



Policy/Regulations

East Orange Board of Education

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8442	Reporting Accidents	12 Jan. 2010
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8451R	Control of Communicable Disease	12 Jan. 2010
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8461R	Reporting Violence, Vandalism, Alcohol, and Other Drug Abuse	23 Jun. 2011
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8465	Hate Crimes and Bias-Related Acts	12 Jan. 2010
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8670	Transportation of Disabled Students	12 Jan. 2010
8710	Property Insurance	12 Jan. 2010
8740	Bonding	8 Feb. 2011
8750	Employee Indemnification	12 Jan. 2010
8760	Student Accident Insurance	12 Jan. 2010
8770	School Board Insurance Group	12 Jan. 2010
8810	Religious Holidays	12 Jan. 2010
8820	Opening Exercises/Ceremonies	13 Oct. 2015
8860	Memorials	12 Jan. 2010



8110 ATTENDANCE AREAS

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

The Board shall determine the school attendance areas of the district to determine the assignment of students to school in accordance with Policy No. 5120.

The Superintendent shall annually review existing attendance areas and recommend to the Board such changes as may be justified by considerations of safe student transportation and travel; convenience of access to the schools; financial and administrative efficiency, the effectiveness of the instructional program, and a wholesome and educationally sound balance of student populations.

Adopted: 12 January 2010



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School Organization
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8130 SCHOOL ORGANIZATION

The Board of Education directs the organization of the instructional program of this district in the following schools and grades:

<u>Schools</u>	<u>Grades</u>
Gibson Academy	Pre-Kindergarten – Kindergarten
Wahlstrom Academy	Pre-Kindergarten – Kindergarten
Barry-Garvin School	Pre-Kindergarten – 5
Benjamin Banneker Academy	Pre-Kindergarten – 5
Bowser School of Excellence	Pre-Kindergarten – 5
Carver Institute	Pre-Kindergarten – 5
Cochran Academy	Kindergarten – 5
Houston Academy	Pre-Kindergarten – 8
Hughes School	Pre-Kindergarten – 5
Jackson Academy	Kindergarten – 5
Louverture	Pre-Kindergarten – 5
Gordon Parks Academy	Pre-Kindergarten – 5
Warwick Institute	Pre-Kindergarten – 5
Cicely Tyson Community Elem.	Pre-Kindergarten – 5
Costley Middle School	6 – 8 (rotation of grades)
Healy Middle School	6 – 8 (rotation of grades)
Truth Middle School	6 – 8 (rotation of grades)
Cicely Tyson Community MS/HS	6 - 12
East Orange Stem Academy High School	6 - 12
East Orange Campus High School	9 – 12
Fresh Start Academy Middle School	6 - 8
Fresh Start Academy High School	9 -12

The Superintendent shall continually monitor the effectiveness of the district organizational plan and recommend to the Board such modifications in the plan as may be in the best interest of students, make most effective use of district resources, and serve the educational goals of the Board.

Adopted: 12 January 2010

Adopted: 26 June 2014



8140 STUDENT ENROLLMENTS

The Board of Education recognizes that efficient district operations require an accurate and up to date accounting of the number of students resident in this district and enrolled in district classes and programs.

Student attendance shall be recorded in the school register during school hours on each day the school is in session. Separate registers shall be kept for students attending preschool, Kindergarten, grades one through five, grades six through eight, grades nine through twelve, each preschool class for the disabled, each class for the disabled, shared-time classes for regular students, shared-time classes for students with disabilities, full-time bilingual education programs and vocational day programs, summer schools operated by the district, and any other programs as required by the New Jersey Department of Education and N.J.A.C. 6A:32-8.1(d).

A student who has been placed on home instruction shall have his or her attendance status recorded on the regular register attendance pages for the program in which the student is enrolled. For the period beginning the first day the student is unable to attend school and ending the day before the first instructional day at the student's place of confinement, the student shall be marked absent. No absences will be recorded for the student while on home instruction, providing the hours of instruction are no less than required by N.J.A.C. 6A:14-4.8 and 4.9. The number of possible days of enrollment for a student on home instruction shall be the same as for other students in the program in which the student is enrolled.

Such records shall be made and maintained as will enable the Board to plan program and facilities development, to make appropriate allocation of district resources, and receive the district's maximum amount of State and federal aid.

The Superintendent or designee shall annually and in accordance with the timelines established by the Commissioner, file a report with the Commissioner stating the school district's enrollment.

N.J.S.A. 18A:25-4

N.J.A.C. 6A:14-4.8; 6A:14-4.9; 6A:32-8.1; 6A:32-8.2

Adopted: 12 January 2010



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Enrollment Accounting

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R 8140 ENROLLMENT ACCOUNTING

A. School Enrollment

1. The enrollment in a class, a school, or the district shall be the total number of original entries plus the number of re-entries, less the number of transfers, withdrawals or dropouts in any such unit during a school year. The total number of original entries and re-entries, less the number of transfers, withdrawals or dropouts, in all the classes and schools of the district shall constitute the school enrollment for the school district during any school year.
2. No student attending a school operated by this district shall be enrolled in more than one school register in the school district during a school year. All students shall be enrolled as of the first day of attendance for that year.
3. No student shall be enrolled in a school register until the student has reached the following legal school age by October 1st.
 - a. Kindergarten - more than four years and less than six years;
 - b. Day school - more than five years; or
 - a. Preschool disabled - more than three years and less than five years.
 - b. Preschool - more than three years and less than five years.
4. Within ten days of the start of the school year, the district shall determine whether any re-entering student who has not attended school that year has an excused absence or has transferred, withdrawn, or dropped out of the school district.
5. Any student enrolled in a school register in a school district who moves to another school district in the same school year shall be enrolled in one register in the new school district upon entering school in that school district.
6. The average daily enrollment in the district for a school year shall be the sum of the days present and absent of all enrolled students when schools were in session during the year, divided by the number of days schools were actually in session. The average daily enrollment for the classes or schools of the district having varying lengths of terms shall be the sum of the average daily enrollments obtained for the individual classes or schools.



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Enrollment Accounting

7. The average daily attendance in the district for a school year shall be the sum of the days present of all enrolled students when schools were in session during the year, divided by the number of days schools were actually in session. The average daily attendance for the classes or schools of the district having varying lengths of terms shall be the sum of the average daily attendance obtained for the individual classes or schools.

B. Application for State School Aid

Pursuant to the requirements of N.J.S.A. 18A:7F-33, the district shall file with the Commissioner of Education an Application for State School Aid in accordance with the following procedures:

1. Counting Procedure

- a. Each employee responsible for the maintenance and safe keeping of a school register (and whose name appears on the cover of the register) shall conduct a count of the students entered in the register on the last school day prior to October 16.
- b. The count shall include all students who have attended school since the beginning of the school year, by original entry or reentry, and shall exclude all students who have been removed from the register by transfer or dropout.
- c. The count shall be recorded on a form, and the form shall be submitted to the Superintendent no later than October 16.

2. Data Collection

- a. The Assistant Superintendent for Operations shall assign responsibility for the preparation of worksheets to document the compilation of register data.
- b. Completed worksheets shall be submitted to the Assistant Superintendent for Operations who shall compare the data submitted on the worksheets to the register count submitted in accordance with B.1.a.
- c. The Assistant Superintendent for Operations shall reconcile all inconsistencies between worksheet data and register counts and submit final enrollment counts to the County Superintendent no later than as required by law.



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Enrollment Accounting

3. Application Submission

The Assistant Superintendent for Operations shall complete the Application for State School Aid and submit the application to the Superintendent for approval.

Issued: 12 January 2010

Issued: 26 June 2014



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School Year

8210 SCHOOL YEAR

The Board of Education recognizes that the preparation of a school calendar is essential to orderly educational planning and to the efficient operation of the district.

The Board shall determine annually the days when the schools will be in session for instructional purposes. The school calendar will provide no fewer than one hundred eighty days of instruction. Days on which school is closed for holidays, teachers' institutes, and inclement weather shall not be considered as days in session.

A school day shall consist of not less than four hours of actual instruction, except that in an approved Kindergarten, one continuous session of two and one half hours may be considered a full day. A half-day class shall be considered the equivalent of a full day's attendance only if the class is in session for four hours or more, exclusive of recess periods or lunch periods.

An approved Kindergarten shall meet the requirements set forth in N.J.A.C. 6A:32-8.3(c).

The Commissioner of Education shall annually prescribe a list of religious holidays on which it shall be mandatory to excuse students for religious observance upon the written request signed by the parent or person standing in loco parentis. Staff members shall avoid, whenever possible, scheduling a test on a religious holiday commonly observed by residents of the district.

The Superintendent shall in consultation with the calendar committee, annually prepare and submit to the Board a school calendar. The Board reserves the right to alter the school calendar when such alteration is feasible and serves the best interests of the students of this district.

N.J.S.A. 18A:25-3; 18A:36-2; 18A:36-16
N.J.A.C. 6A:32-8.3

Adopted: 12 January 2010



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School Day

8220 SCHOOL DAY

The Board of Education shall determine the times that school will be in session for the purpose of providing adequate time for students to profit from the educational program of the district.

The schools of the district will be in session for students on those days specified by the Board as recommended by the Superintendent.

The Superintendent may close the schools, delay the opening of school, or dismiss school early when such alteration in the regular session is required for the protection of the health and safety of students and staff members. The Superintendent shall inform the Board President of any such alteration as soon as possible and shall prepare rules for the proper and timely notification of concerned persons in the event of any emergency closing of the schools.

Each year, parent(s) or legal guardian(s), students, and staff members shall be informed in advance of how they shall be notified in event of emergency closings. Parent(s) or legal guardian(s) shall be required to make alternate arrangements for their children in case no one is home to receive a child after an unscheduled early closing.

N.J.A.C. 6:20-1.3; 6:21-2.5

Adopted: 12 January 2010



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East Orange Board of Education

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School Closings

R 8220 SCHOOL CLOSINGS

When it is necessary to close the schools because of inclement weather or other emergencies, the public and staff will be so notified before school through a radio/TV announcement and other electronic medium available to the district over predetermined stations or frequencies. The announcements will begin at 6:00 a.m. on the day (each day) the schools will be closed.

Additionally, announcements of the school closing will be made as frequently as possible between 6:00 and 8:00 a.m. over local radio/TV stations and other electronic medium available to the district.

Parent(s) or legal guardian(s) and students are to be advised by school Principals in advance not to telephone schools on stormy mornings to inquire about school closings.

All Principals and Directors will be telephoned immediately when a decision to close the schools is reached. The Principal and Directors shall see that all employees in his/her building/department are notified.

If the decision to close schools occurs after students have arrived and before the regular closing time, the students will be transported back to their sending school. It is the responsibility of the Principals to notify parent(s) or legal guardian(s) of the closing and that the students would be sent home or to the location previously agreed upon with the parent(s) or legal guardian(s). Parent(s) or legal guardian(s) may pick up the student from the site or have the child picked up by a predetermined adult. Preferably an adult whose name is written on the students cum folder or emergency card. Under no circumstances shall a child be sent home without the proper notification of a parent(s) or legal guardian(s). Nor will a student be released to a person without parent(s) or legal guardian(s) authorization.

If the decision to close a school or schools but not the district occurs after students have arrived, students will be transported to their sending school or, if necessary, a predetermined alternate site. It is the responsibility of the Principal of the students' receiving school to notify parent(s) or legal guardian(s).

Students will be released from the school/site as written in the previous paragraph.

Issued: 12 January 2010



8310 PUBLIC RECORDS

The Board of Education recognizes its responsibility to maintain the public records of this district and to make such records available to residents of New Jersey for inspection and reproduction. The Board designates the School Business Administrator/Board Secretary as the custodian of government records for the district.

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

"Government records" or "records" pursuant to N.J.S.A. 47:1A-1.1 include any record that has been required by law to be made, maintained, or kept on file by the Board, its officials, or its employees. Except as such records that may be exempted by law or this policy, a "government record" or "record" means any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of the official business of the Board of Education or that has been received in the course of the official business of the Board of Education.

Board meeting minutes may be inspected and copied as soon as they are prepared; unapproved minutes will be so labeled. Minutes of executive/closed session Board meetings conducted in accordance with the Open Public Meetings Act will be preserved separately and will not be available for immediate public inspection. These minutes will be integrated with minutes of public meetings only after the matter discussed at the executive/closed session meeting has been made public.

A "government record" or "record" does not include inter-agency or intra-agency advisory, consultative, or deliberative material.

A "government record" or "record" does not include excluded information as outlined in N.J.S.A. 47:1A-1.1. The excluded information includes, but is not limited to, information which is deemed to be confidential as per N.J.S.A. 47:1A-1 et seq. Victims' records; trade secrets and proprietary commercial or financial information; any record within the attorney-client privilege; administrative or technical information regarding computer hardware, software and networks which, if disclosed, would jeopardize computer security; emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security; security measures and surveillance techniques and information which, if disclosed, would give an advantage to competitors or bidders are examples of excluded government records.



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Information generated by or on behalf of the Board or Board employees in connection with any sexual harassment complaint filed within the Board or with any grievance filed by or against an individual or in connection with collective negotiations, including documents and statements of strategy or negotiating position; information which is a communication between the district and its insurance carrier, administrative service organization or risk management office; information which is to be kept confidential pursuant to court order and that portion of any most documents which discloses the social security number, credit card number, unlisted telephone number or driver license number of any person; and personnel and pension records of an individual, except the individual's name, title of position, salary, payroll record, length of service, date of separation and the reason therefore, the amount and type of pension he/she receives, and data, other than detailed medical or psychological information, that shows conformity with qualifications for employment and pensions are examples of excluded government records.

Test questions, scoring keys and other examination data pertaining to the administration of an examination for employment or academic examination; information concerning individual student records grievance or disciplinary proceedings against a student to the extent disclosure would reveal the identity of the student and all other information defined as not being a government record in N.J.S.A. 47:1A-1 et seq. are not government records.

Records of Investigation In Progress (N.J.S.A. 47:1A-3 et seq.)

Records which are sought to be inspected, copied, or examined pertain to an investigation in progress by the Board and/or administration will be inspected, copied and/or examined pursuant to N.J.S.A. 47:1A-3.

Inspection, Examination and Copying (N.J.S.A. 47:1A-5 et seq.)

The custodian will permit the government record to be inspected, examined, and copied pursuant to N.J.S.A. 47:1A-5 et seq. by any person during regular business hours. In the case of a Board of Education having a total district enrollment of 500 or fewer, the custodian will permit the records to be inspected, examined and copied during not less than six regular business hours over not less than three business days per week or the entity's regularly-scheduled business hours, whichever is less, unless the government record is exempt from public access as per N.J.S.A. 47:1A-1 et. seq.

Copy Purchase (N.J.S.A. 47:1A-5 et seq.)

Except as otherwise provided by law or regulation, the fee assessed for the duplication of a government record embodied in the form of printed matter shall be \$.05 per letter size page or smaller, and \$.07 per legal size page or larger. If the school district can demonstrate that its actual costs for duplication of a government record exceed the per page rates, the district shall be permitted to charge the actual cost of duplicating the record. The actual cost of duplicating the record, upon which all copy fees are based, shall be the cost of materials and supplies used



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Public Records

to make a copy of the record, but shall not include the cost of labor or overhead expenses associated with making the copy except as provided for in N.J.S.A. 47:1A-5c.

Actual copy costs for special copies, such as color printing or blueprints copied within the school district, shall be calculated separately. Access to electronic records and non-printed materials shall be provided free of charge, but the district may charge for the actual costs of any needed supplies such as computer discs.

If the district's calculated per copy actual cost exceeds the enumerated rates set forth in N.J.S.A./47:1A-5b. the school district, if challenged, must demonstrate its actual costs are indeed higher than those enumerated rates and are therefore justified.

Whenever the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied pursuant to this policy is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the district will charge, in addition to the actual cost of duplicating the record, a special service charge that will be reasonable and will be based upon the actual direct cost of providing the copy or copies. The custodian will provide the requestor an opportunity to review and object to the charge prior to it being incurred.

A custodian will permit access to a government record and provide a copy thereof in the medium requested if the district maintains the record in that medium. If the district does not maintain the record in the medium requested, the custodian will either convert the record to the medium requested or provide a copy in some other meaningful medium. If a request is for a record in a medium not routinely used by the district; not routinely developed or maintained by the district or requiring a substantial amount of manipulation or programming of information technology, the district will charge, in addition to the actual cost of duplication, a special charge that will be reasonable and based on the cost for any extensive use of information technology, or for the labor cost of personnel providing the service, that is actually incurred by the district or attributable to the district for the programming, clerical, and supervisory assistance required, or both.

Immediate access ordinarily will be granted to budgets, bills, vouchers, contracts, including collective negotiations agreements and individual employment contracts, and public employee salary and overtime information.

The custodian will adopt a form for the use of any person who requests access to a government record held or controlled by the district. The request form will include information in accordance with the requirements of N.J.S.A. 47:1A-5.f. Requests for access to a government record will be in writing and hand-delivered, mailed to the custodian. The custodian will also accept a request for access to a government record that is transmitted electronically. The custodian will promptly comply with a request in accordance with N.J.S.A. 47:1A-5.g.



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Public Records

Any officer or employee of the district who receives a request for access to a government record will forward the request to the custodian of the record or direct the requestor to the custodian of the record.

The custodian will grant access to a government record or deny a request for access to a government record in accordance with N.J.S.A. 47:1A-5.i and as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived.

A custodian will post prominently in public view in the part of the office of the custodian that is open to or frequented by the public a statement that sets forth in clear, concise and specific terms the right to appeal a denial of, or failure to provide, access to a government record by any person for inspection, examination, or copying or for purchase of copies thereof and the procedure by which an appeal may be filed.

Challenge to Access Upon Denial (N.J.S.A. 47:1A-6)

A person who is denied access to a government record by the custodian, at the option of the requestor, may institute a proceeding to challenge the custodian's decision by filing an action in Superior Court or in lieu of filing an action in Superior Court, file a complaint with the Government Records Council established pursuant to Section 8 of P.L.2001, c. 404 (C.47:1A-7). If it is determined that access was improperly denied, the court or agency head shall order that access be allowed. A requestor who prevails in any proceeding shall be entitled to a reasonable attorney's fee. A public official, officer, employee, or custodian who knowingly and willfully violates N.J.S.A. 47:1A-1 et seq. and is found to have unreasonably denied access under the totality of the circumstances, shall be subject to the penalties and disciplinary proceedings in accordance with N.J.S.A. 47:1-A-11.

Government Records Council (N.J.S.A. 47:1A-7 et seq.)

The Board and the custodian of records will comply with the requirements and guidelines from the Government Records Council in accordance with N.J.S.A. 47:1A-7.

Common Right Law Right of Access (N.J.S.A. 47:1A-8)

Nothing contained in N.J.S.A. 47:1A-1 et seq. will be construed as limiting the common law right of access to a government record, including criminal investigative records of a law enforcement agency.

Construction with Other Laws (N.J.S.A. 47-1A-9 et seq.)

The provisions of this policy and N.J.S.A. 47:1A-1 et seq. will not abrogate any exemption of a public or government record from public access heretofore made pursuant to N.J.S.A. 47:1A-1 et seq.; any other statute; resolution of either or both Houses of the Legislature; regulation



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promulgated under the authority of any statute or Executive Order of the Governor; Executive Order of the Governor; Rules of Court; any federal law; federal regulation; or federal order.

The provisions of this policy and N.J.S.A. 47:1A-1 et seq. will not abrogate or erode any executive or legislative privilege or grant of confidentiality heretofore established or recognized by the Constitution of this State, statute, court rule or judicial case law, which privilege or grant of confidentiality may duly be claimed to restrict public access to a public or government record.

N.J.S.A. 10:4-14

N.J.S.A. 47:1A-1.1 et seq.; 47:3-16

N.J.A.C. 6:3-6.1 et seq.

Adopted: 12 January 2010

Adopted: 14 December 2010



R 8310 PUBLIC RECORDS

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

"Board" means the East Orange Board of Education, school staff, including members of the administration, and any persons acting on behalf of the Board of Education.

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

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

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

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



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



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

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



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record or records if not otherwise prohibited by law or to prohibit access to a record that was open for public inspection, examination, or copying before the investigation commenced; and

- b. If the Board, during the course of an investigation, obtains from another public agency a government record that was open for public inspection, examination or copying before the investigation commenced, the Board will provide the other agency with sufficient access to the record to allow the other agency to comply with requests made pursuant to N.J.S.A. 47:1A-1 et seq.

2. Notwithstanding the provisions of N.J.S.A. 47:1A-1 et seq., the information concerning a criminal investigation will be available to the public in accordance with N.J.S.A. 47:1A-3.b.

D. Inspection, Examination and Copying (N.J.S.A. 47:1A-5 et seq.)

1. The custodian will permit the government record to be inspected, examined, and copied by any person during regular business hours. In the case of a Board of Education having a total district enrollment of 500 or fewer the custodian will permit the records to be inspected, examined and copied during not less than six regular business hours over not less than three business days per week or the entity's regularly-scheduled business hours, whichever is less, unless the government record is exempt from public access as per N.J.S.A. 47:1A-5.a.

2. Prior to allowing access to any government record, the custodian will redact from that record any information which discloses the social security number, credit card number, unlisted telephone number, or driver license number of any person, except:

- a. If the record is being used by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf thereof, or any private person or entity seeking to enforce payment of court-ordered child support;

- b. With respect to the disclosure of driver information by the Division of Motor Vehicles as permitted by section 2 of P.L.1997, c. 188 (C.39:2-3.4);

- c. That a social security number contained in a record required by law to be made, maintained or kept on file by a public agency shall be disclosed when access to the document or disclosure of that information is not otherwise prohibited by State or federal law, regulation or order or by State statute, resolution of either or both houses of the Legislature,



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Executive Order of the Governor, rule of court or regulation promulgated under the authority of any statute or executive order of the Governor; and

- d. Where an agency can demonstrate an emergent need, a regulation that limits access to government records shall not be retroactive in effect or applied to deny a request for access to a government record that is pending before the agency, the council or a court at the time of the adoption of the regulation.

E. Copy Purchase (N.J.S.A. 47:1A-5 et seq.)

1. The custodian shall charge the requestor a fee for a copy or copies of a government record in accordance with the provision of N.J.S.A. 47:1A-5b. Except as otherwise provided by law or regulation, the fee assessed for the duplication of a government record embodied in the form of printed matter shall be \$.05 per letter size page or smaller, and \$.07 per legal size page or larger.
 - a. If the school district can demonstrate that its actual costs for duplication of a government record exceed the per page rates, the school district shall be permitted to charge the actual cost of duplicating the record. The actual cost of duplicating the record, upon which all copy fees are based, shall be the cost of materials and supplies used to make a copy of the record, but shall not include the cost of labor or overhead expenses associated with making the copy except as provided for in N.J.S.A. 47:1A-5c. and E.2. below.
 - b. The calculation of actual costs shall be as follows:
 - (1) The custodian shall contact the school district's supplier(s) to determine the cost of paper and toner. A supplier is wherever the district obtains copy materials such as paper and toner.
 - (2) The custodian shall calculate or contact the copying company to determine the school district's annual school year copying volume. This volume shall not only include copies pertaining to OPRA requests, but shall include all copying on all copy machines in the district for all purposes.
 - (3) The custodian shall calculate or contact the copy company to determine the average paper life of one toner/ink cartridge (i.e. how many pieces of paper the ink or toner shall be able to copy).



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4. If a request is for a record in a medium not routinely used by the district; not routinely developed or maintained by the district or requiring a substantial amount of manipulation or programming of information technology, the district will charge, in addition to the actual cost of duplication, a special charge that will be reasonable and based on the cost for any extensive use of information technology, or for the labor cost of personnel providing the service, that is actually incurred by the district or attributable to the district for the programming, clerical, and supervisory assistance required, or both.
5. Immediate access ordinarily will be granted to budgets, bills, vouchers, contracts, including collective negotiations agreements and individual employment contracts, and public employee salary and overtime information.
6. The custodian will adopt a form for the use of any person who requests access to a government record held or controlled by the public agency. The form will provide:
 - a. Space for the name, address, and phone number of the requestor and a brief description of the government record sought;
 - b. Space for the custodian to indicate which record will be made available, when the record will be available, and the fees to be charged;
 - c. Specific directions and procedures for requesting a record;
 - d. A statement as to whether prepayment of fees or a deposit is required;
 - e. The time period within which the school district is required by N.J.S.A. 47:1A-1 et seq. to make the record available;
 - f. A statement of the requestor's right to challenge a decision to deny access and the procedure for filing an appeal;
 - g. Space for the custodian to list reasons if a request is denied in whole or in part;
 - h. Space for the requestor to sign and date the form; and
 - i. Space for the custodian to sign and date the form if the request is fulfilled or denied.
7. The custodian may require a deposit against costs for reproducing documents sought through an anonymous request whenever the custodian anticipates that the information thus requested will cost in excess of \$5.00 to reproduce.



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8. Request for access to a government record shall be in writing and hand-delivered, or mailed to the custodian. The custodian will also accept a request for access to a government record that is transmitted electronically.
9. The custodian will promptly comply with a request to inspect, examine, copy, or provide a copy of a government record.
10. If the custodian is unable to comply with a request for access, the custodian will indicate the specific basis therefore on the request form and promptly return it to the requestor.
11. The custodian will sign and date the form and provide the requestor with a copy thereof.
12. If the custodian asserts that part of a particular record is exempt from public access pursuant to N.J.S.A. 47:1A-1 et seq. the custodian will delete or excise from a copy of the record that portion which the custodian asserts is exempt from access and shall promptly permit access to the remainder of the record.
13. If the government record requested is temporarily unavailable because it is in use or in storage, the custodian will advise the requestor and will make arrangements to promptly make available a copy of the record.
14. If a request for access to a government record would substantially disrupt school district operations, the custodian may deny access to the record after attempting to reach a reasonable solution with the requestor that accommodates the interests of the requestor and the district.
15. Any officer or employee of the district who receives a request for access to a government record will forward the request to the custodian of the record or direct the requestor to the custodian of the record.
16. Unless a shorter time period is otherwise provided by statute, regulation, or executive order, the custodian will grant access to a government record or deny a request for access to a government record as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived.
 - a. In the event the custodian fails to respond within seven business days after receiving a request, the failure to respond will be deemed a denial of the request, unless the requestor has elected not to provide a name, address or telephone number, or other means of contacting the requestor.



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Nothing contained in N.J.S.A. 47:1A-1 et seq. shall be construed as limiting the common law right of access to a government record, including criminal investigative records of a law enforcement agency.

- I. Construction with Other Laws (N.J.S.A. 47-1A-9 et seq.)
 1. The provisions of this Regulation and N.J.S.A. 47:1A-1 et seq. shall not abrogate any exemption of a public record or government record from public access heretofore made pursuant to N.J.S.A. 47:1A-1 et seq.; any other statute; resolution of either or both Houses of the Legislature; regulation promulgated under the authority of any statute or Executive Order of the Governor; Executive Order of the Governor; Rules of Court; any federal law; federal regulation; or federal order.
 2. The provisions of this Regulation and N.J.S.A. 47:1A-1 et seq. shall not abrogate or erode any executive or legislative privilege or grant of confidentiality heretofore established or recognized by the Constitution of this State, statute, court rule or judicial case law, which privilege or grant of confidentiality may duly be claimed to restrict public access to a public record or government record.

Issued: 12 January 2010

Issued: 14 December 2010



8311 MANAGING ELECTRONIC MAIL

School district e-mail messages, like paper records, must be retained and destroyed according to established records management procedures as required by New Jersey's Division of Archives & Records Management (NJDARM). E-mail messages are electronic documents created and sent or received by a computer system. This definition applies equally to the contents of the communication, the transactional information, and any attachments associated with such communication. Thus, e-mail messages are similar to other forms of communicated messages, such as correspondence and memoranda.

N.J.S.A. 47:3-16, as amended, defines public records as follows:

“Public records” mean any paper, written or printed book, document or drawing, map or plan, photograph, microfilm, data processed or image processed document, sound recording or in a similar device, or any copy thereof, that has been made or required by law to be received for filing, indexing, or reproducing by any officer, commission agency, or authority of the State or any political subdivision thereof, including any subordinate boards thereof, or that has been received in the course of his/her or its official business by such officer, commission, agency, or authority of the State or of any political subdivision thereof, including subordinate boards thereof, in connection with the transaction of public business and has been retained by such recipient or its successor as evidence of its activities or because of the information contained therein.

An e-mail message that meets the criteria of the definition of public records per N.J.S.A. 47:3-16, as amended, whether it is subject to access by the general public or not, must be retained according to records retention and disposition schedules approved by the State Records Committee. No public record e-mail may be destroyed without prior consent of the NJDARM and the State Records Committee, even if the retention period for a record has expired.

Retention or disposition of e-mail messages must be related to the information they contain or the purpose they serve. The content of e-mail messages may vary considerably and therefore, the content must be evaluated to determine the length of time the message must be retained.

For the purposes of this Policy, there are non-record e-mail messages and public record e-mail messages.



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Managing Electronic Mail

Non-record e-mail messages are personal correspondence that do not meet the criteria of public records as per N.J.S.A. 47:3-16, as amended, and may be deleted at any time unless they become part of some official record as a result of a special circumstance. These types of messages may include personal correspondence not received or created in the course of school district business and may be deleted at any time since it is not an official public record. Non-record e-mail messages are also non-governmental publications that are publications, promotional material from vendors, and similar materials that are publicly available to anyone. These e-mail messages are not public records as defined by N.J.S.A. 47:3-16, as amended, unless specifically incorporated into other official public records, and may also be deleted at any time. However, if an e-mail message is used to justify expenditure or is included in a proposal, the e-mail message becomes an official public record and must be retained according to records retention and disposition schedules in accordance with the appropriate retention schedules.

All public record e-mail messages shall be maintained by the individual who sends the e-mail message and the primary recipient. The sender and primary recipient are encouraged to print a hard copy of a public record e-mail and file the e-mail in school district files for continued access. The district may establish a district-wide system to facilitate public record e-mail management for continued access and retention. All public record e-mails shall be retained according to records retention and disposition schedules approved by the State Records Committee and no public record e-mail may be destroyed without prior consent of the NJDARM and the State Records Committee, even if the retention period for a record has expired.

An e-mail message that meets the criteria of the definition of a "government record" per N.J.S.A. 47:1A-1.1 must be made available to the public upon request under New Jersey's Open Public Records Act during the required retention period, unless the content of the message falls under one of the exceptions contained in the Act or any other statute, regulation, Executive Order by the Governor, rule of Court, or Federal law, regulation or order.

State of New Jersey – Circular Letter 03-10-ST – Managing Electronic Mail: Guidelines and Best Practices – 7/11/02

Adopted: 12 January 2010



8320 PERSONNEL RECORDS

The Board of Education believes that the orderly operation of the school district requires the retention of all records bearing upon an employee's qualifications for employment and employment history.

The Board requires that sufficient records be compiled and maintained to demonstrate an employee's qualifications for the position assigned; compliance with federal, state, and local benefit programs; conformity to district rules; the proper conduct of evaluations; and the employee's entitlement, as appropriate, to tenure and seniority.

The Superintendent shall be responsible for the custody and maintenance of personnel records. A single, central file of documents shall be maintained; temporary, subsidiary records will be permitted for ease in data gathering only. An employee's personnel file shall be maintained for six years following his/her termination of district service, provided the employment history record card is maintained a minimum of eighty years.

Records maintained in the personnel files of this district are not public records and are not open to inspection except as provided for in this policy. Board minutes and other public records of this district and any computerized files maintained by this district may include only an employee's name, title, position, assignments, salary, payroll record, length of service in the district and in military service, the date and reason for separation from service in this district, and the amount and type of pension a former employee receives.

Personnel records may be inspected by school administrators to the extent that such inspection is required in the performance of the inspector's duties.

Board members may have access to confidential information in the personnel files of only those employees recommended for or subjected to an employment action requiring a vote of the Board or where access to the information is essential for the performance of the Board member's duties. Board member access to personnel files is limited to the relevant portion of the file and is available only through the Superintendent. Board members may freely inspect employment applications filed by candidates for district positions.

