

HOPATCONG BOARD OF EDUCATION

The Chalkboard

Dr. Joanne Mullane, Acting Superintendent of Schools

Regular Meeting
August 27, 2018
7:00 P.M.

The Hopatcong Borough Schools Board of Education at its public meeting on August 27, 2018 approved the resolutions as follows:

I. Ratification

- The Board ratified the adoption of revised 2018-2019 Budget:
WHEREAS, the State of New Jersey has decreased our State Aid for the 2018-19 School Year in the amount of \$611,056 and a revised budget must be adopted;

THEREFORE, BE IT RESOLVED that the Hopatcong School District's 2018-19 budget is as follows:

REVENUE

Fund 10 – General Fund	\$36,433,155
Local Tax Levy.....	\$24,147,386
All State Aids (including extraordinary).....	\$10,887,859
Miscellaneous/Rental income	\$ 535,983
Medicare reimbursement.....	\$ 42,749
Fund Balance/Emergency Reserve.....	\$ 819,178
Fund 20 – Special Revenue Fund	\$ 684,935
State and Federal Grants.....	\$ 684,935
TOTAL REVENUE	\$37,118,090

APPROPRIATIONS

General Fund	\$36,433,155
Fund 10 – Charter School Tuition.....	\$ 303,696

Fund 11 – General Operation Fund.....\$36,127,845 **
 Fund 12 – Capital Outlay/Debt Assess.....\$ 1,614
Special Revenue.....\$ 684,935
 Fund 20 – State and Federal Grants..... \$ 684,935
TOTAL APPROPRIATIONS.....\$37,118,090

**** Reduction of the following accounts:**

Budget account	Account Description	Amount
11-000-240-103-01	Salary Principal/Vice Principal	\$182,550
11-000-240-105-01	Salary Principal Secretary	\$ 31,227
11-000-218-105-01	Salary Guidance Secretary	\$ 31,490
11-000-261-105-01	Salary Clerical	\$ 31,030
11-000-221-800-19	Professional Development	\$ 19,000
11-130-100-101-02	Substitutes	\$ 30,827
11-000-291-270-01	Medical Benefits	\$168,158
11-230-100-101-01	Basic Skills	\$116,774
Total		\$611,056

- The Board of Education, on the recommendation of the Superintendent of Schools, hereby approved the change in the location of Dr. Olga Edgerton's office from the District Office to Hopatcong High School.
- The Board of Education, on the recommendation of the Superintendent of Schools, hereby approved the change in the location of Mr. Jeffrey Hallenbeck's office from the District Office to Hopatcong Middle School.
- The Board of Education, on the recommendation of the Superintendent of Schools, hereby approved the change in the location of Dr. Joanne Mullane's office from the District Office to Hopatcong Middle School.
- The Hopatcong of Education that, upon recommendation of the Superintendent, the following positions have been abolished as a result of a reduction in force:
 1. High School Assistant Principal
 2. Middle School Assistant Principal
 3. Curriculum Secretary
 4. Middle School Assistant Principal Secretary
 5. Secretary to the Director of Guidance
 6. Academic Skills Teacher
 7. Academic Skills Teacher
- The Board approved the employment of Employee #80074 as Elementary Teacher at Durban Avenue School, effective September 1, 2018.
- The Board approved the following involuntary transfer recommendations based on staffing needs due to budgetary constraints effective for the 2018-2019 school year:

Name	Transfer From	Transfer To
Brittany Juskus	Curriculum Secretary	Secretary to the High School Principal
Linda Tappen	Secretary to the Middle School Assistant Principal	Secretary to the High School Athletic Director
Donna Annett	Secretary to the High School Principal	Facilities Secretary

II. Finance

- The Board approved the New Jersey Tiered System of Supports – Early Reading (NJTSS-ER) Grant in the total amount of \$4,000: Hudson Maxim, \$2,000 and Tulsa Trail, \$2,000.
- The Board approved the abatement and disposal of carpet in the Board of Education main hallway in the amount of \$15,066 (2018-2019 Maintenance Reserve account).
- The Board approved the submittal of Emergency Aid Application in the amount of \$611,056. This application, unlike last year, is to present to the State “to show Financial Distress.”
- The Board approved five year lease agreement for Motorola radio system upgrade in the amount of \$1,629 per month.
- The Board approved four Class III Officers (to be determined) for purchase of services from the Borough of Hopatcong for the 2018/2019 school year.

III. Personnel

- The Board accepted the resignation, with regret, of Kelly Colonna, from her position as Elementary Teacher at Hudson Maxim School, effective August 31, 2018.
- The Board approved the employment of Emily Preisler, as Elementary Teacher at Hudson Maxim School, at an annual salary of \$63,833 based upon the Salary Guide Level MA/Step 9, effective September 1, 2018, pending the outcome of criminal history background check and certification. This salary is based upon the 2017-2018 HEA Salary Guide and may change based upon the outcome of negotiations.
- The Board accepted the resignation, with regret, of Mary Anne Wilcock, from her position as Child Study Team Secretary in the Hopatcong School District, effective August 31, 2018.
- The Board accepted the resignation of Karen White from her position as a Paraprofessional in the Hopatcong School District, effective August 30, 2018.
- The Board accepted of the resignation of Amanda Marcazo from her position as a Part Time Clerk (Receptionist) at the Administration Building in the Hopatcong School District, effective August 24, 2018.
- The Board rescinded the appointment of Gina Vincente as a Learning Disability Teacher Consultant in the Hopatcong Borough School District as approved at the July 23, 2018 Regular Board of Education Meeting.

- The Board approved the employment of Nancy Stephens as a Learning Disability Teacher Consultant in the Hopatcong Borough School District, at an annual salary of \$64,333 based upon the Salary Guide Level MA+15/Step 6, effective September 1, 2018. This salary is based upon the 2017-2018 HEA Salary Guide and may change based upon the outcome of negotiations.
- The Board approved the employment of Rosemary Smith as School Nurse at Hudson Maxim School, at an annual salary of \$66,565 based upon the Salary Guide Level BA/Step 13 and may change based upon the outcome of negotiations.
- The Board approved the employment of Diana Menzel as Middle School Special Education Maternity Leave Replacement Teacher in the Hopatcong School District at the salary of \$110.00 per day, effective September 4, 2018 through October 30, 2017. Effective October 29, 2018, salary will be \$55,783, prorated, based upon Level BA/Step 3, through November 16, 2018.
- The Board approved the employment of Linda Blazier as Elementary Maternity Leave Replacement Teacher at Hudson Maxim School. Effective September 4, 2018, salary will be \$63,733, prorated, based upon Level MA+15/Step 3, through December 11, 2018.
- The Board approved the employment of Rebecca Weber as Middle School Mathematics Teacher at a salary of \$55,783, salary guide level BA/Step 3, effective September 1, 2018. This salary is based upon the 2017-2018 HEA Salary Guide and may change based upon the outcome of negotiations.
- The Board approved the employment of Kathryn Gallagher as Middle School Mathematics Teacher at a salary of \$63,033, salary guide level MA/Step 5, effective September 1, 2018. This salary is based upon the 2017-2018 HEA Salary Guide and may change based upon the outcome of negotiations.
- The Board approved the employment of Nancy Marinaro as an In-School Suspension Monitor for the 2018-2019 School year at an hourly rate of \$16.94 per hour for 5.85 hours a day for 180 days effective September 6, 2018.
- The Board approved the employment of Francesco Grasso as a Paraprofessional in the Hopatcong School District, at a rate of \$11.00 per hour, plus \$1.00 differential for toileting if applicable, effective September 6, 2018.
- The Board approved the employment of Jamie Lios as a Paraprofessional in the Hopatcong School District, at a rate of \$11.00 per hour, plus \$1.00 differential for toileting if applicable, effective September 6, 2018.
- The Board approved the reassignment of the following staff, effective September 1, 2018:

Name	Transfer From	Transfer To
Mary Ellen Fata	High School Child Study Team	Middle School/High School Child Study Team

Kathleen Brennan	Tulsa Trail Academic Skills	Hudson Maxim/Tulsa Trail Academic Skills
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- The Board approved the following Facilitators for the 2018-2019 school year, to be paid at the facilitator stipend as outlined in the 2014-2018 HEA Teacher Contract and may change based upon the outcome of negotiations.

Name	Nature of Action	Position	Stipend	Date Effective	Date Term
Kurt Zimmermann	Appoint	STEAM Academy Facilitator	\$6,064	9/1/2018	6/30/2019

Name	Nature of Action	Position	Class	Level	Salary	Date Effective	Date Terminated
Lisa Kenny	Appoint	National Honor Society	A	4	\$4363.00	9/1/18	6/30/19
Edric Debos	Appoint	Yearbook	A	4	\$4363.00	9/1/18	6/30/19
Lisa Kenny	Appoint	NHS Community Outreach	A	2	\$3222.00	9/1/18	6/30/19
Michael Batche	Appoint	Fall Play Director	B	4	\$3287.00	9/1/18	6/30/19
Michael Batche	Appoint	Spring Play Director	B	4	\$3287.00	9/1/18	6/30/19
Kenneth Olsen	Appoint	Community Service Club	B	2	\$2151.00	9/1/18	6/30/19
James McDonald	Appoint	Community Service Club	B	2	\$2151.00	9/1/18	6/30/19
James McDonald (.5)	Appoint	HS Student Council	B	3	\$1340.50	9/1/18	6/30/19
Joanne Carr (.5)	Appoint	HS Student Council	B	3	\$1340.50	9/1/18	6/30/19
Sandra DeRose	Appoint	HS Newspaper	B	4	\$3287.00	9/1/18	6/30/19
Kurt Zimmermann	Appoint	Music Advisor	B	4	\$3287.00	9/1/18	6/30/19
Sandra DeRose	Appoint	Literary Magazine	C	4	\$2858.00	9/1/18	6/30/19
Jason Mulvihill	Appoint	Varsity Club	C	3	\$2332.00	9/1/18	6/30/19
Kenneth Olsen	Appoint	Quest	C	4	\$2858.00	9/1/18	6/30/19
Enrico Fattoruso	Appoint	Quest	C	3	\$2332.00	9/1/18	6/30/19
Kenneth Olsen	Appoint	Credit Recovery Monitor	C	2	\$1818.00	9/1/18	6/30/19
Kurt Zimmermann	Appoint	High School Chorus	C	2	\$1818.00	9/1/18	6/30/19
Michael Scannelli	Appoint	Spring Music Choreographer	D	4	\$1782.00	9/1/18	6/30/19
Kurt Zimmermann	Appoint	Spring Music Director	D	4	\$1782.00	9/1/18	6/30/19
Kerri Batche	Appoint	Fall Play Tech Director	D	2	\$1175.00	9/1/18	6/30/19
Kerri Batche	Appoint	Spring Play Tech Director	D	2	\$1175.00	9/1/18	6/30/19
Barbara Fersch	Appoint	Spring Vocal Director	D	4	\$1782.00	9/1/18	6/30/19
Megan Nardone	Appoint	Fall Play Costume/Makeup	D	3	\$1458.00	9/1/18	6/30/19

