation in accordance with Policy No. 2460.

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

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

Adopted:

5750 EQUAL EDUCATIONAL OPPORTUNITY (M)**M**

[See **POLICY ALERT Nos. 95, 116, 136, 168 and 209**]

The Board of Education directs that all students enrolled in the schools of this district shall be afforded equal educational opportunities in strict accordance with law. No student shall be denied access to or benefit from any educational program or activity or from a co-curricular or athletic activity on the basis of the student's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability. The Board shall assure that all students are free from harassment, sexual or otherwise.

The Board directs the Superintendent to allocate faculty, administrators, support staff members, curriculum materials, and instructional equipment supplies among and between the schools and classes of this district in a manner that ensures equivalency of educational opportunity throughout this district. The school district's curricula in the following areas will eliminate discrimination, promote mutual acceptance and respect among students, and enable students to interact effectively with others, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability:

1. School climate/learning environment;
2. Courses of study, including Physical Education;
3. Instructional materials and strategies;
4. Library materials;
5. Software and audio-visual materials;
6. Guidance and counseling;
7. Extra-curricular programs and activities;
8. Testing and other assessments.

The school district's curricula will include Multi-cultural Education content and practices, instruction on African-American History in the teaching of U.S. History and instruction on the Holocaust and other acts of genocide.

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5750 EQUAL EDUCATIONAL OPPORTUNITY (M)

Affirmative action shall be taken to ensure that students are protected from the effects of discrimination, in accordance with Policy 2260. Students who experience less than equal educational opportunities or experience discrimination shall use the procedure established by Regulation 5750 to report and appeal any harassment or discriminatory practice.

The conduct of teaching staff members shall exemplify the highest principles of equality and democracy. Conduct and attitudes that display discrimination are contrary to the policies of this Board and, further, are destructive to the self esteem that this Board wishes to encourage in all students. A teaching staff member's act of derision or enmity, in any form, against a person or persons on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability shall be considered to be conduct unbecoming to a professional staff member of this district and shall be subject to appropriate discipline.

The Superintendent shall develop and promulgate a procedure by which a student or parent may appeal Board policy, district practice, or the act or omission of any district employee that allegedly violates this policy.

42 U.S.C.A. 12101

N.J.S.A. 10:5-1

N.J.S.A. 18A:4A-1, et seq.

N.J.S.A. 18A:6-5 et seq.; 18A:36-20

N.J.A.C. 6A:7-1.1 et seq.; 6A:14-1.2

Adopted:

5752 MARITAL STATUS AND PREGNANCY (M)

[See **POLICY ALERT No. 95 and 172**]

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The Board of Education will not discriminate among students on the basis of their marital status or parenthood. No student, male or female, who is married or a parent shall be denied access to or benefit from any educational, co-curricular, or athletic program or activity on the basis of his/her marital status or parenthood.

A pregnant student shall not be excluded from any educational program or activity because of her pregnancy or pregnancy-related condition unless the student so requests or a physician certifies that her exclusion is necessary for the student's physical, mental, or emotional well-being. An excluded pregnant student will be provided with adequate and timely opportunity for instruction to continue or make up her schoolwork without prejudice or penalty. Pregnant pupils will be provided a special instructional program in accordance with Policy No. 2416.

N.J.A.C. 6A:7-1.7(a)6

Adopted:

5755 EQUITY IN EDUCATIONAL PROGRAMS AND SERVICES (M)**M**

[See **POLICY ALERT No. 136 and 209**]

Equity In Student Access

It is the policy of the Board of Education to ensure equal and bias-free access to all school facilities, courses, programs, activities, and services, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability.

The school district administration will ensure: that all students will have equal and barrier-free access to all school and classroom facilities, that minority and female students are not under-represented in gifted and talented or accelerated/advanced courses and that minority and male students are not over-represented in detentions, suspensions, expulsions, dropouts, or special needs classifications. Support services will be available to all students and that all limited English-proficient students and students with disabilities will have equal and bias-free access to all school programs and activities. The school district will ensure equal and bias-free access for all students to computers, computer classes, vocational education classes, and technologically-advanced instructional assistance, regardless of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability.

The Board of Education will refrain from locating new facilities in areas that will contribute to imbalanced, isolated, or racially identifiable school enrollments. The school district administration will assign students to ensure that the racial/national origin composition of each school's enrollment reflects the composition of the districtwide enrollment and so that school and classroom enrollments are not identifiable on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability.

Students will not be separated or isolated by race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability within schools, courses, classes, programs, or extracurricular activities. Bias-free multiple measures for determining the special needs of language-minority students and students with disabilities will be utilized. Pregnant students will be permitted to remain in the regular school program and activities and if not permitted to attend school by her doctor, the student will be provided equivalent instruction.

Equity in Guidance Programs and Support Services

5755 EQUITY IN EDUCATIONAL PROGRAMS AND SERVICES (M)

The school district will ensure the guidance program and support services provide access to adequate and appropriate counseling services for all students, including, but not limited to, minority students, limited English-proficient students, non-college bound students, and students with disabilities. A full range of possible career, professional, and/or vocational choices will be presented to all students.

Equity in Physical Education Training

All school district physical education programs will be co-educational with any exceptions to be in accordance with Federal and State laws and regulations.