An employee may inspect his/her personnel file provided that the employee requests such access in writing, reviews the record in the presence of the employee designated to maintain the file, makes no alteration or addition to the file nor removes any material from it, and signs a log attached to the file indicating the date on which it was inspected.

An employee may appeal to the Superintendent the inclusion or exclusion of records or for appropriate administrative review of the accuracy of any record in his/her personnel file.



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The Superintendent shall prepare rules enumerating the records to be maintained for each employee of this district, including, as a minimum and as appropriate to the position, the completed application form, employment contract(s), a copy of the employee's qualifying certification, transcripts, report of an employment physical examination, oath of allegiance, criminal background check, income tax forms, retirement registration, hospitalization forms, annuity forms, rate of compensation, attendance record, assignments to positions, completed evaluations, reports of disciplinary incidents, records of special awards or distinctions, and reports of annual or special physical and mental examinations.

Any requirement of this Policy is superseded by any contradictory language in any contract between the Board and the Association.

N.J.S.A. 18A:18A-14.2; 18A:40-19; 18A:66-32
N.J.S.A. 47:1A-1 et seq.

Adopted: 12 January 2010



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R 8320 PERSONNEL RECORDS

A. Content of Record

1. A personnel file shall be assembled and maintained for each person employed by this district. Each file shall contain the original or copies, as appropriate, of the following documents regarding the employee:
 - a. The employee's current correct name, address, telephone number, and birthdate;
 - b. Application form, including official transcripts of all academic work, records of prior military service, and other supporting documents;
 - c. Annual employment contract and/or annual salary notice, signed by the employee;
 - d. Certificates and/or licenses required for employment;
 - e. Documentation of fulfillment of requirements for any change in salary classification;
 - f. Income tax forms;
 - g. Retirement registration;
 - h. Hospitalization forms;
 - i. Annuity forms;
 - j. Rate of compensation;
 - k. Attendance record, including the starting and ending dates of all leaves of absence, whether the leave was paid or unpaid, and the purpose for which such leaves were granted;
 - l. Assignment to positions, including position title and building to which assigned;
 - m. Completed evaluations;



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- n. Reports of disciplinary incidents;
 - o. Records of special awards, commendations, or distinctions;
 - p. Oath of allegiance;
 - q. Reports of routine physical examinations; and
 - r. Reports of physical and mental examinations required for cause.
2. No information will be placed in an employees' file that does not pertain to the employee's position in this district and the performance of the employee's duties.
 3. The content of personnel files will be reviewed periodically and material no longer required may be destroyed.
- B. Custodian of Personnel Records
1. The Superintendent is custodian of all personnel records.
 2. Personnel records shall be maintained in the office of the Director of Human Resources, who shall be records manager responsible for the day-to-day maintenance of the files and for supervising access to the files.
- C. Notice of Content of Files
1. Each employee will be notified of the inclusion in his/her file of any document that was not received from the employee or at the direction of the employee.
 - a. No evaluation form will be placed in a personnel file until it has been reviewed and signed by the employee unless the employee refuses to sign the document.
 - b. No copy of a memorandum or letter sent by an administrator or other school official to an employee will be placed in the employee's file unless the original and copy include the notation "cc: Personnel File" or other clear indication of the author's intention to place the memorandum or letter in the employee's file.



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- c. No report or letter or memorandum from any source, other than documents referred to in C2b above, may be placed in an employee's file until a copy of the same has been delivered to the employee.

D. Employee Access to Personnel Records

1. Each employee shall be granted access to his/her personnel file in accordance with these regulations, except as may have been negotiated with the employee's majority representative.
2. Written request for access shall be submitted to the Director of Human Resources. Except in unusual circumstances, access shall be granted only during the regular working hours of the office in which the file is kept.
3. The employee shall review the record in the presence of the Director of Human Resources and, at the employee's request, a representative of the employee.
4. No alteration or addition or deletion may be made to the file, except that the employee may append to any document in the file his/her comment on that document.
5. The employee may hand copy any portion of his/her file and may receive photocopies of records on payment of the copying fees established for copies of public records.

E. Appeal of Content of the File

1. The employee may appeal to the Superintendent the exclusion or inclusion of any portion of his/her personnel file or the accuracy of any information in the file.
2. An appeal must be made in writing on a form available in the office of the Superintendent.
3. The Superintendent shall render a decision on the appeal as soon as possible, but not later than ten working days from the time the written appeal is submitted. The Superintendent's decision shall be in writing and shall be delivered to the employee and the records manager responsible for the employee's file.
4. Except as may be otherwise provided by contract negotiated with the employee's majority representative, the appellant may appeal the Superintendent's decision to the Board; a decision of the Board shall be final.



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F. Access by Board Members and School Officials

1. Personnel files may be inspected by school officials only as required in the discharge of their professional or statutory duties and to the extent required in the discharge of those duties.
2. Personnel files may be inspected by Board members when such inspection relates to the Superintendent's recommendation of a candidate for employment, promotion, transfer, dismissal, or discipline.
3. Much of the information included in an employee's file is confidential; access to the employee's file for professional reasons necessarily imposes on the person reviewing the file the duty to respect the confidentiality of the record.

G. Computerized Records

1. Computerized personnel records may include only the following information about an employee:
 - a. Name, address, and telephone number;
 - b. Social security number;
 - c. Current assignment;
 - d. Work experience;
 - e. Employment date; and
 - f. Salary guide and step.
2. Computerized information may be used only for the following purposes:
 - a. Payroll;
 - b. An employee's individual employment record; and
 - c. Studies, reports, or surveys conducted by the district or a governmental agency and authorized by the Director of Human Resources, provided that such studies, reports, or surveys do not identify specific employees.

Issued: 12 January 2010



8330 **STUDENT RECORDS**

The Board of Education believes that information about individual students must be compiled and maintained in the interest of the student's educational welfare and advancement. The Board will strive to balance the student's right to privacy against the district's need to collect, retain, and use information about individual students and groups of students. The Board authorizes the establishment and maintenance of student files that include only those records mandated by law, rules of the State Board of Education, authorized administrative directive, and those records permitted by this Board.

The Superintendent shall prepare, present to the Board for approval, and distribute regulations that implement this Policy and conform to applicable State and federal law and rules of the State Board of Education.

For purposes of this Policy:

1. "Adult student" means a student who is at least eighteen years of age, or is attending an institution of postsecondary education, or is an emancipated minor.
2. "Parent" means the natural or adoptive parent, the legal guardian, surrogate parent, or a person acting in place of a parent in accordance with N.J.A.C. 6A:32-2.1. Unless parental rights have been terminated by a court of appropriate jurisdiction, the parent retains all rights under N.J.A.C. 6A:32. "Parent" shall also include, for the purposes of N.J.A.C. 6A:32, the adult student. A foster parent may act as a parent under the provisions of N.J.A.C. 6A:32 if the parent's authority to make educational decisions on the student's behalf has been terminated by a court of appropriate jurisdiction.

General Considerations

Student records shall contain only such information as is relevant to the education of the student and is objectively based on the personal observations or knowledge of certified school personnel who originate the record. The district shall notify parents and adult students annually in writing of their rights in regard to student records and student participation in educational, occupational, and military recruitment programs. Copies of the applicable State and federal laws and local policies shall be made available upon request. The district shall make every effort to notify parents and adult students in their dominant language.



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Student Records

Nothing in this Policy shall be construed to prohibit certified school personnel, at their discretion, from disclosing student records to non-adult students or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the student or other persons.

No liability shall be attached to any member, officer, or employee of the Board of Education permitting access or furnishing student records in accordance with Department of Education rules.

Student Information Directory

A student information directory is a publication of a school district that includes student information as defined in N.J.A.C. 6A:32-2.1. In the event the district publishes information included in the student information directory, the Superintendent or designee will inform parents or adult students of such publication, and parents or adult students will be afforded a ten-day period to submit a written statement to the Superintendent prohibiting the school district from including any and all types of information about the student in any student information directory before allowing access to such directory to educational, occupational, and military recruiters pursuant to N.J.S.A. 18A:36-19.1 and P.L. 107-110 sec. 9528, Armed Forces Recruiter Access to Students and Student Recruiting Information of the No Child Left Behind Act of 2001.

School Contact Directory

The district shall compile and maintain, but need not publish, a school contact directory for official use, which is separate and distinct from the student information directory. School personnel shall provide information from the school contact directory for official use only to judicial, law enforcement, and medical personnel who are currently providing services to the student in question. In order for a parent or adult student to exclude any information from the school contact directory for official use, the parent or adult student shall notify the Superintendent or designee in writing on a form prescribed by the Commissioner of Education.

Mandated and Permitted Student Records

Mandated student records are those records school districts have been directed to compile by State statute, regulations, or authorized administrative directive in accordance with N.J.A.C. 6A:32-7.3.

Permitted student records are records authorized by the Board to be collected in order to promote the educational welfare of the student. The Board shall authorize the permitted records to be collected by adopting at a regular public Board meeting a resolution listing such permitted records or Regulation 8330, which will list such permitted records.



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Maintenance and Security of Student Records

The Superintendent or designee shall be responsible for the security of student records maintained in the school district. Policy and Regulation 8330 assure that access to such records is limited to authorized persons.

Records for each individual student shall be maintained in a central file at the school attended by the student. When records are maintained in different locations, a notation in the central file as to where such other records may be found is required.

Student health records shall be maintained and located in a locked cabinet or room in the school building or complex where the student is assigned. Records kept in electronic form shall be both accessible and secure. Student health records shall be maintained separately from other student records, until such time as graduation or termination, whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated record. Records shall be accessible during the hours in which the school program is in operation.

Security blocks will be installed for records stored in any computer system to protect against any security violations of the records stored therein. To guard against the loss of student records, the district shall maintain an updated hard copy and backup versions of student records.

Any district internet website shall not disclose any personally identifiable information about a student, in accordance with N.J.S.A. 18A:36-35.

Access to Student Records

The district shall control access to, disclosure of, and communication regarding information contained in student health records to assure access only to those authorized organizations, agencies, and persons under the conditions permitted by federal and State statute and regulations in accordance with N.J.A.C. 6A:32-7.5.

The district will charge a reasonable fee for reproduction, not to exceed the schedule of costs set forth in N.J.S.A. 47:1A-2, provided that the cost does not effectively prevent the parents or adult students from exercising their rights under N.J.A.C. 6A:32-7 or under rules and regulations regarding students with disabilities.

Access to and disclosure of a student's health record shall meet the requirements of the Family Education Rights and Privacy Act, 34 C.F.R. Part 99 (FERPA).



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The following authorized organizations, agencies, and persons shall have access to student records:

1. The student who has the written permission of a parent and the parent of a student under the age of eighteen whether or not the child resides with that parent except per N.J.S.A. 9:2-4; the place of residence shall not be disclosed and access shall not be provided if denied by a court.
2. Students at least sixteen years of age who are terminating their education in the district because they will graduate secondary school at the end of the term or no longer plan to continue their education.
3. The adult student and the student's parent who has the written permission of such student, except that the parent shall have access without consent of the student as long as the student is financially dependent on the parent and enrolled in the public school system or if the student has been declared legally incompetent by a court of appropriate jurisdiction. The parent of the financially dependent adult student may not disclose information contained in the adult student's record to a second or third party without the consent of the adult student.
4. Certified school district personnel who have assigned educational responsibility for the student shall have access to the general student record, but not to the student health record except under conditions permitted in N.J.A.C. 6A:16-1.5.
5. Certified educational personnel who have assigned educational responsibility for the student and who are employed by agencies as indicated in N.J.A.C. 6A:32-7.5(e)5 shall have access to the general student record, but not to the student health record, except under conditions permitted in N.J.A.C. 6A:16-1.5.
6. In order to fulfill its legal responsibility as a Board, the Board has access through the Superintendent or designee to information contained in a student's record. Information shall be discussed in executive session unless otherwise requested by the parent or adult student.
7. Secretarial and clerical personnel under the direct supervision of certified school personnel shall be permitted access to those portions of the record to the extent that is necessary for the entry and recording of data and the conducting of routine clerical tasks. Access shall be limited only to those student files which such staff are directed to enter or record information and shall cease when the specific assigned task is completed.



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8. Accrediting organizations in order to carry out their accrediting functions, the Commissioner of Education and members of the New Jersey Department of Education staff who have assigned responsibility which necessitates the review of such records.
9. Officials of other district Boards of Education within the State of New Jersey or other educational agencies or institutions where the student is placed, registered, or seeks to enroll subject to the following conditions:
 - a. Original mandated student records school districts have been directed to compile by New Jersey statute, regulation or authorized administrative directive shall be forwarded to the receiving school district with written notification to the parent or adult student;
 - b. Original permitted student records which the Board has required shall be forwarded to the receiving school district only with the written consent of the parent or adult student except where a formal sending-receiving relationship exists between the school districts;
 - c. All records to be forwarded, including disciplinary records as specified in N.J.S.A. 18A:36-19(a), shall be sent to the Superintendent or designee of the school district to which the student has transferred within ten school days after the transfer has been verified by the requesting school district;
 - d. The Superintendent or designee shall request all student records in writing from the school district of last attendance within two weeks from the date that the student enrolls in the new school district;
 - e. The Superintendent or designee of the school district of last attendance shall upon request, provide a parent(s) or an adult student with a copy of the records disclosed to other educational agencies or institutions; and
 - f. Proper identification, such as a certified copy of the student's birth certificate, shall be requested at the time of enrollment in a new school district.
10. Officials of the United States Department of Education who have assigned responsibilities which necessitate review of such records.



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11. Officers and employees of a State agency who are responsible for protective and investigative services for students referred to that agency, pursuant to N.J.S.A. 9:6-8.40. Wherever appropriate, the district shall ask such State agency for its cooperation in sharing the findings of the investigation.
12. Organizations, agencies, and persons from outside the school if they have the written consent of the parent or adult student, except that these organizations, agencies, and persons shall not transfer student record information to a third party without the written consent of the parent or adult student.
13. Organizations, agencies, and individuals outside the school, other than those specified in N.J.A.C. 6A:32-7.5(e), upon the presentation of a court order.
14. Bona fide researchers who explain in writing, in advance to the Superintendent, the nature of the research project and the relevance of the records sought and who satisfy the Superintendent or designee that the records are to be used under strict conditions of anonymity and confidentiality. Such assurance shall be received in writing by the Superintendent prior to the release of information to the researcher.

Nothing shall be construed to prohibit school personnel from disclosing information contained in the student health record to students or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the student or other persons.

In providing access to student records in accordance with N.J.A.C. 6A:32-7.5, individuals shall adhere to requirements pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act (OPRA) and 34 CFR Part 99, the Family Educational Rights and Privacy Act (FERPA).

Conditions for Access to Student Records

All authorized organizations, agencies, and persons with access to student records shall have access to the records of a student subject to the following conditions:

1. No student record shall be altered or disposed of during the time period between a request to review the record and the actual review of the record.
2. Authorized organizations, agencies, and persons from outside the school whose access requires the consent of parents or adult students shall submit their request in writing together with any required authorization to the Superintendent or designee.



3. The Superintendent or designee shall be present during the period of inspection to provide interpretation of the records where necessary and to prevent their alteration, damage, or loss. In every instance of inspection of student records by persons other than parents, student, or individuals who have assigned educational responsibility for the individual student, an entry shall be made in the student's record of the names of persons granted access, the reason access was granted, the time and circumstances of inspection, the records studied, and the purposes for which the data will be used.
4. Unless otherwise judicially instructed, the district shall, prior to the disclosure of any student records to organizations, agencies, or persons outside the school district pursuant to a court order give the parent or adult student at least three days' notice of the name of the requesting agency and the specific records requested. Such notification shall be provided in writing if practicable. Only those records related to the specific purpose of the court order shall be disclosed.
5. A record may be withheld from a parent of a student under eighteen or from an adult student only when the district obtains a court order or is provided with evidence that there is a court order revoking the right to access. Only that portion of the record designated by the court may be withheld. When the district has or obtains evidence of such court order, the parent or adult student shall be notified in writing within five days of his or her request that access to the record has been denied and that the person has the right to appeal this decision to the court issuing the order.

Rights of Appeal for Parents and Adult Students

Student records are subject to challenge by parents and adult students on the grounds of inaccuracy, irrelevancy, impermissible disclosure, inclusion of improper information or denial of access to organizations, agencies, and persons in accordance with N.J.A.C. 6A:32-7.7(a).

To request a change in the record or to request a stay of disclosure pending final determination of the challenged procedure, the process shall be as follows:

1. A parent or adult student shall notify the Superintendent in writing of the specific issues relating to the student's record.
2. Within ten days of notification, the Superintendent or designee shall notify the parent or adult student of the school district's decision.



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3. If the school district disagrees with the request, the Superintendent or designee shall meet with the parent or adult student to revise the issues set forth in the appeal.
4. If the matter is not satisfactorily resolved, the parent or adult student may appeal this decision either to the Board of Education or the Commissioner of Education within ten days.
5. If appeal is made to the Board of Education, a decision shall be rendered within twenty days. The decision of the Board may be appealed to the Commissioner pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:4, Appeals.
6. At all stages of the appeal process, the parent or adult student shall be afforded a full and fair opportunity to present evidence relevant to the issue. A record of the appeal proceedings and outcome shall be made part of the student's record with copies made available to the parent or adult student.

Appeals relating to student records for students with disabilities shall be processed in accordance with the requirements of 1 through 6 above.

Regardless of the outcome of any appeal, a parent or adult student shall be permitted to place a statement in the student's record commenting upon the information in the student's record or setting forth any reasons for disagreement with the decision of the agency. Such statements shall be maintained as part of the student's record as long as the contested portion of the record is maintained. If the contested portion of the record is disclosed to any party, the statement commenting upon the information shall also be disclosed to that party.

Retention and Disposal of Student Records

A student's record is considered to be incomplete and not subject to the provisions of the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq., while the student is enrolled in the school district.

The school district shall retain the student health record and the health history and immunization record according to the School District Records Retention Schedule, as determined by the New Jersey State Records Committee.



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Student records of currently enrolled students, other than that described in 1. below, may be disposed of after the information is no longer necessary to provide educational services to a student. Such disposition shall be accomplished only after written parental or adult student notification and written parental or adult student permission has been granted or after reasonable attempts of such notification and reasonable attempts to secure parental or adult student permission has been unsuccessful.

Upon graduation or permanent departure of a student from the school district, the parent or adult student shall be notified in writing that a copy of the entire student's record will be provided to them upon request. Information in student records, other than that described in 1. below, may be disposed of, but only in accordance with the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq. Such disposition shall be accomplished only after written parental or adult student notification and written parental or student permission has been granted, or after reasonable attempts at such notification and reasonable attempts to secure parental or adult student permission have been unsuccessful and prior written authorization has been obtained from the New Jersey Department of State, Records Committee.

1. In accordance with N.J.A.C. 6A:32-7.8(e), the New Jersey public school district of last enrollment, graduation, or permanent departure of the student from the school district shall keep for 100 years a mandated record of a student's name, date of birth, name of parents, gender, citizenship, address, telephone number, health history and immunization, standardized assessment and test answer sheet (protocol), grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

No additions shall be made to the record after graduation or permanent departure without the prior written consent of the parent or adult student.

N.J.S.A. 18A:36-19; 18A:36-19.1; 18A:40-4; 18A:40-19
N.J.A.C. 6A:32-7.1; 6A:32-7.2; 6A:32-7.3; 6A:32-7.4; 6A:32-7.5

Adopted: 12 January 2010



R 8330 **STUDENT RECORDS**

A. Definitions

1. "Access" means the right to view, make notes, and/or reproduce the student record.
2. "Adult student" means a student who is at least eighteen years of age, or is attending an institution of postsecondary education, or is an emancipated minor.
3. "Mandated student records" means those student records that school districts have been directed to compile by State statute, regulation, or authorized administrative directive.
4. "Parent" means the natural or adoptive parent, the legal guardian, surrogate parent, or a person acting in place of a parent in accordance with N.J.A.C. 6A:32-2.1. Unless parental rights have been terminated by a court of appropriate jurisdiction, the parent retains all rights under N.J.A.C. 6A:32. "Parent" shall also include, for the purposes of N.J.A.C. 6A:32, the adult student. A foster parent may act as a parent under the provisions of N.J.A.C. 6A:32 if the parent's authority to make educational decisions on the student's behalf has been terminated by a court of appropriate jurisdiction.
5. "Permitted student records" means records that the Board of Education has authorized, by resolution adopted at a regular public meeting, to be collected in order to promote the educational welfare of the student.
6. "Student record" means information related to an individual student gathered within or outside the school system and maintained within the school system regardless of the physical form in which it is maintained. Any information that is maintained for the purpose of second party review is considered a student record. Therefore, information recorded by certified school personnel solely as a memory aid, not for the use of a second party, is excluded from this definition.
7. "Parent surrogate(s)" means an individual or individuals approved by the Board in accordance with N.J.A.C. 6A:14-2.2 to act on behalf of a student whose parent(s) is not available to assure the student's educational rights.



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8. "Student information directory" means a publication of the district which includes the following information relating to a student: the student's name, grade level, date and place of birth, dates of attendance, major field of study, participation in officially recognized activities, weight and height relating to athletic team membership, degrees, awards, the most recent educational agency attended by the student, and other similar information.

B. General Considerations

1. Student records shall contain only such information as is relevant to the education of the student and is objectively based on the personal observations or knowledge of certified school personnel who originate the record.
2. The district shall notify parents and adult students annually in writing of their rights in regard to student records and student participation in educational, occupational, and military recruitment programs. Copies of the applicable State and Federal laws and local policies shall be made available upon request. The district shall make every effort to notify parents and adult students in their dominant language.
3. A non-adult student may assert rights of access only through his or her parents. However, nothing in Policy or Regulation 8330 shall be construed to prohibit certified school personnel, in their discretion, from disclosing student records to non-adult students or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the student or other persons.
4. The parent or adult student, including an emancipated minor, shall have access to their own records and have access to or be specifically informed about only that portion of another student's record that contains information about his or her own child or himself or herself.
5. The Superintendent or designee shall require all permitted student records of currently enrolled students to be reviewed annually by certified school personnel to determine the education relevance of the material contained therein. The reviewer shall cause data no longer descriptive of the student or educational program to be deleted from the records except that prior notice shall be given for classified students in accordance with N.J.A.C. 6A:14, Special Education. Such information shall be disposed of and not be recorded elsewhere. No record of any such deletion shall be made.



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6. No liability shall be attached to any member, officer, or employee of the Board of Education permitting access or furnishing student records in accordance with Department of Education rules.
 7. When the parent's or adult student's dominant language is not English or the parent or adult student is deaf, the district shall provide interpretation of the student's records in the dominant language of the parents or adult student.
 8. Student health records shall be maintained separately from other student records and handled, according to the requirements of N.J.A.C. 6A:32-7.1, until such time as graduation or termination whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated record.
- C. School Contact Directory
1. The district shall compile and maintain, but need not publish, a school contact directory for official use, which is separate and distinct from the student information directory.
 - a. School personnel shall provide information from the school contact directory for official use only to judicial and law enforcement personnel, and to medical personnel who are currently providing services to the student in question.
 - b. Upon request from a court, other judicial agency, law enforcement agency, or medical service provider who is currently providing services to the student in question, school personnel shall promptly verify the enrollment of a student and provide the requester with all the information about that student that is contained in the school contact directory for official use.
 2. In order for a parent or adult student to exclude any information from the school contact directory for official use, the parent or adult student shall notify the Superintendent or designee in writing on a form prescribed by the Commissioner of Education.
 - a. The form shall explain the purpose of the school contact directory for official use is to allow judicial, law enforcement, and medical personnel to contact the parent when necessary, and that the school contact directory for official use is only accessible by school, judicial, law enforcement, and medical personnel who are currently providing services to the student in question.



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D. Mandated and Permitted Student Records

1. Mandated student records shall include the following:

- a. The student's name, address, telephone number, date of birth, name of parent(s), gender, citizenship, standardized assessment and test answer sheets (protocol), grades, attendance, classes attended, grade level completed, and year completed;
- b. Record of daily attendance;
- c. Descriptions of student progress according to the system of student evaluation used in the school district;
- d. History and status of physical health compiled in accordance with State regulations, including results of any physical examinations given by qualified school district employees;
- e. Records pursuant to rules and regulations regarding the education of students with disabilities; and
- f. All other records required by the State Board of Education.

2. Permitted student records are authorized by the Board to promote the student's educational welfare and include the following as authorized by this Board upon adoption of Policy and Regulation 8330. These records include, but may not be limited to:

- a. Personally authenticated observations, assessments, ratings, and anecdotal reports recorded by teaching staff members in the performance of their professional responsibilities and intended for review by another person, provided the record is dated and signed by the originator. Information recorded solely as a memory aid for the originator becomes a student's record when it is reviewed by any other person, including a substitute;
- b. Information, scores, and results obtained from standardized tests or by approved tests conducted by professional personnel;
- c. Educationally relevant information provided by the parent or adult student regarding the student's achievements or school activities;
- d. Any correspondence with the student and/or the student's parents;



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- e. Driver education certificate;
 - f. Emergency notification form;
 - g. New student registration form;
 - h. Withdrawal or transfer form;
 - i. Change of schedule form;
 - j. Records of disciplinary infractions, penalties, and disciplinary hearings;
 - k. Records of the student's co-curricular and athletic activities and achievements;
 - l. Class rank;
 - m. Awards and honors;
 - n. Notations of additional records maintained in a separate file;
 - o. The statement from a student's parent or adult student regarding a contested portion of the record; and
 - p. Entries indicating review of the file by an authorized person.
- E. Maintenance and Security of Student Records
1. The Superintendent or designee shall be responsible for the security of student records maintained in the school district. Policy and Regulation 8330 assures that access to such records is limited to authorized persons.
 2. Records for each individual student shall be maintained in a central file at the school attended by the student. When records are maintained in different locations, a notation in the central file as to where other such records may be found is required.
 3. Student health records shall be maintained and located in a locked cabinet or room in the school building or complex which the student is assigned. Records kept in electronic form shall be both accessible and secure. Student health records shall be maintained separately from other student records, until such time as graduation or termination whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated



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record. Records shall be accessible during the hours in which the school program is in operation.

4. Security blocks will be installed for records stored in computerized systems to protect against security violations of the records stored therein. To guard against the loss of student records, the district shall maintain an updated hard copy and backup versions of student records.
5. Mandated student records required as part of programs established through State administered entitlement or discretionary funds from the U.S. Department of Education shall be maintained for a period of five years after graduation, termination from the school district, or age 23, whichever is longer, and shall be disposed of in accordance with N.J.S.A. 47:3-15 et seq.
6. Any district internet website shall not disclose any personally identifiable information about a student, in accordance with N.J.S.A. 18A:36-35.

F. Access to Student Records

1. The district shall control access to, disclosure of, and communication regarding information contained in student health records to assure access only to those persons under the conditions permitted by Federal and State statute and regulations.
2. The district will charge a reasonable fee for reproduction, not to exceed the schedule of costs set forth in N.J.S.A. 47:1A-2, provided that the cost does not effectively prevent the parents or adult students from exercising their rights under N.J.A.C. 6A:32-7 or under rules and regulations regarding students with disabilities.
3. Access to and disclosure of a student's health record shall meet the requirements of the Family Education Rights and Privacy Act, 34 C.F.R. Part 99 (FERPA).

G. Authorized Organizations, Agencies, and Persons with Access to Student Records

Access shall include only the following:

1. A student who has the written permission of a parent and the parent of a student under the age of eighteen whether or not the child resides with that parent except per N.J.S.A. 9:2-4;
 - a. The place of residence shall not be disclosed; and



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- b. Access shall not be provided if denied by a court.
2. Students at least sixteen years of age who are terminating their education in the district because they will graduate secondary school at the end of the term or no longer plan to continue their education.
3. The adult student and the student's parent who has the written permission of such student, except that the parent shall have access without consent of the student as long as the student is financially dependent on the parent and enrolled in the public school system or if the student has been declared legally incompetent by a court of appropriate jurisdiction. The parent of the financially dependent adult student may not disclose information contained in the adult student's record to a second or third party without the consent of the adult student.
4. Certified school district personnel who have assigned educational responsibility for the student shall have access to the general student record, but not to the student health record, except under conditions permitted in N.J.A.C. 6A:16-1.5.
5. Certified educational personnel who have assigned educational responsibility for the student and who are employed by agencies listed below shall have access to the general student record, but not to the student health record except under conditions permitted in N.J.A.C. 6:16-1.5:
 - a. An approved private school for the disabled;
 - b. A State facility;
 - c. Accredited nonpublic schools in which students with educational disabilities have been placed according to N.J.S.A. 18A:46-14; or
 - d. Clinics and agencies approved by the Department of Education.
6. In order to fulfill its legal responsibility as a Board, the Board has access through the Superintendent or designee to information contained in a student's record. Information shall be discussed in executive session unless otherwise requested by the parent or adult student.
7. Secretarial and clerical personnel under the direct supervision of certified school personnel shall be permitted access to those portions of the record to the extent that is necessary for the entry and recording of data and the conducting of routine clerical tasks. Access shall be limited only to those student files which such staff are directed to enter or record information and shall cease when the specific assigned task is completed.



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8. Accrediting organizations in order to carry out their accrediting functions.
9. The Commissioner of Education and members of the New Jersey Department of Education staff who have assigned responsibility which necessitates the review of such records.
10. Officials of other district Boards of Education within the State of New Jersey or other educational agencies or institutions where the student is placed, registered, or seeks to enroll subject to the following conditions:
 - a. Original mandated student records school districts have been directed to compile by New Jersey statute, regulation, or authorized administrative directive shall be forwarded to the receiving school district with written notification to the parent or adult student;
 - b. Original permitted student records which the Board has required shall be forwarded to the receiving school district only with the written consent of the parent or adult student except where a formal sending-receiving relationship exists between the school districts;
 - c. All records to be forwarded, including disciplinary records as specified in N.J.S.A. 18A:36-19(a), shall be sent to the Superintendent or designee of the school district to which the student has transferred within ten school days after the transfer has been verified by the requesting school district;
 - d. The Superintendent or designee shall request all student records in writing from the school district of last attendance within two weeks from the date that the student enrolls in the new school district;
 - e. The Superintendent or designee of the school district of last attendance shall upon request, provide a parent(s) or an adult student with a copy of the records disclosed to other educational agencies or institutions; and
 - f. Proper identification, such as a certified copy of the student's birth certificate, shall be requested at the time of enrollment in a new school district.
11. Officials of the United States Department of Education who have assigned responsibilities which necessitate review of such records.



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12. Officers and employees of a State agency who are responsible for protective and investigative services for students referred to that agency, pursuant to N.J.S.A. 9:6-8.40. Wherever appropriate, the district shall ask such State agency for its cooperation in sharing the findings of the investigation.
13. Organizations, agencies, and persons from outside the school if they have the written consent of the parent or adult student, except that these organizations, agencies, and persons shall not transfer student record information to a third party without the written consent of the parent or adult student.
14. Organizations, agencies, and individuals outside the school, other than those specified in N.J.A.C. 6A:32-7.5(e), upon the presentation of a court order.
15. Bona fide researchers who explain in writing, in advance to the Superintendent, the nature of the research project and the relevance of the records sought and who satisfy the Superintendent or designee that the records are to be used under strict conditions of anonymity and confidentiality. Such assurance shall be received in writing by the Superintendent prior to the release of information to the researcher.

H. Conditions for Access to Student Records

All authorized organizations, agencies, and persons with access to student records shall have access to the records of a student subject to the following conditions:

1. No student record shall be altered or disposed of during the time period between a request to review the record and the actual review of the record.
2. Authorized organizations, agencies, and persons from outside the school whose access requires the consent of parents or adult students shall submit their request in writing together with any required authorization, to the Superintendent or designee.
3. The Superintendent or designee shall be present during the period of inspection to provide interpretation of the records where necessary and to prevent their alteration, damage, or loss. In every instance of inspection of student records by persons other than parents, student, or individuals who have assigned educational responsibility for the individual student, an entry shall be made in the student's record of the names of persons granted access, the reason access was granted, the time, and circumstances of inspection, the records studied and the purposes for which the data will be used.