Megan Nardone	Appoint	Spring Play Costume/Makeup	D	3	\$1458.00	9/1/18	6/30/19
Kurt Zimmermann	Appoint	Tri-M	D	3	\$1458.00	9/1/18	6/30/19
Luis Mendez	Appoint	Pop Band	D	3	\$1458.00	9/1/18	6/30/19
Heather DelBagno	Appoint	Mock Trial	E	4	\$1566.00	9/1/18	6/30/19
Heather DelBagno	Appoint	Academic Bowl	E	4	\$1566.00	9/1/18	6/30/19
Linda Ellicott	Appoint	GSA	E	1	\$614.00	9/1/18	6/30/19
Kenneth Olsen	Appoint	FIT	E	4	\$1566.00	9/1/18	6/30/19
Dominic Spuckes	Appoint	FIT	E	1	\$614.00	9/1/18	6/30/19
Jason Mulvihill	Appoint	FIT	E	4	\$1566.00	9/1/18	6/30/19
Linda Padula	Appoint	FIT	E	2	\$936.00	9/1/18	6/30/19
Stephanie Martinez	Appoint	FIT	E	1	\$614.00	9/1/18	6/30/19
James McDonald (.5)	Appoint	HS Science League	E	4	\$783.00	9/1/18	6/30/19
Joanne Carr (.5)	Appoint	HS Science League	E	4	\$783.00	9/1/18	6/30/19
Jason Mulvihill	Appoint	Fall Weight Room	-	-	\$1100.00	9/1/18	6/30/19
Gary Andolena	Appoint	Winter Weight Room	-	-	\$1100.00	9/1/18	6/30/19
Dave Campagna	Appoint	Spring Weight Room	-	-	\$1100.00	9/1/18	6/30/19
Mike Landshof	Appoint	Senior Class Advisor	-	-	\$2456.00	9/1/18	6/30/19
Julie Wilson (.5)	Appoint	Junior Class Advisor	-	-	\$861.00	9/1/18	6/30/19
Enrico Fattorusso (.5)	Appoint	Junior Class Advisor	-	-	\$861.00	9/1/18	6/30/19
Christine Kalembe	Appoint	Sophomore Class Advisor	-	-	\$909.00	9/1/18	6/30/19
Megan Nardone	Appoint	Freshman Class Advisor	-	-	\$758.00	9/1/18	6/30/19

- The Board the following 2018-2019 Advisors for the Hopatcong High School:

- The Board approved the following 2018-2019 Advisors for the Hopatcong Middle School:

Name	Nature of Action	Position	Class	Level	Salary	Date Effective	Date Terminated
Edric Debos	Appoint	Classbook	C	3	\$2332.00	9/1/18	6/30/19
Donald Dippel	Appoint	Intramurals (Basketball)	C	4	\$2858.00	9/1/18	6/30/19
Alexa McLean	Appoint	Intramurals	C	2	\$1818.00	9/1/18	6/30/19
Donald Dippel	Appoint	Intramurals (Volleyball)	C	4	\$2858.00	9/1/18	6/30/19
Richard Anderson	Appoint	Steam Innovators Club	D	2	\$1175.00	9/1/18	6/30/19
James McKowen	Appoint	Steam Innovators Club	D	2	\$1175.00	9/1/18	6/30/19
Michael Sickles	Appoint	Drama Club	E	3	\$1224.00	9/1/18	6/30/19
Danielle Manisa	Appoint	Bring It	E	4	\$1566.00	9/1/18	6/30/19
Joanne Canizaro	Appoint	Student Council	E	1	\$614.00	9/1/18	6/30/19

Richard Anderson	Appoint	Academic Bowl	E	4	\$1566.00	9/1/18	6/30/19
Susan Hill	Appoint	Academic Bowl	E	4	\$1566.00	9/1/18	6/30/19
Barbara Parichuk	Appoint	Academic Bowl	E	4	\$1566.00	9/1/18	6/30/19
Richard Anderson	Appoint	Lego Robotics	E	2	\$936.00	9/1/18	6/30/19
Catherine Giugliano	Appoint	Lego Robotics	E	4	\$1566.00	9/1/18	6/30/19
Barbara Sanders	Appoint	Lego Robotics	E	2	\$936.00	9/1/18	6/30/19
Catherine Giugliano	Appoint	Robotics Competition Team	E	2	\$936.00	9/1/18	6/30/19
Richard Anderson	Appoint	Games Club	E	2	\$936.00	9/1/18	6/30/19
James McKowen	Appoint	Games Club	E	2	\$936.00	9/1/18	6/30/19
Susan Hill	Appoint	Book Club	E	2	\$936.00	9/1/18	6/30/19
Alana Benninger (0.7)	Appoint	Book Club	E	2	\$655.00	12/1/18	6/30/19
Margaret Szczubelek	Appoint	Science Club	E	1	\$614.00	9/1/18	6/30/19
Eric Shramko	Appoint	Science Club	E	4	\$1566.00	9/1/18	6/30/19
Leeanne Juliano	Appoint	Science Club	E	4	\$1566.00	9/1/18	6/30/19
Edric Debos	Appoint	Art Club (1)	E	3	\$1244.00	9/1/18	6/30/19
Edric Debos	Appoint	Art Club (2)	E	3	\$1244.00	9/1/18	6/30/19
Susan Hill	Appoint	Future Teachers Club	E	4	\$1566.00	9/1/18	6/30/19
Susan Hill	Appoint	Gay Straight Alliance	E	1	\$614.00	9/1/18	6/30/19
Mary Burns	Appoint	8 th Grade Advisor	-	-	\$1213.00	9/1/18	6/30/19
Barbara Parichuk	Appoint	7 th Grade Advisor	-	-	\$758.00	9/1/18	6/30/19
Joanne Canizaro	Appoint	6 th Grade Advisor	-	-	\$485.00	9/1/18	6/30/19

- The Board the following 2018-2019 Advisors for Durban Avenue School:

Name	Nature of Action	Position	Class	Level	Salary	Date Effective	Date Terminated
Christine LoPresti	Appoint	Durban Ave. Safety Patrol	E	4	\$1566.00	9/1/18	6/30/19
Ruth DeSalvia	Appoint	5 th Grade Advisor	-	-	\$456.00	9/1/18	6/30/19

- The Board approved the following for the Extra Duty/Extra Pay position of Cafeteria Monitor/Duty for the 2018-2019 school year in the Hopatcong School District, on an as needed basis:

Name	Nature of Action	School	Salary	Date Effective	Date Terminated
Lisa Schuffenhauer	Appoint	Hudson Maxim 0.5	\$1,425	9/1/18	6/30/19
Gretchen Hardman	Appoint	Hudson Maxim 0.8	\$2,280	9/1/18	6/30/19
Christine LoPresti	Appoint	Durban Avenue 1.0	\$2,850	9/1/18	6/30/19

Susan Hill	Appoint	Middle School	\$2,400	9/1/18	6/30/19
Donald Dippel	Appoint	Middle School	\$2,400	9/1/18	6/30/19
Danielle Manisa	Appoint	Middle School	\$2,400	9/1/18	6/30/19
Joanne Carr	Appoint	High School	\$2,400	9/1/18	6/30/19
Sharon Haggerty	Appoint	High School	\$2,400	9/1/18	6/30/19
Todd Jensen	Appoint	High School	\$2,400	9/1/18	6/30/19
Stephanie Martinez	Appoint	High School	\$2,400	9/1/18	6/30/19

- The Board approved the following as Technology Center Monitors, for the 2018-2019 school year, at the rate of \$18.00 per hour on an as needed basis:

Pamela Brennan	Joanne Canizaro	Enrico Fattorusso
Kyle Bisignani	Mary Anne Roe	Diane Scanlon
Jill Vicedomini	Brittany Juskus	

- The Board approved the following as Athletic Event Staff Members for 2018-2019 athletic events, to be paid at the Board Approved rate of pay per position:

Kathy LaRosa	Melissa Sant	Stacy Yanko
Stephanie Martinez	Ken Olsen	Craig Vallaro
Mike Juskus	Ana Marrazzo	Brittany Juskus
Eric Fajerman	Donna Annett	Mike Farrell
Julie Brennan	Pete Oesen	Jamie Douglas
Kathy Ward	Wilson Cusano	Julie Wilson
Jim McDonald	Doug Merkler	Lisa Kenny
Hank Fattorusso	Heather DelBagno	Mike Landshof
Katarina Visha	Todd Jensen	Hilary Martin
Toby Richards	Dave Campagna	Kevin Malkin
Jason Mulvihill	Paul Miller	Dominic Spukes

- The Board approved Nancy Marinaro to provide clerical assistance at Hopatcong Middle School for the period of August 6, 2018 through September 7, 2018 at an hourly rate of \$16.94.
- The Board approved the following paraprofessional staff members to provide clerical assistance at Hopatcong High School for the period of August 6, 2018 to September 7, 2018, at their regular negotiated hourly rate of pay.