Equity in Athletic Programs

The school district's athletic program will provide equitable opportunities for female and male students to participate in athletics and equitable support for cheerleading programs and comparable facilities for male and female teams. The athletic program will have relatively equal numbers of varsity and sub-varsity teams for male and female teams and equitable scheduling of night games, practice times, and numbers of games for male and female teams.

Appeal Procedure

Any student or their parent may appeal school practices involving equity through the procedure established in Regulation 5750.

N.J.A.C. 6:4-1 et seq.

Title IX of the Education Amendments of 1972

N.J.A.C. 6A:7-1.1 et seq.

Adopted:

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PROPERTY

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Joint Use of Facilities

Jan 22

[See POLICY ALERT No. 226]

7540 JOINT USE OF FACILITIES

The Board of Education ~~supports advocates~~ the joint expenditure of ~~school~~ district funds and municipal or county funds to provide ~~those~~ facilities from which the ~~entire~~ community, ~~children and adults alike~~, may derive benefits.

~~In accordance with this policy, The Board may, as the opportunity or need arises and as it is entitled to do so by law,~~
join with

Choose one or more of the following:

___ the local municipal governing body

___ each or all of the governing bodies of municipalities comprising ~~the this~~ school district

___ the Board of ~~County Commissioners Chosen Freeholders~~ of ~~the this~~ county

in acquiring, improving, equipping, operating, or maintaining jointly used facilities **in accordance with applicable law.**



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N.J.S.A. 18A:20-19 ~~et seq.~~; 18A:20-34

~~Cross reference: Policy Guide Nos. 9310, 9340~~

Adopted:



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Bias Hate Crimes and Bias-Related Acts

Jan 22

M

[See POLICY ALERT No. 226]

8465 **BIAS HATE CRIMES AND BIAS-RELATED ACTS**

The Board of Education is committed to providing a safe and healthy environment for all children in the school district. **Bias Hate** crimes and bias-related acts involving students can lead to further violence and retaliation. **Bias Hate** crimes and bias-related acts, by their nature are confrontational, inflame tensions, and promote social hostility and will not be tolerated by the school district. ~~The~~ **S**school district employees will work closely with local law enforcement and the county prosecutor's office to report or eliminate the commission of **bias hate** crimes and bias-related acts.

Definitions

A "**bias hate crime**" **means** is any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race;; color;; **religion; gender;** disability;; ~~religion;~~ sexual orientation;; **gender identity or expression; national origin;** or ethnicity.

A "bias-related act" **means** is an act directed at a person, group of persons, private property, or public property that is motivated in whole or **in** part by racial;; gender;; disability;; religion; ~~or~~ sexual orientation;; **gender identity or expression; national origin;** or ethnic prejudice. A bias-related act need not involve conduct that constitutes a criminal offense.

All **bias hate** crimes are also bias-related acts, but not all bias-related acts will constitute a **bias hate** crime.

Required Actions

School employees shall immediately notify the Principal and the Superintendent or designee when in the ~~Whenever any school employee in the~~ course of ~~their his/her~~ employment **they** develops reason to believe ~~that (1) a bias hate crime or bias-related act~~ has been committed or is about to be committed **in accordance with N.J.A.C. 6A:16-6.3(e).** ~~on school property, or has been or is~~



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~~about to be committed by any student, whether on or off school property, and whether or not such offense was or is about to be committed during operating~~

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Bias Hate Crimes and Bias-Related Acts

~~school hours, or (2) a student enrolled in the school has been or is about to become the victim of a hate crime, whether committed on or off school property or during operating school hours, the school employee shall immediately notify the Building Principal and Superintendent, who in turn,~~

The Superintendent or designee shall promptly notify the _____ local pPolice dDepartment and the bBias iInvestigation oOfficer for the county prosecutor's office when a bias crime or bias-related act has been committed or is about to be committed in accordance with N.J.A.C. 6A:16-6.3(e)1.

The Principal and the Superintendent or designee shall immediately notify the _____ local pPolice dDepartment and the bias investigation officer for the county prosecutor's office immediately where if there is reason to believe that a bias hate crime or bias-related act that involves an act of violence has been or is about to be physically committed against a student, or there is otherwise reason to believe that a life has been or will be threatened in accordance with N.J.A.C. 6A:16-6.3(e)2.

~~Whenever any school employee in the course of his/her employment has reason to believe that a bias-related act has been committed or is about to be committed on school property, or has been or is about to be committed by any student, whether on or off school property and whether or not such bias-related act was or is to be committed during operating school hours, the school employee should immediately notify the Building Principal and Superintendent, who in turn should promptly notify the _____ Police Department.~~

~~In deciding whether to refer the matter of a bias-related act to the _____ Police Department or the county prosecutor's office, the Building Principal and the Superintendent, should consider the nature and seriousness of the conduct and the risk that the conduct posed to the health, safety and well-being of any student, school employee or member of the general public.~~



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~~The Building Principal and Superintendent should also consider the possibility that the suspected bias-related act could escalate or result in some form of retaliation which might occur within or outside school property.~~

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Bias Hate Crimes and Bias-Related Acts

It is understood a referral to the _____ **local pPolice dDepartment** or county prosecutor's office **pursuant to the Memorandum of Agreement between Education and Law Enforcement Officials** is only a transmittal of information that might be pertinent to a law enforcement investigation and is not an accusation or formal charge.