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4. Unless otherwise judicially instructed, the district shall, prior to the disclosure of any student records to organizations, agencies, or persons outside the school district pursuant to a court order, give the parent or adult student at least three days' notice of the name of the requesting agency and the specific records requested. Such notification shall be provided in writing if practicable. Only those records related to the specific purpose of the court order shall be disclosed.
 5. A record may be withheld from a parent of a student under eighteen or from an adult student only when the district obtains a court order or is provided with evidence that there is a court order revoking the right to access. Only that portion of the record designated by the court may be withheld. When the district has or obtains evidence of such court order, the parent or adult student shall be notified in writing within five days of his or her request that access to the record has been denied, and that the person has the right to appeal this decision to the court issuing the order.
- I. Rights of Appeal for Parents and Adult Students
1. Student records are subject to challenge by parents and adult students on grounds of inaccuracy, irrelevancy, impermissible disclosure, inclusion of improper information, or denial of access to organizations, agencies, and persons. The parent or adult student may seek to: expunge inaccurate, irrelevant, or otherwise improper information from the student's record; insert additional data as well as reasonable comments as to the meaning and/or accuracy of the records; and/or request an immediate stay of disclosure pending final determination of the challenge procedure as described in N.J.A.C. 6A:32-7.7.
 2. To request a change in the record or to request a stay of disclosure pending final determination of the challenged procedure, the process shall be as follows:
 - a. A parent or adult student shall notify the Superintendent in writing of the specific issues relating to the student's record.
 - b. Within ten days of notification, the Superintendent or designee shall notify the parent or adult student of the school district's decision.
 - c. If the school district disagrees with the request, the Superintendent or designee shall meet with the parent or adult student to revise the issues set forth in the appeal.



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- d. If the matter is not satisfactorily resolved, the parent or adult student may appeal this decision either to the Board of Education or the Commissioner of Education within ten days.
 - e. If appeal is made to the Board of Education, a decision shall be rendered within 20 days. The decision of the Board may be appealed to the Commissioner pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6A:4, Appeals.
 - f. At all stages of the appeal process, the parent or adult student shall be afforded a full and fair opportunity to present evidence relevant to the issue. A record of the appeal proceedings and outcome shall be made a part of the student's record with copies made available to the parent or adult student.
3. Appeals relating to the records of students with disabilities shall be processed in accordance with the requirements above.
 4. Regardless of the outcome of any appeal, a parent or adult student shall be permitted to place a statement in the student's record commenting upon the information in the student's record or setting forth any reasons for disagreement with the decision of the agency.
 - a. Such statements shall be maintained as part of the student's record as long as the contested portion of the record is maintained. If the contested portion of the record is disclosed to any party, the statement commenting upon the information shall also be disclosed to that party.
- J. Retention and Disposal of Student Records
1. A student's record is considered to be incomplete and not subject to the provisions of the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq., while the student is enrolled in the school district.
 - a. The school district shall retain the student's health record and the health history and immunization record according to the School District Records Retention Schedule, as determined by the New Jersey State Records Committee.
 2. Student records of currently enrolled students, other than the records that must be maintained for one hundred years as described in 6. below, may be disposed of after the information is no longer necessary to provide educational services to a student.



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- a. Such disposition shall be accomplished only after written parental or adult student notification and written parental or adult student permission has been granted or after reasonable attempts of such notification and reasonable attempts to secure parental or adult student permission has been unsuccessful.
3. Upon graduation or permanent departure of a student from the school district, the parent or adult student shall be notified in writing that a copy of the entire student's record will be provided to them upon request.
4. Information in student records, other than the records that must be maintained for one hundred years as described in 6. below, may be disposed of, but only in accordance with the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq.
 - a. Such disposition shall be accomplished only after written parental or adult student notification, and written parental or adult student permission has been granted, or after reasonable attempts at such notification and reasonable attempts to secure parental or adult student permission have been unsuccessful, and prior written authorization has been obtained from the New Jersey State Records Committee in the New Jersey Department of State.
5. No additions shall be made to the record after graduation or permanent departure without the prior written consent of the parent or adult student.
6. The New Jersey public school district of last enrollment, graduation, or permanent departure of the student from the school district shall keep for one hundred years a mandated record of a student's name, date of birth, name of parents, gender, citizenship, address, telephone number, health history and immunization, standardized assessment and test answer sheet (protocol), grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

Issued: 12 January 2010



8335 **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT**

The Board of Education policies and regulations will be in compliance with the requirements of the Family Educational Rights and Privacy Act (FERPA). FERPA affords parents and adult students certain rights with respect to the student's education records. FERPA requires the district to provide parents and adult students the right to inspect and review the student's education records within forty-five days of the day the school district receives a request for access, to request an amendment(s) of the student's education records the parent or adult student believes are inaccurate, and to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

FERPA permits disclosure of student records without consent if the disclosure is to school officials with legitimate educational interests. FERPA permits the school district to disclose education records without a parent's or adult student's consent to officials of another school district in which a student seeks or intends to enroll. FERPA requires a school district to make a reasonable attempt to notify the parent or adult student of the records request unless it states in its annual notification that it intends to forward records on request.

The parent or adult student has the right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

The New Jersey Administrative Code 6A:32-7 – Student Records adopted by the New Jersey Department of Education incorporates the requirements of FERPA and Board of Education Policy 8330 ensures parents and adult students are afforded certain rights with respect to the student's education records as required by FERPA.

20 U.S.C. Sec. 1232g. – The Family Educational Rights and Privacy Act
N.J.A.C. 6A:32-7

Adopted: 12 January 2010



8420 EMERGENCY AND CRISIS SITUATIONS

The Board of Education recognizes its responsibility to provide for the safety and security in each school building in the district. The district will develop and implement written plans and procedures to provide for the protection of health, safety, security, and welfare of the school population; the prevention of, intervention in, response to and recovery from emergency and crisis situations; the establishment and maintenance of a climate of civility; and supportive services for staff, students, and their families.

The Superintendent of Schools or designee shall consult with law enforcement agencies, health and social services provider agencies, emergency planners, and school and community resources, as appropriate, in the development of the school district's plan. Procedures and mechanisms shall be consistent with the provisions of N.J.A.C. 6A:16-5.1 and the format and content established by the Domestic Security Preparedness Task Force, pursuant to N.J.S.A. App. A: 9-64 et. seq., and the Commissioner of Education and shall be reviewed annually, and updated as appropriate.

A copy of the school district's school safety and security plan shall be disseminated to all school district employees. New employees shall receive a copy of the school district's safety and security plan, as appropriate, within sixty days of the effective date of their employment. All employees shall be briefed in writing, as appropriate, regarding updates and changes to the school safety and security plan.

The school district shall develop and provide an in-service training program for all school district employees to enable them to recognize and appropriately respond to safety and security concerns, including emergencies and crisis, consistent with the school district's plans, procedures, and mechanisms for school safety and security and the provisions of N.J.A.C. 6A:16-5.1 by November 1, 2010. New employees shall receive this in-service training, as appropriate, within sixty days of the effective date of their employment. This in-service training shall be reviewed annually and updated, as appropriate.

In accordance with N.J.S.A. 18A:41-1, at least one fire drill and one school security drill will be conducted each month within school hours, including any summer months which the school is open for instructional programs. A school security drill means an exercise, other than a fire drill, to practice procedures that respond to an emergency situation including, but not limited to, a non-fire evacuation, lockdown, bomb threat or active shooter situation that is similar in duration to a fire drill. Schools are required to hold a minimum of two active shooter, non-fire evacuation, bomb threat, and lockdown security drills annually. Fire alarm systems shall be initiated only during a fire drill evacuation. Responses made necessary by the unplanned activation of emergency procedures or by any other emergency shall not be substituted for a required school security drill.



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Emergency and Crisis Situations

The Principal or designee will provide local law enforcement or other emergency responders, as appropriate, with a friendly notification at least forty-eight hours prior to holding a school security drill. Although these outside agencies are not required to observe school security drills, the Principal is encouraged to invite representatives from local law enforcement and emergency responder agencies to attend and observe at least four different security drills annually.

Such drills and in-service training programs shall be conducted in accordance with a building security drill guide and training materials that educate school employees on proper evacuation and lockdown procedures in a variety of emergency situations on school grounds as provided by the New Jersey Office of Homeland Security and Preparedness.

The school district will be required to annually submit a security drill statement of assurance to the New Jersey Department of Education by June 30 of each school year. Each school in the district will be required to complete a security drill record form as required by the New Jersey Department of Education.

N.J.S.A. 2C:33-3
N.J.S.A. 18A:41-1 et seq.
N.J.A.C. 6A:27-11.2

Adopted: 12 January 2010
Adopted: 14 September 2010
Adopted: 8 February 2011



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Emergency Evacuation School Safety Plan

R 8420 **EMERGENCY EVACUATION SCHOOL SAFETY PLAN**

The need for orderly and safe evacuation during certain situations is critical to the safety of the occupants of a school building. If such a threat is deemed immediate, credible, and reasonable, the Principal or designee may order a non-fire building evacuation. In the event the Principal or designee believes a threat does not exist or immediate evacuation is not required, the Principal or designee shall review the situation with the Superintendent of Schools, who may consult with local law enforcement officials to review the threat risk.

- A. Procedures in the Events it is Determined a Non-Fire Evacuation is Warranted
1. The Principal or designee will immediately order a non-fire evacuation of the school building. The notification process may be the school's fire alarm system, a notice over the school's public address system, or any other method deemed appropriate by the Principal or designee to inform building occupants to evacuate the school building. The evacuation may be an entire or partial building evacuation depending on the circumstances.
 2. The Principal or designee will:
 - a. Immediately call local law enforcement officials;
 - b. Immediately call the Superintendent of Schools;
 - c. Ensure any school buses enroute to the school or other vehicles entering the school grounds are redirected to a designated alternative location pending further instructions from law enforcement officials;
 - d. Notify and maintain contact with the Superintendent of Schools regarding the communication to be released to parents, community and media; and
 - e. Allow local enforcement officials to control the scene upon their arrival.
 3. School staff members, upon receiving notice the school needs to be evacuated, will
 - a. Direct students to gather personal belongings in the classroom or within their immediate area;
 - b. Instruct students not to use any electronic communication device until instructed otherwise;
 - c. Close the windows and doors of their vacated rooms and turn off any light or electrical switch;



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Emergency and Non-Fire Evacuation Plan

- d. Take the student roster and the day's attendance;
 - e. Lead their class or the students under their supervision upon receiving the evacuation notice to the evacuation area;
 - f. Take attendance when arriving at the evacuation area and report any additional students or missing students to the Principal or designee;
 - g. Not allow any student to re-enter the building, leave the evacuation area, or be dismissed from school unless authorized by the Principal or designee or law enforcement officials; and
 - h. Not speak to the media or permit media to interview any student.
- B. Procedures After it is Determined the School Building Can be Reoccupied
1. The Principal or designee, upon a determination by school and law enforcement officials that the threat or risk is concluded, will direct the reoccupation of the building.
 2. If it is determined the building is not safe to re-enter, the Principal or designee will notify school officials of the situation at the evacuation assembly locations. If it is determined students will be released for the day, the Principal or designee, in consultation with the Superintendent of Schools, will coordinate student dismissal procedures from the evacuation assembly areas and family notification and reunification protocols.
 3. The school district will provide, school district staff and other school district Crisis response team members to provide counseling and support as needed.

Critical Incident Response Procedures for School Administrators, Faculty and Staff — The New Jersey Office of Homeland Security and Preparedness and the New Jersey Department of Education – 2010

Adopted: 12 January 2010

Adopted: 8 February 2011



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Fire and Fire Drills

R 8420.1 **FIRE AND FIRE DRILLS**

A. Fire Drills

1. The Principal of each school building will conduct a fire drill each month within school hours, including any summer months during which the school is open for instructional programs. Attempts should be made to conduct drills in various weather conditions and at various times of the school day. Fire drills should always be unannounced to school staff and students. The Principal shall inform local firefighting officials whenever a fire alarm is for drill purposes. District security should also be notified.
2. A or the Fire alarm shall be by a building designated signal. Alarm signals should be tested regularly, before or after the school session.
3. When the fire alarm rings, each teacher will:
 - a. Direct students to form into a single file line and proceed along the evacuation route to the nearest exit designated for evacuation;
 - b. Close the windows of the room and turn off all lights and audio-visual equipment;
 - c. Take the class register or roll book;
 - d. Ascertain that all students have left the room and that any student who may have left the classroom prior to the fire drill is located and escorted from the building;
 - e. Close all doors to the room when the room is empty and keep all doors and exits of their respective rooms and buildings unlocked during the school hours, except during the emergency lockdown or an emergency lockdown drill;
 - f. Ensure the students assigned to him/her class has left the school along the route prescribed in the school evacuation plan. In the event a school building has been provided with fire escapes, they shall be used by a part or all of the students performing every fire drill;
 - g. Direct his/her students to a location not less than a distance twice the height of the building walls and keep the students in a single file line facing the building;



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Fire and Fire Drills

- b. A fire drill may be designated as a “smoke drill” so that students learn to avoid the hazards of smoke by walking in a low or crouching position (not a crawling position).
- B. Fire
 1. A school staff member or any building occupant who detects a fire in a school building or on school grounds shall immediately report the fire by calling 911 and/or activating a fire alarm pull station to the East Orange Fire Department in accordance with law, whether or not the fire has been extinguished.
 2. The school staff member or building occupant shall also report shall be immediately relayed to the school Principal.
 3. In the event of a fire in a school building, the school Principal shall immediately sound the fire alarm, in the event the fire alarm had not been previously activated, for the evacuation of all students, staff members, visitors, and volunteers.
 4. Evacuation shall be conducted in accordance with the fire drill procedures established in paragraph A, except that no employee may remain in the building to perform specific duties.
 5. As a precaution, the Principal or designee will maintain a record of disabled students who may require special attention in the event of fire or other evacuation. Fire fighters will be promptly informed of the location and special circumstances of each such student.
 6. As soon as practicable after the incident, the Principal shall submit a report to the Superintendent on the appropriate form.

Adopted: 12 January 2010

Adopted: 14 September 2010



R 8420.2 **BOMB THREATS**

A bomb threat consists of a message regardless of the source or form or truth of the message that someone has placed or intends to place in the school an explosive device or any material that will cause significant harm to persons in the school or damage to school property. The bomb threat message may be a telephone call, written, e-mailed, rumored, graffiti or any other communication method.

A. Procedures When a Bomb Threat is Received

1. A bomb threat received by any school employee will be immediately relayed to the Principal or designee.
2. A written bomb threat should be placed in a folder or a folded paper and should be handled as little as possible.
3. If possible, a telephoned bomb threat should be transferred to the Principal or designee.
 - a. The Principal or other person who talks to the caller will attempt to keep the caller on the line as long as possible to enhance the chance to identify the telephone caller.
 - b. The person talking to the caller should attempt to obtain, by direct questioning and by listening to background clues, and record in writing as much information as possible about
 - (1) The alleged bomb (e.g., its nature, size, specific location, what will cause detonation, detonation time);
 - (2) The caller (e.g., name, address, location, gender, age, background, motive);
 - (3) The identity of the person who placed the bomb, if the caller denies responsibility;
 - (4) The means by which the bomb was delivered to the site;
 - (5) The caller's voice (e.g., calm, angry, excited, slow, rapid, loud, slurred, distinct, familiarity); and
 - (6) Background sounds (e.g. street noises, music, office or factory machinery, animal noises, voices).



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- B. Procedures to be Used After a Bomb Threat is Received
1. The Principal or designee will immediately call:
 - a. The Police Department/local law enforcement;
 - b. The Fire Department; and
 - c. The Superintendent's office.
 2. If the Principal or designee determines there is reasonable cause to believe an explosive device is present and an immediate evacuation is warranted, the principal or designee will order the immediate evacuation of the school building. The evacuation will be conducted as follows:
 - a. The fire drill alarm may include a building designated code to indicate that a bomb threat has been received;
 - b. If the Principal or designee determines that time permits, students will empty their lockers and leave them unlocked; and
 - c. School staff members and students will be evacuated to a waiting place at least 1000 feet from the school building and behind cover or to a predetermined area outside the school building.
 3. If the Principal or designee determines an immediate evacuation is not warranted the building will not be immediately evacuated until law enforcement officials arrive on the scene and are provided control of the bomb threat situation.
 4. The Principal or designee will also:
 - a. Prohibit the use of any electronic communication devices to include, but not be limited to cellular telephones and walkie-talkies;
 - b. Ensure any school buses enroute to the school or other vehicles entering the school grounds are redirected to a designated alternative location pending further instruction from law enforcement officials;
 - c. Notify and maintain contact with the Superintendent of Schools, regarding the communication to be released to parents, community and media; and



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- d. Allow law enforcement officials to control the scene upon their arrival.
5. School staff members, upon receiving notice the school is being evacuated for a bomb threat, will:
 - a. Direct students to gather personal belongings in the classroom or within their immediate area;
 - b. Instruct students to not use any electronic communication device until instructed otherwise;
 - c. Conduct a quick visual survey of their classrooms for any suspicious or unfamiliar objects and report such to the Principal or designee;
 - d. Leave the windows and doors of their vacated rooms open and do not turn on or off any light or electrical switch;
 - e. Take the student roster and the day's attendance;
 - f. Lead their class or the students under their supervision upon receiving the evacuation notice to the evacuation area;
 - g. Take attendance when arriving at the evacuation area and report any additional students or missing students to the Principal or designee;
 - h. Not allow any student to re-enter the building, leave the evacuation area, or be dismissed from school unless authorized by the Principal or designee or law enforcement officials; and
 - i. Not speak to the media or permit media to interview any student.
6. If law enforcement officials determine the building can be re-entered, the Principal or designee will order the building to be re-entered. The regular instructional program will be resumed as quickly as possible. If the bomb threat disruption has occurred late in the school day, the Principal may recommend to the Superintendent that the school be closed and students dismissed.
7. In the event an explosive device is found in the school building or on school grounds threatening the safety of staff and students, the Principal or designee will:
 - a. Work with law enforcement officials to ensure the continued safety of students and staff;



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Bomb Threats

- b. Notify school officials at the evacuation assembly locations of the situation that students will be released for the day; and
 - c. In consultation with the Superintendent of Schools and law enforcement officials, will coordinate student dismissal procedures from the evacuation assembly areas and family notification and reunification protocols.
8. The school district will provide school district staff and other school district crisis response team members to provide counseling and support as needed.
9. All bomb threat procedures will be conducted with seriousness and dispatch. It is the intention of these regulations that the school community be protected against harm without conferring notoriety on the person who threatens harm.
10. In the event an explosion occurs while the building is evacuated, the Principal or designee, in consultations with the Superintendent of Schools and law enforcement officials, will coordinate student dismissal procedures from the evacuation assembly areas and family notification and reunification protocols.
11. The Principal will submit to the Superintendent a written report of each bomb threat received, the steps taken in response, and the outcome of the threat.

These procedures are recommended for implementation in the event a bomb threat is received. However, based on the circumstance or situation, the Principal or designee or law enforcement officials may modify these procedures if it is determined modification is needed to best protect the building's occupants.

Critical Incident Response Procedures for School Administrators, Faculty and Staff – The New Jersey Office of Homeland Security and Preparedness and the New Jersey Department of Education - 2010

Adopted: 12 January 2010

Adopted: 8 February 2011



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Natural Disasters and Man-made Catastrophes

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R 8420.3 **NATURAL DISASTERS AND MAN-MADE CATASTROPHES**

A. Definitions

1. "Natural disasters" include floods, hurricanes, earthquakes, lightning strikes.
2. "Man-made catastrophes" include explosions, toxic hazards, airplane accidents, nuclear accidents, attacks.

B. Procedures

1. The Principal of each school building is responsible for responding quickly and reasonably to all natural disasters and man-made catastrophes. The Principal's primary goal in any emergency is the protection of the students and staff members assigned to his/her building.
2. The Principal shall cooperate with local law enforcement officers, civil defense agencies, and other appropriate authorities.
3. All reasonable efforts will be made to predict or anticipate the occurrence of a natural disaster or manmade catastrophe and to take such steps in advance as may be necessary to protect students and staff and, if possible, school property.
4. Any school employee who detects or suspects a natural disaster or man-made catastrophe shall immediately notify the Principal, who shall immediately evaluate and/or verify the report. The Principal shall report an impending disaster or catastrophe to the Superintendent and the appropriate police or civil authority.
5. If necessary and prudent, the school will be evacuated in accordance with the fire drills procedures set forth in Regulation No. 8420.1. The alarm for a disaster or catastrophe will be a building designated signal.
6. Until their students are sent home or they are otherwise excused from their duties, classroom teachers will attend to the needs of the students assigned to them. Other teaching staff members and support staff members will report to the Principal or their immediate supervisor for direction. The following personnel should be prepared to take the actions indicated at the direction of the Principal.



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Natural Disasters and Man-made Catastrophes

- a. The school nurse will set up a station for the treatment of injuries and caring for injured and shocked persons until transportation to hospital facilities is available.
 - b. The head custodian will survey the damage, if any, done to essential school building services, such as electrical, gas, water, and fuel. He/She will report any such damage to the Principal along with any recommendations for repair or substitution.
 - c. The cafeteria manager will assess food and water inventories and establish procedures for supplying such food and water as may be required by persons in the school or the school shelter.
7. If the school cannot or should not be re-entered, parents will be notified and students will be sent home as follows:
- a. Students who ordinarily walk to school will be excused,
 - b. Students who ride school buses will be excused as soon as bus transportation is available,
 - c. The Principal may arrange for private vehicle transportation.
8. Students who cannot be sent home safely shall be sheltered in a safe place in the school or in the place designated for out-of-school shelter in the school evacuation plan. A teaching staff member will be assigned to supervise any such students until they can be transferred to the parent or responsible adult designated by the parent.
9. Parent(s) or legal guardian(s) will be informed of the school's response to the disaster or catastrophe by implementation of the parent call chain established pursuant to Regulation No. 8420. Reasonable efforts will be made to inform parent(s) or legal guardian(s) promptly of the nature of the emergency and to assure them of their children's safety.
10. The Principal, other administrators, and all school staff members will strive to discharge their responsibilities calmly, intelligently, and prudently.



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Natural Disasters and Man-made Catastrophes

11. The Principal will make a written report to the Superintendent on the nature of the emergency, the actions taken in response to the emergency, and the outcome of those actions. The report will detail, as necessary, the actions of specific staff members and make such recommendations for commendation or discipline as may be appropriate.

Adopted: 12 January 2010



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Kidnapping

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R 8420.4 KIDNAPPING

A. Definition

1. A person is a victim of kidnapping:
 - a. When a person is unlawfully removed from the school or school grounds; or
 - b. When a person is unlawfully confined with the purpose of holding the victim for ransom, reward, as a shield, or hostage; or
 - c. When a person is unlawfully removed from the school or school grounds or a substantial distance from where he or she is found in school or on school grounds; or
 - d. When a person is unlawfully confined for a substantial period of time with any of the following purposes:
 - (1) To facilitate commission of a crime or flight thereafter, or
 - (2) To inflict bodily injury on or terrorize the victim.

B. Procedures

1. The following procedures shall be implemented in the event there is reason to believe a student has been kidnapped. The Building Principal or designee will:
 - a. Immediately notify the Superintendent of Schools;
 - b. Check school records to determine whether there is a legal custody issue;
 - c. Contact the student's parent(s) or legal guardian(s); and
 - d. Notify the local law enforcement agency.

The Building Principal or designee will be prepared to provide law enforcement authorities information about the student (to the extent possible) including: a physical description of the student; any photograph of



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Kidnapping

the student; information regarding known friends of the student; the names of any potential witnesses to an abduction; a description of an abductor; and other information that may be helpful to law enforcement in locating the student.

2. The Building Principal or designee will alert school staff to the possible kidnapping and solicit staff assistance in obtaining information that may be helpful to law enforcement in locating the student.
3. The administrative staff will encourage all staff members remain calm to prevent panic.
4. Building Principal will check the visitor's log in and out that may lead to any person related to the victim.
5. Cooperate and collaborate with the police department/detective, (DYFS), who is (are) will be working on the case.
6. Recorded data from school security camera must be reviewed and analyze immediately by the Superintendent, Police, Building Principal, parents, teacher to provide clue(s) in finding the child.

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Asbestos Release
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R 8420.5 ASBESTOS RELEASE

The Board of Education recognizes certain buildings in the school district may contain asbestos. The Board and school staff members have implemented the necessary safety measures to eliminate the possibility of asbestos fiber release episodes to ensure the safety of all building occupants. The district maintains an Asbestos Management Plan as required by the Asbestos Hazard Emergency Response Act (AHERA). The following procedures shall be implemented in the event of an inadvertent disturbance that causes an asbestos fiber release episode in a school district building.

Procedures

1. The area where the fiber release may have occurred shall be immediately evacuated;
2. The building's heating, ventilating, and air conditioning system shall be shut down;
3. The area where the fiber release may have occurred shall be sealed off and doors shall be closed;
4. The Superintendent and building maintenance supervisor shall be immediately contacted;
5. The names of all persons who were in the area where the fiber release may have occurred shall be recorded and maintained in separate file;
6. The Building Principal or designee shall communicate to the parents/legal guardians of students, staff, and other occupants of the building as necessary; and
7. The school district shall take such action as necessary depending on whether asbestos fibers were released.
8. Contact immediately an EPA certified contractor/service agency to assess the asbestos fiber presence.
9. Emergency remediation must take place once the certified EPA contractors validate/reported the presence and hazards of the asbestos present in the building.
10. Refer to the ABC's of asbestos in schools provided by the EPA.

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Accidents To and From School

R 8420.6 ACCIDENTS TO AND FROM SCHOOL

The Board of Education recognizes that school staff and/or school students may be involved in an accident on their way to or on their way home from school. The school district or school building, depending on the circumstances, will follow these procedures, when practical, in the event there is an accident involving a school staff member or student who is on their way to or on their way home from school.

Procedures

1. The person receiving notice of an accident shall immediately contact police, fire, or rescue department as appropriate. In the event the person receiving notice of such accident is a student, the student shall immediately notify the Building Principal or designee. In the event the person receiving notice is a school staff member, the staff member shall notify the Building Principal or designee, or their immediate supervisor after contacting police, fire, or rescue department as appropriate.
2. The Building Principal or designee, or the immediate supervisor, shall immediately contact the Superintendent of Schools.
3. The Building Principal or designee, or the immediate supervisor, shall notify the parent(s) or legal guardian(s), spouse, or individual identified on the emergency card as appropriate.
4. In the event the police, fire, or rescue department is aware of the accident when the district is notified of the accident, the Building Principal or designee, or the immediate supervisor shall continue to attempt to notify the parent(s) or legal guardian(s), spouse or individual identified on the emergency card as appropriate.
 - a. If the parent(s) or legal guardian(s), spouse or individual identified on the emergency card, is unavailable, the Building Principal or designee, or the immediate supervisor shall discuss the situation, as appropriate, with an associate at the place of employment of the parent(s) or legal guardian(s), spouse, or emergency contact.
 - b. If contacts are unsuccessful, the Building Principal or designee, or the immediate supervisor will attempt to contact relatives, neighbors, or faith-based institutions, as appropriate.
5. The school district may send a staff member to the scene of the accident, if appropriate.

Accident Reporting

The Board of Education shall comply with N.J.S.A.6A:27-12:2 on reporting an accident.
Issued: 12 January 2010



R 8420.7 **LOCKDOWN PROCEDURES**

In the event it is determined by the Principal or designee a circumstance or situation requires the school building's occupants to remain secure within the school building, the Principal or designee may implement lockdown procedures. The following procedures shall be enacted during a lockdown which shall begin with notification to the building's occupants that all occupants should commence lockdown procedures. The notification may be a public address announcement or may be a discreet notification depending on the circumstance or situation.

- A. Procedures in the Event it is Determined a Lockdown is Warranted
 1. The Principal and/or designee will immediately:
 - a. Inform the Superintendent of Schools;
 - b. Contact the law enforcement;
 - c. Deactivate the fire alarm pull stations with disengaging the fire sensors, if feasible, until law enforcement officials arrive on scene; and
 - d. Deactivate school bell systems, if feasible, until law enforcement officials arrive on scene
 2. The Principal and/or designee will also:
 - a. Communicate to any staff outside the building to stop pedestrians and vehicles, including school buses, from entering the school grounds;
 - b. Assign a staff member in the main office to maintain communication with classrooms and monitor status and, if needed, designate a staff member to meet and brief local law enforcement upon their arrival;
 - c. Determine, in consultation and with the approval of the Superintendent of Schools, the most appropriate means to communicate information to be released to parents, community, and media; and
 - d. Will allow local law enforcement officials to control the scene upon their arrival.



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Lockdown Procedures

3. School staff members, upon receiving notice the school needs to be in a lockdown situation, will:
 - a. Turn off all lights, close blinds/shades and turn off electronic equipment;
 - b. Instruct students to be absolutely quiet and discourage the individual use of cellular telephones;
 - c. Instruct classroom occupants to get on the floor in a sitting or crouching position and direct students away from doors and windows wherever possible;
 - d. Close and lock doors and windows from inside the room, if possible;
 - e. Secure all staff, students and visitors, including those from hallways, behind locked doors, restrooms, gymnasiums, and other non-classroom areas without risking, and other non-classroom areas without risking their own safety or the safety of others already secure;
 - f. Not permit anyone to leave a secured room or area until notified by the Principal or designee or law enforcement officials; and
 - g. Ignore bells or alarms unless otherwise notified by the Principal or designee or law enforcement officials.
4. Any school staff member not supervising students at the time of the lockdown notification should go to the nearest classroom or secure area to assist other staff members with students. These staff members should ensure any students in hallways and other unsecured and open areas are taken to the nearest classroom and/or secured area.
5. Teachers shall take student attendance for the students within their secured area and report any additional students in the room and any missing students.
6. Office personnel should remain in the general office areas or any other area that can be secured from the inside. All office doors shall be locked and secured to prevent entrance by an outside intruder.
7. The building's occupants should remain in lockdown condition until an announcement indicating the lockdown is over.



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Lockdown Procedures

B. Procedures After Lockdown Situation is Brought Under Control

1. After the lockdown situation has been brought under control, the Principal or designee or law enforcement officials will communicate to building occupants the lockdown situation has ended.
2. Evacuation of the building after the lockdown situation has been declared under control shall be under the direction of the Principal or designee and law enforcement officials.
3. The Principal or designee, in consultation and with the approval of the Superintendent of Schools, will coordinate family reuniting procedures.
4. The school district will provide school district staff and other school district crisis response team members to provide counseling and support as needed.
5. The Principal or designee will debrief with local law enforcement and all other agencies involved in the school lockdown situation.

These lockdown procedures are recommended for implementation in the event it is determined a lockdown is needed. However, based on the circumstance or situation, the Principal or designee or law enforcement officials may modify these procedures if he/she determines modification is needed to best protect the building's occupants.