Melissa Forrester	Lien Lai	Marissa Kressman
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- The Board approved Rosary Cramer to provide clerical assistant in the office of the Director of Special Services for the period of August 15, 2018 to August 31, 2018, for up to a total of 15 hours at her regular negotiated hourly rate of pay.
- The Board approved following teaching staff members to attend the Applied Behavior Analysis and Verbal Behavior Workshop training session on August 16, 2018 at a rate of \$168:

Audra Bauer	Julie Wilson	Margaret Szczubelek
Ashley Miller	Linda Minervini	Erica Strzepek

- The Board approved the following paraprofessional staff members to attend the Applied Behavior Analysis and Verbal Behavior Workshop training session on August 16, 2018 at the regular daily rate of pay:

Marilyn Volpe	Cara Aquavella	Margaret Cooper
Rosary Cramer	Joan Cutchis	Patricia Duckles
Del Ferrante	Melissa Ferrer	Karen Guard
Cheryl Hemmerich	Dolores Kennedy	Karen Lovelock
Linette McCaul	Patricia Terminello	Patty Nelson
Lorie Prior	Gail Smith	

- The Board approved the following Education students to conduct a field experience in the Hopatcong School District during the 2018-2019 school year:

Student Name	School Year	University	Experience	School	Cooperating Staff Member
Erika Vaughn	2018-2019	Mercy College	Fieldwork Experience	District Wide	Ms. Hutchinson
Anthony Taboadela	2018-2019	William Paterson	Student Teacher	Hudson Maxim/Durban	Mr. Fajerman

- The Board approved substitute teachers, paraprofessionals, custodians and van drivers. (Attachment 1)

IV. Students & Services

- The Board approved field trip requests, as required by the New Jersey Department of Education. (Attachment 2)

V. Travel

- The Board approved travel costs as related in this resolution, which are educationally necessary and fiscally prudent and are related to and within the scope of the employee's current responsibilities and promotes the delivery of instruction or furthers the efficient operation of the school district. The reimbursements listed in this resolution are in compliance with the state travel reimbursement guidelines as established by the Department of the Treasury and Board of Education policy in accordance with N.J.A.C. 6A:23B-1.1. seq. (Attachment 3)

VI. Policies & Regulations

- The Board approved the modifications and additions to the policies and regulations of the Hopatcong Board of Education in accordance with statutory and regulatory changes for approval, as revised, for **FIRST READING**:

Policy #
P 0155
P 0164

Title
Board Committees (Revised)
Conduct of Board Meeting (Revised)

P 0167	Public Participation in Board Meetings (Revised)
P 2431	Athletic Competition (Mandatory, Revised)
P 2431.8	Varsity Letters for Interscholastic Extracurricular Activities (Mandatory, New)
P 1613	Disclosure and Review of Applicant's Employment History (Mandatory, Revised)
P 5512*	Harassment, Intimidation, and Bullying (HIB) (Mandatory, Revised)

Regulation #

Title

R 2431.2	Medical Examination Prior to Participation on a School-Sponsored Interscholastic or Intramural Team or Squad (Mandatory, Revised)
R 1613	Disclosure and Review of Applicant's Employment History (Mandatory, Revised)
R 5512*	Harassment, Intimidation, or Bullying Investigation Procedure (Mandatory, Abolished)

- The Board approved the modifications and additions to the policies and regulations of the Hopatcong Board of Education in accordance with statutory and regulatory changes for approval, as revised, for **SECOND READING**:

Policy #

Title

NONE

Regulation #

Title

NONE

(Attachment 4)

LIST OF APPROVED SUBSTITUTES

COUNTY: Sussex

DISTRICT: Hopatcong

Date adopted by Local Board of Education Subject to Criminal Background Check August 27, 2018

NAME	INSTITUTIONS ATTENDED	DATES OF ATTENDANCE	DEGREE RECEIVED	MAJOR	CERTIFICATE(S)
Katrina Visha	Bergen Comm. Jersey City Univ.	1999-2001 2001-2003	AA BA	Criminal Justice Criminal Justice	Renew Substitute Certificate
Emily Preisler	Univ. of Wisconsin - Madison	2004-2008 2011-2013	BA MA	Elem Ed. Ed. Psych.	Substitute Certificate
SUBSTITUTE PARAPROFESSIONALS	SUBSTITUTE CUSTODIANS/ MECHANIC	SUBSTITUTE VAN/BUS DRIVERS	SUBSTITUTE School Nurse	SUBSTITUTE DAY PLUS	HOME INSTRUCTION

Attachment 1

Attachment 2

Field Trips

	Activity	Date	Cost per Student
Olsen, Kenneth	Quest Hike at Van Campens Glen/ Food at Hot Dog Johnnys - Old Mine Rd, Layton, NJ 07851	9/27/2018	\$0.00
Olsen, Kenneth	Beach Sweeps 2018 Fall - Sandy Hook Beach, 128 South Hartshorne Drive, Highlands, NJ 07732	10/20/2018	\$0.00

District Policy

0155- BOARD COMMITTEES

Section: Bylaws
Date Created: June, 1992
Date Edited: March, 2017

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

The President shall appoint Board members to serve a one-year term on the following two Board standing committees: "Operations" including Finance, Facilities, Security, & Transportation; and "Student Achievement" including Community Relations, Curriculum, Technology, Special Education, and Personnel. A chairperson and vice-chairperson shall be appointed by the President. Policy and Legislation issues will be addressed by that committee involved with the policy. However, there are policies which do not fit into either of the standing committees. Therefore, when modification or creation of such policies arise, the President may assign such work to one of the standing committees, or create an ad hoc committee or convene a Committee of the Whole. The vice-chairperson assumes the responsibilities of the chairperson when the chairperson is not in attendance.

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

Committees shall consist of Board members, one of whom may be the President or Vice President. A Board Committee meeting may only be conducted with less than a quorum of the Board. A member may request or refuse appointment to a committee; a member's refusal to serve on any one committee shall not prejudice his or her appointment to another committee.

Committee agendas are suggested by the administration then amended and approved by its chair person, and members. Only items requiring board approval should be presented to, or by, the committee as agenda items. Open discussion items can be presented at the end of the agenda.

The committee must approve or disapprove agenda items proposed by the district for inclusion at the next full board meeting. No fewer than 3 board members must be present to form a quorum of the committee. Committee minutes are the responsibility of the Chairperson, but may be journaled by a district representative who will copy the minutes for the purpose of editing. Publication of minutes must be approved by the committee chair, or ex-officio member when the chair is not in attendance, prior to publication. A draft publication of the minutes must be published within 48 hours of the meeting. Final publication of the minutes must be published within 72 hours of the meeting. The school superintendent shall appoint members of the district staff to attend committee meetings when so invited.

Committee meetings may be called, or canceled, at any time by the committee chairperson or when a meeting is requested by a majority of the members of the committee. Committee meetings shall not be open to the public, except that a majority of the committee or the chairperson may open the meeting to the public or invite persons whose knowledge or expertise may be useful to the committee.

There will be times when a committee may want to discuss or address issues beyond the formal charge of that committee. This is to be expected. However, when such discussions do occur, the committee with the formal responsibility must be notified of the discussion, its detail, and recommendations if any.

The use of teleconferencing technology may be used by the members and invited guests, but assurance must be made that no more than 4 members are in attendance either remotely or locally.

In order to ensure accurate communication of recommendations being made, and discussion held, by each committee, committee minutes shall include two major sections: Recommended Items and Discussion Items. For an item to be "Recommended" by a Committee, it requires the support of no less than two board committee members. Where legally applicable, committee recommendations require support from the Superintendent of Schools

Addendum: Committee Responsibilities:

Student Achievement Committee: (Replaces "Curriculum, Technology, & Special Educational Services," "Personnel," "Community Relations," and associated "Policies & Regulations").

Curriculum & Special Education Responsibilities:

This committee will review and approve a connected PK-12 curriculum that is standards based, clearly articulated for implementation among all schools and across all grade levels, and provides for the academic growth of all students.

The committee will focus on all areas of student achievement including the needs of Special Educational Services. Technology infrastructure will be moved to the Operations Committee. Tools used within the classroom including personal computing devices, white boards, "Maker Space" requirements, etc. will remain in this committee. However, any such technology would still need to be approved by the Operations Committee to ensure such technology is consistent with the district's technology infrastructure.

All proposals made to this committee must demonstrably address student achievement, including sports. All such proposals must have all expected associated costs defined with a well-defined project plan and associated project management plan. Although personnel costs need not be known during a presentation, the skills required to fill the positions needed must be defined within the plan.

This committee assists in setting educational policies and in guiding district curriculum and programs. The committee members review significant curriculum changes, new textbook adoptions, and student achievement initiatives and projects.

The superintendent will ensure all projects, initiatives, programs, etc. follow good project management methods including review of project plans and project management documentation. (The methods may need to be defined in a new board policy). If the committee believes this is not met, then it will request the superintendent to address such a concern. It was suggested by the administration that there exists a method used whenever applying for and running a "Grant Program." This method will be used for all projects or initiatives requiring such management techniques.

Community Relations Responsibilities:

This committee acts as *liaison with community organizations* involved with educational concerns and issues. See "Citizens Advisory Committee" in Policy 9140 for details.

Personnel Responsibilities:

1. Develop and/or update, as needed, responsibilities of the Superintendent of Schools (job description).
2. Receive and review the Superintendent's evaluation of the effectiveness of staff development programs. The committee will ensure the Superintendent develops a comprehensive and articulated system for professional learning of all staff that is connected to district goals, based on National Staff Development Association standards and New Jersey statutes, and framed 6-12 months in advance so as to fully impact student achievement in the Schools.
3. Review with the Superintendent, as appropriate, matters dealing with individual staff members. This includes, but is not limited to: performance reviews, RIFs (Reduction in Force), dismissals, transfers, and salary determinations.
4. Review with the Superintendent (as appropriate) staffing needs and solutions.
5. Assign one or more members to participate on selection committees for certain administrative positions.
6. Review and recommend to the Board personnel for hire based on the Superintendent's recommendation.

Policy Responsibilities:

This committee will review State designated, as well as, suggest board policies associated with the other responsibilities of this committee.

Committee Tasks:

1. Provide and solicit input for current policy revisions and/or new policies.

2. Recommend revisions to current policies and general guidelines for new policies.
3. Review policy drafts and revise accordingly.
4. Periodically monitor and evaluate effectiveness of associated district policies.

Key District Personnel: TBD by Superintendent.

Operations Committee: (Replaces “Finance, Facilities, Security & Transportation”)

Facility Responsibilities:

This committee will provide oversight related to all school operational concerns including transportation, technological infrastructure, and school buildings & grounds. It is also responsible for identifying areas in need of operational analysis with the aim of automation and streamlining manual processes including those within the business office.

“Technological Infrastructure” includes: all back-end computing devices, servers, printers, copying machines, and networking. It includes all server based software. Further, it includes technological test plans, and all hardware and software evaluations to ensure seamless integration among all components.

All district proposals presented must have expected costs defined with a well-defined project plan and project management plan. Although personnel costs need not be known during a presentation, the skills required to fill the positions needed must be defined within the plan.

Annually, review and recommend facility maintenance and building repair plans based on need and available funds. Review and/or define the district's long-range facility plan and recommend capital outlay improvements, e.g. structural repairs, building construction, and site development.