Unless the _____ **local pPolice dDepartment** or the county prosecutor's office request otherwise, the school district may continue to investigate a suspected **bias hate** crime or bias-related act occurring on school **grounds property** and may take such actions as necessary and appropriate to redress and remediate any such acts.

School officials will secure and preserve any such graffiti or other evidence of a suspected **bias hate** crime or bias-related act pending the arrival of the _____ **local pPolice dDepartment** or the county prosecutor's office. The school officials, **where when** feasible, will cover or conceal such evidence until the arrival of the _____ **local pPolice dDepartment** or county prosecutor's office.

N.J.S.A. 2C:16-1

N.J.A.C. 6A:16-6.1 ~~et seq.~~; **6A:16-6.2**; 6A:16-6.3(e)

State Memorandum of Agreement approved by the Department of Law & Public Safety and the Department of Education



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Adopted:



8508 LUNCH OFFER VERSUS SERVE (OVS) (M)

[See **POLICY ALERT No. 202**]

[For School Districts with High School Grades and Optional for all Other School Districts]

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The Board of Education, to be in compliance with the Healthy Hunger Free Kids Act (HHFKA) of 2010, adopts this Offer Versus Serve (OVS) Policy. Offer Versus Serve is a Policy for Federally reimbursable meals that allows students to decline a certain number of food components in the meal to reduce plate waste and food cost. Board of Education approval to implement a Lunch OVS Policy is required at the high school level and is optional at all other grade levels. The provisions of the Lunch OVS Policy shall be in accordance with the requirements of the HHFKA of 2010.

A school lunch eligible for Federal reimbursement shall offer five food components in the appropriate amounts per grade grouping:

- Fruit;
- Vegetable;
- Milk;
- Grain; and
- Meat/Meat Alternate.

Students are allowed to decline two of the five required food components, but must select at least a half cup of either fruit (or fruit combination) or a half cup of vegetable (or vegetable combination) or half cup of a fruit/vegetable combination.

After selecting the half cup fruit or vegetable requirement, students must select at least two additional full components in the full amounts (per age/grade grouping required amounts) to count toward the reimbursable offer versus serve meal.

The student's decision to accept all five food components or to decline two food components shall not affect the price charged for the meal as 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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8508 LUNCH OFFER VERSUS SERVE (OVS) (M)

School staff members cannot make exceptions to the Policy, such as requiring every child to take a particular food component. It is the student's choice to select any three, four, or all five components of the reimbursable meal.

At each school implementing this Lunch OVS Policy, food service staff members will be trained annually on the provisions of the district's Lunch OVS Policy.

[Select One Option

_____ Lunch OVS will be implemented at the following schools: (List all schools in the district that will implement the Lunch OVS Policy – all high school grade level schools must be listed below)

_____	_____
_____	_____
_____	_____
_____	_____

_____ Lunch OVS will be implemented in all schools in the district.]

Adopted:

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Administration of School Surveys
Jan 22
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[See POLICY ALERT No. 226]

9560 ADMINISTRATION OF SCHOOL SURVEYS

The Board of Education believes the administration of school surveys may be necessary and valuable to the educational program in the school district. The Board recognizes certain student information is personal and some students or parents may not want this information shared with the school district. Therefore, the Board shall ensure school surveys are administered in accordance with N.J.S.A. 18A:36-34 and 18A:36-34.1 and this Policy.

A. School Surveys, Certain, Parental Consent Required Before Administration – N.J.S.A. 18A:36-34

1. Unless the school district receives prior written informed consent from a student's parent and provides for a copy of the document to be available for viewing at convenient locations and time periods, the school district shall not administer to a student any academic or nonacademic survey, assessment, analysis, or evaluation which reveals information concerning:
 - a. Political affiliations;
 - b. Mental and psychological problems potentially embarrassing to the student or the student's family;
 - c. Sexual behavior and attitudes;
 - d. Illegal, anti-social, self-incriminating, and demeaning behavior;
 - e. Critical appraisals of other individuals with whom a respondent has a close family relationship;



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- f. Legally recognized privileged or analogous relationships, such as lawyers, physicians, and ministers;

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Administration of School Surveys

- g. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program; or

- h. Social security number.

- 2. The school district shall request prior written informed consent at least two weeks prior to the administration of the survey, assessment, analysis, or evaluation.

- 3. A student shall not participate in any survey, assessment, analysis, or evaluation that concerns the issues listed in A.1. above and N.J.S.A. 18A:36-34.a. unless the school district has obtained prior written informed consent from the student's parent.

B. Voluntary Survey for Students with Prior Parental Written Notification – N.J.S.A. 18A:36-34.1

- 1. In accordance with N.J.S.A. 18A:36-34.1 and notwithstanding, N.J.S.A. 18A:36-34 and A. above, or any other law, rule, or regulation to the contrary, if the school district sends prior written notification to the parent of the student, the school district may administer an anonymous, voluntary survey, assessment, analysis, or evaluation to the student which reveals information concerning any of the following issues:

- a. Use of alcohol, tobacco, drugs, and vaping;
- b. Sexual behavior and attitudes;



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- c. Behaviors that may contribute to intentional or unintentional injuries or violence; or
- d. Physical activity and nutrition-related behaviors.

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Administration of School Surveys

- 2. Written notification provided by the school district to the parent of the student shall be delivered to the parent by regular mail, electronic mail, or a written acknowledgement form to be delivered by the student at least two weeks prior to administration of the survey, assessment, analysis, or evaluation. Written notification shall contain, at minimum, the following information:
 - a. A description of the survey, assessment, analysis, or evaluation;
 - b. The purpose for which the survey, assessment, analysis, or evaluation is needed;
 - c. The entities and persons that will have access to the information generated by the survey, assessment, analysis, or evaluation;
 - d. Specific instruction as to when and where the survey, assessment, analysis, or evaluation will be available for parental review prior to its administration;
 - e. The method by which the parent can deny permission to administer the survey, assessment, analysis, or evaluation to the student; a form specifically providing for such denial shall be included with this notice;



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- f. The names and contact information of persons to whom questions can be directed; and
 - g. A statement advising that failure to respond indicates approval of participation in the survey, assessment, analysis, or evaluation.
- 3. Information obtained through a survey, assessment, analysis, or evaluation administered to a student in accordance with N.J.S.A. 18A:36-34.1 and B. above, shall be submitted to the New Jersey Department of Education and the New Jersey Department of Health. Information may be used to develop public health initiatives and prevention programs. Information shall not be used for marketing or other commercial purposes that are not related to student health.

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Administration of School Surveys

C. Violations – N.J.S.A. 18A:36-34.d.

A violation by the school district of N.J.S.A. 18A:36-34; 18A:36-34.1, and this Policy shall be subject to such monetary penalties as determined by the New Jersey Commissioner of Education.

D. Compliance with Federal Law

In addition to compliance with the provisions of N.J.S.A. 18A:36-34, 18A:36-34.1, and this Policy, the Superintendent or designee shall ensure compliance with the provisions of Policy 2415.05 – Student Surveys, Analysis, Evaluations, Examinations, Testing, or Treatment before students are required to participate in a survey, analysis, evaluation, examination, testing, or treatment funded in whole or part by a program of the United States Department of Education that concerns one or more of the areas outlined in Policy 2415.05.

N.J.S.A. 18A:36-34; 18A:36-34.1



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Adopted:



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PROGRAM

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Prevention and Treatment of Sports-Related
Concussions and Head Injuries

Jan 22

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[See **POLICY ALERT Nos. 194, 197, and 226**]

R 2431.4 PREVENTION AND TREATMENT OF SPORTS-RELATED CONCUSSIONS AND HEAD INJURIES

A concussion is a traumatic brain injury 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 impairments including, but not limited to, problem solving, planning, memory, and behavioral problems. Allowing a student to return to athletic competition or practice before recovering from a concussion increases the chance of a more serious brain injury. The following procedures shall be followed to implement N.J.S.A. 18A:40-41.1 et seq. and Policy 2431.4.

A. Athletic Head Injury Safety Training Program

1. The school district will adopt an athletic head injury safety training program.
2. The training program shall be completed by the school physician, any individual who coaches in an athletic competition, an athletic trainer involved in any athletic competition, and the school nurse.
3. This training program shall be in accordance with the guidance provided by the New Jersey Department of Education (NJDOE) and the requirements of N.J.S.A. 18A:40-41.2.

B. Prevention

1. The school district may require pre-season baseline testing of students before the student begins participation in athletic competition or practice. The baseline testing program shall be reviewed and approved by the school physician trained in the



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evaluation and management of sports-related concussions and other head injuries.

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Prevention and Treatment of Sports-Related Concussions and Head Injuries

2. The Principal or designee will review educational information for students participating in athletic competition or practice on the prevention of concussions.
 3. All school staff members, students participating in athletic competition or practice, and parents of students participating in athletic competition or practice shall be annually informed through the distribution of the NJDOE Concussion and Head Injury Fact Sheet and Parent/Guardian Acknowledgement Form and other communications from the Principal and coaches on the importance of early identification and treatment of concussions to improve recovery.
- C. Signs or Symptoms of Concussion or Other Head Injury
1. Possible signs of concussions may be observed by coaches, athletic trainer, school or team physician, school nurse, or other school staff members. Possible signs of a concussion may be, but are not limited to:
 - a. Appearing dazed, stunned, or disoriented;
 - b. Forgetting plays or demonstrating short-term memory difficulty;
 - c. Exhibiting difficulties with balance or coordination;
 - d. Answering questions slowly or inaccurately; and/or
 - e. Losing consciousness.



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2. Possible symptoms of concussion shall be reported by the student participating in athletic competition or practice to coaches, athletic trainer, school or team physician, school nurse, and/or parent. Possible symptoms of a concussion may be, but are not limited to:
 - a. Headache;
 - b. Nausea/vomiting;
 - c. Balance problems or dizziness;
 - d. Double vision or changes in vision;
 - e. Sensitivity to light or sound/noise;
 - f. Feeling sluggish or foggy;
 - g. Difficulty with concentration and short-term memory;
 - h. Sleep disturbance; or
 - i. Irritability.
- D. Medical Attention for a Student Suspected of a Concussion or Other Head Injury
1. A student who participates in athletic competition or practice and who sustains or is suspected of having sustained a concussion or other head injury while engaged in an athletic competition or practice shall be immediately removed from athletic competition or practice.
 - a. A staff member supervising the student during the athletic competition or practice shall immediately contact the school physician, athletic trainer, or school nurse to examine the student.

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- (1) The school physician, athletic trainer, or school nurse shall determine if the student has sustained or may have sustained a concussion or other head injury. The school physician, athletic trainer, or school nurse shall determine if emergency medical responders shall be called to athletic competition or practice.
- (2) In the event the school physician, athletic trainer, or school nurse determine the student did not sustain a concussion or other head injury, the student shall not be permitted to participate in any further athletic competition or practice until written medical clearance is provided in accordance with E. below.

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2. The staff member supervising a student who has been removed from athletic competition or practice in accordance with D.1. above or another staff member shall contact the student's parent and the Principal or designee as soon as possible after the student has been removed from the athletic competition or practice.
 - a. A parent shall monitor their student for symptoms of a concussion or other head injury upon receiving such notification.
- E. Medical Examination and Written Medical Clearance
1. A student who was removed from athletic competition or practice in accordance with D.1. shall not participate in further athletic competition or practice until:
 - a. The student is examined by a physician or other licensed healthcare provider trained in the evaluation and management of concussions;
 - b. The student receives written medical clearance from a physician trained in the evaluation and management of concussions to return to competition or practice; and



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- c. The student returns to regular school activities and is no longer experiencing symptoms of the injury while conducting those activities.
2. The student's written medical clearance from a physician must indicate a medical examination has determined:
 - a. The student's injury was not a concussion or other head injury, the student is asymptomatic at rest, and the student may return to regular school activities and is no longer experiencing symptoms of the injury while conducting those activities; or
 - b. The student's injury was a concussion or other head injury and the student's physician will monitor the student to determine when the student is asymptomatic at rest and

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when the student may return to regular school activities and is no longer experiencing symptoms of the injury while conducting those activities.

3. The student's written medical clearance must be reviewed and approved by the school physician.
4. The student may not begin the graduated return to athletic competition and practice protocol in F. below until the student receives a medical examination and provides the required written medical clearance.
5. A written medical clearance not in compliance with the provisions of E. will not be accepted.

F. Graduated Return to Athletic Competition and Practice Protocol

1. The return of a student to athletic competition and practice shall be in accordance with the graduated, six-step "Return to Play



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Progression” recommendations and any subsequent changes or updates to those recommendations as developed by the Centers for Disease Control and Prevention.

a. Back to Regular Activities (Such as School)

The student is back to their regular activities (such as school) and has the green-light from the student’s physician approved by the school physician to begin the return to play process. A student’s return to regular activities involves a stepwise process. It starts with a few days of rest (two-three days) and is followed by light activity (such as short walks) and moderate activity (such as riding a stationary bike) that do not worsen symptoms.

b. Light Aerobic Activity

Begin with light aerobic exercise only to increase the student’s heart rate. This means about five to ten minutes on an exercise bike, walking, or light jogging. No weight lifting at this point.

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c. Moderate Activity

Continue with activities to increase the student’s heart rate with body or head movement. This includes moderate jogging, brief running, moderate-intensity stationary biking, and/or moderate-intensity weightlifting (less time and/or less weight from their typical routine).

d. Heavy, Non-Contact Activity

Add heavy non-contact physical activity, such as sprinting/running, high-intensity stationary biking, regular weightlifting routine, and/or non-contact sport-specific drills (in three planes of movement).



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e. Practice and Full Contact

The student may return to practice and full contact (if appropriate for the athletic competition) in controlled practice.

f. Athletic Competition

The student may return to athletic competition or practice.

2. It is important for a student's parent(s) and coach(es) to watch for concussion symptoms after each day's "Return to Play Progression" activity. A student should only move to the next step if they do not have any new symptoms at the current step.
3. If a student's symptoms return or if they develop new symptoms, this is a sign that a student is pushing too hard. The student should stop these activities and the student's health care provider should be contacted. After more rest and no concussion symptoms, a student can start at the previous step if approved by the student's healthcare provider and provides written medical clearance to the school physician.

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G. Temporary Accommodations for Student's Participating in Athletic Competition with Sports-Related Head Injuries

1. The concussed brain is affected in many functional aspects as a result of the injury. Memory, attention span, concentration, and speed of processing significantly impact learning. Further, exposing the concussed student to the stimulating school environment may delay the resolution of symptoms needed for recovery. 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.



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2. To recover, cognitive rest is just as important as physical rest. Reading, studying, computer usage, testing, texting, and watching movies if a student is sensitive to light/sound can slow a student's recovery. The Principal or designee may look to address the student's cognitive needs as described below. Students who return to school after a concussion may need to:
 - a. Take rest breaks as needed;
 - b. Spend fewer hours at school;
 - c. Be given more time to take tests or complete assignments (all courses should be considered);
 - d. Receive help with schoolwork;
 - e. Reduce time spent on the computer, reading, and writing; and/or
 - f. Be granted early dismissal from class to avoid crowded hallways.

Adopted:



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Additional/Compensatory Special Education
and Related Services

Jan 22

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[See **POLICY ALERT No. 226**]

R 2460.30 ADDITIONAL/COMPENSATORY SPECIAL EDUCATION AND RELATED SERVICES

The Board of Education shall provide additional or compensatory special education and related services to students with disabilities beyond the age of twenty-one pursuant to N.J.S.A. 18A:46-6.3.

As used in N.J.A.C. 18A:46-6.3(h) and this Regulation, “parent” means the natural or adoptive parent, the legal guardian, resource family parent when willing to so serve, a surrogate parent, or a person acting in the place of a parent, such as a grandparent or stepparent with whom the student lives, or a person legally responsible for the student’s welfare. “Parent” shall also include an adult student who has attained the age of eighteen, who is not under legal guardianship, and who is entitled to receive special education and related services.

A. Additional Special Education and Related Services

1. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:
 - a. In the 2021-2022 school year, provide special education and related services contained in an Individualized Education Program (IEP) to a student with disabilities who attains the age of twenty-one during the 2020-2021 school year, provided the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2021-2022 school year.



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Additional/Compensatory Special Education and Related Services

- (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.a. and A.1. shall not be eligible to receive such education and services beyond June 30, 2022, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.
2. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:
 - a. In the 2022-2023 school year, provide special education and related services contained in an IEP to a student with disabilities who attains the age of twenty-one during the 2021-2022 school year, provided the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2022-2023 school year.
 - (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.b. and A.2. shall not be eligible to receive such education and services beyond June 30, 2023, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.



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3. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:

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- a. In the 2023-2024 school year, provide special education and related services contained in an IEP to a student with disabilities who attains the age of twenty-one during the 2022-2023 school year, provided that the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2023-2024 school year.

- (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.c. and A.3. shall not be eligible to receive such education and services beyond June 30, 2024, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.

B. Rights, Privileges, and Remedies

1. A student receiving special education and related services, including transition services, pursuant to N.J.S.A. 18A:46-6.3 and this Regulation shall be afforded the same rights, privileges, and remedies provided to students with disabilities pursuant to State law, New Jersey State Board of Education regulations concerning special education, and the Federal "Individuals with Disabilities Education Act," (IDEA) 20 USC §1400 et seq.



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2. Any disputes that arise with respect to the provision or nature of services provided to a student with disabilities in the additional year as provided in accordance with N.J.S.A. 18A:46-6.3.a., b. and c., and A. above may be addressed as determined by the parent of the student with disabilities, by either:

- a. Mediation;
- b. A written request for a complaint investigation submitted to the Director of the Office of Special Education Policy and Dispute Resolution in the New Jersey Department of Education; or

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- c. A special education due process hearing pursuant to IDEA, N.J.S.A. 18A:46, or administrative code.

C. Funding

1. The special education and related services, including transition services, provided to students with disabilities pursuant to the provisions of N.J.S.A. 18A:46-6.3 and this Regulation, to the extent permitted by Federal law, be paid for from the monies received by the State or a school district under the Federal “Coronavirus Aid, Relief, and Economic Security (CARES) Act,” Pub.L.116-136, the Federal “Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, 2021,” Pub.L.116-260, the Federal “American Rescue Plan (ARP) Act,” Pub.L.117-2, or any other Federal funding provided to address the impact of the coronavirus pandemic on elementary and secondary schools as it becomes available.
2. To the extent the Federal funds described in N.J.S.A. 18A:46-6.3.e.(1) and C.1. above do not cover the costs borne by the school district to provide the special education and related services, including transition services, to students with disabilities



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pursuant to the provisions of N.J.S.A. 18A:46-6.3 and this Regulation, the State of New Jersey shall appropriate funds as necessary from the Property Tax Relief Fund to reimburse the school district for these costs.

3. The special education and related services funded pursuant to the provisions of N.J.S.A. 18A:46-6.3.e. may include, but are not limited to, the additional staff, programs, and facilities deemed necessary by the school district to provide the special education and related services, including transition services, required under N.J.S.A. 18A:46-6.

Adopted:



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[See POLICY ALERT No. 226]

R 2622 STUDENT ASSESSMENT

A. Statewide Assessment System – N.J.A.C. 6A:8-4.1

1. The school district shall, according to a schedule prescribed by the Commissioner of Education, administer the applicable Statewide assessments, including the following major components: the elementary assessment component for grades three through five; the middle school assessment component for grades six through eight; the high school assessment component; and the alternative State assessment for students with disabilities; and provide notification to each student entering grades three through twelve of the Statewide assessment schedule.
2. Pursuant to N.J.A.C. 6A:8-4.1(c), all students at grade levels three through twelve, and at any other grade(s) designated by the Commissioner of Education pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled.
 - a. The school district shall provide all appropriate accommodations or modifications to the Statewide assessment system as specified by the New Jersey Department of Education (NJDOE) for English language learners (ELLs) and students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act as specified in a student's Individualized Education Program (IEP) or 504 plan in accordance with N.J.A.C. 6A:8-4.1(d)1.
 - (1) The school district may administer the Statewide assessments in mathematics to ELLs in their native language, when available, and/or English.