Critical Incident Response Procedures for School Administrators, Faculty and Staff – The New Jersey Office of Homeland Security and Preparedness and the New Jersey Department of Education - 2010

Issued: 12 January 2010

Issued: 8 February 2011



R 8420.10 **ACTIVE SHOOTER**

An active shooter or armed assault in a school building or on school grounds involves one or more individuals intent on causing physical harm to students and school staff. Intruders may possess weapons or other harmful devices, In an active shooter situation, one or more subjects who are believed to be armed has used or threatened to use a weapon to inflict serious bodily injury to another person and/or continues to do so while having unrestricted access to additional victims, their actions have demonstrated their intent to continuously harm others, and their overriding objective appears to be that of mass injury

A. Procedures in the Event of an Active Shooter in the School or on School Grounds

1. If the Principal or designee determines there is an active shooter in the school or on school grounds he/she will immediately:
 - a. Order a lockdown of the school building. The notification may be a public address announcement or may be a discreet notification depending on the circumstance or situation;
 - b. Contact local law enforcement;
 - c. Inform the Superintendent of Schools;
 - d. Deactivate fire alarm pull stations without disengaging the fire sensors, if feasible, until law enforcement officials arrive on scene; and
 - e. Deactivate school bell systems, if feasible, until law enforcer officials arrive on scene; and
 - f. Direct staff and students outside the building, if the active shooter is believed to be in the building, to move immediately to a predetermined evacuation assembly location and be prepared to evacuate the school site, if necessary.
2. The Principal and/or designee will also:
 - a. Communicate to staff outside the building to stop pedestrians and vehicles, including school buses, from entering the school grounds;
 - b. Assign a staff member in the main office to maintain communication with classrooms and monitor status and, if needed, designate a staff member to meet and brief local law enforcement upon their arrival;



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Active Shooter

- c. Determine, in consultation and with the approval of the Superintendent of Schools, the most appropriate means to communicate information to be released to parents, community, and media; and
 - d. Will allow local law enforcement officials to control the scene upon their arrival.
3. School staff members, upon receiving notice there may be an intruder or active shooter in the school building or on school grounds, will:
 - a. If not already confirmed, upon first indication of an intruder or armed intruder will immediately notify the Principal or designee;
 - b. Turn off all lights, close blinds/shades, and turn off electronic equipment;
 - c. Instruct students to be absolutely quiet and not to use any individual electronic communication device;
 - d. Instruct classroom occupants to get on the floor in a sitting or crouching position and direct students away from doors and windows wherever possible;
 - e. Close and lock doors windows from inside the room, if possible;
 - f. Secure all staff, students, and visitors, including those in the hallways, behind locked doors, restrooms, gymnasiums, and other non-classroom building areas without risking their own safety or the safety of others already secure;
 - g. Not permit anyone to leave a secured room or area until notified by the Principal or designee or law enforcement officials; and
 - h. Ignore bells or alarms unless otherwise notified by the Principal or designee or law enforcement officials.
4. Any school staff member not supervising students at the time of the lockdown notification should go to the nearest classroom or secure area to assist other staff members with students. These staff members should ensure any person in hallways and other unsecured and open areas are taken to the nearest classroom and/or secured area.



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Active Shooter

5. Teachers shall take student attendance for the students within their secured area and report any additional students in the room and any missing students.
 6. Office personnel should remain in the general office areas or any other area that can be secured. All office doors shall be locked and secured to prevent entrance by an outside intruder.
 7. The building's occupants should remain in lockdown condition until an announcement indicating the lockdown is over.
 8. Physical education classes using outside facilities, under the direction and supervision of the teacher, shall report to the nearest school entrance and upon entering the building locate to a secure classroom or location within the building. If there is reason to believe students outside the school building may be at risk re-entering the building, the students may be directed to another secure location off school grounds and/or away from the building.
 9. The school may establish a predetermined code word or procedure for a staff member to communicate with the school office or administrative staff in the event an intruder enters a classroom or other secured area.
 10. The Principal or designee may establish with local law enforcement officials a notification procedure in the event an active shooter or intruder is believed to be in the school building. The notification procedure would alert law enforcement officials if a classroom or other secured area is safe and secure or if emergency assistance is needed. The procedure may be a color card system placing colored cards inside or outside doors or windows or any other procedure agreed to by the Principal and local law enforcement.
- B. Procedures After Active Shooter Situation is Brought Under Control
1. After the active shooter situation has been brought under control, the Principal or designee or law enforcement officials will communicate to building occupants the active shooter situation has ended.
 2. Evacuation of the building after the active shooter situation has been declared under control shall be under the direction of the Principal or designee and law enforcement officials.
 3. The Principal or designee, in consultation and with the approval of the Superintendent of Schools, will coordinate family reunification procedures.
 4. The school district will provide school district staff and other crisis response team members to provide counseling and support as needed.



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Active Shooter

5. The Principal or designee will debrief with local law enforcement and all other agencies involved in the active shooter situation.
6. The Superintendent of Schools, in consultation with the Principal and law enforcement officials, will determine when school can resume normal activities and will communicate this information to staff, parents, and the community.

These active shooter procedures are recommended for implementation in the event it is determined an active shooter may be in a school building or on school grounds. However, based on the circumstance or situation, the Principal or designee or law enforcement officials may modify these procedures if he/she determines modification is needed to best protect the building's occupants.

Critical Incident Response Procedures for School Administrators, Faculty and Staff – The New Jersey Office of Homeland Security and Preparedness and the New Jersey Department of Education – 2010.

Adopted: 8 February 2011



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Preparedness for Toxic Hazard

8431 PREPAREDNESS FOR TOXIC HAZARD

The Board of Education is concerned for the safety of the students and staff members assigned to district schools and will take reasonable steps to protect students and staff members from hazards that may result from industrial accidents beyond the control of school officials.

The Board will appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will, in accordance with procedures prepared by the Superintendent, identify potential sources of toxic hazard and develop a plan that includes preventive and remedial measures to be followed in the event students and staff members are exposed to a toxic hazard. The plan will also include a system for the periodic evaluation of school environments.

The THP Officer will enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard. The Board may, in its discretion, appoint and charge an ad hoc committee of community representatives to assist the THP Officer.

The plan for toxic hazard preparedness developed by the THP Officer and approved by this Board will be disseminated to the public. Teaching staff members will be instructed in the specific measures to be taken when toxic hazard is present and in the recognition of toxic hazards in the environment. A teaching staff member who detects a toxic hazard in school shall immediately notify the school Principal and the school nurse or, in the absence of either, the person authorized to perform that office.

Nothing in this policy should be construed in any way as an assumption of liability by the Board of Education for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the Board or its officers and employees.

N.J.S.A. 13:1K-19 et seq.
N.J.S.A. 34:5A-1 et seq.
N.J.A.C. 6A:16-1.4
N.J.A.C. 7:1G-2.1
N.J.A.C. 8:59-1.4

Adopted: 12 January 2010



R 8431 **TOXIC HAZARD PREPAREDNESS PROGRAM**

The following procedures are established to guide the Toxic Catastrophe Preparedness Officer in the implementation of Policy No. 8431.

1. The Toxic Hazard Preparedness (THP) Officer should obtain municipal tax maps of the area within the survey zone and mark on the maps the location of each facility that is potentially dangerous: chemical plants, waste treatment plants, industrial plants, dumps, storage yards, hazardous waste disposal sites, and so forth.
2. The THP Officer should contact county health departments and the fire and police departments in municipalities within the survey zone to determine which, if any, have completed a plan for emergency response to industrial accidents.
3. The THP Officer should contact the county health department and local fire and police departments and solicit their cooperation in determining the facilities that may pose a danger to one or more district schools.
4. The THP officer may obtain information regarding compliance with the Worker and Community Right to Know Act by calling 609-984-3219. Information regarding compliance with the Toxic Catastrophe Prevention Act may be obtained by calling the project office at 609-984-3641. A copy of a facility's environmental survey may be requested by written request to:

New Jersey Department of
Environmental Protection
401 East State Street
Trenton, New Jersey 08625
5. The THP Officer should visit each of the facilities identified and attempt to enlist the aid of the plant manager. Without suggesting that the plant is mismanaged or a threat to the community, the THP officer should seek the plant manager's cooperation in:
 - a. Notifying immediately the district central office and, if appropriate, the Principal of one or more schools in the event of an accident that might adversely affect students and staff members;
 - b. Suggesting appropriate measures to be taken in response to an accident;



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Toxic Hazard Preparedness Program

- c. Suggesting appropriate emergency equipment and supplies that should be kept on hand in the school nurse's office for use in the event of an industrial accident; and
 - d. Training the district nursing staff in coping with the consequences of exposure to a hazardous substance.
6. The THP Officer shall request local fire and police officers to notify school officials immediately in the event of an industrial accident known to them which might adversely affect students and school staff members. The THP Officer shall also request the aid of fire and police officers as circumstances dictate.
7. The THP Officer will assist the Superintendent in planning and implementing an in-service program to train school district employees in recognizing a toxic condition and responding properly to the hazard.

Issued: 12 January 2010



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Care of Injured and Ill Persons

8441 CARE OF INJURED AND ILL PERSONS

The Board of Education **will** provide **the** prompt and appropriate medical attention for students, staff members, or visitors who are injured or become ill on school **grounds** or **during** a school sponsored events, **activity, or field trip**.

Any injury or illness shall be reported immediately to the school nurse or, in the absence of the school nurse, the Building Principal **or designee**. Immediate steps may be taken as necessary to remove the injured or ill person from danger and/or **to** prevent exacerbation of the **injury or illness**. **Basic** first aid **may** be administered by district personnel to ensure the safety and comfort of the injured or ill person **until the school nurse or other medical professional arrives on the scene**.

The parent of an injured or ill student and, if necessary, the family of an injured or ill staff member or visitor will be notified promptly of the injury or illness **and the ongoing health status of the injured or ill person**. If the school nurse or school **physician** or, in the absence of both, the Principal **or designee** determines the injured or ill person should **receive a medical examination from their medical professional**, the parent, or family member **will be required to remove the injured or ill person from the school or school event or activity**. **In the event a serious health emergency occurs on school grounds or during a school sponsored event, activity, or field trip, emergency medical assistance will be contacted**.

In the event it is determined by the school nurse and/or a medical professional that a student shall be immediately transported to a hospital or other emergency medical facility, a school staff member, if a parent or their designee is not on the scene, shall accompany the student to a hospital or other emergency medical facility.

The **school nurse(s)**, in consultation with the school **physician**, **will develop basic emergency first aid procedures** for the emergency treatment of **an injury or illness in the event a school staff member may be in the position to provide emergency first aid until the school nurse or other medical professional arrives on the scene**.

Injuries and disabilities that occur in the course of the athletic program are subject to the provisions of **Policy 2431** and implementing regulations. Student disabilities attributable to substance abuse will be handled in accordance with **Policy 5530**. Injuries that occur in the course of school bus transportation will be handled in accordance with regulations implementing **Policy 8630**.

N.J.A.C. 6A:16-2.1(a)4

Adopted: 12 January 2010

Adopted: 20 September 2016



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Care of Injured and Ill Persons
M

R 8441 CARE OF INJURED AND ILL PERSONS

A. **Injuries and/or Illness Requiring Immediate Attention**

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

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

B. Emergency First Aid Procedures

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



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Care of Injured and Ill Persons

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

Adopted: 12 January 2010

Adopted: 20 September 2016



8442 REPORTING ACCIDENTS

The Board of Education directs that all reasonable efforts be made to ensure a safe learning and working environment for the students and employees of this district. To that end and to the end that legitimate employee claims for worker's compensation be expedited, the Board requires that accidents be reported and evaluated. Any accident that results in an injury, however slight, to a student, an employee of the Board, or a visitor to the schools must be reported promptly and in writing to the district business office. Injured persons shall be referred immediately to the school nurse for such medical attention as may be appropriate.

The injured employee or visitor or the staff member responsible for an injured student shall complete a form, available in the office of the Building Principal, that includes the date, time and place of the incident; the names of persons involved; the nature of the injury, to the extent that it is known; and a description of all relevant circumstances.

All injuries/accidents must be called in to Human Resources for Worker's Compensation and treatment determination.

A copy shall be retained by the Building Principal and a copy shall be sent to the business office.

Any employee of the Board who suffers a job-related injury must report the injury and its circumstances to the Building Principal or job supervisor, as appropriate, no later than twenty-four hours following the occurrence of the injury. The failure of an employee to comply with this mandate may result in disciplinary action.

Adopted: 12 January 2010



8451 **CONTROL OF COMMUNICABLE DISEASE**

The Board of Education recognizes that control of the spread of communicable disease is essential to the well-being of the school community and to the efficient operation of the schools.

The Board shall be bound by the statutes and by rules of the State Board of Education for the exclusion and readmission of students who have contracted a communicable disease and of teachers and students who have been exposed to a communicable disease and for the instruction of teachers in health and the prevention of disease. The Board shall comply with regulations of the New Jersey Department of Health and the East Orange Board of Health governing the prevention, control, and reporting of communicable disease.

The school physician or the school nurse present in the building will examine and recommend exclusion or isolation from school.

Any student retained at home or excluded from school by reason of having or being suspected of having a communicable disease shall not be readmitted to his/her classroom until he/she presents written evidence of being free of communicable disease. That evidence may be supplied by the school medical inspector or another qualified physician who has examined the student.

Any student or adult who has weeping skin lesions that cannot be covered shall be excluded from school.

The Superintendent shall develop procedures for the control of communicable disease that include the instruction of teaching staff members in the detection of disease and measures for its prevention and control; the removal from school premises to the care of a responsible adult for students identified and excluded in accordance with this policy; the preparation of standards for the readmission of students who have recovered from communicable disease; the provision of appropriate home instruction to excluded students in accordance with law; and the filing of reports as required by law.

N.J.S.A. 18A:40-3; 18A:40-7 et seq.

N.J.S.A. 26:4-4; 26:4-6

N.J.A.C. 6A:16-1.4

N.J.A.C. 8:57-1.3; 8:57-1.6; 8:57-2.1 et seq.

Adopted: 12 January 2010



R 8451 **CONTROL OF COMMUNICABLE DISEASE**

- A. Detection of Communicable Diseases
1. School physicians or nurses are educated to detect communicable diseases in students by recognizing the symptoms of disease.
 2. In general, a student who shows one or more of the following symptoms should be sent to the school nurse for evaluation and/or treatment:
 - a. Pain, generalized or specific,
 - b. Chills,
 - c. Fever,
 - d. Earache,
 - e. Vomiting,
 - f. Sore throat,
 - g. Enlarged glands,
 - h. Skin eruption,
 - i. Running nose, or
 - j. Red and discharging eyes.
 3. A student who shows symptoms of any of the following communicable diseases should be sent promptly to the school nurse for evaluation.
 - a. Chicken pox: Small reddish, itchy eruptions on the skin resembling pimples or blisters, which later fill with fluid and form crusts; slight fever.
 - b. German measles (rubella): A common cold followed by a light red rash on face and body; small beady lumps behind ears; slight fever.



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Control of Communicable Disease

- c. Measles (rubella): Cold, runny nose, watery and light-sensitive eyes, fever, followed by bluish-white specks (Koplik spots) on inside of mouth, red blotchy rash, and dry cough.
 - d. Mumps: Tenderness and swelling of the salivary glands below and a little in front of the ear; fever.
 - e. Streptococcal infections (including scarlet fever, sore throat, and erysipelas): Sudden onset of fever, sore throat, strawberry tongue, followed by bright red rash on body, usually on the inner arm and thigh.
 - f. Whooping cough (pertussis): A common cold, with irritating cough, followed by repeated series of violent coughs without inhaling, often with respiratory whoops. Cough may end with vomiting.
 - g. Fifth disease (erythema infectiosus): Fine rash that is most apparent on the cheeks and later spreads to arms and legs, low grade fever.
 - h. Pink eye (conjunctivitis): Redness of white areas of eyes, accompanied by some itching; eyes may discharge pus and be light sensitive.
 - i. Head lice (pediculosis): Itching scalp, presence of lice and nits at hair roots.
 - j. Impetigo (staphylococcus infection): Lesions.
 - k. Meningitis-meningococcal: Severe headache, chills, vomiting, convulsions, fever, stiff neck, pain in neck.
 - l. Hepatitis infectious: Fever, anorexia, nausea, malaise, abdominal discomfort, followed by jaundice.
4. Any person who is ill or infected with any disease below and as outlined in N.J.A.C. 8:57-1.3 or any communicable disease, whether confirmed or presumed will be reported immediately by the school Principal to the County Health Officer or to the New Jersey Department of Health if the County Health Officer is not available. Such telephone report will be followed up by a written report or electronic report within twenty-four hours of the initial report. The diseases to be immediately reported are:



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- a. Botulism (Clostridium);
 - b. Diphtheria (Corynebacterium diphtheria);
 - c. Haemophilus influenza, invasive disease;
 - d. Hepatitis A, institutional settings;
 - e. Measles;
 - f. Meningococcal disease (Neisseria meningitides);
 - g. Pertussis (whooping cough, bordetella pertussis);
 - h. Plague (Yersinia pestis);
 - i. Poliomyelitis;
 - j. Rabies (human illness);
 - k. Rubella;
 - l. Viral hemorrhagic fevers, including, but not limited to, Ebola Lassa, and Marburg viruses;
 - m. Foodborne intoxications, including, but not limited to, mushroom poisoning;
 - n. Any foodborne, waterborne, nosocomial, outbreak or suspected outbreak or any outbreak or suspected outbreak of unknown origin;
 - o. Any other disease included in N.J.A.C. 8:57-1.3.
- B. Exclusion From School
1. A student who exhibits any of the symptoms described in A2 or whose condition suggests the presence of a communicable disease as described in A3 or A4 will be sent to the school nurse's office. The teacher will ensure that the student is accompanied by an adult or a responsible student.
 2. The teacher will communicate to the school nurse, directly or by written note, the reason for which the student is sent for medical assessment.



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3. The school nurse will examine the student and, in consultation with the school medical inspector if the student's condition so indicates, recommend to the Principal the student's exclusion from school for medical reasons.
4. In the event neither the school nurse nor the school physician is available to be consulted about the student's condition, the Principal may determine to exclude the student from school.
5. The parent, adult family member, or other responsible adult designated by the parent will be promptly notified by telephone of the students' exclusion and requested to come to school to fetch the student. Until the adult arrives to remove the student, the student will be kept in an isolated location in the school and will be made as comfortable as possible. The student will be supervised at all times by a school staff member.

C. Readmission to School

1. A student who has been excluded from school or retained at home by reason of having or being suspected of having a communicable disease shall not be readmitted to school until the student presents written evidence that he/she is free of communicable disease.
2. Evidence that a student is free of communicable disease will consist of the certification of the school medical inspector or another qualified physician who has personally examined the student.

No student who has had a communicable disease will be readmitted to school until a physician's certificate indicating the symptoms of the disease have ceased has been provided to the Principal or designee or the school nurse.

D. Reports

1. The school nurse will file such reports as may be required by the New Jersey State Department of Health and in the reporting of communicable diseases in schools.
2. When the rate of school absenteeism is in excess of fifteen percent, the school nurse shall report the absenteeism to the local and/or the County Board of Health.



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Control of Communicable Disease

3. The teacher may, with the advice and consent of the Principal and the school nurse, inform the parent(s) or legal guardian(s) of students in his/her class that a student in the class has contracted a communicable disease. The information given to parents or legal guardians may include the specific symptoms of the disease and parent(s) or legal guardian(s) may be encouraged to consult their personal physicians for inoculations that may prevent the disease or ease the symptoms of the disease.

Adopted: 12 January 2010



8453 HIV/AIDS

The Board of Education will comply with rules of the State Board of Education and the State Department of Health and Senior Services with regard to the admission and employment of persons who may be diagnosed with Acquired Immune Deficiency Syndrome (AIDS) or infected with Human Immunodeficiency Virus (HIV). "AIDS" means a condition affecting a person who has a reliably diagnosed disease that meets the criteria for AIDS specified by the Center for Disease Control of the United States Public Health Services. "HIV infection" means infection with the human immunodeficiency virus or any other related virus identified as a probable causative agent of AIDS. Laboratory results indicative of infection with HIV shall mean laboratory results showing the presence of HIV or components of HIV, or laboratory results showing the presence of antibodies to HIV, or results from laboratory tests conducted to measure the presence of HIV RNA (viral load tests), such as quantitative PCR tests.

AIDS or HIV infection shall not be considered a communicable disease for purposes of admission to or attendance in a school or for eligibility for educational transportation.

In accordance with N.J.A.C. 6A:16-1.4(a)8, no person, student or employee, will be excluded from school solely because he/she is infected with HIV or lives with or is related to a person infected with HIV. Students infected with HIV, including those who may be symptomatic or diagnosed with AIDS, may be excluded from school only as a student not infected with HIV or diagnosed with AIDS may be excluded from school. A school employee infected with HIV may be restricted in his/her employment only if the employee has another illness that would affect his/her employment.

Any student excluded from the regular school program will be provided with home instruction in accordance with rules of the State Board of Education and Policy No. 2412.

No student, staff member, or visitor may attend or visit school if he/she has an uncoverable and/or uncovered weeping skin lesion, whether or not the person has been screened for HIV.

It is not required that anyone in the school be especially notified that an HIV-infected student or employee is present. School employee physicals, student physicals and athletic physicals do not require disclosure of HIV status. Records of health and medical examinations should not include information about an individual's infection with HIV. Therefore, HIV/AIDS status is an exception to records required pursuant to student physical examinations, N.J.A.C. 6A:16-2.2, and school employee physical examinations, N.J.A.C. 6A:32-6.1 et seq. In the event the school nurse or a school official is apprised that a student or employee is HIV-infected, the fact of the infection will be held in strict confidence and will not be classified as a communicable disease for admission, local health reporting or educational transportation.



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HIV/AIDS

Information that identifies a student as having an HIV infection or AIDS shall be shared only with prior written informed consent of the student age twelve or greater, or of the student's parent(s)/legal guardian(s) as required by N.J.S.A. 26:5C-1 et seq. and only for the purpose of determining an appropriate educational program for the student. The person who receives such information shall not reveal it to any other person without the express written consent of the minor student's parent(s) or legal guardian(s), or the adult student.

The Board shall annually provide students, parent(s) or legal guardian(s), staff members, school volunteers, and members of the community with information intended to increase awareness of HIV and AIDS, including information regarding the nature of the disease and its prevention. The Board will cooperate with other agencies to provide HIV/AIDS awareness information to the community.

N.J.S.A. 26:5C-5; 26:5C-6; 26:5C-7; 26:5C-8;

26:5C-9; 26:5C-10; 26:5C-11;

26:5C-12; 26:5C-13; 26:5C-14

N.J.A.C. 6A:16-1.3; 6A:16-1.4; 6A:16-1.5; 6A:16-3.2; 6A:32-9.1

N.J.A.C. 8:57-2.1 et seq.

Adopted: 12 January 2010



8454 MANAGEMENT OF PEDICULOSIS

The Board of Education recognizes the need to maintain a healthy learning environment for all children in the school district. One way to maintain this healthy learning environment is to manage pediculosis, a condition of a person having head lice. Head lice are very small insects that have claws that cling to hair and spend their entire life cycle on the heads of people. Head lice do not spread any diseases and having head lice is not prevented by personal or household cleanliness, use of shampoos, or length of hair. All social and economic groups can be affected by head lice. Because it is very difficult to totally prevent head lice infestations in schools where children come into close head-to-head contact with each other frequently, the Board of Education authorizes appropriate steps to manage pediculosis.

A student who is found to have active head lice will not be permitted to attend school until there are no active lice in the student's hair, proof of treatment has been provided to the nurse, and until all live and/or dead head lice are removed from the student's hair as confirmed by an examination by the school nurse.

The presence of nits (the eggs of lice) will prohibit a child from attending school until the parent has provided proof of treatment to the school nurse and there is no evidence of nits in the student's hair.

The Board recognizes parents have the primary responsibility for the detection and treatment of head lice and school staff members will work in a cooperative and collaborative manner to assist all families in managing pediculosis. The school nurse will compile a Management of Pediculosis Information Packet. The Board of Education's Management of Pediculosis Information Packet and this Policy will be provided to parents of children identified with active head lice or nits and be made available to all parents upon request. The Information Packet will include information about identifying, treating, and managing pediculosis.

If the school nurse determines a student has active head lice or nits, the parent shall be notified by the school nurse as soon as reasonably possible. The parent will be provided a copy of the district's Management of Pediculosis Information Packet and this Policy. The school nurse will advise the parent that prompt treatment of active head lice and/or nits is in the best interest of their child and treatment shall be required before the student can return to school. The school nurse will determine to send the child home or have the child remain at school for the remainder of the school day based on the comfort of the child, the degree of the infestation, and the likelihood of the spread of head lice to other students. If the school nurse cannot contact the parent a letter from the school nurse informing the parent of the presence of active head lice or nits will be sent home with the student. In the event the parent cannot be reached on the day it is determined



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their child has active head lice or nits, the parent will be required to contact the school nurse the next school day to review the Board Policy, the Management of Pediculosis Information Packet, and treatment options.

The following action will be taken to prevent the spread of head lice in district schools:

1. **Grades Kindergarten through Four – When a single case of active head lice has been identified by the school nurse, parents of all children in a class will be notified by the school nurse. The Principal will send home a copy of a Head Lice Alert Notice, the school district’s Management of Pediculosis Information Packet, and this Policy to all parents of children in the class.**
 - a. **The information provided to parents will clearly notify parents that treatment should only be performed on their child if active head lice or nits are found in their child’s scalp and treatment should not be applied as a preventative measure. This notification will inform parents they are expected to notify the school nurse if they find active head lice or nits in their child’s scalp. The school nurse will perform a head check of any student if requested by the parent.**
 - b. **The school nurse will perform head checks of all students in a classroom where there are three or more active head lice cases or nits in the same classroom within a two week period.**
2. **Grades Five through Eight – When a single case of active head lice has been identified by the school nurse, parents of children in a class or on a team may be sent a Head Lice Alert Notice, the school district’s Management of Pediculosis Information Packet, and this Policy at the discretion of the Principal or designee and the school nurse. Parents may request information regarding head lice from the school nurse. The school nurse will perform a head check of any student if requested by the parent.**
3. **Grades Nine through Twelve – When a single case of active head lice has been identified by the school nurse, parents of children in a class or on a team may be sent a Head Lice Alert Notice, the school district’s Management of Pediculosis Information Packet, and this Policy at the discretion of the Principal or designee and the school nurse. Parents may request information regarding head lice from the school nurse. The school nurse will perform a head check of any student if requested by the parent.**



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When a case of active head lice has been identified by the school nurse, the school nurse shall perform a head check of any of the infested student's siblings in the school. If a sibling(s) attends a different school in the district, the school nurse in the sibling's school will be notified and the school nurse may conduct a head check of the sibling(s). In addition, anytime the school nurse has identified active head lice, the school nurse may conduct a head check of other students in the school who are most likely to have had head-to-head contact with the infested child. All other students to be checked shall be identified by the school nurse in consultation with the school administration. Parental approval shall be obtained by the Principal or designee or school nurse.

Each school in the district will make available to parents the district's Management of Pediculosis Policy.

All school staff members will maintain a sympathetic attitude and will not stigmatize and/or blame families who experience difficulty with control measures. All school staff members will act responsibly and respectfully when dealing with members of the school and broader community regarding issues of head lice.

Each school in the district will educate and encourage children and parents to learn about head lice in an attempt to remove any stigma or to prevent any harassment, intimidation, and bullying associated with this issue. Any instances of harassment, intimidation, and bullying shall be reported and investigated in accordance with the provisions of the district's Harassment, Intimidation, and Bullying Policy.

A student excluded from school for reasons outlined in this Policy shall be re-admitted only upon the examination and approval of the Principal or designee and the school nurse. The examination for re-admittance to school by the school nurse may be, but is not required to be, in the presence of the student's parent.

Cases of active head lice will be recorded by the school nurse in each school for the purpose of tracking incident rates and mandatory reporting of outbreaks will be done according to the New Jersey Department of Health criteria for reporting outbreaks.

Adopted: 20 September 2016



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Reporting Violence, Vandalism, Harassment,
Intimidation, Bullying, Alcohol, and Other Drug Abuse

8461 REPORTING VIOLENCE, VANDALISM, HARASSMENT, INTIMIDATION, BULLYING, ALCOHOL, AND OTHER DRUG ABUSE

The Board of Education shall observe "School Violence Awareness Week" during the week beginning with the third Monday in October of each year by organizing activities to prevent school violence. Activities shall include, but are not limited to, age-appropriate opportunities for student discussion on conflict resolution, issues of student diversity, and tolerance. The Board shall invite law enforcement personnel to join members of the teaching staff in the discussions and provide programs for school employees that are designed to help them recognize warning signs of school violence and to instruct them on recommended conduct during an incident of school violence.

Any school employee who observes or has direct knowledge from a participant or victim of an act of violence or the possession or distribution of alcohol or other drugs on school grounds, and any school employee who reports a student for being under the influence of alcohol or other drugs, according to the requirements of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3, shall file a report describing the incident to the school Principal, in accordance with N.J.S.A. 18A:17-46. The report shall be on a form adopted by the Board to include all of the incident detail and offender and victim information that are reported on the Electronic Violence and Vandalism Reporting System (EVVRS).

A report alleging an incident of harassment, intimidation, or bullying shall be made in accordance with the provisions of N.J.S.A. 18A:37-13.1 and Policy 5512.

The Building Principal, for each incident report of violence, vandalism, harassment, intimidation, bullying, alcohol, or other drug abuse, shall review the incident report for accuracy; forward a copy of the incident report to the Superintendent; and notify the Superintendent of the action taken regarding the incident. The Board shall not discharge or subject to any manner of discrimination any school employee who files a report pursuant to N.J.A.C. 6A:16-5.3.

The majority representative of the school employees' bargaining units shall have access monthly to the number and disposition of all reported acts of school violence vandalism, harassment, intimidation, or bullying pursuant to N.J.S.A. 18A:17-46. Personally identifying information may be provided to the majority representative of the school employees' bargaining units only in instances when school administrators have reason to believe that the safety of a school staff member is at risk.



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Reporting Violence, Vandalism, Harassment,
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Two times each school year, between September 1 and January 1 and between January 1 and June 30, public hearing held pursuant to N.J.S.A. 18A:17-46, the Superintendent shall report to the Board all acts of violence, vandalism, harassment, intimidation, bullying, and incidents of alcohol and other drug abuse that occurred during the previous reporting period in accordance with the provisions of N.J.S.A. 18A:17-46 and N.J.A.C. 6A:16-5.3. The report shall include the number of reports of harassment, intimidation, or bullying, the status of all investigations, the nature of the bullying based on one of the protected categories identified in section 2 of P.L. 2002, c.83 (C.18A:37-14), the names of the investigators, the type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying, and any other measures imposed, training conducted, or programs implemented to reduce harassment, intimidation, or bullying. The information shall also be reported once during each reported period to the Department of Education. The report must include data broken down by the enumerated categories as listed in section 2 of P.L. 2002, c.83 (C.18A:37-14), and data broken down by each school in the district, in addition to district-wide data. It shall be a violation to improperly release any confidential information not authorized by Federal or State law for public release.

The report shall be used to grade each school for the purpose of assessing its effort to implement policies and programs consistent with the provisions of P.L. 2002, c.83 (C.18A:37-13 et seq.). The district shall receive a grade determined by averaging the grades of all the schools in the district. The Commissioner shall promulgate guidelines for a program to grade schools for the purposes of N.J.S.A. 18A:17-26. The grade received by a school and the district shall be posted on the home page of the school's website. The grade for the district and each school of the district shall be posted on the home page of the district's website. A link to the report shall be available on the district's website. The information shall be posted on the website within ten days of the receipt of a grade by the school and district.

Whenever it is alleged a school employee has knowingly falsified the report on violence, ~~and~~ vandalism, harassment, intimidation or bullying required under N.J.S.A. 18A:17-46, the Board shall make a determination regarding whether the employee committed the act. The Board shall provide written notice of the allegations to the employee and the employee shall be entitled to a hearing before the Board in accordance with the provisions of N.J.A.C. 6A:16-5.3(g)2. Upon a determination by the Board that an employee has knowingly falsified the report, the Board may take appropriate action as outlined in N.J.A.C. 6A:16-5.3(g)3. Any action taken by the Board shall be based on its consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record. Any employee having been found responsible for the falsification of the annual report by the Board shall have the right to file a grievance under their respective bargaining agreements, appeal the Board's determination to the Commissioner of Education and subsequently to the State Board of Education, or appeal the decision to the Superior Court of New Jersey. The availability of appeal options shall be based upon the action taken by the Board.



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Reporting Violence, Vandalism, Harassment,
Intimidation, Bullying, Alcohol, and Other Drug Abuse

A Board of Education shall submit and implement corrective action plans for high incidences of violence, vandalism, or alcohol or other drug abuse upon notification by the Commissioner of Education.