Finance Responsibilities:

This committee will ensure all members of the board are kept informed regarding finance and the budgeting process. This will not assess the worthiness of the financial requests, but rather ensure requests are accurate, intelligible and adhere to the requirements of the board. It further ensures any new project or initiative has unique account codes for such projects. It will also set financial goals for each budget year. Each month during the budget season, the administration representative will report on the current state of the budgeting process and its conclusions.

It is accountable for auditing district expenses and revenues. *See also policy 6470 regarding the “Bills List.”* ALL Board Members may participate in this function monthly. It will also review and assess the financial reports generated by the Business Administrator.

Financial reports provided by the business administrator, and were reviewed by the committee, will be presented at the monthly board of education meetings for approval.

Security Responsibilities:

TBD

Policy Responsibilities:

It will provide policy changes regarding financial policies generated locally or by the state. *See also "Policy Responsibilities" under Student Achievement.*

Transportation Responsibilities:

TBD

Key District Personnel: TBD by Superintendent.

Negotiations Committee:

This committee will negotiate all new or renewing union contracts, and review and approve/reject all other contracts.

When negotiating the committee will:

1. Recommend the hiring of an outside negotiator when appropriate.
2. Establish the procedures and processes to be utilized.
3. Negotiate within the parameters and guidelines established by the Board.
4. Review results of negotiations with the Board as a whole prior to Board and employee ratification.
5. Analyze the impact of the new contract versus prior contract with respect to achievement of Board's mission.
 - a. When negotiating with the unions, engage union representatives in a free exchange of ideas about changes needed to best:
 - i. Meet the needs of pupils;
 - ii. Meet the needs of employees; and
 - iii. Meet the needs of the community.

Key District Personnel: TBD by Superintendent.

District Policy

0164- CONDUCT OF BOARD MEETING

Section: Bylaws

Date Created: June, 1992

Date Edited: May, 2017

Parliamentary Authority:

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

Presiding Officer:

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

Announcement of Adequate Notice:

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

Board Member Participation by Teleconferencing:

The Board strongly encourages members to participate in Board Meetings in person. However, there may be occasions when a member cannot physically be present, but still wishes to participate in the meeting. Under the Open Public Meetings Act, a "meeting" includes the use of "communication equipment." Therefore, the Board wishes to participate in open public meetings through teleconferencing, or other technology permitted by the Open Public Meetings Act. Nevertheless, the Board must ensure that the use of such technology by its members does not interfere with the rights of the public or the orderly operations of the Board's meeting.

A quorum of Board Members must be present to participate in the meeting, without including the member(s) who are participating remotely. No more than 3 Board members can participate remotely at the same meeting. No Board Member may utilize remote participation more than 3 times in a calendar year.

Any member who intends to participate remotely in a Board meeting must notify the Board President no later than 3 business days in advance of the meeting. The member must provide the appropriate technology to participate as a remote member.

The remote member can further only participate remotely in public session if appropriate technology is available at the designated board meeting venue. Appropriate technology shall mean technology in which all board members and members of the public attending the meeting

can clearly hear the member who is participating remotely and the remote member can clearly hear all members of the board, and public members directly addressing the board.

Should the Board feel it cannot ensure the foregoing, the member may not appear remotely, the Board authorizes the Board President to make this determination, in consultation with the requesting member and the School District's IT Professional to establish and set up the technology in advance of his/her method of participation. The board meeting shall not be delayed as a result of any technical issues which may arise.

The member will not be allowed to participate remotely during closed session as the Board cannot ensure the confidentiality of the connection, including whether there may be persons on the member's side of the transmission who can hear the content of the meeting.

The Superintendent and Board Secretary shall prepare an agenda of items of business to come before the Board at each meeting. The agenda shall be delivered to each Board member no later than 3 business days before the meeting and shall include such reports and supplementary materials as are appropriate and available.

Standard Agenda Items:

1. Call to order
2. Flag Salute
3. Opening Statement
4. Roll call
5. Executive Session
6. Reconvene in Public
7. Approval of Minutes
8. Acknowledgments
9. Superintendent's Report
10. Committee Reports
11. Public Comment Section
12. Agenda Items
13. Member Comments
14. Adjournment

Urgent Issues Meetings:

When, in the determination of the Board President, in consultation with the Superintendent, there are urgent issues that need to be addressed by the full Board, which cannot, in their judgement, hold until the next regularly scheduled meeting of the Board but that do not meet the legal definition permitting the Board to convene an "Emergency" meeting pursuant to State law, the board president may convene a special "Urgent Issues Meeting." Such meeting shall comply with the provisions of the Open Public Meetings Act for the holding of a special meeting, including all notice and agenda requirements. A quorum of the Board is required for the meeting to take place; however, in such circumstances, Board members may participate via available

telecommunications facilities. The Board Secretary shall ensure that all participants, including any members of the public who wish to be present, are able to hear all aspects of the meeting.

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

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

Adopted: 29 June 1992

Revised: 3 May 2017

District Policy

0167- PUBLIC PARTICIPATION IN BOARD MEETINGS

Section: Bylaws
Date Created: June, 1992
Date Edited: May, 2016

The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

In order to permit the fair and orderly expression of such comment, the Board shall set aside a portion of every Board meeting, the length of the portion to be determined by the Board, for public comment on any school or school district issue that a member of the public feels may be of concern to the residents of the school district. The Board President is responsible for orderly and dignified conduct of all meetings. He or she is the spoke person for the Board.

Public participation shall be governed by the following rules:

1. All persons wishing to participate in a public Board meeting must sign in with the Board Secretary prior to commencement of the meeting.
2. A participant must be recognized by the presiding officer and must preface comments at the podium or microphone if provided by an announcement of his/her name, place of residence, and group affiliation, if applicable.
3. Each statement made by a participant shall be limited to three minutes' duration. The public comment portion of the meeting will be limited to sixty minutes.
4. No participant may speak more than once during the public comment session;
5. All statements, questions, or inquiries shall be directed to the presiding officer. Any questions or inquiries directed by a participant to another Board member shall be redirected to the presiding officer who shall determine if such statement, question, or inquiry shall be addressed by the presiding officer on behalf of the Board or by the individual Board member; no participant may address or question Board members or the administration individually. The President shall listen to the comments, as long as they are in alignment with our district policies and they have previously followed the chain of command, if applicable. *There shall be no dialogue with the public during the public portion of the meeting.* After comments are heard, the portion is closed and no further comments are heard. The presiding officer may then answer all, some or none of the questions asked.

6. *Anyone reading long documents or attacking any Board member or school official shall be ruled out of order by the President.* The public shall maintain a respectful decorum towards all present at all times.
7. As per Board Policy No. 9130 Public Complaints and Grievances, any misunderstandings or disputes between the public and school district staff should, whenever possible, be settled by direct, informal discussions among the interested parties. It is only when such informal meetings fail to resolve differences that more formal procedures shall be employed. A complaint about a school program or personnel should be addressed to the building principal; a complaint about instructional or resource materials should be addressed to the Superintendent after discussion with the building principal. Only those matters which cannot be resolved at the school level should then be brought to the attention of the Superintendent of Schools who will investigate the concern, or assign a staff member to do so.
8. As per Board Policy No. 0142 Board Member Qualifications, Prohibited Acts and Code of Ethics, the Board members will refer all complaints to the chief administrative officer and act on the complaints at public meetings only after failure of an administrative solution. The Board President will cease all public comments that do not adhere to Board Policy No. 9130; and refer the person making such comments to the Superintendent of Schools.
9. The presiding officer may:
 - a. Interrupt, warn, and/or terminate a participant's statement, question, or inquiry when it is too lengthy;
 - b. Interrupt and/or warn a participant when the statement, question, or inquiry is abusive, obscene, or may be defamatory;
 - c. Request any person to leave the meeting when that person does not observe reasonable decorum;
 - d. Request the assistance of law enforcement officers in the removal of a disorderly person when that person prevents or disrupts a meeting with an act that obstructs or interferes with a meeting;
 - e. Call for a recess or an adjournment to another time when the lack of public decorum interferes with the orderly conduct of the meeting; and
 - f. Waive these rules when necessary for the protection of privacy or to maintain an orderly operation of the Board meeting.

N.J.S.A. 2C:33-8

N.J.S.A. 10:4-12

Adopted: 29 June 1992

Revised: 11 April 2016

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[See POLICY ALERT Nos. 102, 120, 139, 157, 164, 168, 196,
198, 208 and 215]

2431 ATHLETIC COMPETITION

The Board of Education recognizes the value of athletic competition as an integral part of the total school experience. Game activities and practice sessions provide opportunities to learn the values of competition and good sportsmanship.

For the purpose of this Policy, programs of athletic competition include all activities relating to competitive sports contests, games, events, or sports exhibitions involving individual students or teams of students when such events occur within or between schools within this district or with any schools outside this district. The programs of athletic competition shall include, but are not limited to, 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.

Eligibility Standards

A student who wishes to participate in a program of athletic competition must submit, on a form provided by the district, the signed consent of his/her parent. The consent of the parent of a student who wishes to participate in a program of athletic competition will include an acknowledgment of the physical hazards that may be encountered in the activity.



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Student participation in a program of athletic competition shall be governed by the following eligibility standards:

1. To be eligible for participation in the interscholastic athletic program of a New Jersey State Interscholastic Athletic Association (NJSIAA) member school, all high school students must meet, at a minimum, all the eligibility requirements of the Constitution, Bylaws, and Rules and Regulations of the NJSIAA.

Home schooled children are eligible to participate in the high school interscholastic athletic program of this district only if the school district, the parent, and the home schooled child comply with the Guidelines, Constitution, Bylaws, Rules and Regulations of NJSIAA, and the policies and regulations of the Board of Education.

2. A student in eighth grade is eligible for participation in school district sponsored programs of athletic competition if he/she receives a waiver from NJSIAA, if student is deemed academically eligible to participate on the JV or Varsity teams where said student will be 16 years of age or older upon entrance into the ninth grade prior to September 1st of school year, with their subsequent eight semester eligibility "clock" will become effective.

A home-schooled student in eighth grade is eligible for participation in school district sponsored programs of athletic competition if he/she receives a waiver from NJSIAA, if student is deemed academically eligible to participate on the JV or Varsity teams where said student will be 16 years of age or older upon entrance into the ninth grade prior to September 1st of school year, with their subsequent eight semester eligibility "clock" will become effective.