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- (2) The school district shall have the option for a first-year ELL of substituting a NJDOE-approved language proficiency test only for the English language arts component of the Statewide assessment, when the student has entered the United States after June 1 of the calendar year prior to the test administration.
 - b. The school district shall ensure students with disabilities as defined in N.J.A.C. 6A:14-1.3 participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10.
 - c. At specific times prescribed by the Commissioner of Education, the school district shall administer the alternative State assessment for students with disabilities to students with severe disabilities who cannot participate in other assessments due to the severity of their disabilities in accordance with N.J.A.C. 6A:8-4.1(d)3.
 - d. The school district shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(a)6, (f), (g), (h), or (i), as applicable.
3. Test Administration Procedures and Security Measures
- a. The school district shall be responsible for ensuring the security of all components of the Statewide assessment system that are administered within the school district.



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- b. All Statewide assessments shall be administered in accordance with the NJDOE's required test administration procedures and security measures.
- c. Any breach of such procedures or measures shall be immediately reported to the Superintendent or designee.

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B. Documentation of Student Achievement – N.J.A.C. 6A:8-4.2

- 1. After each test administration, the NJDOE shall provide the Superintendent the following:
 - a. Rosters of student performance in each content area;
 - b. Individual student reports; and
 - c. School and school district summary data, including school and school district means, numbers tested, and percent achieving at each performance level.
 - (1) The school district summary data shall be aggregated and disaggregated, and school summary data shall be disaggregated, for students with disabilities as defined in N.J.A.C. 6A:14-1.3 and for ELLs.
- 2. The school district shall transmit within ten business days any official records, including transcripts, of students who transfer to other school districts or institutions.
- 3. The school district shall maintain an accurate record of each student's performance on Statewide assessments.



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4. The school district shall maintain for every student a ninth grade through graduation transcript that contains the following, as available:
 - a. Results of all applicable State assessments, including assessments that satisfy graduation requirements set forth at N.J.A.C. 6A:8-5.1(a)6;
 - b. Results of any English language proficiency assessments according to N.J.A.C. 6A:8-5.1(h);
 - c. Evidence of instructional experience and performance in the New Jersey Student Learning Standards (NJSLS);
 - d. Evidence of technological literacy;
 - e. Evidence of career education instructional experiences and career development activities;
 - f. Evidence of State-issued occupational licenses and credentials, industry-recognized occupational credentials, and/or technical skill assessments for students enrolled in NJDOE-approved career and technical education programs pursuant to N.J.A.C. 6A:19-3.2; and
 - g. Any other information deemed appropriate by the school district.
- C. Accountability – N.J.A.C. 6A:8-4.3
1. The Superintendent shall report final results of annual assessments to the Board and members of the public at a public meeting within sixty days of receipt of the information from the NJDOE.
 2. The Superintendent shall provide educators, parents, and students with results of annual assessments as required under N.J.A.C.

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6A:8-4.2(a) and B.1. above, within thirty days of receipt of information from the NJDOE.

3. The school district shall provide appropriate instruction to improve skills and knowledge for students performing below the established levels of student proficiency in any content area either on the Statewide or local assessments.
4. All students shall be expected to demonstrate the knowledge and skills of the NJSLS as measured by the Statewide assessment system.

D. Annual Review and Evaluation of School Districts – N.J.A.C. 6A:8-4.4

1. The NJDOE shall review the performance of schools and school districts by using a percent of students performing at the proficient level as one measure of annual measurable objective (AMO) and incorporating a progress criterion indicative of systemic reform.

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- a. The review shall include the performance of all students, including students with disabilities as defined by N.J.A.C. 6A:14-1.3, students from major racial and ethnic groups, economically disadvantaged students, and ELLs.
- b. The review shall take place at each grade level in which Statewide assessments are administered, using the AMO targets.

E. Public Reporting – N.J.A.C. 6A:8-4.5

1. In accordance with the requirements of N.J.A.C. 6A:8-4.5, the NJDOE shall report annually to the New Jersey State Board of Education and the public on the progress of all students and student subgroups in meeting the NJSLS as measured by the Statewide assessment system by publishing and distributing the



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NJDOE's annual New Jersey School Report Card in accordance with N.J.S.A. 18A:7E-2 through 5.

2. After each test administration, the NJDOE shall report to the Board on the performance of all students and of student subgroups.

F. Parental Notification

Parents shall be informed of the school district assessment system and of any special tests that are to be administered to their children.

Adopted:



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Bias Hate Crimes and Bias-Related Acts

Jan 22

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[See POLICY ALERT No. 226]

R 8465 **BIAS HATE CRIMES AND BIAS-RELATED ACTS**

A. Definitions

1. A **bias hate** crime **means** is any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race;; color;; **religion**; gender;; disability;; ~~religion~~, sexual orientation;; **gender identity or expression**; **national origin**; or ethnicity.
2. A bias-related act **means** is an act directed at a person, group of persons, private property, or public property that is motivated in whole or in part by racial;; gender;; disability;; religion;; sexual orientation;; **gender identity or expression**; **national origin**; or ethnic prejudice. A bias-related act need not involve **conduct an act** that constitutes a criminal offense.
3. All **bias hate** crimes are also bias-related acts, but not all bias-related acts will constitute a **bias hate** crime.

B. Procedure For Reporting **Bias Hate Crimes and Bias-Related Acts**

1. A school employee **shall immediately** ~~will~~ notify the ~~Building~~ Principal **and the Superintendent or designee when** ~~whenever the school employee,~~ in the course of **their** ~~his/her~~ employment, **they** ~~they~~ develops reason to believe that:
 - a. A **bias hate** crime **or a bias-related act** has been committed or is about to be committed on school **grounds** ~~property~~; ~~or~~
 - b. A **bias hate** crime **or a bias-related act** has been or is about to be committed by ~~any~~ student, ~~whether~~ on or off school **grounds, property** and whether ~~or not~~ such offense



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was or is ~~about~~ to be committed during operating school hours; or

- c. ~~That a~~ student enrolled in the school has been or is about to become the victim of a **bias hate crime or bias-related act**, whether committed on **or off** school grounds, property or during **operating** school hours.

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2. The ~~Superintendent or designee~~ **Building Principal** shall ~~promptly~~ **will** notify the ~~Superintendent, the~~ ~~local pPolice dDepartment~~ and the ~~bBias iInvestigation oOfficer~~ for the county prosecutor's office **when a bias crime or bias-related act has been committed or is about to be committed on school grounds, or has been or is about to be committed by a student on or off school grounds, and whether such offense was or is to be committed during operating school hours, or a student enrolled in the school has been or is about to become the victim of a bias crime or bias-related act on or off school grounds, or during operating school hours.**
3. The ~~Principal and the~~ **Superintendent or designee** shall **immediately** notify the ~~local pPolice dDepartment~~ and the **bias investigation officer** for the county prosecutor's office ~~immediately where~~ **if** there is reason to believe ~~that a bias hate crime or bias-related act~~ that involves an act of violence has been or is about to be physically committed against a student, or there is otherwise reason to believe ~~that~~ a life has been or will be threatened.

~~C. Procedure For Reporting Bias Incidents~~

- ~~1. A school employee should immediately notify the Building Principal whenever the school employee, in the course of his/her employment, develops reason to believe that:~~
 - ~~a. A bias-related act has been committed or is about to be committed on school property; or~~

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- b. ~~A bias-related act has been or is about to be committed by any student, whether on or off school property and whether or not such bias-related act was or is to be committed during school hours.~~
2. ~~The Building Principal will notify the Superintendent and the _____ Police Department.~~

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Bias Hate Crimes and Bias-Related Acts

3. ~~In deciding whether to refer the matter of a bias-related act to the _____ Police Department or the county prosecutor's office, the Building Principal and the Superintendent, should consider:~~
- a. ~~The nature and seriousness of the conduct; and~~
- b. ~~The risk that the conduct posed to the health, safety and well-being of any student, school employee or member of the general public.~~
4. ~~The Building Principal will consult with the Superintendent and should consider:~~
- a. ~~That the police department or the county prosecutor's office may possess, or have access to, other information that could put the suspected bias-related act in proper context, which could shed light on the motivation for the act or some other unsolved hate crime; and~~
- b. ~~The possibility that the suspected incident could escalate or result in some form of retaliation that might occur within or outside school property.~~

CD. Nature of Referral

1. The mandatory referral for suspected or committed **bias hate** crimes and ~~the presumptive referral for suspected or committed~~



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bias-related acts as described in N.J.A.C. 6A:16-6.3(e) and this ~~the~~ Regulation is only a request to the law enforcement agencies to conduct an investigation and is nothing more than the transmittal of information which may be pertinent to any such law enforcement investigation.

2. ~~Any referral in accordance with this regulation is not an accusation or formal charge.~~
3. ~~Any referral pursuant to this regulation is predicated on the basis of reasonable suspicion, which is less than probable cause, less than the proof sufficient to sustain an adjudication of delinquency or a finding of guilt in a court of law and less than the proof sufficient to justify the imposition of school discipline.~~

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Bias Hate Crimes and Bias-Related Acts

4. ~~All doubts by school officials should be resolved in favor of referring a matter to the _____ Police Department or the county prosecutor's office.~~

DE. Concurrent Jurisdiction

1. Unless the _____ **local pPolice dDepartment** or the county prosecutor's office request otherwise, ~~the~~ school **officials district** may continue to investigate a suspected **bias hate** crime or bias-related act occurring on school **grounds property** and may take such actions as necessary and appropriate to redress and remediate any such acts.
2. ~~The Sschool~~ officials will **immediately** discontinue **any ongoing school the in-school** investigation if the _____ **local pPolice dDepartment** or the county prosecutor's office believe the school investigation could jeopardize an on-going law enforcement investigation or otherwise endanger the public safety.
 - a. **Upon notice provided in D.2. above, school officials will take no further action without providing notice to and receiving the assent of the local police department or the county prosecutor's office.**



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EF. Preservation of Evidence

1. School officials will secure and preserve any such graffiti or other evidence of a suspected **bias hate** crime or bias-related act pending the arrival of the _____ **local p**Police **d**Department or the county prosecutor's office.
2. The school officials, when feasible, will cover or conceal such evidence until the arrival of the _____ **local p**Police **d**Department or county prosecutor's office in a manner designed to minimize the harm and continued exposure to students by such evidence, ~~but that will not permanently damage or destroy such evidence or otherwise limit its utility in an ongoing investigation or prosecution.~~

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3. ~~The _____ Police Department and/or the county prosecutor's office will photograph or otherwise document the location and content of any such graffiti or other bias-based evidence as soon as possible, so that the graffiti or other evidence may be removed or eliminated at the school district's earliest opportunity.~~



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