The Board shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements of N.J.S.A. 18A:17-46.

N.J.S.A. 18A:17-46; 18A:36-5.1

N.J.A.C. 6A:16-5.2; 6A:16-5.3

Adopted: 12 January 2010

Adopted: 14 September 2010

Adopted: 23 June 2011



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Reporting Violence, Vandalism, Harassment,
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**R 8461 REPORTING VIOLENCE, VANDALISM, HARASSMENT,
INTIMIDATION, BULLYING, ALCOHOL, AND OTHER DRUG ABUSE**

Any school employee who observes or has direct knowledge from a participant or victim of an act of violence or the possession or distribution of alcohol or other drugs on school grounds, and any school employee who reports a student for being under the influence of alcohol or other drugs, according to the requirements of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3, shall file a report describing the incident to the school Principal, in accordance with N.J.S.A. 18A:17-46. The report shall be on a form to include all of the incident detail and offender and victim information that are reported on the Electronic Violence and Vandalism Reporting System (EVVRS). A report alleging an incident of harassment, intimidation, or bullying shall be made in accordance with the provisions of N.J.S.A. 18A:37-13.1 and Policy 5512.

A. Reporting Violence, Vandalism, Alcohol or Other Drug Use

1. For each incident report of violence, vandalism, or alcohol or other drug abuse, the Principal shall:
 - a. Review the incident report for accuracy by indicating the incident type, offender information, victim information, student demographics, and incident location;
 - b. Forward a copy of the incident report to the Superintendent; and
 - c. Notify the Superintendent of the action(s) taken regarding the incident.
2. The Board shall not discharge or subject to any manner of discrimination any school employee who files a report pursuant to N.J.A.C. 6A:16-5.3.
3. The majority representative of the school employees' bargaining units shall have access monthly to the number and disposition of all reported acts of school violence, vandalism, harassment, intimidation or bullying pursuant to N.J.S.A. 18A:17-46.
 - a. Personally identifying information may be provided to the majority representative of the school employees' bargaining units only in instances when school administrators have reason to believe that the safety of a school staff member is at risk.



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Reporting Violence, Vandalism, Harassment,
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B. Reporting Requirements

1. The Superintendent shall:

- a. Submit a report to the Department of Education in accordance with the provisions of N.J.S.A. 18:17-46 of each incident of violence, vandalism and alcohol and other drug abuse in the school district utilizing the EVVRS;
 - (1) Prior to submission, the Superintendent shall review the report to verify that it is an accurate and final report of all incidences of violence and vandalism in all of the schools in the school district;
 - (2) Verify that the data entered onto the EVVRS are correct and in accordance with N.J.A.C. 6A:16-7.1(a)6; and
 - (3) Provide for the annual training of staff to prepare them to fulfill the reporting requirements set forth in N.J.A.C. 6A:16-5.3.

C. Hearing Requirements

The Superintendent shall report to the Board all acts of violence, vandalism, harassment, intimidation, bullying and incidents of alcohol and other drug abuse that occurred during the previous reporting period in accordance with the provisions of N.J.S.A. 18A:17-46.

D. School employee knowingly falsifies the Annual Violence and Vandalism Report Required Under N.J.S.A. 18A:17-46.

1. Whenever it is alleged that a school employee has knowingly falsified the report, the Board shall make a determination regarding whether the employee committed the act.
2. Any employee alleged to have knowingly falsified the report shall be notified in writing of such allegation and shall be entitled to a hearing before the Board.
 - a. The hearing shall take place within thirty business days of the date on which the employee is notified of the allegation;
 - b. The employee shall be entitled to be represented by a person of his or her choosing and to present witnesses on his or her behalf; and



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- c. The Board shall notify the employee of its determination in writing within five school days of the hearing.
3. Upon determination by the Board that an employee has knowingly falsified the report, it shall take one or more of the following actions:
 - a. Impose minor discipline on a tenured or non-tenured employee notwithstanding any other law to the contrary and if negotiated with the majority representative of the employees in the appropriate collective bargaining unit;
 - b. Withhold a tenured or nontenured employee's increment for predominantly disciplinary reasons, which shall be subject to the grievance procedures established pursuant to law and shall be subject to the grievance procedures of section 8 of N.J.S.A. 34:13A-29;
 - c. File tenure charges with the Secretary of the Board in writing and with a written statement of evidence under oath to support such charges;
 - d. Terminate employment for an employee:
 - (1) For tenured employees, the termination shall be in accordance with the outcome of the proceedings in (G)3111 above; or
 - (2) Impose such other disciplinary sanctions as may be authorized by law.
4. Any action taken by the Board pursuant to G.3. above shall be based on its consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record.
5. Any employee having been found responsible for the falsification of the report by the Board shall have the right to:
 - a. File a grievance under their respective bargaining agreements;
 - b. Appeal the Board's determination to the Commissioner of Education in accordance with N.J.A.C. 6A:3-1.3 through 1.17 and subsequently to the State Board of Education; or
 - c. Appeal the decision to the Superior Court of New Jersey.



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6. The availability of appeal options shall be based upon the action taken by the Board.

A Board of Education shall submit and implement corrective action plans for high incidences of violence, vandalism, or alcohol or other drug abuse upon notification by the Commissioner of Education.

Issued: 12 January 2010

Issued: 23 June 2011



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Reporting Potentially Missing or Abused Children

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8462 REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN

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

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

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

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

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



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Reporting Potentially Missing or Abused Children

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

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

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

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

Any employee, volunteer, or intern with reasonable cause to suspect or believe **that** a student has attempted or **completed** suicide shall report **the** information to the Department of **Human Services, Division of Mental Health and Addiction Services**, in a form and manner prescribed by the Division of **Mental Health and Addiction Services** pursuant to N.J.S.A. 30:9A-24.a.

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

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

Adopted: 12 January 2010

Adopted: 14 October 2014

Adopted: 10 May 2016



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Reporting Potentially Missing or Abused Children

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R 8462 **REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN**

A. Definitions

1. An "abused child" as defined in N.J.S.A. 9:6-8.9, is a child under the age of eighteen years whose parent(s) or legal guardian(s), or other person having his/her custody and control:
 - a. Inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ;
 - b. Creates or allows to be created a substantial or ongoing risk of physical injury to such child by other than accidental means which would be likely to cause death or serious protracted disfigurement, or protracted loss or impairment of the function of any bodily organ;
 - c. Commits or allows to be committed an act of sexual abuse against the child;
 - d. Or a child whose physical, mental, or emotional condition has been impaired or is in imminent danger of becoming impaired as the result of the failure of his/her parent or guardian, or other person having his/her custody and control, to exercise a minimum degree of care (1) in supplying the child with adequate food, clothing, shelter, education, medical or surgical care though financially able to do so or though offered financial or other reasonable means to do so or (2) in providing the child the proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or substantial risk thereof, including the infliction of excessive corporal punishment or using excessive physical restraint under circumstances which do not indicate that the child's behavior is harmful to himself/herself, others or property, or by any other act of similarly serious nature requiring the aid of the court;
 - e. Or a child who has been willfully abandoned by his/her parent or legal guardian, or such other person having his/her custody and control; or



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- f. Or a child who is in an institution as defined under N.J.S.A. 9:6-8.21 and (1) has been so placed inappropriately for a continued period of time with the knowledge that the placement has resulted and may continue to result in harm to the child's mental or physical well-being or (2) has been willfully isolated from ordinary social contact under circumstances which indicate emotional or social deprivation.

A child shall not be considered abused under N.J.S.A. 9:6-8.9 if the acts or omissions described therein occur in a day school as defined in N.J.S.A. 9:6-8.21.

2. An "Intern" means a post-secondary student or graduate student in a professional field gaining supervised practical experience.
- B. Indications of Child Abuse and/or Neglect
1. The suspicion of child abuse and/or neglect may be based on the complaints of the child or on the direct observations of the employee, volunteer, or intern. A person should suspect child abuse and/or neglect when certain conditions appear to be present. The conditions may be, but are not limited to, whenever:
 - a. There is evidence of physical injury to a student not likely to have been caused by an accident, regardless of the student's explanation of the injury;
 - b. A student complains of having been injured or having been sexually molested, with or without external signs of physical injury;
 - c. A student appears to be malnourished;
 - d. A student's general condition indicates a persistent want of care, such as clothing inadequate for the weather, inadequate hygiene, lack of sleep, decayed and broken teeth, and the like;
 - e. A student complains of or indicates by other means that he/she has been subjected to threats or emotional abuse;
 - f. A student is excessively apprehensive, fearful, withdrawn, or aggressive;
 - g. A student is afraid to go home after school or arrives to school unreasonably early;



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- h. A parent or the caretaker of a child admits having abused the child;
 - i. The removal from school by the parent or guardian, or other person having custody and control of the child that may be an indicator of additional grievous abuses; or
 - j. School district personnel have any other reason to believe that a child has been subject to child abuse and/or neglect, to include but not limited to, physical abuse, sexual abuse, neglect, educational abuse, and education neglect.
- C. Notification Requirements for School District Employees, Volunteers or Interns
- 1. Employees, volunteers, or interns working in the school district shall immediately notify designated child welfare authorities of incidents of alleged missing, abused, or neglected children.
 - a. The person having reason to believe that a child may be missing or may have been abused or neglected may, inform the Principal or other designated school official(s) prior to notifying designated child welfare authorities if the action will not delay immediate notification.
 - b. The person notifying designated child welfare authorities shall inform the Principal or other designated school official(s) of the notification, if such had not occurred prior to the notification.
 - (1) Notice to the Principal or other designated school official(s) need not be given when the person believes the notice would likely endanger the reporter or student involved or when the person believes the disclosure would likely result in retaliation against the student or in discrimination against the reporter with respect to his or her employment.
 - 2. Reports of incidents of alleged missing, abused, or neglected children shall be reported to the New Jersey State Central Registry (SCR) at 1-877 NJ ABUSE **or to any other telephone number designated by the appropriate child welfare authorities.** If the child is in immediate danger a call shall be placed to 911 as well as to the SCR.



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D. School District's Notification to Law Enforcement

1. The Principal or other designated school official(s) upon being notified by a person having reason to believe that a child may be missing or may have been abused or neglected, must notify appropriate law enforcement authorities of incidents of potentially missing, abused, or neglected child situations.
 - a. Notification procedures to child welfare authorities and law enforcement authorities regarding alleged incidents of missing, abused, neglected children shall be consistent with the Memorandum of Agreement between education and law enforcement authorities pursuant to N.J.A.C. 6A:16-6.2(b)13.
 - b. Notification to appropriate law enforcement authorities shall be made for all reports by employees, volunteers, or interns working in the school district.
 - (1) The notification to appropriate law enforcement authorities on behalf of a student attending a receiving school shall be made to the law enforcement authorities identified in the receiving school's Memorandum of Agreement as required by N.J.A.C. 6A:16-6.2(b)13.
2. Confirmation by another person is not required for a school district employee, volunteer, or intern to report the suspected missing, abused, or neglected child situation.

E. School District Cooperation with Designated Law Enforcement Authorities

1. The school district will cooperate with designated child welfare and law enforcement authorities in all investigations of potentially missing, abused, or neglected children.
 - a. Accommodations shall be made permitting the child welfare and law enforcement investigators to interview the student in the presence of the Principal or other designated school official(s).
 - (1) If the student is intimidated by the presence of the school representative, the student shall be requested to name an employee, volunteer, or intern working in the school district whom he or she feels will be supportive, and who will be allowed to accompany the student during the interview.



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- b. District administrative and/or supervisory staff members will assist designated child welfare and law enforcement authorities in scheduling interviews with any employee, volunteer, or intern working in the school district who may have information relevant to the investigation.
- c. In accordance with N.J.A.C. 6A:16-11.1(a)5.iii., the district will release all records of the student who is the subject of the investigation that are deemed to be relevant to the assessment or treatment of a potentially missing, abused, or neglected child pursuant to N.J.S.A. 18A:36-19, N.J.S.A. 9:8-8.40 and allowable under the Family Education Rights and Privacy Act (FERPA), 34 CFR Part 99.
- d. In accordance with N.J.A.C. 6A:16-11.1(a)5.iv., the district will ensure the maintenance, security, and release of all confidential information about potential missing, abused, or neglected child situations is in accordance with N.J.S.A. 18A:36-19, N.J.S.A. 9:8-8.40 and N.J.A.C. 6A:32-7.
 - (1) All information regarding allegations of potentially missing, abused, or neglected children reported to authorities about an employee, volunteer, or intern working in the school district shall be considered confidential and may be disclosed only as required in order to cooperate in investigations pursuant to N.J.A.C. 6A:16-11.1(a)2. and 3. or by virtue of a Court Order. Records pertaining to such information shall be maintained in a secure location separate from other employee personnel records and accessible only to the Superintendent or designee.
- e. In accordance with N.J.A.C. 6A:16-11.1(a)5.v., the district will release the student to child welfare authorities while school is in session when it is necessary to protect the student or take the student to a service provider.
 - (1) Such removal shall take place only after the Principal, or other designated school official(s), has been provided, either in advance or at the time removal is sought, with appropriate documentation that the child welfare authority has already removed, or has appropriate authority to remove, the student from his or her home, as specified in N.J.S.A. 9:6-8.27 through 8.30.



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- f. The district will cooperate in the transfer of a student who has been removed from his or her home by designated child welfare authorities for proper care and protection pursuant to N.J.S.A. 9:6-8.28 and 8.29 to another school.
- F. Due Process Rights of a School Employee, Volunteer, or Intern Named As a Suspect
- 1. An employee, volunteer, or intern working in the school district who has been named as a suspect in a notification to child welfare and law enforcement authorities regarding a missing, abused, or neglected child situation shall be entitled to due process rights.
 - 2. Temporary reassignment or suspension of an employee, volunteer, or intern working in the school district named as a suspect pursuant to N.J.S.A. 6A:16-11.1(a)2 shall occur only if there is reason to believe that the life or health of the alleged victim or other student is in jeopardy due to continued contact between the employee, volunteer, or intern and the student.
 - 3. All references to a notification to the designated child welfare authorities of a potential missing, abused, or neglected child situation involving a school district employee, shall be removed from the employee's personnel records immediately following the receipt of an official notice from child welfare authorities that the allegation was unfounded pursuant to N.J.S.A. 18A:6-7a.

Adopted: 12 January 2010

Adopted: 14 October 2014

Adopted: 10 May 2016



8465 HATE CRIMES AND BIAS-RELATED ACTS

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

Definitions

A "hate crime" is any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race, color, disability, religion, sexual orientation, or ethnicity.

A "bias-related act" is an act directed at a person, group of persons, private property, or public property that is motivated in whole or part by racial, gender, disability, religion or sexual orientation, or ethnic prejudice. A bias-related act need not involve conduct that constitutes a criminal offense. All hate crimes are also bias-related acts, but not all bias-related acts will constitute a hate crime.

Required Actions

Whenever any school employee in the course of his/her employment develops reason to believe that (1) a hate crime has been committed or is about to be committed on school property, or has been or is about to be committed by any student, whether on or off school property and whether or not such offense was or is about to be committed during operating school hours, or (2) a student enrolled in the school has been or is about to become the victim of a hate crime, whether committed on or off school property or during operating school hours, the school employee shall immediately notify the Building Principal and Superintendent, who in turn shall notify the East Orange Police Department and Bias Investigation Officer for the county prosecutor's office. The Principal shall notify the East Orange Police Department and the county prosecutor's office immediately if there is reason to believe that a hate crime that involves an act of violence has been or is about to be physically committed against a student or there is otherwise reason to believe that a life has been or will be threatened.



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

In deciding whether to refer the matter of a bias-related act to the East Orange Police Department or the county prosecutor's office, the Building Principal and the Superintendent, should consider the nature and seriousness of the conduct and the risk that the conduct posed to the health, safety and well-being of any student, school employee or member of the general public. The Building Principal and Superintendent should also consider the possibility that the suspected bias-related act could escalate or result in some form of retaliation which might occur within or outside school property.

It is understood a referral to the East Orange Police Department or county prosecutor's office is only a transmittal of information that might be pertinent to a law enforcement investigation and is not an accusation or formal charge.

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

School officials will secure and preserve any such graffiti or other evidence of a suspected hate crime or bias-related act pending the arrival of the East Orange Police Department or the county prosecutor's office. The school officials, when feasible, will cover or conceal such evidence until the arrival of the East Orange Police Department or county prosecutor's office.

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

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

Adopted: 12 January 2010



R 8465 HATE CRIMES AND BIAS-RELATED ACTS

A. Definitions

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

B. Procedure For Reporting Hate Crimes

1. A school employee will notify the Building Principal whenever the school employee, in the course of his/her employment, develops reason to believe that:
 - a. A hate crime has been committed or is about to be committed on school property; or
 - b. A hate crime has been or is about to be committed by any student, whether on or off school property and whether or not such offense was or is about to be committed during operating school hours; or
 - c. That a student enrolled in the school has been or is about to become the victim of a hate crime, whether committed on school property or during school hours.
2. The Building Principal will notify the Superintendent, the East Orange Police Department and Bias Incident Officer for the county prosecutor's office.
3. The Principal and the Superintendent shall notify the East Orange Police Department and the county prosecutor's office immediately if there is reason to believe that a hate crime that involves an act of violence has been or is about to be physically committed against a student or there is otherwise reason to believe that a life has been or will be threatened.



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C. Procedure For Reporting Bias Incidents

1. A school employee should immediately notify the Building Principal whenever the school employee, in the course of his/her employment, develops reason to believe that:
 - a. A bias-related act has been committed or is about to be committed on school property; or
 - b. A bias-related act has been or is about to be committed by any student, whether on or off school property and whether or not such bias-related act was or is to be committed during school hours.
2. The Building Principal will notify the Superintendent and the East Orange Police Department.
3. In deciding whether to refer the matter of a bias-related act to the East Orange Police Department or the county prosecutor's office, the Building Principal and the Superintendent, should consider:
 - a. The nature and seriousness of the conduct; and
 - b. The risk that the conduct posed to the health, safety and well-being of any student, school employee or member of the general public.
4. The Building Principal will consult with the Superintendent and should consider:
 - a. That the police department or the county prosecutor's office may possess, or have access to, other information that could put the suspected bias-related act in proper context, which could shed light on the motivation for the act or some other unsolved hate crime; and
 - b. The possibility that the suspected incident could escalate or result in some form of retaliation that might occur within or outside school property.



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D. Nature of Referral

1. The mandatory referral for suspected or committed hate crimes and the presumptive referral for suspected or committed bias-related acts as described in the regulation is only a request to the law enforcement agencies to conduct an investigation and is nothing more than the transmittal of information which may be pertinent to any such law enforcement investigation.
2. Any referral in accordance with this regulation is not an accusation or formal charge.
3. Any referral pursuant to this regulation is predicated on the basis of reasonable suspicion, which is less than probable cause, less than the proof sufficient to sustain an adjudication of delinquency or a finding of guilt in a court of law and less than the proof sufficient to justify the imposition of school discipline.
4. All doubts by school officials should be resolved in favor of referring a matter to the East Orange Police Department or the county prosecutor's office.

E. Concurrent Jurisdiction

1. Unless the East Orange Police Department or the county prosecutor's office request otherwise, the school district may continue to investigate a suspected hate crime or bias-related act occurring on school property and may take such actions as necessary and appropriate to redress and remediate any such acts.
2. The school officials will discontinue the in-school investigation if the East Orange Police Department or the county prosecutor's office believe the school investigation could jeopardize an on-going law enforcement investigation or otherwise endanger the public safety.

F. Preservation of Evidence

1. School officials will secure and preserve any such graffiti or other evidence of a suspected hate crime or bias-related act pending the arrival of the East Orange Police Department or the county prosecutor's office.



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2. The school officials, when feasible, will cover or conceal such evidence until the arrival of the East Orange Police Department or county prosecutor's office in a manner designed to minimize the harm and continued exposure to students by such evidence, but that will not permanently damage or destroy such evidence or otherwise limit its utility in an ongoing investigation or prosecution.
3. The East Orange Police Department and/or the county prosecutor's office will photograph or otherwise document the location and content of any such graffiti or other bias-based evidence as soon as possible, so that the graffiti or other evidence may be removed or eliminated at the school district's earliest opportunity.

Issued: 12 January 2010



8467 WEAPONS

The Board of Education prohibits the possession, use, or exchange of any weapon in any school building, on school grounds, at any school-sponsored event, and on school sanctioned transportation except as the possession and use of a weapon is authorized by law and required in the performance of the possessor's duty.

For the purpose of this policy, "weapon" means anything readily capable of lethal use or of inflicting serious bodily injury. "Weapon" includes, but is not limited to, all firearms, knives, dangerous instruments intended to inflict harm, components that can be readily assembled into a weapon, explosive devices, and imitation firearms. For the purposes of this policy "firearm" means those items enumerated in N.J.S.A. 2C:39-1f and 18 U.S.C. 921.

Any student or school employee who has reasonable grounds to suspect the presence of a weapon prohibited by this policy shall immediately report his/her suspicion to the Building Principal and/or designee and/or immediate supervisor. The Building Principal and/or designee and/or immediate supervisor shall conduct an appropriate search in accordance with Policy No. 5770 and confiscate any weapon discovered in the course of the search. He/she shall, if appropriate and feasible, summon the aid of law enforcement officers in the conduct of the search. Any school employee who confirms the presence of a weapon under circumstances that place persons at serious risk may confiscate the weapon immediately and may use such force as is reasonable and necessary to obtain possession.

Unless the weapon has been taken into custody by a law enforcement officer, the Building Principal and/or designee and/or immediate supervisor shall immediately store any confiscated weapon in a securely locked box or container and report the presence of the weapon to the Superintendent. The Superintendent shall promptly notify, by telephone call and by letter, the Chief of Police of East Orange that a weapon is present on school premises; the notice shall request removal of the weapon by an authorized law enforcement officer. The Superintendent shall obtain and file a receipt for any weapon removed by a law enforcement officer.

Any student who possesses, uses, or exchanges a weapon in violation of this policy shall be subject to stringent discipline, which may include expulsion. Any student or school employee who suspects or knows of the presence of a weapon in violation of this policy and fails to report the same shall be subject to discipline. Any person who possesses a weapon on school premises or school transportation or at a school-sponsored function shall be reported to the appropriate law enforcement agency.



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Any student who is convicted or is an adjudicated delinquent for possession of a firearm or who is found to be in possession of a firearm on school property must be immediately removed from the regular education program and provided with an alternative program, pending a hearing before the Board of Education. Students convicted or found to be delinquent for possessing a firearm on school property, on a school bus, or at a school-sponsored function or committing a crime while possessing a firearm shall be immediately removed from the regular education program for a period of not less than one calendar year and placed in an alternative education school or program pending a hearing before the Board of Education to remove the student. (Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act)

Any student who commits an assault upon members of the school community with a weapon other than a firearm on school property must be immediately removed from the regular education program and provided with an alternative program, pending a hearing before the Board of Education. (Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act)

Students with disabilities violating the provisions of this policy shall be dealt with in accordance with Policy No. 2460 and Regulation No. 2460.6.

Nothing in this policy shall be construed to prohibit the reporting of a crime committed by a child with a disability to the appropriate law enforcement or judicial authorities, or to prevent such authorities from exercising their responsibilities with regard to the application of federal or state law to crimes committed by a child with disabilities.

Any student requiring removal from the regular education program for the reasons enumerated above shall be removed in accordance with Policy and Regulation No. 5611.

The Superintendent, or designee, shall prepare regulations to implement this policy for the guidance of school staff in dealing with incidents involving weapons in the school district.

N.J.S.A. 2C:39-1 et seq.; 2C:58-6.1; 2C:58-15

N.J.S.A. 18A:6-1

N.J.S.A. 23:4-16

N.J.A.C. 6A:14-2.8 et seq.

Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act

18 U.S.C. 921

20 U.S.C 1415

Adopted: 12 January 2010



R 8467 **WEAPONS**

A. Definitions

"Weapon" includes:

1. Firearms, which include but are not limited to, any handgun, rifle, shotgun, machine gun, automatic or semi-automatic rifle, or any gun, device, or instrument in the nature of a weapon from which may be fired or ejected any solid projectile ball, slug, pellet, missile, or bullet, or any gas, vapor or other noxious thing, by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances. It also includes any firearm that is in the nature of an air gun, spring gun or pistol or other weapon of a similar nature in which the propelling force is a spring, elastic band, carbon dioxide, compressed or other gas or vapor, air or compressed air, or is ignited by compressed air, and ejecting a bullet or missile smaller than three-eighths of an inch in diameter, with sufficient force to injure a person. Firearms for the purposes of this regulation means those items enumerated in N.J.S.A. 2C:39-1f and 18 U.S.C. 921.
2. Components that can be readily assembled into a weapon.
3. Gravity knives, which means any knife that has a blade that is released from the handle or sheath thereof by the force of gravity or the application of centrifugal force.
4. Switchblade knives, which means any knife or similar device that has a blade that opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife.
5. Daggers, dirks, pen knives, box cutters, stilettos, and other dangerous knives.
6. Ballistic knives, which means any device capable of lethal use that can propel a knife blade.
7. Billies, blackjacks, bludgeons, metal knuckles, sandclubs, slingshots, cesti or similar leather bands studded with metal filings or razor blades imbedded in wood.
8. Stun guns, which means any weapon or other device that emits an electrical charge or current intended to temporarily or permanently disable a person.



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9. Any device that projects, releases, or emits tear gas or any other substance intended to produce temporary physical discomfort or permanent injury through being vaporized or otherwise dispensed in the air.
 10. Imitation firearms, which means an object or device reasonably capable of being mistaken for a firearm.
- B. Confiscation
1. A school employee who confiscates any weapon shall immediately notify the school Principal.
 2. The Principal shall immediately notify the Chief of Police of the East Orange Police Department by telephone that a weapon has been confiscated and shall request removal of the weapon by a police officer. The telephone call shall be confirmed in a written letter.
 3. The Principal shall safeguard the weapon until a law enforcement officer takes custody of it.
 - a. The Principal shall place the weapon in a box or container.
 - b. The Principal shall record or cause to be recorded on the container or on a document attached to the container,
 - (1) A description of the weapon;
 - (2) The name and signature of the person who confiscated the weapon;
 - (3) The date, time, and place the weapon was confiscated;
 - (4) The circumstances under which the weapon was confiscated; and
 - (5) The name of the student or staff member believed to be in possession of the weapon when it was confiscated.
 - c. The container will be placed in a secure location under lock and key and under the Principal's direct control.



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- d. In the event any person other than the Principal is permitted access to the weapon prior to its retrieval by a law enforcement officer, that person shall enter his/her name and signature on the record along with the time and date of inspection and the reason for the access. Access to the weapon will be permitted only in the presence of the Principal.
 - e. The law enforcement officer who takes custody of the weapon shall be required to sign and date the record to indicate his/her receipt of the substance or item.
 4. The Principal shall provide to the law enforcement officer who takes custody of the weapon:
 - a. All information concerning the manner in which it was confiscated;
 - b. The identity of all persons who had custody of the weapon following its confiscation; and
 - c. The identity of any student or staff member believed to have been in possession of the weapon.
- C. Evacuation
 1. The Principal shall, in accordance with Regulation No. 8420, direct the immediate evacuation of the school building or the appropriate portion thereof in the event that:
 - a. The presence of an incendiary device or explosive is known or is reasonably reliably suspected;
 - b. A person possessing a firearm or incendiary device or explosive refuses to surrender the weapon and the use of force necessary to confiscate the weapon would place another person at serious risk; or
 - c. The Principal in his/her judgment believes that the school community is at risk and the building should be evacuated.
 2. Regular evacuation routes may be modified as required to protect students and staff members from danger.



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3. Law enforcement officers shall be summoned immediately to any school building evacuated under this regulation.
- D. Removal of Students from Educational Program
1. A student convicted or found to be delinquent for possessing a firearm on any school property, on a school bus, or at a school-sponsored function or a student committing a crime with a firearm shall be immediately removed from the school's regular education program for a period of not less than one calendar year in accordance with Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act and Policy No. 5611.
 2. A student who assaults a member of the school community with a weapon other than a firearm on school property, on a school bus, or at a school-sponsored function must be immediately removed from the school's regular education program in accordance with Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act and Policy No. 5611.
 3. Removal of a student for reasons enumerated in this Regulation shall be in accordance with Policy and Regulation No. 5611.
 4. The Building Principal will immediately notify the student's parent(s) or legal guardian(s) if the student is found to be in possession of a firearm on school property or if a student commits an assault upon members of the school community with a weapon other than a firearm on school property.

Issued: 12 January 2010



8468 CRISIS RESPONSE

The Board of Education recognizes its responsibility to be prepared to confront circumstances in which the physical and/or mental well-being of students, staff and other individuals on school grounds is threatened or overtly impacted upon by an individual or group of individuals. Situations at issue include, but are not limited to, acts of terrorism, hostage situations and other threats or acts of a violent nature. The Board further recognizes there is a need to deal with the aftermath of such events and circumstances and to contend with the psychological trauma, pain and confusion which may ensue as the result of these events.

The Board establishes through the person of the Superintendent or his/her designee, a School Safety/Crisis Advisory Committee whose responsibility it shall be to act:

1. As a source of information;
2. As a vehicle through which direct services may be delivered;
3. In an advisory capacity to the Superintendent, or his/her designee, and/or other agents or agencies dealing with the crisis situation.

The District School Safety/Crisis Advisory Committee may consist of the following membership:

1. The Superintendent of Schools, or his/her designee;
2. An administrator from each of the schools within the district;
3. Safe & Drug free Schools Coordinator;
4. School Psychologist(s);
5. Guidance Counselor(s);
6. School Social Worker(s);
7. Director of Special Services and/or Educational Support Services;
8. Director of Buildings and Grounds;
9. Teacher representative(s);



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10. A representative of local/State Police, Fire Department, Office of Emergency Management;
11. A representative of local medical facility/hospital or Department of Health;
12. Supervisor of Security;
13. Representative of the Early Childhood Department;
14. School Nurse and/or medical inspector;
15. Others as deemed appropriate to the function of the Crisis School Safety/Advisory Committee.

The Crisis School Safety/Advisory Committee shall be convened at least quarterly. Subcommittees and/or task forces meet as necessary:

1. To review and make recommendations on school safety/crisis management policy and procedures and school safety plans;
2. To orient new members as to their responsibilities;
3. To maintain and reinforce lines of communication between the various disciplines and specialists who make up the Crisis Team.
4. To collaborate in the planning implementation and monitoring of school safety drills.

Each school shall have a Crisis/School Safety Team made up of school staff. The team shall meet on a regular basis to:

1. Review and update School Safety/Crisis Plans annually and update as circumstances warrant;
2. Orient staff to their responsibilities;
3. Respond to School level crisis situations;
4. In some situations, school level team members may be deployed to other district sites.