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3. A student in any grade must maintain a satisfactory record of attendance to be eligible for participation in school district sponsored programs of athletic competition. An attendance record is unsatisfactory if the number of unexcused absences exceed defined school days as follows (20 within school year course and 10 within semester based course) prior to the student commencing participation in school district sponsored programs of athletic competition.

A student who is absent with an unexcused absence for a school day may not participate in school district sponsored programs of athletic competition the afternoon or evening of that school day.

A student who is serving an in-school or out-of-school suspension may not participate in school district sponsored programs of athletic competition while serving the suspension.

4. A student in any grade who fails to observe school rules for student conduct may forfeit his/her eligibility for participation in school district sponsored programs of athletic competition.

Notice of the school district's eligibility requirements shall be available to students.

Required Examinations – Interscholastic or Intramural Team or Squad

Students enrolled in grades nine to twelve must receive a medical examination, in accordance with the provisions of N.J.S.A. 18A:40-41.7, prior to participation on a school-sponsored interscholastic or intramural team or squad and any cheerleading program or activity.



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The examination shall be conducted within 365 days prior to the first day of official practice in an athletic season with examinations being conducted at the medical home of the student. The "medical home" is defined as a health care provider and that provider's practice site chosen by the student's parent for the provision of health care pursuant to N.J.A.C. 6A:16-1.3. If a student does not have a medical home, the school district shall provide the examination at the school physician's office or other comparably equipped facility. The parent may choose either the school physician or their own private physician to provide this medical examination. The medical examination required prior to participation shall be in accordance with the requirements as outlined in N.J.A.C. 6A:16-2.2(h)1 and Regulation 2431.2 and shall be documented using the Preparticipation Physical Evaluation form required by the Department of Education.

The school district shall distribute the Commissioner of Education developed sudden cardiac arrest pamphlet to a student participating in or desiring to participate in an athletic activity, as defined in N.J.S.A. 18A:40-41.e., and the student's parent(s) shall each year and prior to participation by the student in an athletic activity comply with the requirements of N.J.S.A. 18A:40-41.d.

The school district shall annually distribute the Commissioner of Education developed educational fact sheet relative to use and misuse of opioid drugs for sports related injuries to parents of students who participate in athletic activities and comply with the requirements of N.J.S.A. 18A:40-41.10.

Information concerning a student's HIV/AIDS status shall not be required as part of the medical examination or health history pursuant to N.J.S.A. 26:5C-1 et seq. The health findings of this medical examination shall be maintained as part of the student's health record.

Emergency Procedures

Athletic coaches shall be trained in first aid to include sports-related concussion and head injuries, the use of a defibrillator, the identification of student-athletes who are injured or disabled in the course of any athletic program or activity, and any other first aid procedures or other health related trainings required by law or the Superintendent.



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The Superintendent shall prepare and present to the Board for its approval procedures for the emergency treatment of injuries and disabilities that occur in the course of any athletic program or activity. Emergency procedures shall be reviewed not less than once in each school year and shall be disseminated to appropriate staff members.

Interscholastic Standards

The Board shall approve annually a program of interscholastic athletics and shall require that all facilities utilized in that program, whether or not the property of this Board, properly safeguard both players and spectators and are kept free from hazardous conditions.

The Board adopts the Constitution, Bylaws, Rules, and Regulations of the New Jersey State Interscholastic Athletic Association as Board policy and shall review such rules on a regular basis to ascertain they continue to be in conformity with the objectives of this Board.

The Superintendent shall annually prepare, approve, and present to the Board for its consideration a program of interscholastic athletics that includes a complete schedule of athletic events and may inform the Board of changes in that schedule.

N.J.S.A. 2C:21-11

N.J.S.A. 18A:11-3 et seq.; 18A:40-41; 18A:40-41.10

N.J.A.C. 6A:7-1.7(d); 6A:16-1.34; 6A:16-2.1 et seq.

Adopted:



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2431.8 VARSITY LETTERS FOR INTERSCHOLASTIC EXTRACURRICULAR ACTIVITIES

In accordance with the provisions of N.J.S.A. 18A:42-7, a school district that includes any of the grades nine through twelve shall adopt a policy to provide a student enrolled in those grades who participates in any school-sponsored, interscholastic extracurricular activity that includes competitions in which the student competes against students enrolled in schools outside of the school district may be eligible to earn a varsity letter awarded by the school district.

The Board of Education, upon the recommendation of the Superintendent of Schools, shall approve the school-sponsored, interscholastic extracurricular activities that include competitions in which students compete against other students enrolled in schools outside of the school district. The criteria for a student to earn a varsity letter in the school-sponsored, interscholastic extracurricular activity shall be approved by the Superintendent or designee. School activities outside the NJSIAA's jurisdiction may also award varsity letters with the approval of the Superintendent or designee.

Nothing in N.J.S.A. 18A:42-7 or this Policy shall be construed to require the school district to award varsity letters or to establish any school-sponsored, interscholastic extracurricular activity.

N.J.S.A. 18A:42-7

Adopted:



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Disclosure and Review of Applicant's
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[See POLICY ALERT No. 216]

1613 DISCLOSURE AND REVIEW OF APPLICANT'S EMPLOYMENT HISTORY

A school district, charter school, nonpublic school, or contracted service provider holding a contract with a school district, charter school, or nonpublic school (hiring entity) shall not employ for pay or contract for the paid services of any person serving in a position which involves regular contact with students unless the hiring entity complies with the requirements of N.J.S.A. 18A:6-7.6 et seq. and as outlined in Policy and Regulation 1613.

An applicant the hiring entity seeks to offer employment to and will fill a position which involves regular contact with students shall be required to provide their employment history pursuant to N.J.S.A. 18A:6-7.7.a.(1). The applicant shall also provide written authorization that consents to and authorizes the disclosure of information regarding the applicant's employment history and the release of related records by the applicant's current or former employer(s) regarding child abuse and/or sexual misconduct pursuant to N.J.S.A. 18A:6-7.7.a.(2). The applicant shall also provide a written statement as to whether the applicant has any employment history regarding child abuse or sexual misconduct pursuant to N.J.S.A. 18A:6-7.7.a.(3).

A hiring entity shall review an applicant's employment history as required in N.J.S.A. 18A:6-7.7.b. and if the hiring entity determines to continue the applicant's employment application process, the hiring entity shall contact those employers listed by the applicant and request confirmation of the information provided by the applicant pursuant to N.J.S.A. 18A:6-7.7.a.

Upon the hiring entity receiving and reviewing the information disclosed by the applicant's current and/or former employer(s), and finding an affirmative response to any of the inquiries required in N.J.S.A. 18A:7.7.b.(2), and if the hiring entity determines to continue with the applicant's job application process, the hiring entity shall make further inquiries of the applicant's current or former employer(s) to ascertain additional details regarding the information disclosed.



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The failure of an employer to provide the information requested by the hiring entity pursuant to N.J.S.A. 18A:6-7.7.b. within a twenty-day timeframe may be grounds for the automatic disqualification of an applicant from employment with a hiring entity in accordance with N.J.S.A. 18A:6-7.9.c.

In accordance with the provisions of N.J.S.A. 18A:6-7.9.c., a hiring entity shall not be liable for any claims brought by an applicant who is not offered employment or whose employment is terminated because of any information received or due to the inability to conduct a full review of the applicant's employment history pursuant to N.J.S.A. 18A:6-7.7.

In accordance with the provisions of N.J.S.A. 18A:6-7.9.d., a hiring entity shall have the right to immediately terminate an individual's employment or rescind an offer of employment if the applicant is offered employment or commences employment following June 1, 2018 and information regarding the applicant's history of sexual misconduct or child abuse is subsequently discovered or obtained by the employer that the employer determines disqualifies the applicant or employee from employment under N.J.S.A. 18A:6-7.6 et seq. The termination of employment pursuant to N.J.S.A. 18A:6-7.9 shall not be subject to any grievance or appeals procedures or tenure proceedings pursuant to any collectively bargained or negotiated agreement or any law, rule, or regulation.

A hiring entity may employ or contract with an applicant on a provisional basis for a period not to exceed ninety days pending review of information received pursuant to N.J.S.A. 18A:6-7.7.b. provided the conditions outlined in N.J.S.A. 18A:6-7.10.b. are satisfied.

All requests for information sent to this school district, charter school, or nonpublic school from a hiring entity regarding a current or former employee in accordance N.J.S.A. 18A:6-7.6 et seq. shall be directed to the Superintendent or designee. The Superintendent or designee shall review the request for information and confirm the applicant's employment relationship and ensure the written authorization is in compliance with N.J.S.A. 18A:6-7.7.a.(2) prior to the release of information requested and the release of related records in accordance with N.J.S.A. 18A:6-7.6 et seq.



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Disclosure and Review of Applicant's Employment History

On or after June 1, 2018, a hiring entity may not enter into a collectively bargained or negotiated agreement, an employment contract, an agreement for resignation or termination, a severance agreement, or any other contract or agreement or take any action that is prohibited as outlined in N.J.S.A. 18A:6-7.12. Any provision of an employment contract or agreement for resignation or termination or a severance agreement that is executed, amended, or entered into after June 1, 2018 and that is contrary to N.J.S.A. 18A:6-7.6 et seq. shall be void and unenforceable.

Pursuant to N.J.S.A. 18A:6-7.11, information received by a school district, charter school, or nonpublic school under Policy and Regulation 1613 and N.J.S.A. 18A:6-7.6 et seq. shall not be deemed a public record under N.J.S.A. 47:1A-1 et seq. or the common law concerning access to public records. A school district, charter school, or nonpublic school that provides information or records about a current or former employee or applicant shall be immune from criminal and civil liability for the disclosure of the information, unless the information or records provided were knowingly false.

N.J.S.A. 18A:6-7.6; 18A:6-7.7; 18A:6-7.8; 18A:6-7.9;

18A:6-7.10; 18A:6-7.11; 18A:6-7.12; 18A:6-7.13

New Jersey Department of Education Guidance and Resources to Assist with
Pre-Employment Requirements of P.L. 2018, c.5. - June 25, 2018

Adopted:



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[See POLICY ALERT Nos. 163, 179, 180, 181, 182, 183, 188, 193, 194, 200,
and 216]

5512 HARASSMENT, INTIMIDATION, AND BULLYING

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

For the purposes of this Policy, the term "parent," pursuant to N.J.A.C. 6A:16-1.3, means the natural parent(s) or adoptive parent(s), legal guardian(s), foster parent(s), or parent surrogate(s) of a student. Where parents are separated or divorced, "parent" means the person or agency which has legal custody of the student, as well as the natural or adoptive parent(s) of the student, provided such parental rights have not been terminated by a court of appropriate jurisdiction.



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Harassment, Intimidation, and Bullying

B. Harassment, Intimidation, and Bullying Definition

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

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

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



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

C. Student Expectations

The Board expects students to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities and the care of school facilities and equipment consistent with the Code of Student Conduct.

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

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

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

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



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3. Student rights; and
4. Sanctions and due process for violations of the Code of Student Conduct.

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

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

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

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



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D. Consequences and Appropriate Remedial Actions

Consequences and Appropriate Remedial Actions – Students

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

Appropriate remedial action for a student who commits an act of harassment, intimidation, or bullying that takes into account the nature of the behavior; the nature of the student's disability, if any, and to the extent relevant; the developmental age of the student; and the student's history of problem behaviors and performance. The appropriate remedial action may also include a behavioral assessment or evaluation including, but not limited to, a referral to the Child Study Team as appropriate; and supportive interventions and referral services, including those at N.J.A.C. 6A:16-8. ~~consequences and remedial actions are those that are graded according to the severity of the offense(s), consider the developmental ages of the student offenders and students' histories of inappropriate behaviors, per the Code of Student Conduct and N.J.A.C. 6A:16-7.~~

Factors for Determining Consequences – Student Considerations

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



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Factors for Determining Consequences – School Considerations

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

Factors for Determining Remedial Measures

Personal

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

Environmental

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



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

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

Examples of Consequences

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

Examples of Remedial Measures

Personal – Student Exhibiting Bullying Behavior

1. Develop a behavioral contract with the student. Ensure the student has a voice in the outcome and can identify ways he or she can solve the problem and change behaviors;



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

Personal – Target/Victim

1. Meet with a trusted staff member to explore the student's feelings about the incident;
2. Develop a plan to ensure the student's emotional and physical safety at school;
3. Have the student meet with the school counselor or school social worker to ensure he or she does not feel responsible for the bullying behavior;
4. Ask students to log behaviors in the future;
5. Help the student develop skills and strategies for resisting bullying; and
6. Schedule a follow-up conference with the student.



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Parents, Family, and Community

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

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

1. Analysis of existing data to identify bullying issues and concerns;
2. Use of findings from school surveys (e.g., school climate surveys);
3. Focus groups;
4. Mailings – postal and email;
5. Cable access television;
6. School culture change;
7. School climate improvement;
8. Increased supervision in “hot spots” (e.g., locker rooms, hallways, playgrounds, cafeterias, school perimeters, buses);
9. Adoption of evidence-based systemic bullying prevention practices and programs;
10. Training for all certificated and non-certificated staff to teach effective prevention and intervention skills and strategies;
11. Professional development plans for involved staff;
12. Participation of parents and other community members and organizations (e.g., Parent Teacher Associations, Parent Teacher Organizations) in the educational program and in problem-solving bullying issues;
13. Formation of professional learning communities to address bullying problems;
14. Small or large group presentations for fully addressing the actions and the school’s response to the actions, in the context of the acceptable student and staff member behavior and the consequences of such actions;
15. School policy and procedure revisions;
16. Modifications of schedules;
17. Adjustments in hallway traffic;
18. Examination and adoption of educational practices for actively engaging students in the learning process and in bonding students to pro-social institutions and people;



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19. Modifications in student routes or patterns traveling to and from school;
20. Supervision of student victims before and after school, including school transportation;
21. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
22. Targeted use of teacher aides;
23. Disciplinary action, including dismissal, for school staff who contributed to the problem;
24. Supportive institutional interventions, including participation in the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
25. Parent conferences;
26. Family counseling;
27. Development of a general harassment, intimidation, and bullying response plan;
28. Behavioral expectations communicated to students and parents;
29. Participation of the entire student body in problem-solving harassment, intimidation, and bullying issues;
30. Recommendations of a student behavior or ethics council;
31. Participation in peer support groups;
32. School transfers; and
33. Involvement of law enforcement officers, including school resource officers and juvenile officers or other appropriate legal action.

Consequences and Appropriate Remedial Actions – Adults

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



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Target/Victim Support

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

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

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

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

E. Harassment, Intimidation, and Bullying Reporting Procedure

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



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

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

A person may report, verbally or in writing, an act of harassment, intimidation, or bullying committed by an adult or youth against a student anonymously. The Board will not take formal disciplinary action for violations of the Code of Student Conduct may not be taken solely on the basis of an based solely on the anonymous report.

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

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

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



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

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

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

The district Anti-Bullying Coordinator shall:

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



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

The school Anti-Bullying Specialist shall:

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

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

The School Safety/**School Climate** Team shall:

- a. Receive records of all complaints of harassment, intimidation, or bullying of students that have been reported to the Principal;



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

Notwithstanding any provision of N.J.S.A. 18A:37-21 to the contrary, a parent who is a member of the School Safety/**School Climate** Team shall not participate in the activities of the team set forth in 3. a., b., or c. above or any other activities of the team which may compromise the confidentiality of a student, consistent with, at a minimum, the requirements of the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232 and 34 CFR Part 99), N.J.A.C. 6A:32-7, Student Records and N.J.A.C. 6A:14-2.9, Student Records.

G. Harassment, Intimidation, and Bullying Investigation

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



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[Option – Principal’s Preliminary Determination]

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

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

A Board hearing shall be held within ten business days of receipt of the request for a Board hearing. If the preliminary determination, upon review of the facts presented in the reported incident or complaint, is to continue with the harassment, intimidation, and bullying investigation, the investigation shall be completed in accordance with N.J.S.A. 18A:37-15.b.(6) and this Policy.]

The investigation shall be initiated by the Principal or the Principal’s designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school Anti-Bullying Specialist in coordination with the Principal. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist with the investigation. **Investigations or complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation. An investigation concerning a staff member shall not be conducted by a staff member who is supervised by the staff member being investigated or who is an administrator in the district.** The Principal or designee, in consultation with the Superintendent or designee, will appoint a staff member to complete these investigations.



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

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

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

Parents of involved student offenders and targets/victims shall be provided with information about the investigation, in accordance with Federal and State law and regulation. The information to be provided to parents shall include the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, and whether consequences were imposed or services provided to address the incident of harassment, intimidation, or bullying. This information shall be provided in writing within five school days after the results of the investigation are reported to the Board of Education.



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A parent may request a hearing before the Board of Education after receiving the **written** information about the investigation. **Any request for such a hearing shall be filed with the Board Secretary no later than sixty calendar days after the written information is provided to the parents.** The hearing shall be held within ten ~~school~~ **business** days of the request. The Board of Education shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the students. At the hearing, the Board may hear testimony from and consider information provided by the school Anti-Bullying Specialist and others, as appropriate, regarding the incident, the findings from the investigation of the incident, recommendations for consequences or services, and any programs instituted to reduce such incidents, prior to rendering a determination.

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

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

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

The Board shall establish a range of responses to harassment, intimidation, and bullying incidents and the Principal and the Anti-Bullying Specialist shall appropriately apply these responses once an incident of harassment, intimidation, or bullying is confirmed. The Superintendent shall respond to confirmed harassment, intimidation, and bullying, according to the parameters described in this Policy. The range of ways in which school



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staff will respond shall include an appropriate combination of counseling, support services, intervention services, and other programs. The Board recognizes that some acts of harassment, intimidation, or bullying may be isolated incidents requiring the school officials respond appropriately to the individual(s) committing the acts. Other acts may be so serious or parts of a larger pattern of harassment, intimidation, or bullying that they require a response either at the classroom, school building, or school district level or by law enforcement officials.

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

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



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4. District-wide responses can comprise of adoption of school-wide programs, including enhancing the school climate, involving the community in policy review and development, providing professional development coordinating with community-based organizations (e.g., mental health, health services, health facilities, law enforcement, faith-based organizations), launching harassment, intimidation, and bullying prevention campaigns.

I. Reprisal or Retaliation Prohibited

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

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

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



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

J. Consequences and Appropriate Remedial Action for False Accusation

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

1. Students - Consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A. 18A:37-1 et seq., Discipline of Students and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions and those listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.
2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with students found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could entail discipline in accordance with district policies, procedures, and agreements which may include, but not be limited to: reprimand, suspension, increment withholding, termination, and/or bans from providing services, participating in school district-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.
3. Visitors or Volunteers - Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could be determined by the school



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administrator after consideration of the nature, severity, and circumstances of the act, including law enforcement reports or other legal actions, removal of buildings or grounds privileges, or prohibiting contact with students or the provision of student services. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.

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

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

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

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

The Superintendent shall post the name, school phone number, school address, and school email address of the district Anti-Bullying Coordinator on the home page of the school district's website. Each Principal shall post the name, school phone number, address, and school email address of both the Anti-Bullying Specialist and the district Anti-Bullying Coordinator on the home page of each school's website.



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

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

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

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

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

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



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

The school district and each school in the district will annually establish, implement, document, and assess harassment, intimidation, and bullying prevention programs or approaches, and other initiatives in consultation with school staff, students, administrators, volunteers, parents, law enforcement, and community members. The programs or approaches and other initiatives shall be designed to create school-wide conditions to prevent and address harassment, intimidation, and bullying in accordance with the provisions of N.J.S.A. 18A:37-17 et seq.

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

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

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



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

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

O. School and District Grading Requirements

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

P. Reports to Law Enforcement

Some acts of harassment, intimidation, and bullying may be bias-related acts and potentially bias crimes and school officials must report to law enforcement officials either serious acts or those which may be part of a larger pattern in accordance with the provisions of the Memorandum of Agreement Between Education and Law Enforcement Officials.

Q. Collective Bargaining Agreements and Individual Contracts

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

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



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R. Students with Disabilities

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

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

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

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

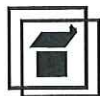
N.J.S.A. 18A:37-13 through 18A:37-32

N.J.A.C. 6A:16-7.1 et seq.; 6A:16-7.9 et seq.

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

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

Adopted:



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Apr 18
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[See POLICY ALERT Nos. 157, 198, 208 and 215]

R 2431.2 MEDICAL EXAMINATION PRIOR TO PARTICIPATION ON A
SCHOOL-SPONSORED INTERSCHOLASTIC OR
INTRAMURAL TEAM OR SQUAD

Students are required to receive medical examinations in accordance with the provisions of N.J.S.A. 18A:40-41.7 and N.J.A.C. 6A:16-2.2(f) and (h). Each student medical examination shall be conducted at the medical home of the student. If a student does not have a medical home, the school district shall provide the examination at the school physician's office or other comparably equipped facility.