Adopted: 12 January 2010



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Crisis Response

R 8468 CRISIS RESPONSE

In responding to a crisis situation, the school administration and staff shall implement the following procedures:

A. LEVEL I - Threat Situation

In the event of an overt threat to an individual:

1. Anyone becoming aware of such a threat shall, without delay, report the nature of this threat, and any details known about the threat to the Building Principal or their immediate supervisor.
2. The administrator/supervisor, upon receipt of such a report, shall isolate and contain the individual(s) reported to have made said threat. Such action is to be taken only if it is possible to do so without further jeopardizing the safety of the individual threatened, or any other individual on the school premises.
3. If the physical safety of any individual is, or might be jeopardized by an attempt to isolate or contain the individual in question, the local law enforcement authorities shall be contacted for their assistance.
4. Whenever possible, the building supervisor or administrator shall cause any and all other individuals present to be removed from the immediate and surrounding location, to a place of safety.
5. In those instances in which weapons, and/or potentially dangerous materials are discovered to be involved, the local law enforcement authorities shall immediately be notified in accordance with Policy and Regulation Nos. 5611 and 8467.
6. The building administrator or supervisor shall, at earliest opportunity, report to the Superintendent the existence of any crisis situation, the status of that situation and any action contemplated or taken by the building administrator.
7. In the absence of an imminent threat to any individual(s) (such as those outlined in #3 or #5 above), the Superintendent may choose to consult with others in determining an appropriate response to the threat situation; e.g., Board Attorney, administrator in whose school the threat has occurred. The Superintendent may also:



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- a. Convene a meeting of the District School Safety/Crisis Team and/or any members of that Team and/or the District Mental Health Emergency Response Team for consultation regarding an appropriate course of action.
 - b. Direct the administrator to:
 - (1) Contact the parents of the individual(s) involved, and require their immediate presence at school to discuss the nature of the threat.
 - (2) Immediately suspend the student(s) from school, pending further action.
 - (3) When applicable, place suspended student(s) on Homebound Instruction, pending evaluation by the Child Study Team.
 - (4) If deemed necessary, report the incident to the local police authorities.
 - c. In instances in which weapons have been involved, initiate suspension or expulsion proceedings in accordance with Policy and Regulation No. 5611.
8. Upon resolution and during a Level I situation, counseling/intervention services may be provided to individual(s) who have been adversely affected. Such services may be made available through the District Mental Health Emergency Response Team, Child Study Team or through a referral to an outside agency.
9. The Superintendent or his/her designee, shall report to the Board concerning the relevant details of the Level I crisis situation; specifically, those actions contemplated or taken, and the resultant outcome.
- B. Level II - Crisis in Progress
- During the commission of an act of terrorism, natural disaster, hostage situation or other violence, the jurisdiction of the local/State Police authority is recognized.
1. Aware that such an act is in progress, the administrator shall, without delay, notify the local, state or county law enforcement authorities.
 2. The school shall place at the disposal of the law enforcement authorities, all personnel and information that might be supportive and useful in resolving the crisis.



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3. The Crisis Team may be immediately convened.
4. The Crisis Team may be briefed on the status of the situation, and will act in an informational and advisory capacity to the Superintendent or his/her designee, and local enforcement agency during the crisis.
5. The Crisis Team members will provide assistance and services as needed to help maintain order. Efforts should also be directed toward generating a sense of control in students, staff and members of the community.
6. The Superintendent or his/her designee, shall act as the primary disseminator of information to the press, public and staff concerning the ongoing crisis. He/she may elect to consult with the local, state or county law enforcement authorities and/or Crisis Team in determining the nature and extent of information to be released. Consideration shall be given to the possible effects the release of information might have on:
 - a. The safety of individuals immediately involved in the situation;
 - b. The reactions or interpretation of the staff, students or community;
 - c. The effect upon law enforcement efforts to resolve the crisis.

C. Level III - Aftermath

Upon resolution of a Level II situation, the District School Safety/Crisis Advisory Committee and the District Mental Health Emergency Response Team shall convene to determine the status of the student body, staff and community; and to determine the steps needed to reestablish a normalized psychological/social environment.

1. They shall consider and make recommendations concerning:
 - a. Individuals who are in need of referral to in-school counseling services;
 - b. Individuals who need to be referred to agencies or private counselors;
 - c. Steps to be taken by staff in dealing with student questions, concerns and fears related to the crisis. To accomplish this, a faculty meeting of the entire staff shall be held as soon as time and circumstances allow;



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- d. Information to be provided to the classroom teacher which may be shared with students with the objective of reducing fear, rumor, and promoting a calming and healing atmosphere;
 - e. Debriefing opportunities for staff members who have questions, concerns and fears related to the crisis;
 - f. Directions to the staff regarding appropriate/inappropriate media contact.
2. The School Safety/Crisis Advisory Committee shall:
 - a. Review the crisis policy and procedures currently in effect;
 - b. Make suggestions to the Superintendent or his/her designee, for modifications in policy and procedures which have potential for dealing with future incidents.
 3. The Superintendent or his/her designee, shall communicate to the Board of Education, information concerning the resolution of the crisis situation, details of actions contemplated or taken and recommendations for changes in policy or procedure.
 4. Individuals who are members of the student population, and are found to be culpable in the commission of any threat or act as indicated above, shall be subject to:
 - a. Criminal law pertaining to such acts and individuals.
 - b. The civil law pertaining to such acts and individuals.
 - c. New Jersey Education Law and Codes (Regular or Special Education) as they pertain to such acts and individuals.

Issued: 12 January 2010



8470 RESPONSE TO CONCERTED JOB ACTION

In the event of a job action, administrators must remember that they are employees of the Board of Education. The professional obligation of administrators is to carry out all legal mandates issued by the Board of Education during a teacher job action or teacher strike.

A. Pre-strike Planning

Principal must:

1. Establish a manageable, meaningful communication system with head custodian, Assistant Principals and other key school building and central office personnel to develop a specific strike-basis communication system. Principals must develop both an internal and external communication system, and limit the use of written communications to the most essential items. What is put in writing can be used by strikers to incite further job action;
2. Develop alternative plans for continuing the educational program; prepare to collapse and coordinate programs and positions in a smooth, orderly fashion;
3. Generate a list of available substitute teachers. Prepare a set of written instructions for each substitute teacher outlining in detail expectations of their performance during the strike. Develop an outline for a substitute orientation session;
4. Prepare and keep under lock and key reserve copies of curriculum guides, teachers' manuals, instructional materials, class lists, and room keys for distribution to substitute teachers;
5. Work closely with custodial staff and others in establishing a building security system;
6. Make certain that all audiovisual equipment, teaching aids, supplies, and films are in proper working order and secure. Provide extra replacement equipment parts such as lamp bulbs, lenses, etc., that staff may attempt to remove from the building;
7. Just prior to a strike/job action bring support staff (custodians, secretaries, aides, school lunch workers, etc.) together and share with them expectations of their behavior;



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8. When it appears that negotiations will in fact break down, begin bringing professional staff together to outline plans for keeping the school open and the educational program operative;

Indicate that, should a strike be called, support staff teacher aides, parent(s) or legal guardian(s) volunteers, administrators, and substitute teachers will be used to the fullest extent possible to maintain the education program;

Teachers not wishing to strike should be encouraged to pursue the path of action deemed most appropriate to them. Each individual in our democratic society has freedom of choice and our schools have a responsibility to society.

B. Strike Period

Principals must:

1. Maintain as aggressive and full an educational program as possible and insist that non-striking teachers, substitutes, teacher aides, and others in the classrooms provide for a quality learning experience; avoid as much as possible "baby-sitting" service, study hall and other relatively non-productive activities;
2. Set into motion the pre-planned communications system; keep parent(s) or legal guardian(s), students, and the larger community informed of school hours and report immediately any changes as they develop;
3. Become as visible as possible;
4. Be prepared to deal with the tremendous pressure being exerted by the striking forces against those teachers who are working;
5. Report to school early and remain in the building until all others have left and the picket lines have disbanded for the day;
6. Provide for the safety of all concerned; report immediately to the Superintendent's office and police, if warranted, any threats or actual acts of physical violence;
7. Be careful of what he/she says to whom he/she says it, and how he/she says it.



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C. Post Strike

The period immediately following a strike can be the most difficult in terms of relationships between the organization's members. The administrator is the key to bringing the staff back together.

Principals must:

1. Maintain and modify communication systems to include the returning teachers. It is particularly important that the returning teachers know they can communicate up, down, and through the organization's communication system;
2. Design reunification of the staff;
3. Become completely familiar with and respect the negotiated contract; study the finalized contract carefully and seek clarification if necessary;
4. Be accessible to all teachers. Many striking teachers will want to have someone they can talk to.

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

Adopted: 12 January 2010



R 8470 STRIKE EMERGENCIES

- A. Strike Preparedness
- B. Daily Activities During a Strike
- C. Verification of Staff Absences
- D. Recruitment and Appointment of Substitute Teachers
- E. Duties of Substitute Teachers
- F. Student Transportation During a Strike

These regulations will be distributed to staff members as required by the Superintendent.

These regulations are to be considered confidential and must be secured by the staff member to whom they have been distributed, except that excerpts may be copied for the use of other staff members assigned to the maintenance of district operations. Each responsible administrator must be thoroughly familiar with the regulations for strike emergencies.

- A. Strike Preparedness
 - 1. A team will be established to gather and assess information regarding the possibility of a strike and the impact of any potential strike on district operations. The team will include appointed administrators and other reliable staff members. Team size and membership will depend on the size and polarization of the faculty. The team will be directed to:
 - a. Gather information from employees, association representatives, the central office, and other reliable sources;
 - b. Inquire into the experience of administrators in neighboring school districts in which strikes have occurred;
 - c. Evaluate strike and prestrike activities carefully;
 - d. Anticipate the degree of strike participation and preparation by both teaching and support staff members;
 - e. Anticipate the nature and extent of support that nonstriking employees will provide to striking employees;



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- f. Anticipate acts of sabotage that might be perpetrated by striking employees, such as the withholding of roll books and keys, the removal of fuses from audio-visual equipment, the locking of cupboards, the destruction of film requisition forms, the disabling of district communications, and the removal of lesson plans.
2. Based on information gathered and assessed by the team, the administration will develop counter measures for anticipated problems; such measures may include, but need not be limited to:
 - a. Establishing criteria for a minimum day schedule;
 - b. An alternate method for taking student attendance;
 - c. The means of foiling potential acts of sabotage;
 - d. The frustration of attempts by striking employees to influence students to stay home and to intimidate teachers coming to school;
 - e. The use of unlisted, unmarked telephones, walkie-talkies, pay telephones, parents' or legal guardians' telephones, and messengers; and
 - f. The means of defusing confrontations between striking and nonstriking employees.
3. If a strike is anticipated, Principals will take steps to prepare for the continual operation of the facility and delivery of instructional services. Principals should:
 - a. Ensure that there are at least two copies of the current curriculum guide for each subject and/or grade available in the office or other appropriate location;
 - b. Ensure that substitute teacher folders are up-to-date and provided with all necessary materials;
 - c. Establish alternate pickup points for students for the use of bus drivers; and



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- d. Prepare information to assist substitutes and volunteers by requiring each teacher to complete a form that includes the:
 - (1) Names and subjects of neighboring helpful teachers;
 - (2) Names of two or three responsible students in each section;
 - (3) Location in the room of the regular roll book, regular seating chart, paper and pencils, commonly used texts, various report forms, frequently used supplies, etc.;
 - (4) Supervision and extra-curricular duties performed by the teacher;
 - (5) Names of any students who might be difficult to handle; and
 - (6) Information on class routines or rules that should be followed.
 4. Administrators and all nonstriking employees should be made aware that striking employees may use unorthodox and shocking methods in their efforts to sway the administration and the Board and to garner public support. Experience in other school districts has shown that lies, sabotage, threats, and harassments can be expected. Nonetheless, the conduct of administrators and nonstriking employees must at all times be legal and meet high ethical and professional standards.
- B. Daily Activities During a Strike
1. Principals are responsible for the operation of their school during a strike emergency. It will be assumed that the Vice Principal is designated to act in the Principal's absence unless the Principal informs the Superintendent to the contrary.
 2. During a strike, district operations will be centralized in the Superintendent's office.
 3. Principals will be provided with the following special supplies for use as necessary during a strike:
 - a. Light switch keys and keys for other locks not operable by the Principal's master key and sets of keys to open classroom doors, desks, files, and cupboards;



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- b. A diagram showing all shut-off valves for water, gas, and electricity;
- c. List of the nearest pay telephones with their locations; and
- d. An emergency kit to be stored in a secure place and available only to the Principal and the Vice Principal. As a minimum, the kit will contain:
 - (1) Bolt cutters,
 - (2) A bull horn,
 - (3) Camera and film,
 - (4) An emergency first aid kit, and
 - (5) Items necessary for the use of audio-visual equipment such as projector bulbs, fuses, and heavy duty extension cords.
- 4. On every school day of the emergency Principals will:
 - a. Report to school one and one-half hours before the start of classes and assign at least one custodian and one secretary to report in at this time;
 - b. Inform the Superintendent of any changes in substitute requirements in teaching or support staff;
 - c. Be present at the picket line when employees are entering or leaving school;
 - d. If too few cafeteria workers report to provide normal service, decide promptly, in consultation with the Superintendent, whether to close the cafeteria, provide limited service with available cafeteria staff, or provide lunch by a catering service;
 - e. Report attendance of students and staff to the Superintendent;
 - f. Document all incidents and absences;
 - g. Meet briefly each day with nonstriking employees to update them on activities;



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- h. Meet daily with the Superintendent; and
 - i. Submit a Daily Building Report to the Superintendent.
 5. The Principal is responsible for the security of all school building keys, which should be kept in a locked place. Keys for substitutes should be carefully checked in and out daily. Lost keys must be reported immediately to the Supervisor of Safety.
 6. The Principal will instruct strikers or disrupters who attempt to enter school grounds or harass students and employees that they are participating in an illegal activity. Such strikers and disrupters should be asked to leave the school grounds. Strikers and disrupters shall not be offered refreshments of any kind or allowed the use of school rest rooms.
 7. The Principal will summon law enforcement officials directly in the event of a dire and immediate emergency. All other requests for help should be directed through the centralized office.
 8. The Principal will notify the Director of Maintenance directly if any part of the school facility requires immediate attention or emergency repair.
 9. The continuity of the instructional program is of paramount importance; administrators should avoid being supportive of strikers and strongly support all staff members who are working to keep the schools open.
 10. The Principal shall prepare a simple straightforward statement for release to the press. A sample statement follows:

The _____ School is currently open and classes are being held for all grades with professional staff members, both regular and substitute. We believe that teachers who desire to teach should be entitled to do so and that students who desire to come to school and learn are also entitled to do so. We will keep the school open as long as we can provide a safe environment. Parent(s) or legal guardian(s) are encouraged to contact the school for information and may do so by calling the designated telephone number. The _____ School will be operating on schedule until further notice. Parent(s) or legal guardian(s) are welcome to visit the school at any time and their assistance during this emergency situation will be appreciated.



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11. The Principal will forthrightly answer questions of the press related to the specific situation at his/her school. Any such answers must be confined to the facts and specifics of the situation and must not include opinions, subjective information, or rumors. A question that calls for a subjective assessment should be deflected and the questioner referred to the Superintendent for additional information. The following examples are illustrative.
 - a. Question: "Is there picketing at your school?"
Answer: "Yes" or "No".
 - b. Question: "How extensive is the picketing?"
Answer: " _____ (correct number) pickets are at the front entrance and _____ (correct number) are at the side entrance."
 - c. Question: "Do you anticipate trouble?" or
"What kind of mood are they in?"
Answer: "I do not care to assess the situation; I refer you to the _____ for further information."
12. The Principal shall assume responsibility for opening and securing the school plant when custodial help is not available.
 - a. All doors and windows must be secured and school rooms left lighted at night with blinds open.
 - b. Student records, keys, substitute folders, and audio-visual equipment should be secured.
13. During the strike emergency the following standing orders will prevail:
 - a. Clerks at all schools will be placed on an eight hour day with the last shift ending at 4:00 p.m.
 - b. Custodians will be on duty around-the-clock.



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C. Verification of Staff Absences

1. During a strike emergency only sick leave and personal emergency leave will be authorized. The Superintendent will authorize employee absences when he/she determines that the disability or personal emergency claimed by a staff member would have warranted the employee's absence under normal conditions.
2. Any employee absence occurring during the period of the strike must be substantiated by a physician's certification or other authenticating documentation acceptable to the Superintendent. If the Superintendent believes that the documentation offered by the employee is questionable, he/she may require that the employee submit to an examination by the school medical inspector to verify a claim of disability or submit additional verification of a claimed personal emergency.
3. Each unauthorized absence will result in full deduction of one day's salary for each day of absence.
4. It shall be assumed that an employee absent the first or any succeeding day of a strike will be absent the next day and each subsequent day, unless the employee reports his/her intention to return to work, by telephone call to the Principal no later than 4:00 p.m. of the day preceding the anticipated return day.
5. If an absent employee returns to work during the strike period, but fails to inform the district in accordance with ¶C4 and a substitute teacher has been hired to fill the position, the returning teacher will not be allowed to perform his/her duties and will not be paid for that day.

D. Recruitment and Appointment of Substitutes

1. Substitutes shall be recruited and appointed by the district.
2. The Principal may appoint a group of staff members to call substitutes.
3. Candidates for appointment as substitutes may be assigned numbers, rather than named, for their inclusion in lists and other documents distributed to callers and other administrators.



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4. Telephones with unlisted numbers will be provided for the purpose of calling substitutes. If the unlisted telephones are not installed and district telephones have been made inoperable, administrators will communicate with the centralized office and one another by walkie-talkie, pay telephone, the telephone of a cooperative parent(s) or legal guardian(s) or by messenger.
 5. If the first day of the strike can be anticipated, all available substitutes will be called on the day prior to the first day of the strike and will be requested to report to specific schools the following morning. The Principal in each school will report any shortage or over-assignment of substitutes at his/her school to the Superintendent in the morning. Any necessary adjustments will be made as soon as possible.
 6. On an unanticipated first day, available substitutes shall be called and assigned as quickly as possible and will be asked to report to school promptly. The Principal in each school will report any shortage or over-assignment of substitutes at his/her school to the Superintendent and any necessary adjustments will be made.
 7. On all subsequent strike days,
 - a. Each Principal will call the Superintendent with a request for substitutes as soon as he/she can assess employee absences for the following day. The request will include the names of absent teachers, the subjects to be covered, reason for absences, and the approximate length of absence.
 - b. When the list of substitutes is exhausted, the callers will notify the Principals that any additional vacancies cannot be filled.
 8. Nonstriking professional employees not regularly assigned to classrooms, such as administrators, educational services personnel, and traveling teachers, may be assigned to substitute for absent classroom teachers.
- E. Duties of Substitute Teachers
1. Substitutes are responsible for covering all regularly scheduled activities of the classroom teacher including homeroom, study hall, detention hall, and cafeteria supervision, unless specifically relieved of these duties by the Principal. Substitutes will not be required to carry out extra-curricular responsibilities of the classroom teacher. Every effort shall be made to continue the regular instructional program, including the assignment of homework.



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2. Substitutes should report to the Principal's office thirty minutes before homeroom starts and must remain in the school building until the end of the school day unless given permission to leave by the Principal.
 3. Substitutes will carefully record student attendance. If regular roll sheets or seating charts are not available, substitutes will use a temporary roll sheet and seating chart for the duration of the strike.
 4. Substitutes shall make a list of all assignments made and shall properly identify all written work done by students.
 5. The name of any uncooperative or disruptive student should be left for the classroom teacher along with a description of the student's conduct.
 6. At the end of the school day, substitutes shall return to the Principal their substitute folders, keys, texts, materials, roll books, and seating charts.
 7. Substitutes shall refrain from discussing the strike during class periods and in the presence of students.
 8. Substitutes will check with the office at the end of the day to determine if the regular teacher will return to service the following day.
 9. Substitutes are cautioned not to release their home telephone number to anyone who requests it. Such requests should be referred to the Superintendent's office.
- F. Student Transportation During a Strike
1. Bus drivers are expected to continue to perform their assigned duties during a strike emergency. Parent(s) or legal guardian(s) will be told to expect bus service. Scheduled field trips will be conducted if an adequate number of staff is available.
 2. In the event that district drivers do not report or do not perform their duties as scheduled, alternate busing will be arranged by the School Business Administrator/Board Secretary with private charter lines.
 3. If the school building is picketed, alternate pickup points will be established by the Principal, in consultation with bus drivers, so that students are not required to cross lines.



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4. If a minimum day is declared, an effort will be made to have buses report at the early closing time. If this cannot be done on short notice, bused students will be kept in the school until the bus arrives. In anticipation of a minimum day, an alternate bus schedule will be prepared by the School Business Administrator/Board Secretary.

Issued: 12 January 2010



8500 FOOD SERVICES

The Board of Education recognizes the midday meal as an important part of each student's school day. The Superintendent shall ensure a wholesome, nutritious food services program in the district and one which reinforces the concepts of nutrition education as taught in the classrooms of this district.

The Board shall provide food service facilities for the consumption of food on school premises. All students not expressly excused by the Principal shall be expected to remain at school for lunch.

The operation and supervision of the food services program shall be the responsibility of the School Business Administrator/Board Secretary.

The district shall participate in the Federal Child Nutrition Program.

The Food Service Program shall be operated on a nonprofit basis. All moneys derived from the operation, maintenance, or sponsorship of the food service facilities shall be deposited in the Food Service Account. The net cash resources of the food service account may not exceed three months' operating cost. A periodic review of the food service account shall be made by the School Business Administrator/Board Secretary. Any surplus funds shall be used to reduce the cost of the service to students or to purchase cafeteria equipment.

The Superintendent shall ensure the maintenance of sanitary, neat premises, free from fire and health hazards, for the preparation and consumption of food and the safekeeping and storage of food and food equipment in strict compliance with regulations of the New Jersey State Department of Health.

N.J.S.A. 18A:18A-42.1; 18A:33-3 et seq.; 18A:58-7.1

N.J.A.C. 6A:23-2.6 et seq.

N.J.A.C. 8:24-2.1 through 7.5

Adopted: 12 January 2010



8505 **WELLNESS POLICY/NUTRIENT STANDARDS FOR MEALS AND OTHER FOODS**

The Board of Education recognizes child and adolescent obesity has become a major health concern in the United States. The Healthy, Hunger Free Kids Act of 2010 (HHFKA), funds child nutrition programs and establishes required nutrition standards for school lunch and breakfast programs. In accordance with the requirements of the HHFKA each school in the district shall implement this Wellness Policy that includes goals for nutrition promotion, nutrition education, physical activity, and other school-based activities that promote student wellness.

A. Wellness Policy Goals

The goals as outlined below shall apply to each school in the district.

1. Goals for Nutrition Promotion – The following activities will be coordinated in each school in the district:
 - a. Age-appropriate posters will be posted on the walls where food and beverages are served to students highlighting and encouraging the value of good nutrition.
 - b. The school lunch program will have promotional days during the school year where at least one new nutritional alternative menu item will be featured as part of the menu pattern meal component. The food service staff members will promote this nutritional alternative during meal service with posters, flyers, and/or hand-outs regarding the nutritional menu item alternative.
 - c. The Principal or designee will encourage food products that meet the nutrition standards of the HHFKA when used as an incentive or reward for student accomplishments, club or activity achievements, and/or success in competitions within the school.
 - d. Food service staff, in consultation with the Principal or designee, will coordinate obtaining student input on menu planning that will include taste testing of new nutritional food, satisfaction surveys, and other activities that will promote nutrition awareness.
 - e. Food service staff will place the healthier food items in the service line where students are more likely to choose them.



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- f. Parents will be provided the nutritional standards of the HHFKA and encourage parents to pack lunches and snacks that meet the HHFKA nutritional standards.
2. Goals for Nutrition Education – The following activities will be coordinated in each school in the district:
 - a. The Principal will ensure each student receives at least one presentation per school year that promotes good nutrition and nutrition education. These presentations may be provided through classroom visits from school staff members trained in nutrition, school-wide or group assembly programs, during health/physical education classes during the school year, or any other presentation manner. This requirement may be provided as part of nutrition education provided to students as part of the district’s curriculum.
 - b. The Principal or designee will post the nutritional guidelines of the HHFKA in the area of the school building where food and beverages are served.
 - c. The school lunch menu will include nutritional information, activities, recipes, and/or any other information that encourages the selection of healthy food items.
 3. Goals for Physical Activity
 - a. The following activities will be coordinated in each elementary school in the district:
 - (1) All students shall receive health/physical education under the supervision of a properly certified teaching staff member as required by the New Jersey Department of Education.
 - (2) The Principal or designee will ensure there is age-appropriate equipment and supplies available during recess time for students to participate in physical activities.
 - (3) Students will be encouraged by school staff members supervising student recess time to participate in some type of physical activity, which may include, but not be limited to: walking; playing games that require physical activity, such as kick ball, volleyball, baseball, basketball, etc.; rope jumping; and/or using playground equipment.



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- (4) The Principal will encourage classroom teachers to incorporate brief, physical activity breaks into the school day to establish an environment that promotes regular physical activity throughout the school day.
 - (5) The Principal or designee will coordinate special events that highlight physical activity, which may include field days, walk-a-thons, and activity tournaments or competitions. The Principal or designee may involve parents, community members, and students in the planning of these events.
- b. The following activities will be coordinated in each middle school in the district:
- (1) All students shall receive health/physical education under the supervision of a properly certified teaching staff member as required by the New Jersey Department of Education.
 - (2) The Board of Education may offer middle school students opportunities to participate in after-school intramural and/or interscholastic team activities coordinated and under the supervision of school staff members.
 - (3) The Board of Education will support after-school activities and clubs where physical activity for students is included as a key component to the activity's or club's purpose. These clubs may include, but not be limited to, gardening clubs, walking clubs, and exercise classes.
- c. The following activities will be coordinated in each high school in the district:
- (1) All students shall receive health/physical education under the supervision of a properly certified teaching staff member as required by the New Jersey Department of Education.
 - (2) The Board of Education will offer high school students opportunities to participate in after-school intramural and/or interscholastic team activities coordinated and under the supervision of school staff members.



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- (3) The Board of Education will support after-school activities and clubs where physical activity for students is included as a key component to the activity's or club's purpose. These clubs may include, but not be limited to, gardening clubs, walking clubs, and exercise classes.
 4. Goals for Other School-Based Activities - The following activities will be coordinated in each school in the district:
 - a. Each school in the district will establish a Wellness Committee comprised of the Principal or designee, at least one health/physical education teacher, a school nurse, at least two parents, at least two students, and at least one food service staff member.
 - b. The Principal or designee will coordinate information being disseminated to students and parents promoting the school lunch program, nutrition, and nutrition education.
 - c. The school district will celebrate a School Wellness Week, as determined by the Superintendent of Schools, where schools will have special activities throughout the week to promote nutrition and physical activity. These special activities will be planned and coordinated by each school's Wellness Committee.
 - d. The Principal will encourage fund-raising activities that promote physical activity such as walk-a-thons, teacher-student activity competitions, family activity nights, and school dances.
 5. Annual School Progress Report
 - a. The goals for nutrition promotion, nutrition education, physical activity, and other school-based activities that promote student wellness shall be evaluated annually by the Principal or designee of each school and the school's Wellness Committee in an Annual School Progress Report provided to the Superintendent of Schools before June 30.
 - b. The Annual School Progress Report shall present the extent to which each school is in compliance with this Policy, the progress made in attaining the goals of this Policy, any recommended changes to this Policy, and an action plan for the following school year to achieve the school's annual goals and objectives.



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6. Annual District Summary Progress Report
 - a. Upon receiving the Annual School Progress Report from each school, the Superintendent or designee will compile an Annual District Summary Progress Report to be presented to the Board of Education at a public meeting before the beginning of the school year. The public will be provided an opportunity to review and comment on the Annual District Summary Progress Report at the Board meeting.
 - b. Revisions to this Policy will be recommended by the Superintendent or designee to be approved by the Board of Education before September 30 of each school year.
 7. Additional Wellness Policy Goals
 - a. Nothing in this Policy shall prevent an individual school in the district from developing and implementing additional activities, approved by the Superintendent or designee, to those required in this Policy.
- B. Nutrition Guidelines for All Foods and Beverages
1. The Board of Education requires each school in the district to comply with the Federal school meal nutrition standards and the smart snacks in accordance with the requirements HHFKA. The nutritional standards shall apply to all foods and beverages sold in each school in the district as part of the menu pattern meal, a la carte, in school stores, snack bars, or vending machines. The food requirements for any food sold in schools must meet a range of calorie and nutrient requirements as outlined in the HHFKA.
 2. The school district will comply with the HHFKA beverage requirements and beverage portion requirements for elementary, middle, and secondary schools. Each school will make potable water available to children at no charge in the place where breakfast, lunch, and afterschool snacks are served during meal service.
 3. On-campus fundraisers involving food or beverage items must meet the Smart Snack standards of the HHFKA. The nutrition standards of the HHFKA do not apply to non-school hours, weekends, and off-campus fundraising events. The United States Department of Agriculture defines school day as starting from midnight to thirty minutes after the end of the school day. Fundraisers involving the sale of food or beverages must be submitted to the Principal or designee for approval.



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C. District Coordinator

The Superintendent or designee shall be the school district official responsible to ensure each school in the district complies with the requirements as outlined in this Policy.

D. Publication/Dissemination

This Policy will be made available to staff members, students, and parents by being posted on the school district and/or school websites.

The Healthy, Hunger-Free Kids Act of 2010

Adopted: 12 January 2010

Adopted: 24 January 2012

Adopted: 12 March 2013

Adopted: 11 November 2014



8506 SCHOOL LUNCH PROGRAM BIOSECURITY PLAN

The Board of Education is committed to protecting the health of the children and adults in school buildings by strengthening the safety of foodservice operations. Therefore, the Board requires the creation and implementation of a School Lunch Program Biosecurity Plan that will keep school meals free from intentional contamination and enable the foodservice to respond to threats or incidents of bioterrorism.

The School Lunch Program Biosecurity Plan shall be a document that spells out school lunch program policies and procedures that minimize the risk of intentional contamination of food and reduce the risk of illness or death in the school community. The Plan shall describe strategies for preventing threats and incidents of product tampering and food contamination. The Plan shall also include appropriate response actions to be taken should an incident occur. There may be a general Plan for all the schools in the district; however, the Plan will address the specific roles and responsibilities for individual schools or locations where food is served.

The School Lunch Program Biosecurity Plan shall be prepared, revised, and updated in accordance with the requirements of N.J.A.C. 2:36-1.13 - Biosecurity for School Food Service and the U.S. Department of Agriculture, "A Biosecurity Checklist for School Food Service Programs," March 2004 version, as amended and supplemented, as New Jersey's Biosecurity Policy for Child Nutrition Programs.

N.J.A.C. 2:36-1.13

Adopted: 12 January 2010



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8507 BREAKFAST OFFER VERSUS SERVE (OVS)

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

A school breakfast eligible for Federal reimbursement shall offer four food items from the three food components in the appropriate amounts per grade grouping:

- Fruit or vegetable or juice;
- Milk; and
- Grains (including optional meat/meat alternate).

Students are allowed to decline one of the four food items offered. A student's decision to accept all four food items or to decline one food item shall not affect the price charged for the meal as the breakfast is priced as a unit. If students do not choose enough food items to comprise a reimbursable meal, a la carte prices will be charged.

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

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

[Select One Option

___ Breakfast OVS will be implemented at the following schools: (List all schools in the district that will implement a Breakfast OVS Policy)

___ Breakfast OVS will be implemented in all schools in the district.]

Adopted: 12 August 2014



8508 LUNCH OFFER VERSUS SERVE (OVS)

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

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

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

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

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

The student's decision to accept all five food components or to decline two food components shall not affect the price charged for the meal as the lunch is priced as a unit. If students do not choose enough food items to comprise a reimbursable meal, a la carte prices will be charged.

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



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Lunch Offer Versus Serve (OVS)

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

[Select One Option

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

_____	_____
_____	_____
_____	_____
_____	_____

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

Adopted: 12 August 2014



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8540 **SCHOOL NUTRITION PROGRAMS**

The Board of Education recognizes the importance of a child receiving a nutritious, well-balanced meal to promote sound eating habits, to foster good health and academic achievement, and to reinforce the nutrition education taught in the classroom. Therefore, the Board of Education may participate in the school nutrition programs of the New Jersey Department of Agriculture in accordance with the eligibility criteria of the program. These programs may include the National School Lunch Program, the School Breakfast Program, the After-School Snack Program, and the Special Milk Program.

The Board of Education shall sign an Agreement with the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture for every school nutrition program operated within the school district. Any child nutrition program operated within the school district shall be operated in accordance with the provisions of the Agreement and all the requirements of the program.

Students may be eligible for free or reduced pricing in accordance with the requirements of the program operating in the school district. Prices charged to paying children shall be established by the Board of Education, but must be within the maximum prices established by the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture. Prices charged to adults shall be in accordance with the requirements of the program.

The Superintendent or designee shall annually notify parents of all children in the school district of the availability, eligibility requirements, and application procedures for free or reduced price meals or free milk in accordance with the notification requirements and procedures of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.

The Superintendent will designate in the annual notification to parents, the person who will determine, in accordance with standards issued by the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture, a student's eligibility for free or reduced price meals or free milk depending on the programs operated in the school district.

A parent may request a household application and instructions from the Principal of their child's school. A household application must be completed before eligibility is determined. Where necessary, the Principal or designee shall assist the applicant in the preparation of the household application.

Applications shall be reviewed in a timely manner. An eligibility determination will be made, the family will be notified of its status, and the status will be implemented as soon as possible within ten operating days of the receipt of the completed application. Any student found eligible shall be offered free or reduced price meals or free milk immediately upon the establishment of his/her eligibility and shall continue to receive such meals during the pendency of any inquiry regarding his/her



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eligibility in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture. Carry-over of previous year's eligibility for students shall be in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.

A denial of eligibility for free or reduced price meals or free milk shall be in writing and shall include the reasons for which eligibility was denied, notice of the parent's right to appeal the denial, the procedures for an appeal, and a statement reminding parents that they may reapply at any time during the school year. Appeal procedures shall include: a hearing, if requested by the parent, held with reasonable promptness and convenience of the parent before a hearing officer other than the school official who denied the application; the parent's opportunity to be represented by counsel; a decision rendered promptly and in writing; and an opportunity to appeal the decision of the hearing officer to the School Business Administrator/Board Secretary. The appeal hearing will be conducted in accordance with the provisions as outlined by the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.

There shall be no overt identification of any child(ren) who may be eligible to receive free or reduced price school meals or free milk. The identity of students who receive free or reduced price meals will be protected. Eligible students shall not be required to work in consideration for receiving such meals or milk. Eligible children shall not be required to use a separate dining area, go through a separate serving line, enter the dining area through a separate entrance, or consume their meals or milk at a different time. A student's eligibility status will not be disclosed at any point in the process of providing free or reduced price meals or free milk in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.

The School Business Administrator/Board Secretary or designee will verify applications of those eligible for free or reduced price meals in accordance with the requirements of the, Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.

The Board of Education will comply with all the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture Local Education Agency (LEA) Agreement and all requirements outlined in the School Nutrition Electronic Application Reimbursement System (SNEARS).

7 C.F.R. 210.1 et seq.
N.J.S.A. 18A:33-5; 18A:58-7.2
N.J.A.C. 2:36

Adopted: 12 January 2010
Adopted: 13 October 2015



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Free and Reduced Rate Meals

R 8540 **FREE AND REDUCED RATE MEALS**

In order to accomplish the purposes of the National School Lunch Act, the Child Nutrition Act of 1966, the regulations and instructions governing the National School Lunch Program, School Breakfast Program and the Special Milk Program, issued there under, the New Jersey State Department of Education, hereinafter referred to as the "Department" and the East Orange School District hereinafter referred to as the "Sponsor" contract and agree that the Department and Sponsor shall understand that the following terms shall be construed to mean:

A. Breakfast

A meal served to children during the morning hours, which meets the nutritional requirements specified in federal code.

B. Fiscal Year

A period of twelve calendar months beginning with October 1 of any calendar year and ending with September 30 of the following calendar year.

C. Free Meal

A meal for which neither the child nor any member of his/her family pays or is required to work.

D. Lunch

A meal which meets nutritional requirements specified in federal code.

E. Milk

Milk which meets state and local standards for fluid types of flavored or unflavored whole milk, unflavored low fat milk, skim milk or cultured buttermilk.

F. Nonpricing

A system which does not establish a separate charge for meals or milk served to children. This shall include any such program in which children are normally provided meals or milk in a school or child care institution financed by a tuition, boarding, camping or other fee, or by private donations or endorsements.



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G. Nonprofit Food or Milk Service

Food or milk service maintained by or on behalf of the school for the benefit of children, all of the income from which is used solely for the operation or improvement of such food or milk service.

H. Nonpublic School (Nonprofit)

An elementary or secondary school in the state, other than a public school, organized and operated not for profit, offering education for grades Kindergarten through twelve, or any combination thereof, wherein a child may legally fulfill compulsory school attendance requirements; or a public or nonprofit, private, licensed residential child care institution not limited to group homes, orphanages, and juvenile detention centers. All nonpublic schools and residential child care institutions must be tax exempt under section 502(c)(3) of the Internal Revenue Code of 1954.

I. Pricing

A system of collecting a separate charge for meals or milk served to children that is not included in any tuition or boarding fee.

J. Reduced Price Meals

A meal which meets all of the following criteria:

1. The price shall be less than the full price of the meal.
2. The maximum price shall be established by the United States Department of Agriculture.
3. Neither the child nor any member of his/her family shall be required to supply an equivalent in work.

K. Sponsor

The governing body which is responsible for the administration of one or more schools and which has the legal authority to operate a school food service program therein. The term "Sponsor" also includes a nonprofit agency to which such governing body has delegated authority for the operation of a food service program in a school.



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L. Verification

Confirmation of income information provided on the application for free and reduced price meals. Households selected for verification must be given written notice.

THE DEPARTMENT SHALL:

To the extent of funds available, reimburse the Sponsor for the National School Lunch Program, School Breakfast Program, or Special Milk Program in the schools listed in Schedule A, hereto attached and made a part of, in any fiscal year during which this Agreement is in effect. The amount of reimbursement for each program on behalf of any school shall not exceed:

A. National School Lunch Program

The total amount equal to the number of lunches served to children multiplied by the rate of reimbursement assigned by the Department.

B. National School Breakfast Program

The total amount equal to the number of breakfasts served to children multiplied by the rate of reimbursement assigned by the Department.

C. Special Milk Program

The amount equal to the number of half pints of fluid milk served to children multiplied by the rate of reimbursement assigned by the Department.

THAT THE SPONSOR SHALL:

A. National School Lunch Program

1. Abide by all state and federal regulations and instructions governing the operation of the National School Lunch Program.
2. Serve lunches which meet the nutritional requirements of the National School Lunch Program during periods designated by the school.
3. Encourage maximum participation in the National School Lunch Program.
4. Make maximum use of the reimbursement payments to reduce the price of meals to children as a means of encouraging participation.



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5. Plan for and prepare lunches on the basis of participation trends with the objective of providing one meal per child per day. In no event shall the Sponsor claim reimbursement for lunches served in excess of one reimbursable lunch per child per day.
 6. Make the National School Lunch Program available to all children enrolled.
 7. Promote activities to involve students and parent(s) or legal guardian(s) in the National School Lunch Program.
- B. School Breakfast Program
1. Abide by all state and federal regulations and instructions governing the operation of the School Breakfast Program.
 2. Serve breakfasts which meet the nutritional requirements for a school breakfast during morning periods designated by the school.
 3. Encourage maximum participation in the School Breakfast Program.
 4. Make maximum use of the reimbursement payments to reduce the price of meals to children as a means of encouraging participation.
 5. Plan for and prepare breakfasts on the basis of participation trends with the objective of providing one meal per child per day. In no event shall the Sponsor claim reimbursement for breakfasts served in excess of one reimbursable breakfast per child per day.
- C. Special Milk Program
1. Operate the program only in a school that does not participate in the National School Lunch or School Breakfast Program.
 2. Exception: Operate the program only for split-session Kindergarten children that do not have access to any school meals in a school participating in the National School Lunch or School Breakfast Program.
 3. Make maximum use of the reimbursement payments to reduce the price of milk to children as a means of encouraging participation and consumption of fluid milk by children.



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Free and Reduced Rate Meals

4. Purchase milk pursuant to New Jersey statutes.
5. Decide whether to provide free milk to eligible children in the schools or sites under its sponsorship. Schools which provide free milk must make it available to all eligible children at times when milk is available to non-needy children under the program. Schools which do not provide free milk must be designated on the Schedule A under Special Milk Option.

D. Donated Commodities

Accept and use, within the allocation period and in as large a quantity as can be efficiently utilized in the school food service program, such foods as may be offered as a donation by the United States Department of Agriculture.

E. Price of Food and Beverage Items

1. Price the school breakfast or lunch as a unit. Set the price of children's meals not to exceed the maximum prices established annually by the Department.
2. Set the price of all ala carte items, including milk sold to adults, to cover all costs. Price meals served to adults to exceed the price of meals served to children by an amount equal to or greater than the price established by the Department.

F. Competitive Food Service

1. Ensure that all income derived from the sale of food and beverage items within a school, including those items sold from vending machines, accrues to the School Nutrition Programs' account or to a school approved, nonprofit organization, except that during hours when the School Nutrition Programs are in operation, all such income must accrue to the School Nutrition Programs' account.
2. Prohibit the sale of foods of minimal nutritional value, (carbonated beverages, water ices, chewing gum, certain candies: hard candies, jellies and gums, marshmallow candies, fondant, licorice, spun candy or candy coated popcorn) on the school property at any time before the end of the last lunch period in all schools which operate the National School Lunch Program, School Breakfast Program, or the Special Milk Program.



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G. Ala Carte Food Service

Restrict extra food items offered during serving periods to those items recognized as making a significant contribution to the nutritional needs of children, or those items provided by the school as part of the lunch and/or breakfast. Restrict the number and type of such items offered in accordance with the "Nutritional Standards for School Nutrition Programs".

H. Nonprofit Requirement

1. Operate a nonprofit school food service program or milk program. Use all income solely for program purposes; provided, however, that such income shall not be to purchase land or to acquire or construct buildings.
2. Limit the net cash resources of the school food service program or the special milk program to no more than three month's average expenditures.

I. Policy For Free and Reduced Price Meals or Free Milk

1. Adopt and submit, annually, a copy of the Policy for Free and Reduced Price Meals or Free Milk to the Bureau of Child Nutrition Programs.
2. Follow the state guidelines in implementing said policy.
3. Develop and utilize procedures for collecting children's payments which prevent the overt identification of those children eligible for free or reduced price meals or free milk.

J. Verification

1. Verify a minimum of 3% or 3,000, whichever is less, of approved free and reduced price applications on file selected randomly; OR the lesser of 1% or 1,000 of total approved applications selected from non-food stamp households with incomes near the eligibility levels, plus the lesser of .5% or 500 of approved applications which substituted a food stamp/AFDC case number for income information. All verification activity must be completed by December 15 of each school year.
2. Maintain on file, for review, a description of the verification efforts including:
 - a. Summary of efforts including the techniques to be used.



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- b. Total number of applications on file as of October 31.
- c. Percentage or number of applications verified.
3. Households selected for verification must be given written notice.

K. Reimbursement Claims

A meal served to children during the morning hours which meets the nutritional requirements specified in 7CFR 220.8.

1. Claim reimbursement only for meals or milk actually served to children that meet the nutritional standards outlined herein.
2. Submit claims for reimbursement within ten days following the calendar month of operation for which the claim is made. Federal regulations prohibit the payment of claims received after sixty days following the month of operation.
3. In no event shall the Sponsor claim reimbursement for free or reduced price meals served in excess of one reimbursable lunch and/or breakfast per child per day.
4. The authorized representative that signs each reimbursement voucher shall be responsible for reviewing and analyzing meal counts to ensure the accuracy of the claim.
5. The Sponsor acknowledges that failure to submit accurate claims will result in the recovery of an overclaim and may result in the withholding of payments, suspension or termination of the program as specified in 7 CFR Section 210.24.
6. The Sponsor acknowledges that if failure to submit accurate claims reflects embezzlement, willful misapplication of funds, theft, or fraudulent activity the penalties specified in 7 CFR Section 210.25 shall apply.

L. Records

1. Maintain full and accurate records pertaining to the school food service or milk program within the school or school district, and retain such records for a period of three years after the end of the fiscal year to which they pertain except if audit findings have not been resolved, the records shall be retained beyond the three year period as long as required for the resolution of the issues raised by the audit.



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2. Maintain the required statistical information for each school operation on a school-by-school basis.
3. Make all accounts and records pertaining to the school food service program available, upon request, to the Department and the United States Department of Agriculture for review and/or audit at a reasonable time and place.
4. Keep full and accurate records, by calendar month, of the meal or milk program as a basis for the claim for reimbursement and for audit review purposes including:
 - a. School Lunch Program
 - (1) Statistics

Daily number of lunches served to children eligible for free, reduced price or paid meal.
 - (2) Program Income (Revenue)

From children's payments, from state and federal school lunch reimbursement, from food sales to adults, from all other sources, including loans to program, subsidies from the Sponsor, any interest accrued from food service interest bearing accounts, and any rebates.
 - (3) Programs Costs (Supported by invoices, receipts or other evidence of expenditure).

For food, labor and all other expenditures including repayment of loans to the program and fees paid to management companies.
 - (4) Dated menus of actual meals served.
 - b. School Breakfast Program
 - (1) Statistics

Daily number of breakfasts served to children eligible for free, reduced price or paid meal.



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(2) Program Income (Revenue)

From children's payments, from federal reimbursement and from all other sources, including subsidies from the Sponsor, any interest accrued from food service interest bearing accounts, and any rebates.

(3) Programs Costs (Supported by invoices, receipts or other evidence of expenditure).

For food, labor and all other costs related to the breakfast program, including fees paid to management companies.

(4) Dated menus of actual meals served.

(5) Documentation of program costs specifically for Severe Need Rates of Reimbursement (if applicable).

c. Special Milk

(1) Statistics

(a) Daily number of half pints served to children,

(b) Daily number of half pints served free to needy children, if school provides free milk.

(2) Program Income (Revenue)

From children's and adult's payments and federal reimbursement.

(3) Programs Costs (Supported by invoices, receipts or other evidence of expenditure).

For milk and all other expenditures.



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M. Accountability Requirements

1. Point of Service Counts

All claims for reimbursable meals or milk must be based on daily counts, taken at the "point of service," which identify the number of meals or milk served by reimbursement category. "Point of service" is defined as that point in the food service operation where a determination can accurately be made (at the time and place the meal or milk is served) that a reimbursable free, reduced price, or paid meal or milk has been served to an eligible child.

2. Local Level Requirement to Review Schools and Claims

- a. Every school year, each Sponsor with more than one school shall perform at least one on-site review of each school under its jurisdiction before February 1 of each school year. If this review discloses problems with a school's meal counting or claiming procedure, the SFA shall: (1) ensure that the school develops and implements a corrective action plan; and (2) within forty-five calendar days of the review, conduct a follow-up on-site review to determine that the corrective action resolved the problem. Each on-site review shall ensure that the school's claim is based on the counting system authorized in the Policy for Free and Reduced Price Meals and the Agreements with the Department and that this system, as implemented, yields the actual number of reimbursable free, reduced price, and paid lunches served for each day of operation.
- b. Prior to submission of a monthly claim for reimbursement, each sponsor shall compare each school's daily claim against data which will assist in the identification and correction of the claims in excess of the number of reimbursable free, reduced price, and paid lunches actually served that day to children eligible for such lunches. Such data shall, at a minimum, include the number of children currently approved for free and reduced price lunches in that school, and, for every month except September, the average daily number of free, reduced price, and paid lunches served for the preceding month.
- c. Sponsors shall also compare claims against any other data available, such as the school's average daily attendance (ADA), enrollment, and an attendance factor. Sponsors shall maintain, on file, all of the above data used in the claims review process by school.



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- d. Sponsors shall make this information available to the State agency upon request.

N. Audit Requirements

The Sponsor agrees to comply with the Single Audit Act of 1984 as specified in OMB Circular A-128, "Audits in State and Local Governments," or OMB Circular A-110, "Uniform Administrative Requirements for Grants and Other Agreements and Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations," and New Jersey Grants Management Information System Manual.

O. Facilities

1. Maintain, in the storage, preparation and service of food, proper sanitation and health practices that meet the standards of the current sanitation code established by the New Jersey State Department of Health and all applicable state and local health laws and regulations. Maintain facilities to safeguard against theft.
2. A current inspection of each food service site by the Board of Health is required. The certificate should be posted in a conspicuous place.

P. Anti-Discrimination

1. Make no discrimination because of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability against any individual participating in the nutritional program.
2. Assure the United States Department of Agriculture and the Department that it now complies with and shall in the future comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1981 et seq.); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.); all provisions required by the implementing regulations of the Department of Agriculture; Department of Justice Enforcement Guidelines, 28CFR 50.3 and 42; and Food and Nutrition Services (FNS) directives and guidelines, to the effect that, no person shall, on the grounds of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability, be excluded from participation in, be denied benefits of, or otherwise be subject to discrimination under any program or activity for which the sponsor receives Federal financial assistance from FNS: and



hereby gives assurance that it will immediately take measures necessary to effectuate this Agreement. By accepting this assurance, the Sponsor agrees to compile data, maintain records and submit reports, as required, to permit effective enforcement of the nondiscrimination laws and permit authorized USDA personnel, during normal working hours, to review such records, books and accounts as needed to ascertain compliance with the nondiscrimination laws. If there are any violations of this assurance, the Department of Agriculture, Food and Nutrition Services, shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Sponsor and its successors, transferees and assignees, as long as they receive assistance or retain possession of any assistance from the Department. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Sponsor.

3. Collect and maintain on file for three years the racial/ethnic breakdown of applicants for free and reduced price benefits on a school-by-school basis.
4. In the operation of U.S.D.A. Child Feeding Programs, no child will be discriminated against because of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability. If you believe you have been discriminated against in any U.S.D.A. related activity, write immediately to the Secretary of Agriculture, Washington, D.C. 20250.

Q. Nutritional Requirements

1. Serve meals which meet the nutritional requirements specified in the current regulations for the National School Lunch Program (7CFR 210), and/or School Breakfast Program (7CFR220).
2. Provide specific training for cashiers to ensure proper identification and accurate recording of reimbursable lunches and/or breakfasts. Issue the nutritional requirements for lunch and/or breakfast, in writing, to each cashier.

R. Menus

1. Offer choices for lunches and breakfasts, in accordance with standards established by the Department.
2. Display, for students information, the daily menu specifying the food items composing the lunch and/or breakfast.



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3. Keep on file dated menus for meals actually served with other records for review and/or audit purposes for a period of three years from the close of the fiscal year to which they pertain. If audit findings have not been resolved, the records shall be retained beyond the three year period as long as required for the resolution of the issues raised by the audit.

S. Management Company or Vendor

1. Remain responsible for compliance with all aspects of this Agreement if the Sponsor employs a food service management company or vendor:
 - a. The contract between the Sponsor and the management company must comply with the requirements specified in 7CFR 210.9, 7CFR 210.16 and all applicable New Jersey Statutes. The contract should also include pertinent parts of this Agreement. A copy of the contract between the Sponsor and the management company must be submitted with this Agreement.
 - b. The contract between the Sponsor and the vendor must comply with the requirements specified in 7CFR 210.16 and all applicable New Jersey Statutes. The contract should also include pertinent parts of this Agreement.
2. Ensure that any federally donated commodities received by the Sponsor and made available to a food service management company, vendor or processor accrue only the benefit of the school food service program, and are utilized therein.
3. Require the food service management company to make books and records of such company pertaining to the school food service program, available for a period of three years from the close of the fiscal year to which they pertain, for inspection and/or audit by representatives of the Department and the United States Department of Agriculture, or the General Accounting Office of the United States, at a reasonable time and place.
4. All books and records pertaining to the school food service program shall remain the property of the school district.
5. Establish an advisory board composed of parent(s) or legal guardian(s), teachers and students to assist in menu planning in schools which contract with a food service management company.



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T. Nonpublic Sponsors

Shall also agree to the general terms and conditions of the attached Contract: II, III, V, VI, VII, XI B and C, XIII C, XIV to the extent required by federal regulations, XVII A, B, C to the extent it is not inconsistent with terms of primary contract and D, XVIII, XIX and XX.

Issued: 12 January 2010



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Outstanding Food Service Charges

8550 OUTSTANDING FOOD SERVICE CHARGES

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

In the event a student's school lunch or breakfast bill is in arrears, the Principal or designee shall contact the student's parent to provide notice of the amount in arrears and shall provide the parent a period of ten school days to pay the full amount due. If the student's parent does not make full payment to the Principal or designee by the end of the ten school days, the Principal or designee shall again contact the student's parent to provide a second notice that their child's lunch or breakfast bill is in arrears. If payment in full is not made within one week from the date of the second notice, the student will be provided a basic lunch that will contain the essentials in balanced nutritional selections as prescribed by the Bureau of Child Nutrition Programs, New Jersey Department of Agriculture beginning the eighth calendar day from the date of the second notice.

A parent who has received a second notice their child's lunch or breakfast bill is in arrears and who has not made payment in full within one week from the date of the second notice will be requested to meet with the Principal or designee to discuss and resolve the matter.

A parent's refusal to meet or take other steps to resolve the matter may be indicative of more serious issues in the family or household. In these situations, the Principal or designee shall consult with and seek necessary services from both the County Board of Social Services and the Department of Children and Families, Division of Child Protection and Permanency, as appropriate.

When a parent's routine failure to provide breakfast or lunch is reasonably suspected to be indicative of child abuse or neglect, the Principal or designee shall immediately report such suspicion to the Department of Children and Families, Division of Child Protection and Permanency as required in N.J.S.A. 9:6-8.10. Such reporting shall not be delayed to accommodate a parent's meeting with the Principal or designee.

The provisions of N.J.S.A. 18A:33-21 and this Policy will be made available to parents of all children in the school district in a manner as determined by the Superintendent.

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

Adopted: 13 October 2015

Adopted: 10 May 2016



8600 TRANSPORTATION

The Assistant Superintendent of Operations shall have overall responsibility for the management of student transportation. It is the current policy of the Board to contract for school bus service.

- A. The Board shall provide transportation for the following students:
1. Those who live two miles or more from school - Kindergarten - eight and two and one-half miles for grades nine - twelve.
 2. Students who are physically handicapped. Monitoring of these services shall be the responsibility of the Director of Special Education.

Arrangements shall also be made for public school students to travel to and from school on public transportation at reduced cost when practical. Reduced fare tickets shall be issued to students at their schools.

When possible, all special class or school trips will be made by school bus, with insurance provided in keeping with state guidelines.

With authorization, certain secondary school personnel may transport students in connection with school activities. Insurance covering such authorized transportation shall be provided by the district.

The use of parent(s) or legal guardian(s)' cars for providing official transportation for school activities is not covered by the district's insurance. Requesting parent(s) or legal guardian(s) to provide such transportation is forbidden. Every effort shall be made by the school administration to assure young children's safety as they walk to and from school.

- B. Courtesy Transportation Along Hazardous Routes

East Orange School District is concerned with the safety of students who walk to and from school along roadways determined to be hazardous routes. The Superintendent shall work in conjunction with municipal officials to determine the criteria necessary for the classification of a hazardous route and shall maintain list of all hazardous routes in the district. The Superintendent shall develop rules and regulations to supply courtesy transportation for students who must walk to and from school and along routes designated by the East Orange School District to be hazardous routes.



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Transportation

1. Safety Criteria Used To Determine Hazardous Routes
 - a. Mass population densities;
 - b. Posted and actual speeds on roadways;
 - c. Traffic volume on given highways;
 - d. Recommendations of the East Orange City Planning and Engineering Departments;
 - e. Safe walking routes;
 - f. Walking conditions during hours of pre-sunrise or post-sunset darkness;
 - g. The need to cross eight overpasses and six major arterial roads over Interstate 280 running east and west;
 - h. The need to cross the Garden State Parkway running north and south with four major arterial roads and five overpasses;
 - i. Thirteen overpasses have concrete protective walls that create blind intersections at each corner;
 - j. The need to cross ten truck routes;
 - k. Traffic congestion;
 - l. The age of the student as it relates to the actual walking distance and the need to carry school-related materials; and
 - m. Possible harm imposed on those walking.
2. Designation of Hazardous Routes
 - a. At the elementary and middle schools all routes are deemed hazardous;
 - b. At the middle school level:



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- (1) No student will walk across a highway on which the posted speed is 35 mph or greater unless there is a crossing guard or controlled intersection; and
- (2) No student will walk across Route 280, Garden State Parkway, and major arterial roads.

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

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

N.J.S.A. 39:3B-1 et seq.

N.J.A.C. 6A:27-1.1 et seq.; 6A:27-2.1 et seq.; 6A:27-3.1

Adopted: 12 January 2010



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Student Supervision After School Dismissal

8601 STUDENT SUPERVISION AFTER SCHOOL DISMISSAL

The Board of Education adopts this Student Supervision After School Dismissal Policy as a result of the New Jersey Supreme Court's decision in *Joseph Jerkins, an infant by his Guardian Ad Litem, Charles Jerkins; Charles Jerkins and Toni Jerkins, individually, v. Soweto Anderson; Kemba N. Anderson; John Does 1-10 (fictitious individuals) and ABC Corporations 1-10 (fictitious entities), and Board of Education of Pleasantville Public Schools and Rosemay Clarke*.

The New Jersey Supreme Court, in *Jerkins*, indicated dangers exist for younger students at dismissal as children are susceptible to numerous risks, including negligent conduct, when leaving school property. Because of these risks, the Board of Education adopts and requires the implementation of Policy 8601 for the supervision of younger students after dismissal. The supervision provisions of Policy Guide 8601 are applicable to parents or legal guardians of students attending district-operated schools or programs in grades PreK through twelve who are not eligible for district-provided transportation after dismissal or are eligible and elect not to use district-provided transportation after dismissal.

Any parent(s) or legal guardian(s) of a student attending a district-operated school or program in grades PreK through twelve, where the student is not eligible for district-provided transportation or is eligible and elects not to use district-provided transportation after dismissal may request the school or program not release the student to walk home after dismissal unless the student is released to the parent(s) or legal guardian(s) or escort(s) designated by the parent(s) or legal guardian(s). The parent(s) or legal guardian(s) designated escort(s) must be at least eighteen years old. The parent(s) or legal guardian(s) may designate up to two escorts. The parent(s) or legal guardian(s) requesting their child(ren) only be released to a parent(s) or legal guardian(s) or parent(s) or legal guardian(s)-designated escort after dismissal must submit a completed Request for Supervision at Dismissal from School Form to the Principal or designee, or program administrator.

The Form shall be made available in the Main office of the school building or the location of the program, upon request to the Principal, or designee, or the program administrator, to parent(s) or legal guardian(s) in the beginning of the school year.

Only those parents or legal guardians requesting the school or program not release their child(ren) to walk home after school dismissal unless the child(ren) is released to the parent(s) or legal guardian(s) or designated escort need to complete the Request Form.



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Student Supervision After School Dismissal

In order for the school administration to effectively implement the requirements of this Policy and to ensure the safety and security of students that will be released to a parent(s) or legal guardian(s) or designated escort, the parental request shall be applicable for every school day and shall apply for a duration period of the entire school year. The Request Form must be re-submitted at the end of the duration period. In addition, a parent(s) or legal guardian(s) may rescind their Request by submitting a written request to the Principal or program administrator indicating the date in which the parent(s) or legal guardian(s) no longer requests the school provide supervision of their child(ren) after school dismissal. The child(ren) will be dismissed in accordance with typical dismissal protocol effective the date indicated in the rescinding request.

The Principal or designee, or program administrator upon receiving the Request for Supervision at Dismissal from School Form, shall notify the appropriate school staff member(s) who has supervision of the student at dismissal time at the end of the school day of the parent's or legal guardian's request. The supervising staff member that receives such notice shall retain supervision of the student when other students are dismissed from school at the end of the school day.

Each Principal or program administrator will develop and implement a written Student Supervision After School Dismissal Plan for their school building or program location. This Plan shall include the school building's or program's supervision procedures for students at the end of the school day to the designated area in the school building or program and the location of the designated area in the school building or program. The Plan shall be based on the school's or program's ability to provide supervision, the accessibility for the parent(s) or legal guardian(s) or designated escort to pick-up the child without disrupting dismissal of the remaining school population, and other considerations unique to the school building or program location. The school's or program's Student Supervision After School Dismissal Plan shall be provided to all parent(s) or legal guardian(s) that have submitted a Request Form.

In the event the parent(s) or legal guardian(s) or designated escort does not arrive to pick up their child(ren) after the dismissal time of school, the Principal or designee will attempt to contact the parent(s) or legal guardian(s) using the district's emergency call procedures.

The student(s) shall be supervised by school staff in the designated area of the building and will only be released when the parent(s) or legal guardian(s) or designated escort arrives to pick up the student and signs the student out of school.



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Student Supervision After School Dismissal

In order to ensure the safety of other students being dismissed from school in accordance with typical school dismissal protocol, to limit interaction of parent(s) or legal guardian(s) or designated escorts with other students within the building, and to avoid traffic and vehicular safety problems outside the school building, the Principal or program administrator may prohibit the parent(s) or legal guardian(s) or designated escort from entering the school building until a time period after school has dismissed or until school buses and other vehicular traffic have cleared the school site. This determination shall be made by each Principal or program administrator after considering the unique circumstances at the school building and the building's typical dismissal protocol.

In the event of an emergency such that, when an unforeseen event prevents a parent or legal guardian or designated escort from arriving for the child(ren) at dismissal within the time period designated by the Principal or program administrator, the student will be relocated to the Main Office in the school building and will remain in the Main Office supervised by the Main Office staff until the parent(s) or legal guardian(s) or designated escort arrives and signs the student out of school; be relocated to the Central Office (Board of Education) where the student will be supervised by after-school program staff until the parent(s) or legal guardian(s) or designated escort arrives and signs the student out of school.

The board shall adhere to the policies prescribed from the New Jersey court decision on after school safety.

In the event of an emergency such that, when an unforeseen event prevents a parent(s) or legal guardian(s) or designated escort from arriving for the child(ren) at dismissal within the time period designated by the Principal or program administrator, the student will remain under the supervision of the after-school program until the parent(s) or legal guardian(s) or designated escort arrives and signs the student out of school. In this circumstance, the parent(s) or legal guardian(s) may be subject to after-school program fees.

The school will provide parent(s) or legal guardian(s) information regarding any supervised after-school services, if any, that may be available to students at the school's facilities after formal school dismissal.

This Policy shall be published in student/school handbooks. In addition, the school district shall provide to parent(s) or legal guardian(s) in the beginning of the school year, the school's calendar to include the starting and dismissal times for full session, half-session, and early dismissal days due to weather or other emergencies. Parent(s) or legal guardian(s) shall be required to return to the school a signed acknowledgement of receipt of the student/school handbook, which shall include this Policy and the school calendar. In addition, any changes to the school's calendar made during the school year shall also be provided to parent(s) or legal guardian(s).

Adopted: 12 January 2010

Adopted: 14 April 2015



8613 WAIVER OF STUDENT TRANSPORTATION

The Board of Education is required to provide transportation services for the school year to an elementary student living more than two miles from the public school of attendance or to a secondary school student living more than two and one-half miles from the public school of attendance in accordance with the provisions of N.J.S.A. 18A:39-1 et. seq.

The Board shall determine student transportation needs and approve student transportation routes based on all students eligible for transportation in accordance with the provisions of N.J.S.A. 18A:P39-1 et. seq. and any less than remote, courtesy busing, and/or hazardous route transportation determined by the Board of Education. However, while providing school bus seats for those students eligible for transportation each school year, the Board recognizes certain student eligible for transportation services voluntarily elect not to use the transportation services offered by the Board resulting in empty seats on school buses going to and from school. To assist the Board in operating the school district's transportation system in the most cost-effective manner, the Board may provide a student's parent/guardian the option of waiving transportation services for the school year in accordance with the provisions of N.J.S.A. 18A:39-1c. In the event the Board provides this option, a student's parent/guardian will be required to sign a written statement indicating the student waives transportation services for that school year. The written statement shall be in such form as determined by the New Jersey Department of Education.

In the event a parent/guardian of a student eligible for transportation services waives transportation services for that school year and circumstances change during that school year due to a family or economic hardship, the school district will reinstate the student's eligibility for transportation to and from school.

N.J.S.A. 18A:39-1; 18A:39-1c

Adopted: 8 May 2012



8630 BUS DRIVER/BUS AIDE RESPONSIBILITY

The Board of Education requires all school bus drivers and bus aides employed by the district or employed by a contracted school bus company to be reliable persons of good moral character who possess the qualifications necessary to perform the duties of the position. Anyone driving a school bus used to transport students to and from school and school related activities must meet all requirements of N.J.S.A. 18A:39-17, 18, 19.1, and 30 and all New Jersey Motor Vehicle Commission (NJMVC) rules governing school bus drivers. All school bus drivers must possess the appropriate license and endorsement(s) to drive a school bus in the State of New Jersey and are subject to all the Federal and State requirements to maintain the appropriate license.

School bus drivers and bus aides shall meet criminal history background check requirements pursuant to N.J.S.A. 18A:6-7.1 et seq. and tuberculin testing requirements pursuant to applicable State statutes and administrative codes. School bus drivers and bus aides shall be considered under the Federal Family Educational Rights and Privacy Act (FERPA) to be school officials who have a legitimate educational interest to parts of a student's record relating to transportation, without parental consent, as outlined in N.J.A.C. 6A:27-12.1(j)1. School bus drivers and bus aides shall receive training in the use of a student's educational records and in their responsibility to ensure the privacy of the student and his or her records. In addition, permanent and substitute school bus drivers and bus aides shall be trained for the functions of their positions and in a safety education program as outlined in N.J.A.C. 6A:27-11.2(b) and (c).

A Commissioner of Education-developed training program on proper procedures for interacting with students with special needs shall be administered to all school bus drivers and bus aides in accordance with the requirements of N.J.S.A. 18A:39-19.2. This training program must be administered in accordance with the provisions of N.J.S.A. 18A:39-19.3.a. and all school bus drivers and bus aides must file a certification with the Board of Education that the individual has completed the training program within five business days of its completion. The Board shall retain a copy of the certificate for the duration of the individual's employment and shall file a copy of the certification to the Department of Education in accordance with the provisions of N.J.S.A. 18A:39-19.3.b.

School bus drivers and bus aides shall receive training in the use of a student's educational records and in their responsibility to ensure the privacy of the student and his or her records. In addition, permanent and substitute school bus drivers and bus aides shall be trained for the functions of their positions and in a safety education program as outlined in N.J.A.C. 6A:27-11.2(b) and (c).

In accordance with the provisions of N.J.S.A. 18A:39-28, school bus drivers must visually inspect the school bus they are assigned at the end of the transportation route to determine that no student has been left on the bus.



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Bus Driver /Bus Aide Responsibility

The school bus driver shall be in full charge of the school bus at all times and shall be responsible for maintaining order. The school bus driver will never exclude a student from the school bus, but if unable to manage a student, the school bus driver will report the unmanageable student to the Principal or designee of the school in which the student attends.

The Principal or designee, upon such report from the school bus driver, may assign appropriate discipline. The discipline may include excluding the student from the bus. The student's parent shall provide for the student's transportation to and from school during the time of exclusion.

In the event of an emergency, school bus drivers shall follow procedures established by this Board. School administrators shall organize and conduct emergency exit drills at least twice within the school year for all students who are transported to and from school. All other students shall receive school bus evacuation drills at least once per year. School bus drivers and bus aides shall participate in the emergency exit drills, which shall be conducted on school property and shall be supervised by the Principal or person assigned to act in a supervisory capacity. Drills shall be documented in the minutes of the Board of Education at the first meeting following completion of the emergency exit drill in accordance with the provisions of N.J.A.C. 6A:27-11.2(d).

In accordance with the provisions of N.J.S.A. 18A:39-19.4, a Commissioner-developed student information card shall be completed by a parent of a student with an Individualized Education Plan (IEP), who receives transportation services, when the IEP is developed or amended. Upon receiving consent from the parent, the student information card shall be provided to a school bus driver and bus aide for each student on the bus route to which the school bus driver or bus aide is assigned for whom a student information card has been completed by the parent.

The school bus driver will immediately inform the Principal of the receiving school and the School Business Administrator or designee of the district providing the transportation following an accident that involves injury, death, or property damage. The school bus driver must also complete and file within ten days of the accident the Preliminary School Bus Accident Report prescribed by the Commissioner of Education. In addition to the Preliminary School Bus Accident Report, the driver of a school bus involved in an accident resulting in injury or death of any person, or damage to property of any one person in excess of \$500, shall complete and file within ten days after such accident a motor vehicle accident report in accordance with N.J.S.A. 39:4-130.

School bus drivers are prohibited from using a cellular or other wireless telephone **or other electronic communication device** while operating a school bus unless the school bus is parked in a safe area off a highway or in an emergency situation pursuant to N.J.S.A. 39:3B-25. A school bus driver who violates this policy provision is subject to fines pursuant to N.J.S.A. 39:3B-25.



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Bus Driver /Bus Aide Responsibility

School bus drivers are responsible for the safety of their students and shall rigorously observe all motor vehicle laws and regulations and State Board of Education rules in the operation of their school bus.

N.J.S.A. 18A:25-2; 18A:39-28

N.J.S.A. 39:3B-25

N.J.A.C. 6A:27-11.1 et seq.; 6A:27-12.1 et seq.

Adopted: 12 January 2010

Adopted: 12 May 2015

Adopted: 20 September 2016



R 8630 EMERGENCY SCHOOL BUS PROCEDURES

A. Staff Training

1. The Board of Education will administer a safety education program for all permanent and substitute school bus drivers and bus aides. At a minimum, the training shall include:
 - a. Student management and discipline;
 - b. School bus accident and emergency procedures;
 - c. Conducting school bus emergency exit drills;
 - d. Loading and unloading procedures;
 - e. School bus stop loading zone safety;
 - f. Inspecting the school vehicle for students left on board the bus at the end of a route; and
 - g. The use of student's educational records, including the district's responsibility to ensure the privacy of the student and his or her records, if applicable.
2. The **Board of Education will** administer a safety education program to school bus drivers that includes defensive driving techniques and railroad crossing procedures.
3. **The Board of Education will administer a Commissioner of Education-developed training program on proper procedures for interacting with students with special needs in accordance with the provisions of N.J.S.A. 18A:39-19.2 for all school bus drivers and school bus aides:**
 - a. **In the case of a school bus driver or aide who is employed prior to the development and availability of the training program, the Board shall administer the training program to the individual no later than one hundred and eighty days after the training program is made available by the Commissioner;**
 - b. **In the case of a school bus driver or aide who is employed after the development and availability of the training program, the Board shall administer the training program to the individual prior to that individual operating a school bus or serving as an aide on a school bus;**



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Emergency School Bus Procedures

- d. Explain that the bus will be evacuated by the front door when the bus is damaged in the rear and by the rear door when the front door is blocked;
 - e. Demonstrate the use of the emergency exit door;
 - f. Instruct students that lunches and books should be left on the bus in the evacuation procedure;
 - g. Encourage older, bigger students to assist younger, smaller students in their exit from the bus;
 - h. Have students leave the bus one row at a time, left and right sides alternating, in a prompt and orderly fashion;
 - i. Instruct students to group a safe distance away from the bus and to wait in that place until directed by the driver, a police officer, or other adult in authority;
 - j. Tolerate no student misbehavior in the conduct of the drill; the failure of any student to follow directions must be reported to the Principal; and
 - k. Provide any other training that will protect the safety of the students in the event the bus needs to be exited due to an emergency.
6. In accordance with the provisions of N.J.A.C. 6A:27-11.2(d), emergency bus evacuation drills shall be documented in the minutes of the Board at the first meeting following completion of the emergency exit drill. The minutes shall include, but are not limited to, the following:
- a. The date of the drill;
 - b. The time the drill was conducted;
 - c. The school name;
 - d. The location of the drill;
 - e. The route number(s) included in the drill; and
 - f. The name of the Principal or assigned person(s) who supervised the drill.
- C. Additional Precautions



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Emergency School Bus Procedures

1. School bus drivers may, depending on the age of the students on a bus route, discuss with the students additional safety precautions that may be taken in the event of a bus emergency. The safety precautions to be discussed shall be approved by the **Transportation Supervisor**.
2. **In accordance with the provisions of N.J.S.A. 18A:39-19.4, the Commissioner of Education shall develop a student information card that includes information that should be readily available to a school bus driver and school bus aide for the purpose of promoting proper interaction with a student with special needs. The parent of a student with an Individualized Education Plan (IEP) shall complete the student information card when the IEP is developed or amended for a student who receives transportation services.**
 - a. **Upon receiving consent from a student's parent, the school district shall provide a copy of the completed student information card to a school bus driver and school bus aide for each student on the bus route to which the school bus driver or school bus aide is assigned.**
3. School bus drivers shall attend training workshops offered by the New Jersey Department of Education and this school district and shall be trained in first aid.
4. Each school bus shall be equipped with:
 - a. A list of the students assigned to that bus;
 - b. A first aid kit approved by the school nurse and inspected regularly by the school bus driver;
 - c. Several emergency notice cards on which are printed the telephone numbers of the appropriate police department, the receiving school, and an emergency medical service and on which is provided a space for writing the location of a disabled school bus and the name of the bus driver;
 - d. Flags or flares or other warning devices; and
 - e. Any other equipment or supplies determined to be included on the school bus by the administration.
5. Each school bus driver shall:



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- a. Inspect his/her bus for possible hazards or safety concerns before driving the bus each day;
- b. Keep aisles and passageways clear at all times;
- c. Maintain student discipline on the bus;
- d. Prohibit the presence of any non-service animal, firearm, ammunition, weapon, explosive, or any other dangerous or illegal material or object on the school bus;
- e. Report promptly to the **Transportation Supervisor** any potential driving hazard on his/her route, such as construction, road work, etc.;
- f. Report promptly to the **Transportation Supervisor and School District** any deviation in the bus route or schedule;
- g. Drive at safe speeds at all times and exercise extraordinary care in inclement weather;
- h. Know and obey all motor vehicle laws and regulations and State Board of Education regulations;
- i. Not smoke, eat, or drink while in or operating the bus at any time or perform any act or behave in any manner that may impair the safe operation of the school bus;
- j. Visually inspect the school bus at the end of each transportation route to determine that no student has been left on the bus; and
- k. Not allow a student on board a school bus unless the bus driver or other employee of the Board or school bus contractor is also on board the bus. This shall not apply when a school bus driver leaves the bus to assist in the boarding or exiting of a disabled student or in the case of an emergency.

D. General Emergency Rules

1. School bus drivers are responsible for the safety of the students on their bus. In the event of an emergency, school bus drivers must exercise responsible leadership. The safety and well-being of students must be the drivers' paramount consideration. School bus drivers shall stay with their students until another school staff member, law enforcement officer, or a first responder can assume responsibility for the safety of the students.



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2. School bus drivers may not leave the school bus when children are aboard except in an emergency and, then, only after they have turned off the engine, removed the ignition key, and safely secured the school bus.
3. A school bus must be evacuated when:
 - a. There is a fire in the engine or any other portion of the bus;
 - b. There is a danger of fire because the bus is near an existing fire or a quantity of gasoline or other highly combustible material and is unable to move away;
 - c. The bus is disabled for any reason and
 - (1) Its stopping point is in the path of a train or is adjacent to a railroad track;
 - (2) A potential exists for the position of the bus to shift thus endangering students; or
 - (3) The stopping point (e.g., on a hill, curve, or near an obstruction) fails to provide oncoming traffic with at least 300 feet visibility of the bus, thus creating the danger of a collision.
 - d. The risk of remaining in the bus poses a greater safety risk than evacuating the bus.
4. When a school bus is evacuated, students shall leave the bus by the exit(s) and in the manner that affords maximum safety in the circumstances.
5. Students who have been evacuated from a school bus shall be moved to a safe place and distance from the bus and remain there until the driver or, if the driver is incapacitated, another person in authority has determined that no danger remains or until other alternative safety provisions can be made.
6. No student shall be allowed to request a ride with a passerby or proceed to walk home or leave the scene without the specific approval of the bus driver, a police officer, or other person in authority.
7. In the event a school bus is disabled in the course of providing student transportation, the driver, or a responsible person designated by the driver, will notify the **Transportation Supervisor and School District** of the number and location of the bus and the circumstances of the disability. The **Principal** will make arrangements for the safety of the students.



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E. Specific Emergency Situations

1. In the event of an accident or vehicle failure the following procedures will be implemented.
 - a. The school bus driver shall, in person or through a responsible designee, summon the police and emergency medical services, if necessary, and notify the Principal of the receiving school and the School Business Administrator, or designee, of the district providing the transportation.
 - b. The school bus driver will attempt to make all students as safe and comfortable as possible. If possible and necessary, the driver will administer emergency first aid to injured students.
 - c. In the event of an accident with no apparent or actual injuries and when law enforcement officials permit the bus to continue on its route after investigating the accident the school nurse will:
 - (1) If the accident occurred on the way to school or during school hours, examine any student who is feeling or displaying any symptoms of any injuries from the accident when the bus arrives at school; or
 - (2) If the accident occurred on the way home from school, examine any student who is feeling or displaying any symptoms of any injuries from the accident the next school day or if the parent of a student requests the school nurse examine their child the next school day.
 - d. In the event of an accident where students are injured, a student(s) may be transported to a hospital if it is determined by law enforcement, medical, and/or first aid staff at the accident scene additional medical treatment is required.
 - (1) If the accident occurred on the way to school or during school hours, the school nurse will examine any student not transported to the hospital who is feeling or displaying any symptoms of any injuries from the accident when the bus arrives at school.



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- (2) If the accident occurred on the way home from school, the nurse will examine any student feeling or displaying any symptoms of any injuries from the accident the next school day or if the parent of a student requests the school nurse examine their child the next school day.
 - e. If another vehicle(s) is involved, the bus driver will obtain the following information from the driver(s) of that vehicle(s) or from law enforcement officers at the accident scene: driver's name, driver's license number, vehicle owner's name and address, vehicle registration number, owner's insurance company and policy number, and a description of the vehicle (color, make, year, body type).
 - f. The following notifications must be provided:
 - (1) The school bus driver must report immediately to the Principal of the receiving school and the School Business Administrator or designee of the district providing the transportation, any accident that involves an injury, death, or property damage. In addition, the bus driver must complete and file the Preliminary School Bus Accident Report prescribed by the Commissioner of Education.
 - (2) The Principal of the receiving school shall retain a copy of the Report and forward other copies of the Report as prescribed by the New Jersey Department of Education.
 - (3) In addition, a school bus driver involved in an accident resulting in injury or death of any person, or damage to property of any one person in excess of \$500 shall complete and file, within ten days after such accident a Motor Vehicle Accident Report in accordance with N.J.S.A. 39:4-130.
 - (4) The parent of students involved in a school bus accident shall be notified as quickly as possible commensurate with the severity of the accident and injuries, if any, and hospital placement of their child if transported to a hospital by ambulance or by other emergency personnel.
2. In the event the school bus driver is incapacitated, the following procedures will be implemented:



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Emergency School Bus Procedures

- a. A school bus driver is incapacitated when he/she is unable to operate the school bus safely or when his/her driving ability is significantly impaired by the driver's physical or mental condition.
 - b. If there is a bus aide on the bus, the bus aide will take steps necessary to have the bus pulled off the road to a safe location and shall contact school officials or emergency services for assistance. If a bus aide is not on the bus, the bus driver shall pull the bus off the road to a safe location and contact school officials or emergency services for assistance.
 - c. The bus shall be stopped, with due consideration for the safety of its passengers, the motor turned off, the ignition key removed, and safely secure the bus.
 - d. The **Transportation Supervisor** shall immediately arrange for the transportation of the students by substitute driver, substitute bus, or other means.
3. In the event of an injury to a student on the bus, at a bus stop, or along a transportation route, not incurred as the result of a school bus accident, the following procedures will be implemented.
- a. In the absence of another responsible adult in authority, the school bus driver will take charge of a student who has been injured or disabled on a school bus, at a school bus stop, or along the transportation route traveled by the school bus.
 - b. If necessary, first aid will be administered.
 - a. If the student's injury is serious, emergency medical services will be summoned; the school bus driver or a responsible adult appointed by the bus driver will remain with the student until emergency medical help arrives.
 - d. If the student's injury is not serious, and
 - (1) Occurs on the way to the school, the school bus driver will deliver the injured student to the school nurse for examination and such treatment or referral as may be required. The school nurse will notify the student's parent.



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Emergency School Bus Procedures

- (2) Occurs on the way to the student's home, the school bus driver or another school district staff member will deliver the injured student to his/her parent or to a responsible adult at the student's home or if no one is home the injured student will be transported back to a school district location until a parent or another responsible adult can be contacted. If it is determined the student may need medical treatment and a parent or responsible adult cannot be contacted, the child may be transported to the school physician's office or to the nearest hospital emergency room.
 - (3) Occurs on the way to or from an extracurricular event, the school bus driver will notify a professional staff member assigned to the activity, who will take charge of the student and notify the student's parent.
- e. The school bus driver will immediately report the incident and any injuries to the Principal or designee of the school in which the student is enrolled.

Issued: 12 January 2010

Issued: 12 May 2015

Issued: 20 September 2016



8635 STUDENT TRANSPORTATION VEHICLES AND SCHOOL BUSES

All student transportation vehicles and school buses will be scheduled to maximize their use while ensuring all routes are scheduled in a safe manner for drivers and passengers.

Student transportation vehicles and school buses will have time periods during the day between scheduled bus routes when they are not in use. These time periods may vary from route to route and vehicle to vehicle depending on issues such as a school's opening and ending times and the location of students transported to and from the school. Based on scheduling issues and the amount of time between transportation routes, the school bus driver may be required to return the school vehicle/bus to the school district transportation facility during the school day. In the event the schedule does not provide adequate time or it is not practical for the vehicle/bus to be returned to the school district's transportation facility between routes during the school day, the school bus driver may be required to park the vehicle/bus at another school building or location in the school district designated by the Assistant Superintendent for Operations.

If the transportation route is for student transportation to and from a school building out-of-district, the driver may be required to return the transportation vehicle/bus to the district's transportation facility or to a school building or location designated by the Assistant Superintendent for Operations for the time period between routes. In the event there is not adequate time or it is not practical for a vehicle/bus to return to the school district between out-of-district transportation routes, the Assistant Superintendent for Operations will authorize the vehicle/bus remain at an approved location between such routes. The Assistant Superintendent for Operations, in consultation with the driver and the out-of-district school, will designate a location for the driver to maintain the vehicle/bus in between the scheduled routes.

The safety and security of the transportation staff and the school vehicle/bus will be the most important consideration in designating an out-of-district location for vehicles that may not return to the transportation facility during the school day.

Adopted: 12 January 2010



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East Orange Board of Education

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Transportation by Private Vehicle

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8660 TRANSPORTATION BY PRIVATE VEHICLE

The Board of Education authorizes the transportation by private vehicle of students of this district between the school and a school activity approved by this Board in accordance with this policy.

Any such transportation must be approved in advance and in writing by the Assistant Superintendent for Operations. The writing must set forth the date, time, and reason for the transportation; the places from and to which students will be transported; the name and address of the driver; the names of the students to be transported; a brief description of the transportation vehicle; and the signature of the driver. The parent(s) or legal guardian(s) of a participating student will be given, on request, the name of the driver and the description of the vehicle.

No person shall be approved as driver for the transportation of students in a private vehicle who is not an employee of this Board or the parent(s) or legal guardian(s) of a student enrolled in this district and the holder of a currently valid license to operate a motor vehicle in the State of New Jersey.

The Board may withdraw the authorization of any private vehicle driver.

Any private vehicle used for the transportation of students must be owned by the approved driver or the spouse of the approved driver; have the capacity to hold not more than eight persons; and must conform to registration, inspection, and insurance requirements of the State of New Jersey for privately owned vehicles. Seat belts shall be worn by the driver and the passengers while the vehicle is in motion. No vehicle may be used to transport more persons than its normal load capacity.

The responsibility of teaching staff members for the discipline and control of students will extend to their transportation of students in a private vehicle. Drivers who are not teaching staff members are requested to report student misconduct to the Building Principal.

Expenses incurred by drivers of private vehicles in the course of transporting students will be reimbursed by the Board at the approved mileage rate and upon presentation of evidence of costs for tolls and parking fees.

N.J.S.A. 18A:16-6; 18A:25-2; 18A:39-20.1

N.J.A.C. 6A:27-7.6; 6A:27-7.7

Adopted: 12 January 2010



8670 TRANSPORTATION OF DISABLED STUDENTS

The Board of Education shall provide transportation services for students with disabilities as required by law and dictated by the student's educational needs and physical welfare. The Board will provide the transportation specified as a related service in the program of special education approved for a disabled student. Such transportation will conform to the student's Individualized Education Program (IEP) and the transportation requirements described by the Child Study Team or prescribed by the school physician. Transportation to a placement outside this district will conform to the school calendar of the receiving school.

The transportation of a disabled student may include such special equipment, transportation aides, and special arrangements for other assistance to and from and in and around the school. When necessary for the student's welfare, the case manager will provide the transportation coordinator and driver with specific information about the student. For students with disabilities below the age of five, safety belts or restraint systems will be used.

The transportation of disabled students to special education programs approved by the Board and located outside the state will conform to guidelines established by the New Jersey State Department of Education. Such transportation services will be dictated by the student's IEP and approved by the Child Study Team. The individual plan for a disabled student's out-of-state transportation will be submitted to the Office of the County Superintendent prior to its implementation. In general, transportation of out-of-district disabled students will be by the most economical and expeditious mode consistent with the student's special needs and will be limited to travel at the beginning and the ending of the school year.

State aid will be sought for the services provided in accordance with law and this policy. The Board directs that appropriate records be maintained and all relevant documentation be preserved in order that the district be properly reimbursed for the costs of transportation.

N.J.S.A. 18A:39-2.1; 18A:46-19.6; 18A:46-23
N.J.A.C. 6A:14-3.9(a)7; 6A:27-5.1 et seq.

Adopted: 12 January 2010



8710 PROPERTY INSURANCE

The Board of Education recognizes its responsibility under law to insure the replacement value of the property of this school district, both real and personal, against loss or damage by fire and expressly extends such insurance coverage to loss or damage caused by theft, water, glass breakage, explosion, boiler failure, smoke, windstorm, vandalism, and other hazards.

In placing property insurance coverage, the Board shall be guided by the price of the coverage, the ability of the insurer to meet obligations promptly and fully, the reputation and past performance of the insurer's agent, and the goal of distributing the insurance coverage of the district through one insurance broker.

The Board shall annually appoint an insurance advisor who shall review the insurance program of the district, consider alternatives, and report recommendations to the Board; recommend specific insurance placement and prepare specifications; assist the Board in the establishment and maintenance of property valuation and insurance records; provide annual safety and fire inspections; process all claims; provide workshops and lectures on fire safety and prevention and safety precautions to the appropriate staff members; and recommend such measures as may reduce the cost of insurance premiums.

To be eligible to represent this Board an insurance agent must write all insurance through a company whose minimum financial status, so far as loss paying ability is concerned, is rated by A.M. Best and Company to be no less than A+; and must derive over fifty percent of his/her income from insurance premium commissions or receive no less than \$100,000 annually in premium income from sources other than this school district.

The Board may, in accordance with law, enter a joint contract for the purchase of property insurance.

N.J.S.A. 18A:18A-42(e); 18A:20-25
N.J.S.A. 40A:10-52 et seq.

Adopted: 12 January 2010



8740 BONDING

The Board of Education recognizes that the prudent trusteeship of the resources of this district dictates that employees responsible for the safekeeping of district moneys and property be bonded.

The Board directs the indemnification of the district against loss of money and property by the bonding of the Treasurer of School Moneys in accordance with the requirements of N.J.A.C. 6A:23A-16.4 and by the bonding of the Board Secretary in accordance with the requirements of N.J.S.A. 18:17-6. If the district does not have a Treasurer of School Moneys, the Board will ensure surety bonds are obtained in accordance with the rules of the State Board of Education. All other employees may be covered under a blanket bond in an amount to be determined by the Board or as required by the rules of the State Board of Education.

The Board shall bear the cost of bonding each employee required to be bonded by law or by this policy.

N.J. Consti., Art. 7, §1, 4
N.J.S.A. 18A:6-58; 18A:17-6; 18A:17-26; 18A:17-32
N.J.A.C. 6A:23A-16.4

Adopted: 12 January 2010
Adopted: 8 February 2011



8750 EMPLOYEE INDEMNIFICATION

The Board of Education recognizes that officers and employees of this district are exposed to certain risks in the course of the performance of their duties and will provide insurance coverage against losses that may be incurred by such risks.

The Board shall in accordance with law, insure employees of the school district against injury and death arising out of or in the course of their employment.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for damages, losses, and costs incurred as a result of a civil or administrative action or other legal proceeding brought against any such persons for any acts or omissions arising out of and in the course of their employment, student teaching, or other assignment to professional field experience with this Board. This indemnification will include all costs of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any, and will hold harmless and protect such person from any financial loss resulting from such action. No employee will be held harmless or have his/her defense costs defrayed in a disciplinary proceeding instituted against him/her by the Board or when the employee is appealing an action taken by the Board. Indemnification for exemplary or punitive damages is not required and will be governed by the standards and procedures set forth in N.J.S.A. 59:10-4. The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for the costs of defense against any criminal or quasi-criminal action for any such act or omission when such prosecution is dismissed or results in a final disposition favorable to the officer or employee. This indemnification will include the cost of defending such proceeding, including reasonable counsel fees and expenses of the original hearing or trial and all appeals. No employee will be held harmless or have his/her defense costs defrayed as a result of a criminal or quasi-criminal complaint filed against the employee by or on behalf of the Board. The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board shall insure against any liability arising out of the use of motor vehicles in the course of the conduct of automobile driver training courses and against any liability arising from the use of a motor vehicle by a person duly appointed by the Board to transport students and while in the course of such transportation.



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East Orange Board of Education

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Employee Indemnification

The Board may insure against any major liability arising from the use of a motor vehicle by an employee or student of the district in the performance of district business.

The Board may, in accordance with law, enter a joint contract for the purchase of liability insurance.

N.J.S.A. 18A:16-6; 18A:16-6.l; 18A:18A-3.2;
18A:18A-42(e); 18A:18B-1; 18A:18B-2;
18A:39-6; 18A:39-6.1; 18A:39-20.1
N.J.S.A. 40A:10-52

Adopted: 12 January 2010



8760 STUDENT ACCIDENT INSURANCE

The district shall insure, through its liability policies, students against any accident in which the school or a school employee is found liable. Low-cost insurance, covering other injuries, shall be made available to students.

Any company authorized to carry the master policy for student insurance shall be restricted, through written agreement, from making follow-up sales of extended insurance coverage to parent(s) or legal guardian(s).

The sale of insurance to students shall be handled in individual schools. When possible, sales may be made through home-school organizations.

Students participating in athletics shall be covered through insurance purchased through a student insurance program. The administration is authorized to use a portion of athletics receipts to assist in the payment of an injured athlete's expenses.

N.J.S.A. 18A:43-1; 18A:43-2; 18A:43-3

Adopted: 12 January 2010



8770 SCHOOL BOARD INSURANCE GROUP

The Board of Education shall provide insurance for loss or damage to school district property, real or personal; loss or damage from liability resulting from the use of district property; loss or damage from liability for the acts and omissions of school district officers or employees; loss or damage from liability established by the workers' compensation statutes; and the expenses of defending any claim against the Board members, officers, or employees of this district arising out of and in the course of the performance of their duties.

The Board recognizes the benefits to the school district of joining with other Boards of Education in providing coverage for the insurance needs of this district and in participating in programs of risk management to prevent loss and to control liability.

The Board may, upon formal resolution duly adopted, become a member of a school board insurance group in order to participate in any joint self-insurance fund or funds, risk management programs, or related services offered or provided by the group. The Board's membership in the group will be governed by the bylaws of the insurance group, which must be reviewed and approved by the Commissioner of Insurance in accordance with State law.

Trustees of the school board insurance group shall be selected in accordance with the bylaws of the insurance group; if the bylaws do not provide for the manner of a trustee's election, the trustee or trustees representing this Board of Education shall be elected by a plurality vote of those Board members present and voting.

N.J.S.A. 18A:18B-1 et seq.

Adopted: 12 January 2010



8810 RELIGIOUS HOLIDAYS

The Board of Education recognizes the acknowledgment of religious holidays in the public school may be a source of community concern. It is a goal of the district educational program to teach mutual understanding and brotherhood and respect for group differences. In pursuing this goal, the educational program may recognize that various religious groups celebrate different holidays with different practices.

In the acknowledgment or observance of any religious holiday, the Superintendent shall ensure the school and/or school officials do not mandate, organize, participate in an official capacity, endorse, persuade, compel, prevent or deny participation in constitutionally protected prayer or religion in violation of the governing principles of the First Amendment of the United States Constitution. Consistent with these principles, the Superintendent shall ensure:

1. No worship or religious service of any kind is sponsored by the school district and conducted during the school day, whether or not conducted by a clergyman;
2. Religious exhibits or displays include only materials that are a necessary or integral part of the curriculum;
3. Any religious music played is selected primarily for its artistic content; and
4. Any acknowledgment of a religious holiday neither advances nor inhibits any particular religious sect or religion consistent with the governing principles of the First Amendment of the United States Constitution.

U.S. Consti., First Amendment

N.J. Consti., Art. 1, ¶4

United States Department of Education - Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools

N.J.S.A. 18A:36-16

N.J.A.C. 6:20-1.3(j)

Note: NJS A 18A:36-14 and 15 talked about absence of student(s) on effect of his/her religious affiliation. Adhering to these guidelines means that the Board of Education/schools shall record the student absence as an "excused absence."

Reference: page 482, NJS A 18A

Adopted: 12 January 2010



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East Orange Board of Education

OPERATIONS - POLICY

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Opening Exercises/**Ceremonies**

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8820 OPENING EXERCISES/CEREMONIES

The Board of Education requires the **students in each school in the school district to salute the United States flag and repeat the** pledge of allegiance to the flag of the United States **in accordance with the provisions of N.J.S.A. 18A:36-3. The pledge of allegiance shall be rendered with the right hand over the heart, except that** students who have a conscientious **objection against such pledge or salute, or are children of accredited representatives of foreign governments to whom the United States government extends diplomatic immunity, shall not be required to render such salute and pledge or stand during such pledge or salute, but shall be required to show full respect to the flag while the pledge is being given.**

The Board of Education authorizes observance of Commodore John Barry Day as required by N.J.S.A. 18A:36-10 through 12 and appropriate exercises for the development of a higher spirit of patriotism on the last day of school preceding Washington's Birthday (also celebrated as President's Day), Decoration of Memorial Day, Columbus Day, and Veterans Day as required by N.J.S.A. 18A:36-13. In accordance with N.J.S.A. 18A:36-13.1, the district may conduct a course of exercises or instruction in accordance with the Core Curriculum Content Standards to observe holidays, including, but not limited to, Martin Luther King Jr.'s Birthday, Lincoln's Birthday, Thanksgiving Day, Arbor Day, and other holidays as determined by the Board of Education.

N.J.S.A. 18A:36-3; 18A:36-10; 18A:36-11; 18A:36-12; 18A:36-13; 18A:36-13.1

Adopted: 12 January 2010

Adopted: 13 October 2015



8860 MEMORIALS

The Board of Education recognizes that each officer and employee of this district is important not only to the school district but to the community at large. The loss of any officer or employee of this Board by death is a loss that the Board and the district share with the community.

In order to memorialize that loss in a fitting manner, the Board directs that, whenever notice is received of the death of a Board member or a person employed by the Board, the flag of the United States at each school district building shall be flown at half-mast for one school day. Written notice shall be posted in an appropriate manner in each district building on that day in order that students, staff members, and visitors are informed of the purpose of the memorialization.

The Superintendent may, in his/her discretion, grant an employee of this district a brief absence without loss of pay or personal leave for the purpose of attending the funeral of his/her direct supervisor or subordinate provided that no disruption in the educational program will be caused by any such absence.

The Superintendent shall recommend to the Board and the Board may approve appropriate recognition measures beyond those provided for in this policy when the deceased Board officer or employee has, by length of service or extraordinary accomplishment, especially distinguished his/her service to this school district.

Adopted: 12 January 2010