The school district shall ensure students receive medical examinations in accordance with N.J.A.C. 6A:16-2.2(h) and prior to participation on a school-sponsored interscholastic or intramural team or squad for students in grades six through twelve.

A. Required Medical Examination

1. The examination shall be conducted within 365 days prior to the first day of official practice in an athletic season and shall be conducted by a licensed physician, advanced practice nurse (APN), or physician assistant (PA).
2. The physical examination shall be documented using the Preparticipation Physical Evaluation (PPE) form developed jointly by the American Academy of Family Physicians, American Academy of Pediatrics, American College of Sports Medicine, American Medical Society for Sports Medicine, American Orthopedic Society for Sports Medicine, and American Osteopathic Academy of Sports Medicine and is available online at, <http://www.state.nj.us/education/students/safety/health/records/athleticphysicalsform.pdf>, in accordance with N.J.S.A. 18A:40-41.7.



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Medical Examination Prior to Participation on a School-Sponsored Interscholastic or Intramural Team or Squad

- a. Prior to performing a preparticipation physical examination, the licensed physician, APN, or PA who performs the student-athlete's physical examination shall complete the Student-Athlete Cardiac Screening professional development module and shall sign the certification statement on the PPE form attesting to the completion, pursuant to N.J.S.A. 18A:40-41.d.
 - (1) If the PPE form is submitted without the signed certification statement and the school district has confirmed that the licensed physician, APN, or PA from the medical home did not complete the module, the student-athlete's parent may obtain a physical examination from a physician who can certify completion of the module or request that the school physician provides the examination.
 - b. The medical report shall indicate if a student is allowed or not allowed to participate in the required sports categories and shall be completed and signed by the original examining physician, APN, or PA.
 - c. An incomplete form shall be returned to the student's medical home for completion unless the school nurse can provide documentation to the school physician that the missing information is available from screenings completed by the school nurse or physician within the prior 365 days.
3. Each student whose medical examination was completed more than ninety days prior to the first day of official practice in an athletic season shall provide a health history update questionnaire completed and signed by the student's parent. The completed health history update questionnaire shall include information listed below as required by N.J.S.A. 18A:40-41.7.b. The completed health history update questionnaire shall be reviewed by the school nurse and, if applicable, the school athletic trainer and shall include information as to whether, in the time period since the date of the student's last preparticipation physical examination, the student has:



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- a. Been advised by a licensed physician, APN, or PA not to participate in a sport;
 - b. Sustained a concussion, been unconscious, or lost memory from a blow to the head;
 - c. Broken a bone or sprained, strained, or dislocated any muscles or joints;
 - d. Fainted or blacked out;
 - e. Experienced chest pains, shortness of breath, or heart racing;
 - f. Had a recent history of fatigue and unusual tiredness;
 - g. Been hospitalized, visited an emergency room, or had a significant medical illness;
 - h. Started or stopped taking any over the counter or prescribed medications; or
 - i. Had a sudden death in the family, or whether any member of the student's family under the age of fifty has had a heart attack or heart trouble.
4. The school district shall provide to the parent written notification signed by the school physician stating approval of the student's participation in athletics based upon the medical report or the reasons for the school physician's disapproval of the student's participation.
 5. The Board of Education will not permit a student enrolled in grades six to twelve to participate on a school-sponsored interscholastic or intramural team or squad unless the student submits a PPE form signed by the licensed physician, APN, or PA who performed the physical examination and, if applicable, a completed health history update questionnaire, pursuant to N.J.S.A. 18A:40-41.7.c.



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B. Sudden Cardiac Arrest Pamphlet

The school district shall distribute to a student participating in or desiring to participate in an athletic activity and the student's parent, each year and prior to participation by the student in an athletic activity, the sudden cardiac arrest pamphlet developed by the Commissioner of Education in accordance with the provisions of N.J.S.A. 18A:40-41.

1. A student and his or her parent shall, each year and prior to the participation of the student in an athletic activity, sign and return to the student's school the form developed by the Commissioner acknowledging the receipt and review of the information pamphlet, pursuant to N.J.S.A. 18A:40-41.d.
2. The Commissioner shall distribute the pamphlet, at no charge, to all school districts and nonpublic schools, pursuant to N.J.S.A. 18A:40-41.b.
3. "Athletic activity" for the purposes of N.J.S.A. 18A:40-41 means: interscholastic athletics; an athletic contest or competition, other than interscholastic athletics, that is sponsored by or associated with a school district or nonpublic school, including cheerleading and club-sponsored sports activities; and any practice or interschool practice or scrimmage for those activities.



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C. Use and Misuse of Opioid Fact Sheet

The school district shall annually distribute to the parents of student-athletes participating in an interscholastic sports program or cheerleading program the educational fact sheet developed by the Commissioner of Education concerning the use and misuse of opioid drugs in the event that a student-athlete or cheerleader is prescribed an opioid for a sports-related injury in accordance with the provisions of N.J.S.A. 18A:40-41.10.

1. The district shall distribute the educational fact sheet annually to the parents of student-athletes and cheerleaders and shall obtain a signed acknowledgment of the receipt of the fact sheet by the student-athlete or cheerleader and his or her parent pursuant to N.J.S.A. 18A:40-41.10(b).
2. The fact sheet and sign-off sheet shall be distributed and the sign-off sheet shall be completed and returned to the school annually prior to the student-athlete's or cheerleader's first official practice of the school year.

Adopted:



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[See **POLICY ALERT No. 216**]

R 1613 DISCLOSURE AND REVIEW OF APPLICANT'S EMPLOYMENT HISTORY

A school district, charter school, nonpublic school, or contracted service provider holding a contract with a school district, charter school, or nonpublic school shall not employ for pay or contract for the paid services of any person serving in a position which involves regular contact with students and is offered employment or commences employment following June 1, 2018 unless the school district, charter school, nonpublic school, or contracted service provider complies with the requirements of N.J.S.A. 18A:6-7.6 et seq. as outlined in Policy and Regulation 1613.

A. Definitions (N.J.S.A. 18A:6-7.6 et seq.)

For the purposes of this Policy and Regulation:

1. "Applicant" means any person considered for employment or offered employment for pay or contract for the paid services of any person serving in a position which involves regular contact with students.
2. "Child abuse" means any conduct that falls under the purview and reporting requirements of N.J.S.A. 9:6-8.8 et seq. and is directed toward or against a child or student, regardless of the age of the child or student.
3. "Disclosure Information Request Form" shall be the State of New Jersey Sexual Misconduct/Child Abuse Disclosure Information Request, P.L. 2018, Chapter 5 or a similar form developed by the hiring entity.
4. "Disclosure Release Form" shall be the State of New Jersey Sexual Misconduct/Child Abuse Disclosure Release, P.L. 2018, Chapter 5 or a similar form developed by the hiring entity.



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5. "Hiring entity" means all school entities including school districts, charter schools, nonpublic schools, or contracted service providers holding a contract with a school district, charter school, or nonpublic school.
6. "Sexual misconduct" means any verbal, nonverbal, written, or electronic communication, or any other act directed toward or with a student that is designed to establish a sexual relationship with the student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialogue, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature, and any other sexual, indecent, or erotic contact with a student.

B. Hiring Entity Required Application and Review Process
(N.J.S.A. 18A:6-7.7)

1. A hiring entity shall not employ for pay or contract for the paid services of any person serving in a position which involves regular contact with students unless the hiring entity complies with the provisions of N.J.S.A. 18A:6-7.6 et seq.
 - a. The hiring entity shall require an applicant to provide a Disclosure Release Form which must include the following information:
 - (1) A list, including name, address, telephone number, and other relevant contact information of the applicant's:
 - (a) Current employer;
 - (b) All former employers within the last twenty years that were schools; and
 - (c) All former employers within the last twenty years where the applicant was employed in a position that involved direct contact with children; and



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- (2) A written authorization that consents to and authorizes disclosure of the information requested under b. below pursuant to N.J.S.A. 18A:6-7.7.a.(2) and the release of related records by the applicant's employers listed under B.1.a.(1) above, and that releases those employers from liability that may arise from the disclosure or release of records;
- (3) A written statement as to whether the applicant:
 - (a) Has been the subject of any child abuse or sexual misconduct investigation by any employer, State licensing agency, law enforcement agency, or the Department of Children and Families, unless the investigation resulted in a finding the allegations were false or the alleged incident of child abuse or sexual misconduct was not substantiated;
 - (b) Has ever been disciplined, discharged, nonrenewed, asked to resign from employment, resigned from or otherwise separated from any employment while allegations of child abuse or sexual misconduct were pending or under investigation, or due to an adjudication or finding of child abuse or sexual misconduct; or
 - (c) Has ever had a license, professional license, or certificate suspended, surrendered, or revoked while allegations of child abuse or sexual misconduct were pending or under investigation, or due to an adjudication or finding of child abuse or sexual misconduct.



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- (4) The hiring entity must comply with the requirements of N.J.S.A. 18A:6-7.6 et seq. for every applicant who will be employed by the hiring entity.
 - (a) However, the provisions of N.J.S.A. 18A:6-7.6 et seq. may be required by the hiring entity for any applicant.
- b. The Superintendent or designee of the hiring entity will review the applicant's Disclosure Release Form. Upon determining to continue the application process, the Superintendent or designee shall provide the applicant's Disclosure Release Form to all employers listed by the applicant under the provisions of N.J.S.A. 18A:6-7.7.a.(1) and B.1.a.(1) above and provide all employers listed with the applicant's written authorization that consents to and authorizes disclosure in accordance with N.J.S.A. 18A:6-7.7.a.(2) and B.1.a.(2) and request the following information:
 - (1) The dates of employment of the applicant; and
 - (2) A statement as to whether the applicant:
 - (a) Was the subject of any child abuse or sexual misconduct investigation by any employer, State licensing agency, law enforcement agency, or the Department of Children and Families, unless the investigation resulted in a finding that the allegations were false or the alleged incident of child abuse or sexual misconduct was not substantiated;
 - (b) Was disciplined, discharged, nonrenewed, asked to resign from employment, resigned from or otherwise separated from any employment while allegations of child abuse or sexual misconduct were pending or under investigation, or due to an adjudication or finding of child abuse or sexual misconduct; or



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- (c) Has ever had a license, professional license, or certificate suspended, surrendered, or revoked while allegations of child abuse or sexual misconduct were pending or under investigation, or due to an adjudication or finding of child abuse or sexual misconduct.
 - c. The review of the applicant's employment history may be conducted through telephonic, electronic, or written communications in accordance with N.J.S.A. 18A:6-7.7.
 - (1) If the review is conducted by telephone, the results of the review shall be documented in writing by the Superintendent or designee responsible for reviewing the applicant's employment history. The Superintendent or designee may use the Disclosure Release Form to complete this review.
- 2. After reviewing the information disclosed by an employer under B.1.b. above and finding an affirmative response to any of the inquiries listed and if the Superintendent or designee of the hiring entity determines to continue with the applicant's job application process, the Superintendent or designee shall make further inquiries of the applicant's current and/or former employer(s) to ascertain additional details regarding the matter disclosed pursuant to N.J.S.A. 18A:6-7.10.
 - a. The Superintendent or designee shall make these additional inquiries by requesting the current and/or former employer to complete the Disclosure Information Request Form and attach additional information, including the initial complaint and final report, if any, regarding the incident of child abuse or sexual misconduct.
 - b. The Superintendent, upon receiving and reviewing the additional information disclosed in accordance with B.2.a. above, will make a determination to continue with the applicant's job application process.



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3. All employment history documentation for each applicant employed by the hiring entity in accordance with N.J.S.A. 18A:6-7.6 et seq. shall be maintained in the employee's personnel file. All employment history documentation for an applicant not hired shall be maintained by the Superintendent or designee and destroyed in accordance with the New Jersey Department of Revenue – Records Management Services Records Retention and Disposition Schedule.
 4. Employment history review pursuant to N.J.S.A. 18A:6-7.6 et seq. is not required for applicants the hiring entity does not wish to employ.
 5. The hiring entity, in accordance with N.J.S.A. 18A:6-7.9.b., in conducting the review of the employment history of an out-of-State applicant, shall make, and document with specificity, diligent efforts to:
 - a. Verify the information provided by the applicant pursuant to N.J.S.A. 18A:6-7.7.a. and B.1.a. above; and
 - b. Obtain from any out-of-State employers listed by the applicant the information requested pursuant to N.J.S.A. 18A:6-7.7.b. and B.1.b. above.
- C. Completing a Disclosure Request from a Hiring Entity Regarding a Current or Former Employee (N.J.S.A. 18A:6-7.9)
1. All requests for information from a hiring entity regarding a current or former employee of this school district, charter school, or nonpublic school in accordance N.J.S.A. 18A:6-7.6 et seq. shall be directed to the Superintendent or designee.
 - a. The Superintendent or designee, upon receiving a request from a hiring entity for information, shall provide the information requested in accordance with N.J.S.A. 18A:6-7.6 et seq. to the hiring entity submitting the request if:



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- (1) The employment relationship is confirmed pursuant to N.J.S.A. 18A:6-7.7.a.(1) and B.1.a.(1) above; and
 - (2) The written authorization is in compliance with N.J.S.A. 18A:6-7.7.a.(2) and B.1.a.(2) above.
 - b. At the discretion of the Superintendent, the requested information may be provided through telephonic, electronic, or written communications, pursuant to N.J.S.A. 18A:6-7.7 and B.1.c. above.
2. In the event a hiring entity requests additional information from this school district, charter school, or nonpublic school beyond a response to the questions as outlined in N.J.S.A. 18A:6-7.7.b. and B.1.b. above, the Superintendent or designee will review the written request and will make a determination as to the additional information and/or documentation to be provided to the hiring entity. Any request for additional information and/or documentation must be submitted by the hiring entity in writing to the Superintendent or designee before providing any additional information and/or documentation.
- a. Upon providing such additional information and/or documentation, the Superintendent or designee will take every measure to ensure privacy and confidentiality, consistent with State and Federal laws and regulations regarding student privacy and the privacy rights of others.
 - b. Any personally identifiable information regarding any student or other individual other than the applicant's personally identifiable information shall be redacted prior to the release of any additional information.
 - c. The requested additional information should be provided to the hiring entity within twenty days, as required by statute.



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3. A copy of all requests for information and any information provided to a hiring entity, in accordance with the provisions of Policy and Regulation 1613 and N.J.S.A. 18A:6-7.6 et seq., shall be maintained by the Superintendent or designee in the applicant's personnel file and shall only be destroyed in accordance with the New Jersey Department of Revenue – Records Management Services Records Retention and Disposition Schedule.

D. Timeline for Current or Former Employers to Disclose Information
(N.J.S.A. 18A:6-7.9)

1. No later than twenty days after receiving a request for information under N.J.S.A. 18A:6-7.7.b. and B.1.b. above, an employer that has or had an employment relationship within the last twenty years with the applicant shall disclose the information requested pursuant to N.J.S.A. 18A:6-7.6 et seq.
2. The failure of an employer to provide the information requested pursuant to N.J.S.A. 18A:6-7.7.b. and B.1.b. above within the twenty day timeframe established under N.J.S.A. 18A:6-7.9.a. and D.1. above may be grounds for the automatic disqualification of an applicant from employment with a hiring entity. A hiring entity shall not be liable for any claims brought by an applicant who is not offered employment or whose employment is terminated:
 - a. Because of any information received by the hiring entity from an employer pursuant to N.J.S.A. 18A:6-7.7 and B. above; or
 - b. Due to the inability of the hiring entity to conduct a full review of the applicant's employment history pursuant to N.J.S.A. 18A:6-7.7.b. and B.1.b. above.

E. Provisional Employment (N.J.S.A. 18A:6-7.10)

A hiring entity may employ or contract with an applicant on a provisional basis for a period not to exceed ninety days pending review by the hiring entity of information received pursuant to N.J.S.A. 18A:6-7.7 and B. above, provided that all of the following conditions are satisfied:



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1. The applicant has complied with N.J.S.A. 18A:6-7.7.a. and B.1.a. above;
2. The hiring entity has no knowledge or information pertaining to the applicant that the applicant is required to disclose pursuant to N.J.S.A. 18A:6-7.7.a.(3) and B.1.a.(3); and
3. The hiring entity determines that special or emergent circumstances exist that justify the temporary employment of the applicant.

F. Penalties to Applicants (N.J.S.A. 18A:6-7.8)

1. An applicant who willfully provides false information or willfully fails to disclose information required in N.J.S.A. 18A:6-7.7.a. and B.1.a. above:
 - a. Shall be subject to discipline up to, and including, termination or denial of employment;
 - b. May be deemed in violation of subsection a. of N.J.S.A. 2C:28-3; and
 - c. May be subject to a civil penalty of not more than \$500 which shall be collected in proceedings in accordance with the "Penalty Enforcement Law of 1999," P.L. 1999, c.274 (N.J.S.A. 2A:58-10 et seq.).
2. A hiring entity shall include a notification of the penalties set forth in N.J.S.A. 18A:6-7.8 and F.1. above on all applications for employment for positions which involve regular contact with students.

G. Termination (N.J.S.A. 18A:6-7.9.d.)

1. A hiring entity shall have the right to immediately terminate an individual's employment or rescind an offer of employment if:
 - a. The applicant is offered employment or commences employment with the hiring entity following June 1, 2018; and



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- b. Information regarding the applicant's history of sexual misconduct or child abuse is subsequently discovered or obtained by the hiring entity that the hiring entity determines disqualifies the applicant or employee from employment.
 - 2. The termination of employment pursuant to the provisions outlined in G.1. above and pursuant to N.J.S.A. 18A:6-7.9 shall not be subject to any grievance or appeals procedures or tenure proceedings pursuant to any collectively bargained or negotiated agreement or any law, rule, or regulation.
- H. Information Not Deemed Public Record and Immunity (N.J.S.A. 18A:6-7.11)
 - 1. Information received by an employer in accordance with Policy and Regulation 1613 and N.J.S.A. 18A:6-7.6 et seq. shall not be deemed a public record under N.J.S.A. 47:1A-1 et seq. or the common law concerning access to public records.
 - 2. An employer, school district, charter school, nonpublic school, school administrator, or contracted service provider that provides information or records about a current or former employee or applicant shall be immune from criminal and civil liability for the disclosure of the information, unless the information or records provided were knowingly false. The immunity shall be in addition to and not in limitation of any other immunity provided by law.
- I. Prohibited Actions Relative to Certain Agreements and Employment Contracts (N.J.S.A. 18A:6-7.12)
 - 1. On or after June 1, 2018, a school district, charter school, nonpublic school, or contracted service provider may not enter into a collectively bargained or negotiated agreement, an employment contract, an agreement for resignation or termination, a severance agreement, or any other contract or agreement or take any action that:



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- a. Has the effect of suppressing or destroying information relating to an investigation related to a report of suspected child abuse or sexual misconduct by a current or former employee;
- b. Affects the ability of a school district, charter school, nonpublic school, or contracted service provider to report suspected child abuse or sexual misconduct to the appropriate authorities; or
- c. Requires the school district, charter school, nonpublic school, or contracted service provider to expunge information about allegations or finding of suspected child abuse or sexual misconduct from any documents maintained by the school district, charter school, nonpublic school, or contracted service provider, unless after investigation the allegations are found to be false or the alleged incident of child abuse or sexual misconduct has not been substantiated.

- 2. Any provision of an employment contract or agreement for resignation or termination or a severance agreement that is executed, amended, or entered into after June 1, 2018 and that is contrary to N.J.S.A. 18A:6-7.12 shall be void and unenforceable.

J. Public Awareness Campaign (N.J.S.A. 18A:7.13)

- 1. The New Jersey Department of Education (NJDOE) shall establish a public awareness campaign to publicize the provisions of N.J.S.A. 18A:6-7.6 et seq. and to ensure applicants and employers are aware of their respective rights and responsibilities under N.J.S.A. 18A:6-7.6 et seq. The NJDOE shall post on its website guidance documents and any other informational materials that may assist applicants and employers in the implementation of and compliance with N.J.S.A. 18A:6-7.6 et seq.



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2. The NJDOE developed forms for applicants and employers may be used to comply with the requirements of Policy and Regulation 1613 and N.J.S.A. 18A:6-7.7, as well as any other forms necessary to carry out the provisions of N.J.S.A. 18A:6-7.6 et seq.

Issued:

