

Fairfield Township Board of Education



Home of the Jaguars

DISTRICT POLICY MANUAL

The Policies and Bylaws of the Fairfield Township Board of Education are contained in this file. These documents are to be considered to be copies and to ensure accuracy, they must be compared with those found in the Official Policy Manual of the Fairfield Township Board of Education, which is on file with the Superintendent of Schools.

IMPORTANT PLEASE NOTE

The Fairfield Township Board of Education has reviewed, approved and adopted this document as the Fairfield Township Board of Education District Policy Manual.

The documents found herein have been adopted by the Fairfield Township Board of Education on the date noted on the first page of each policy.

These policies supersede and replace those found elsewhere.

These policies and bylaws are the property of the Fairfield Township Board of Education and no unauthorized copying, editing, changing, altering or deleting of any of this material is permitted.

Fairfield Township Board of Education District Policy Manual

The Fairfield Township Board of Education has adopted the policies contained on the accompanying file. The format of the policies is Adobe Acrobat® and you will need the Adobe Reader® to view these policies. If the computer you are using does not currently have the Adobe Reader® installed on it, you may obtain the appropriate Adobe Reader, which is available at www.adobe.com. This is a free download and it takes up very little disk space.

Once loaded, you can view any and all policies of the Fairfield Township Board of Education District Policy Manual. The manual is divided into 8 sections (series). In brief, the content of each series is as follows:

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

Scroll through the Table of Contents to find the policy you wish to view. At this point you may scroll through the pages of that series until you locate the policy you wish to view or you can find the policy or topic by using the embedded search engine, known as “Find” or “Search.”

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

The second "search tool" is provided is a topical search tool that will help you search for a policy based on the topic you are seeking rather than a particular word. Again, click on the "Edit" tab on the tool bar, then click on "Find." In the dialog box, type in a word that represents a topic you are looking for, such as, "meeting." When using this search tool, you must add an exclamation mark (! i.e., meeting!) immediately after the topic word – meeting! This will take you to all policies that deal primarily with meetings.

If you wish to research a topic that may be found in several series, using these search tools will help you accomplish this task quickly and efficiently.

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

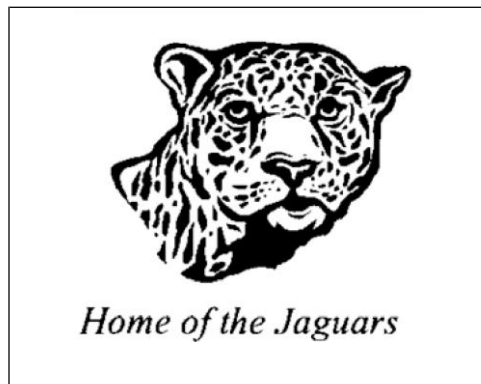
The only Official Policy Manual for the Fairfield Township School District is on file with the Superintendent of Schools. Only policies in the Official Policy Manual should be considered accurate and up-to-date.

Please refer to the Official Policy Manual to assure accuracy.

The Superintendent of Schools is responsible for maintaining the Official Policy Manual.

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District Policy Manual



Community Relations

Series 1000



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Philosophy of Education / Mission Statement

Policy 0100

Date Adopted: December 17, 2009

Date Revised:

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School Mission Statement

(Prepared by the District Strategic Planning Committee)

The Mission of the Fairfield Township School District is to assure all students an equal opportunity to participate in a diverse instructional program that promotes self-worth, citizenship and the achievement of high standards. In a modern and safe learning environment, students will become successful and contributing members of society.

We Believe:

- That children can achieve high academic standards, and have the ability to communicate effectively and think critically.
- That all children have self-worth.
- That when children believe in themselves, they will succeed.
- That the participation of community members and parents in the school program will improve student success and build a sense of self-worth.
- That the school district must be committed to providing a safe environment for learning and all necessary resources to ensure student success.
- That cost should not be a controlling factor in our children's education, and should not prohibit growth and change.
- That teaching citizenship is an integral part of our school mission.
- That for children to reach their full potential it is essential to regularly update curriculum and utilize the most current technology.
- That the performing and visual arts are an integral part of a comprehensive school program.

Legal References

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

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

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

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Community Relations

Series 1000

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

Policy 1000

Date Adopted: February 8, 1989

Date Revised: December 17, 2009

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

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

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

The Superintendent of Schools shall be responsible for developing programs, techniques and channels for implementing this policy.

Relations with Parents/Guardians

The Board believes that the education of children is a joint responsibility, one it shares with the parents/guardians of the school community. To insure that the best interests of the child are served in the process, a strong program of communication between home and school must be maintained.

The Board feels that it is the parents/guardians who have the ultimate responsibility for their children's in-school behavior, including the behavior of pupils who have reached the legal age of maturity, but are still for practical purposes, under parental authority. During school hours, the Board, through its designated administrator, acts *in locus parentis* or in place of the parents/guardians.

The Board directs that the following activities be implemented to encourage parent-school cooperation:

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- A. Parent-teacher conferences to permit two-way communication between homes and school;
- B. Open house activities in the district schools to provide parents/guardians the opportunity to see the school facilities, meet the faculty and sample the program on a first hand basis.
The school will hold an open house at least once annually;
- C. Meetings of staff members and groups of parent/guardians of those students having special abilities, disabilities, needs or problems;
- D. Any meetings required by the State Department of Education to add additional community input.

For the benefit of children, the Board believes that parents/guardians have a responsibility to encourage their child's career in school by:

- A. Supporting the school in requiring that the children observe all school rules and regulations and by accepting their own responsibilities for children's willful in-school behavior;
- B. Sending children to school with proper attention to their health, personal cleanliness and dress;
- C. Maintaining an active interest in the student's daily work and making it possible for the student to complete assigned homework by providing a quiet place and suitable conditions for study;
- D. Reading all communications from the school, and signing and returning them promptly when required to do so;
- E. Cooperating with the school in attending conferences set up for the exchange of information on the child's progress in school.

Relations with Other Educational Institutions

It is the policy of the Board of Education that strong lines of communication be maintained by the district with other districts and institutions that provide programs, training, or services not available to children residing in this district.

In order to maintain cordial and constructive relationships with other education institutions:

In the case of the receiving high school, the Superintendent of Schools shall:

- Cooperate with the professional staff in articulation studies to ensure that pupils of this district are properly prepared to enter the school of the receiving district;
- Inform pupils in their final year in this district of program options in the receiving district and counsel them regarding their program choices;
- Provide an orientation program to pupils in their final year in this district to familiarize them with the facilities, procedures and rules of the receiving district;

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In the case of parochial and private schools, the Superintendent of Schools shall:

- Cooperate fully in the implementation of all state and federal programs administered by this district that benefit in whole or in part, eligible pupils attending private or parochial schools.

In the case of institutions of higher education, the Superintendent of Schools shall:

- Cooperate with state institutions in the placement and evaluation practice for teachers in accordance with Board policy on student teachers and interns;
- Encourage local colleges to provide graduate level courses for the benefit of district staff members.

Legal References

NJSA 10:4-6 et seq. Open Public Meetings Act
47:1A-1 et seq. Examination and copies of public records ("Open Public Records Act")

NJAC 6A:30-1.4(a)1 Evaluation process for the annual review
6A:32-2.1 Definitions
6A:32-12.1 Reporting requirements
6A:32-12.2 School-level planning

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

Possible Cross References

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

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Series 1000

Communicating with the Public

Policy 1100

Date Adopted: November 20, 2008

Date Revised: December 17, 2009, January 26, 2012

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

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

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

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

Each year by April 30th, the Superintendent of Schools will present the School Report Card to the Board of Education. The School Report Card includes information required by state and federal law and is compiled by the Department of Education with statistical information provided by the Superintendent of Schools. The Report Card shall be made available to the staff, parents/guardians, and the media as well as other interested members of the community.

Avoiding Excessive Expenditures when Communicating with the Public

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

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

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

Legal References

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

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

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

Possible Cross References

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

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Media

Policy 1110

Date Adopted: December 17, 2009

Date Revised:

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

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

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

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

The Superintendent of Schools or designee shall devise procedures for optimum benefit from such presentations.

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

Legal References

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

Possible Cross References

1100, 9020

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District Publications

Policy 1111

Date Adopted: December 17, 2009

Date Revised:

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The Superintendent of Schools/designee shall direct development and review of informational newsletters and handbooks for parents/guardians, pupils, staff and the general community as deemed necessary by the Board. The Board Secretary/Business Administrator shall make the district audit available to the public as required by law.

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

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

Legal References

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

Possible Cross References

1111.1

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Student Publications

Policy 1111.1

Date Adopted: December 17, 2009

Date Revised:

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

Code of Ethics for School Publications

Administration

1. The Superintendent of Schools is ultimately responsible for all activities taking place within the school, and thus has final authority over all school publications.
2. As a matter of administrative necessity, the Superintendent of Schools delegates his authority to the faculty advisor(s) of the publication. It thus becomes the advisor's responsibility to ensure that the publications under his or her control adhere to the letter and spirit of this code. When in doubt about the propriety of any specific article or issue, he or she is to consult the Superintendent of Schools for final decision.

Specific Provisions Governing All School Publications

1. The stories and articles shall not contain any language that is profane, obscene, offensive or suggestive.
2. The stories and articles shall not deal with any subject that by its nature would offend the taste and sensibilities of the community.
3. No individual student or faculty member may ever be singled out for censure, criticism or ridicule in a school publication.
4. No group of individuals may similarly be identified in print for such censure, criticism or ridicule in a school publication, although positive suggestions may be made in editorial columns or letters for the improvement of such organizations.
5. No religious, racial or national group shall be held up to ridicule by statement or innuendo in the school publications.
6. As a matter of courtesy and as a guarantee of accuracy, all news stories concerning a faculty member should be cleared with that faculty member; and all stories dealing with a school organization should be cleared with the sponsor of that organization.
7. No article may covertly or overtly advocate the overthrow of our democratic system of government.

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Policy 1111.1**

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Specific Provisions Regarding Special Kinds of Writing

1. Editorials are always unsigned and as a matter of newspaper tradition, reflect the opinions of the entire editorial staff; not one individual. They may make constructive suggestions for improvement, although they should do so in a positive fashion and must not hold up to ridicule, censure, or criticism any group or individual. The school newspaper should not indulge in political controversy, or support any one political party.
2. Columns of opinion (sports opinion, editorial opinion, literacy opinion, etc.) represent the thinking of one individual; as such, they must always be signed with the proper name of the student-author. He or she is held personally responsible for such opinions and must conform in all particulars with the provisions of this code.
3. Reviews of student performances (in sports, shows, etc.) present special issues and require special provisions. Reviews are opinions, not news, and as such belong in signed opinion columns. Negative comments can have a deleterious effect on team or group achievement. In view of these considerations, an individual may never be singled out for condemnation or criticism of such reviews.
4. Letters to the editor – student letters to the editor may be published only after the or team/club faculty advisor has checked their authenticity and only when they are signed by the senders' name, and conform in full to the provisions of this code.

Legal References

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

Possible Cross References

1110, 1111, 1111.2

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Community Relations

Series 1000

**Student Publications other than
Official School Publications**

Policy 1111.2

Date Adopted: December 17, 2009

Date Revised:

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

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

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

Acceptable Materials

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

Unacceptable Materials

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

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

Special Note

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

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Identification

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

Approved Materials

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

Places of Distribution

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

Times for Distribution

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

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

Littering

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

Appeal

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

Legal References

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

Possible Cross References

1110, 1111, 1111.1

Fairfield Township Board of Education District Policy Manual

Community Relations

Series 1000

School News Releases

Policy 1112.2

Date Adopted: September 20, 1995

Date Revised: January 28, 1998, December 17, 2009

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In order to provide correct information and to protect the best interests of the school and pupils, the Superintendent of Schools shall review and approve all news releases relative to the district.

All matters representing the official position of this district prepared for publication by any of its employees shall be approved by the Superintendent of Schools prior to release to the public media.

The Board of Education shall designate a local newspaper which circulates in the district as the official newspaper for press releases, and a second newspaper for the purpose of publication of Board of Education meetings.

All school personnel are encouraged to write informative school news articles, but for the following reasons, all articles and publicity releases must first be cleared by the Superintendent of Schools to:

1. Avoid duplication of material
2. Maintain a consistent policy with regard to school publicity
3. Compile a file of releases and pictures as a protection to the school system

Legal References

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

Possible Cross References

1100, 9020

Fairfield Township Board of Education District Policy Manual

Community Relations

Series 1000

Board of Education Meetings

Policy 1120

Date Adopted: April 29, 1998

Date Revised: May 6, 2004, December 17, 2009, January 26, 2012

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

The Board welcomes participation of interested organizations and individuals and will schedule time as appropriate for the public to speak.

At each public meeting of the Board, the presiding officer shall administer the rules of the Board for public participation and comments. Where his/her ruling is disputed, it may be overruled by a majority vote of those Board Members present and voting.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted only as indicated on the order of business or agenda.
- B. Unless otherwise decided by a majority vote of the Board of Education, speakers shall be limited to five minutes to speak.
- C. If a speaker identifies himself/herself as a member of a group or organization, he/she must state the full name of that group or organization and state whether he/she is speaking on behalf of that group or organization or for himself/herself.
- D. Each participant must be recognized by the presiding officer and must preface his/her comments by an announcement of his/her name, address and group affiliation if appropriate.
- E. Each statement made by a participant shall be limited to three minutes duration, unless permission has been granted in advance of the meeting.
- F. No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been given an opportunity to speak.
- G. All statements shall be directed to the presiding officer; no participant may address or question Board Members individually.
- H. The presiding officer may interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene or irrelevant.
- I. The portion of the meeting during which the participation of the public is invited shall be limited to thirty minutes unless prior permission has been granted.

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**Community Relations
Board of Education Meetings**

**Series 1000
Policy 1120**

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

Comments at regular meetings may deal with any topic related to the Board’s conduct of the schools. Comments at special meetings must be related to the call of the meeting. Advance announcement of all regular, scheduled special, and specially called meetings of the Board shall be in accordance with statutes.

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

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

Two times each school year between September 1st and January 1st and between January 1st and June 30th the Board of Education shall hold a public hearing at which the Superintendent of Schools shall report all acts of violence, vandalism, and harassment, intimidation, or bullying (HIB) to the Board of Education that occurred during the previous reporting period. The report shall include the number of HIB reports in the schools, the status of all investigations, the nature of the HIB, and other data required by law.

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Policy 1120**

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Legal References

NJSA 10:4-6 et seq. Open Public Meetings Act
18A:7C-7 School administrators report on students awarded or denied diplomas
18A:10-6 Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum
18A:12.21 School Ethics Act
18A:17-46 Act of violence; report by school employee; notice of action taken; annual report
18A:22-10 Fixing day, etc., for public hearing
18A:22-13 Public hearing; objectives; heard, etc.
18A:23-5 Meeting of board; discussion of report

NJAC 6A:8-5.2(e) High school diplomas
6A:14-1.1 et seq. Special Education
6A:16-5.1 et seq. School safety plans
6A:16-5.2, 5.3 N.J.A.C. 6A:26 Educational Facilities
6A:26-2.2(a)7 Completion of long range facilities plans
6A:26-9.1(d) Capital reserve accounts
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:30-2.4, -3.1 N.J.A.C. 6A:32-3.2 Requirements for the Code of Ethics for district board of education members and charter school board of trustee members
6A:32-12.1 Reporting requirements
6A:32-12.2 School-level planning
6A:32-13.1 School attendance
6A:32-13.2 Dropouts
6A:32-14.1 Review of mandated programs and services

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

Possible Cross References

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

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Community Relations

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Distribution of Materials by Pupils & Staff

Policy 1140

Date Adopted: December 17, 2009

Date Revised:

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

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

Any nonprofit service organization which is based solely within the boundaries of this district and has no relationship or responsibility to a parent/guardian organization on a regional, county, state, or national level, that raises its operating budget through donations and provides a service directly to this community and its children may apply to the Superintendent of Schools for permission to utilize the schools communication systems to alert the community to activities that will involve and benefit the children of Fairfield Township.

All publicity or materials to be disseminated by pupils shall be presented to the Superintendent of Schools or designee for approval prior to distribution.

All surveys, questionnaires or other similar items requiring pupil or parent response shall be reviewed and approved by the Superintendent of Schools prior to dissemination.

Legal References

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

Possible Cross References

1100, 1315, 1322, 4135.16, 4235.16, 5136, 6142.10, 6145.3, 6162.5

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Participation by the Public

Policy 1200

Date Adopted: September 20, 1995

Date Revised: December 17, 2009

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Citizen Volunteers

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

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

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

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

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

All school volunteers who assist in the school more than 10 hours per week must:

- A. Undergo a criminal background check and be fingerprinted at Board expense.
- B. Provide documentation that a Mantoux test has been administered.

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

The Superintendent of Schools shall report to the public annually on all aspects of community support of the educational program of the district.

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Participation by the Public**

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Policy 1200**

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Legal References

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

NJAC 6A:10A-53 et seq Establishment of School Leadership Council
6A:32-12.1 Reporting requirements

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

Possible Cross References

1000/1010, 1120, 1210, 5020, 6162.4

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Community Organizations

Policy 1210

Date Adopted: September 20, 1995

Date Revised: January 28, 1998, December 17, 2009

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

The Superintendent of Schools shall be responsible for reviewing each proposed donation of funds and/or equipment. Proposed equipment donations must meet the same safety standards as district-purchased equipment.

All activities for school support groups shall be coordinated with the Principal and any activity proposed by school support groups shall require Board of Education approval.

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

Legal References

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

Possible Cross References

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

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Community Relations

Series 1000

Ad Hoc Advisory Committees

Policy 1220

Date Adopted: October 18, 1995

Date Revised: December 17, 2009

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

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

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

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

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

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

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

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Policy 1220**

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

Legal References

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

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

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

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

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

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

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School-Connected Organizations

Policy 1230

Date Adopted: September 20, 1995

Date Revised: December 17, 2009

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The Board of Education encourages the work of a general, voluntary, school-connected organization of parents/guardians, school staff and the friends of the school.

Such organizations may not establish educational policy, participate in the administration of the school, or authorize management and direction of school activities.

Such organizations shall have as their objectives the promotion of pupil welfare; the development of close relationships between the home and the school; and the development between educators and the public of such united efforts as will secure for every pupil in the schools the best kind of educational program possible.

Organizations shall not use the district's name in their titles without the Board's express consent. Such permission to use the district's name does not constitute permission to act as the district's representative.

To prevent the concurrent demands upon the community, all fund-raising activities must be approved by the Superintendent of Schools.

Permission to hold regular meetings of such organization in school facilities will be extended by the Board of Education for particular school year, in accordance with Policy #1330 – Use of Facilities.

The Principal may serve as advisor to the general parent/teacher organization. All members of the professional staff shall be encouraged to join the organization and to participate in its activities.

Legal References

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

Possible Cross References

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

Fairfield Township Board of Education District Policy Manual

Community Relations
Visits to the Schools

Series 1000
Policy 1250

Date Adopted: February 2, 2000

Date Revised: November 20, 2008,
December 17, 2009, December 21, 2010, May 28, 2015,
August 27, 2015

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

- A. All visitors shall be required to report directly to the Security Aide on duty upon entering the building, and are to sign in and secure a visitor's pass. Should the Security Aide be unavailable, visitors must report directly to the Main Office. Board Members will report to the Board Office to sign-in. At which time, they will receive an identification badge to be returned to the Board Office upon signing out. Board Members visiting the school shall be required to follow the same requirements as any other visitor and they shall not visit the school in an official role unless delegated by the full Board.
- ~~B.~~ A "visitor" is anyone other than a student enrolled in or a staff member employed in the school. Visitors may not consult with the teaching staff or pupils during class time without the permission of the Superintendent/Principal or designee. Visitors are not to monitor students.
- ~~C.~~ When the parental rights of a parent have been terminated by a court of appropriate jurisdiction, the legal guardian must inform the school so that the administration may apply appropriate regulations related to visitations. The Superintendent/Principal shall seek confirmation of legal custodianship where necessary.
- ~~D.~~ Persons may not visit the school during school hours for the purpose of recommending or exhibiting books, maps, etc. to staff.
- ~~E.~~ No visitor shall be allowed to deliver any address, lecture or provide instruction on any subject unless authorized by the Superintendent/Principal or designee.
- ~~F.~~ All visitors to the school must obey no smoking regulations and any other regulations designed to ensure orderly operating of the school. All persons violating this policy shall be considered "disorderly persons" and subject to appropriate action.

After Hours Visits to the School

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

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

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

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

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

School Visitation Procedures

- A. Any person wishing to visit a classroom during the school day must request permission from the Superintendent/Principal or designee a minimum of 48 hours in advance.
- B. The Superintendent/Principal or designee will consult the classroom teacher regarding the convenience of the proposed visit, and arrange accordingly.
- C. The time limit of visits shall be set by the Superintendent/Principal.
- D. No visitor shall interrupt the presentation of a lesson, talk to the students or distract the teacher's attention from the students.
- E. For the safety and security of our students and staff, a visitor must report to the office before visiting a classroom. It is the duty of every teacher and staff member upon seeing a stranger in the building to ask if they have been to the office. If the visitor has not, he/she should be directed to the office and the teacher should notify the office of the presence of the visitor, immediately.
- F. All bags and vehicles of a visitor are subject to being searched.

Parents/guardians of students, Board Members and other visitors shall always be made to feel welcome in the building while on school business. All visitors are to sign-in at the main office, show proper identification and otherwise follow such regulations as may be promulgated by the Superintendent/Principal.

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All visitors, including parents/guardians and other visitors with a legitimate reason who want to make classroom visits are required to report to the school office, sign-in and obtain advance permission from the Superintendent /Principal. All classroom visits must be scheduled a minimum of 48 hours in advance.

When the parental rights of a parent/guardian have been terminated by a court of appropriate jurisdiction, the legal guardian must inform the school so that the administration may apply appropriate regulations.

All visitors to the school must abide by the law of no smoking on school property.

Any person violating this policy shall be considered a “disorderly person” and subject to action in accordance with the appropriate statutes.

School Access & Security

1. The Superintendent /Principal will establish sign-in procedures for all visitors to a school. For the purposes of this policy and regulation, a “visitor” is defined as anyone who wishes to gain entrance to the school who is not an employee or student. The sign-in sheet is to be maintained by school secretary or a designee of the Superintendent/Principal. The sign-in sheet must minimally contain the following information: first and last name of visitor; date; time in; time out; and reason for the visit.
2. The Superintendent /Principal will ensure that the main entry to the school is the only point of entry for visitors. However, visitors to the classrooms in the Early Childhood program may use the Early Childhood program entrance. All other entry doors will be locked and posted with a sign directing visitors to the main entrance of the school.
3. The main entry to the school will be posted with a sign and map directing visitors to the main office to sign in. Where practical, entry to each building will be via a door with an intercom system and electronic striker operated from within the main office.
4. Upon sign-in, visitors will be issued a Visitor’s Badge that will list their name and the date. The badge is to be returned to the secretary or designee when the visitor signs out.
5. Staff who invite multiple visitors into the school for any purpose will notify the Superintendent/Principal in advance, where possible, so that he/she is aware of the program.

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6. Secretaries will encourage visitors who arrive without notice to make an appointment for a later visit. Impromptu parent-teacher conferences will be discouraged unless special circumstances exist. Under no circumstances will any visitor to the school be permitted to deliver anything to a child's classroom. Items to be delivered to a child will be held in the main office and the child called to the office to retrieve them.
7. Visitors who have established a bona fide reason to visit the school will be encouraged to schedule such appointments before or after the school day in order to minimize disruption to the educational program.
8. Parent/guardian visitations for the purpose of observing instruction in their child's classroom shall be arranged only in the event that a compelling need is established by the parent/guardian. Such observations shall be arranged at least one week in advance by the Superintendent/Principal and the teacher. A parent/guardian who arranges to observe instruction in accord with this regulation may not videotape instruction, nor may there be any interaction with any child or adult in the room.
9. The Superintendent/Principal may retain approved security personnel to assist with crowd control at sporting events, dances and similar activities.
10. Visitors who refuse to abide by the rules of conduct established by the Board of Education may be asked to leave the school building by the Superintendent/Principal or his/her designee. Refusal to leave the school premises when so asked, may result in prosecution as a disorderly persons offense under NJSA 2C:33-2

Regulations/Procedures to be Followed When Visiting the Schools

1. Parents/guardians of students, Board Members and other visitors shall always be made to feel welcome in the building on business.
2. All visitors, other than Board Members, are to:
 - Sign-in on a chronological log at the main school office
 - Show proper identification to the Secretary/Security Aide
 - State the reason for their visit
3. The Secretary/Security Aide will then contact the appropriate authority.
4. Teachers are not to be contacted directly when visitors are calling for them unless the teacher has notified the secretary of the visit in advance.
5. The Superintendent/Principal, and in his/her absence the Vice Principal, shall be informed and he/she will make the decision as to whether to call the teacher.

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6. All visitors, including parents/guardians and other visitors with a legitimate reason, who want to make classroom visits, are required to obtain advance permission from the Superintendent/Principal. All classroom visits must be scheduled a minimum of 48 hours in advance. After receiving the advance permission, the visitor will follow normal sign-in procedures in the main school office.
7. In the event of an emergency evacuation or drill, a main office secretary will take the chronological log with him/her and inform the Superintendent/Principal if anyone is visiting during the evacuation.

Legal References

NJSA 2C:18-3 Unlicensed entry of Structures, defiant trespasser; peering into dwelling places; defenses
2C:33-2 Disorderly conduct
18A:11-1 General mandatory powers and duties
26:3D-55 et seq. New Jersey Smoke-Free Air Act

Possible Cross References

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

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Loitering or Causing a Disturbance

Policy 1251

Date Adopted: December 21, 1985

Date Revised: December 17, 2009

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

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

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

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

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

Disturbances at School Events

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

The Board holds the legal authority to bar the attendance of any person whose conduct may constitute a disruption at a school event. In compliance with law, the Board directs that no alcoholic beverage be consumed at any function on school property and that no betting occurs on school premises.

Legal References

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

Possible Cross References

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

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Relations Between Public & District Personnel

Policy 1310

Date Adopted: December 17, 2009

Date Revised:

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All professional and non-teaching personnel have an important obligation toward the total school-community relations program. It should be emphasized that school-community relations are largely determined by what happens in the classroom. Therefore, the attitudes of the teaching staff are an integral part of public acceptance.

To this end, the Board of Education expects all district employees to maintain the following standards:

- A. The maintenance of just and courteous professional relationships with pupils, parents/guardians, citizens and staff members.
- B. The maintenance of their own efficiency and keeping abreast of developments in their fields of work.
- C. The placement of the welfare of the children as the first concern of the school system.
- D. The proper use and protection of all school properties, equipment and materials.
- E. A demonstrated willingness to learn all they can from citizens in the community that will help them with the education of the children enrolled in the school system.

Legal References

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

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Community Complaints & Inquiries

Policy 1312

Date Adopted: December 10, 1985

Date Revised: December 17, 2009

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The Board of Education welcomes inquiries about and constructive criticism of the district's programs, equipment, operations and personnel.

Complaints, questions, and suggestions concerning school personnel or the operation of the schools should follow the established "chain of command" – teacher, Principal, Superintendent of Schools, Board of Education.

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

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

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

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

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

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

- A. Neither the Board as a whole, nor any individual Board Member, will entertain or consider communications or complaints from school employees, parents, students, or other citizens, but shall refer such communications to the Superintendent of Schools;
- B. Complaints and inquiries should be written, in as brief a form as possible and sent to the Superintendent of Schools;
- C. The Superintendent of Schools will make every effort to resolve the problem with the person(s) immediately involved;
- D. When satisfaction has not been received at this level, the Board will accept complaint or inquiries submitted in writing;
- E. Persons requesting a hearing of the Board shall present their complaint or grievance in written form to the Board Secretary/Business Manager in sufficient detail to permit a full understanding of the matter. After hearing the evidence submitted by the Superintendent of Schools, the Board will, if it deems advisable, grant a hearing to the parties interested;

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- F. School employees who are employed under a bargaining unit contract shall follow the provisions of that contract for the filing of complaints or grievances;
- G. Decisions regarding complaints and inquiries presented initially to the Board at a public meeting may be deferred, at the discretion of the Board.

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

Legal References

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

Possible Cross References

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

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Complaints to the Board

Policy 1312.1

Date Adopted: May 21, 1997

Date Revised: December 17, 2009

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The Fairfield Township Board of Education in its responsibilities will provide a hearing for individuals who wish to bring a complaint to the Board. Such hearing will be private.

A hearing will take place at the next regularly scheduled Board of Education meeting.

All complainants must have a standing to appear before the Board. The complainant must be either a resident of Fairfield Township or be an individual or representative of an entity conducting business with Fairfield Township. If the complaint relates to a student, the complainant must be the custodial parent of said student.

The complainant shall not ask questions of the Board, individual Board Members or representatives of the Board during the hearing.

After the complainant states his/her complaint and answers any questions from the Board or its representatives, the complainant will be excused and the Board will deliberate the issue. If necessary, the Superintendent of Schools will be directed to review the complaint farther and report back to the Board. After the Board makes its decision, the Board President will advise the complainant by mail.

Legal References

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

Possible Cross References

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

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Gifts to School Personnel

Policy 1313

Date Adopted: October 18, 1995

Date Revised: December 17, 2009

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

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

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

The acceptance of gifts shall be subject to the provisions of Policy 7230 – Gifts, Grants & Donations.

Legal References

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

Possible Cross References

7230

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Fund Raising by Outside Organizations

Policy 1314

Date Adopted: December 17, 2009

Date Revised: November 20, 2014

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

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

No organization, public or private, and including school-connected organizations, such as, but not limited to the PTA/PTO shall solicit funds for, or on behalf of the school, district, employees or the Board of Education, without the express written approval of the Superintendent of Schools and/or the Board of Education.

In addition, no organization public or private, and including school-connected organizations, such as, but not limited to the PTA/PTO shall use the school's or district's name, letterhead or other documents without the express written approval of the Superintendent of Schools and/or the Board of Education.

Violations of this policy may result in legal action taken by the Board of Education on behalf of the district.

Legal References

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

Possible Cross References

1314.1, 3453

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Soliciting Funds from & by School Personnel

Policy 1314.1

Date Adopted: December 17, 2009

Date Revised:

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Solicitations by Staff

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

Solicitations of Staff

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

Solicitation by Pupils

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

Solicitations of Pupils

In the interest of preventing the exploitation of pupils, solicitations by outside organizations, commercial enterprises and individuals are prohibited on school grounds both during and after school hours.

Outside organizations are not permitted to advertise events or sell products through the schools or use the children to sell tickets and/or products except those events jointly sponsored with a school and school-approved parents-teacher activities, and those specifically approved by the Superintendent of Schools.

Legal References

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

Possible Cross References

1314, 3453

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Posting & Distributing Materials to Pupils & Staff

Policy 1315

Date Adopted: December 17, 2009

Date Revised:

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Posting of Non-School Related Materials

The Board of Education shall permit posting of non-school materials with the approval of the Superintendent of Schools

The Board of Education will permit posting of such materials in an area designated for community information for:

- A. Groups directly related to the schools and the operations of the school;
- B. Organizations indirectly related to the schools;
- C. Departments or agencies of the municipal government;
- D. Other government agencies; and
- E. Community organizations, based in Fairfield Township and formed for charitable, civic or educational purposes.

The Board of Education will permit distribution of materials under the following conditions:

- A. No organization may distribute materials to students or staff without prior approval of the Superintendent of Schools. Approval of the Superintendent of Schools will typically be granted for the distribution of materials to students from organizations whose members' ages are comparable to the ages of our students. It is preferred that organizations have national sponsorship, and the information to be distributed must directly involve/benefit the students who are to receive it. Organizations approved for distribution are limited to: The Boy Scouts of America, the Girls Scouts of America, Little League Baseball, local soccer, etc.
- B. Students may not distribute materials to other students that advertise the activities of outside organizations without the permission of the Superintendent of Schools/designee;
- C. Students may not distribute materials, including personal invitations, during class time.

The posting or distribution of non-school related materials shall not be granted for the advantage of any commercial or profit-making organization, partisan organization, individual, private social functions or any purpose which is prohibited by law.

The Superintendent of Schools or Board of Education may refuse to grant permission to post or distribute materials whenever in their judgment there is good reason why permission should be refused. They shall not be required to give a reason for such refusal.

Authorization for posting or distributing materials shall not be considered as an endorsement of or approval of the activity, person, group or organization nor the purpose they represent.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:42-4 Distribution of Literature

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Participation in Out-of-School Activities

Policy 1316

Date Adopted: December 21, 1995

Date Revised: December 17, 2009

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Community Service

The Superintendent of Schools shall review and approve or deny all proposals for pupils' involvements in civic or charitable activities that are to be considered part of school-sponsored programs. He/she shall inform the Board of Education of all such proposals and their disposition.

Pupil Participation in Public Events

The Board of Education recognizes the value to pupils of sharing their talents and skills with the community through participation and performance in public events.

The Board endorses such performances when:

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

Public Performances by Pupils

School groups may, with the permission of the Superintendent of Schools, participate in local public events that may be classified as:

- A. Educational events in which the schools serve as hosts;
- B. Community functions organized in the interests of the schools;
- C. Noncommercial occasions of a community, county, state or national interest of sufficient breadth to enlist general sympathy and cooperation;
- D. Patriotic events, such as Veteran's Day or Memorial Day;
- E. Charity benefit activities, provided such activity has been specifically approved in advance by the Superintendent of Schools;
- F. Programs sponsored by established character-building agencies, or programs sponsored jointly by the school system and mass communications media where the time and space given to the programs are of a public nature.

School groups may not participate in events that may be classified as:

- A. Events that are for the purpose of private gain or primarily for the advertising of any commercial project or product. A school name, the names of school-sponsored groups or equipment shall not be exploited in events of a commercial nature;
- B. Events that are for the furtherance of any politically partisan interest. In questionable cases, the matter shall be referred to the Board of Education;
- C. Events that are primarily for the furtherance of any sectarian concern;
- D. Events that cause an undue amount of interference with the regular school program or that cause an excessive amount of absence due to rehearsal or preparation.

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Community Relations Participating in Out-of School Activities

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Policy 1316

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The Superintendent of Schools shall ensure that:

- A. Parent/guardian permission is sought and received before pupils may participate;
- B. No pupil shall be compelled to participate in a public performance or penalized in any way for failure to do so, except when the performance is tied to an academic requirement of the course. When an academic requirement applies, an alternative assignment may be substituted at the discretion of the Principal or his/her designee;
- C. No pupil or group of pupils receives compensation for their performance in public in an organized school activity. Donations may be given to the general school funds by sponsoring organizations;
- D. Sponsoring organizations pay the expenses of transportation when appropriate; and
- E. Pupils who participate in public performances make prior arrangements with teachers of classes to be missed in order to make up their work.

The Superintendent of Schools shall develop regulations for screening requests for performances and assigning priorities to them.

Legal References

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

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Contests for Pupils

Policy 1322

Date Adopted: December 21, 1995

Date Revised: December 17, 2009

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

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

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

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

Legal References

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

Possible Cross References

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

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Selling & Advertising on School Property

Policy 1325

Date Adopted: December 17, 2009

Date Revised:

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Selling and advertising on school property is prohibited except with the approval of the Superintendent of Schools.

Legal References

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

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Use of School Facilities

Policy 1330

Date Adopted: September 21, 1994

Date Revised: December 17, 2009,
August 23, 2012

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The use of school facilities is limited to Fairfield Township based organizations of individuals or other governmental agencies.

Applications Procedures

Organizations and persons wishing to use school facilities shall make written application to the Board of Education in time for inclusion on the agenda at the next scheduled Board meeting.

All applications shall be signed by the applicants or by the regularly authorized representative of the organization.

No representative of the organization making application shall personally receive any financial return from the use of the school property. Applications will not be approved if any proceeds from the meeting are to be devoted for purposes not in accordance with the established policy of the Fairfield Township Board of Education.

Approvals and disapprovals for community use of school facilities are determined by the Board Secretary/Business Administrator. However, within the discretion of the Board Secretary/Business Administrator, applications may be referred to the Board of Education for final approval.

Where approval is given by the Board Secretary/Business Administrator, periodic reports on the use of the buildings, facilities and equipment will be made to the Board of Education.

Any permit to use the school facilities shall be revocable and shall not be considered a lease or rent. The Board Secretary/Business Administrator and the Board of Education or its representatives, may reject or cancel any application without notice.

Political Activities

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

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

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office, or the candidate committee or joint candidates committee of any such candidate, while on school property.

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

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

Insurance

Any group not specifically covered by the school district's insurance policy must submit a Certificate of Insurance with the Fairfield Township Board of Education named as an additional insured, in the amount of (1) one million dollars at least 5 days in advance of the event.

Cancellations

Permits for use may be postponed, but the request for such postponement or cancellation must be received by the Board Secretary/Business Administrator at least two (2) working days in advance. Facilities are not available when school is closed for emergency. Applicants failing to comply with regulations will forfeit the building fee.

Conditions of Use

All national and state laws, local ordinances and rules of the police and fire departments regarding public assemblies shall be strictly observed.

The school district shall not be held liable for injuries to persons from the use of school buildings or grounds.

The Board of Education or its representatives shall have free access to all parts of the school buildings.

All school buildings must be closed by no later than 11 PM unless approved otherwise by the Board Secretary/Business Administrator or Board of Education.

Permits, once issued may not be sublet or transferred to any other person, company or organization.

Intoxicants are not permitted on any school property at any time.

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If an admission charge is levied, the applicant shall be fully responsible for paying any tax required by law, and shall, if required furnish to the Board Secretary/Business Administrator satisfactory evidence that such taxes have been paid.

Smoking is not permitted on any school property at any time.

The Board of Education reserves the right to censor all activities scheduled in the buildings and on the grounds and to discontinue the use of the facilities at any time in the event of a violation of any regulation.

When it is thought necessary by the Board Secretary/Business Administrator or the Board of Education, either for protection or traffic control, such coverage will be arranged for by the requesting organization and payment will be made from that organization. Evidence of this arrangement being made must be given to the Board Secretary/Business Administrator three days before the event.

Requests for equipment must be approved by the Board Secretary/Business Administrator. No equipment may be brought in without prior approval of the Board Secretary/Business Administrator.

All decorations must be removed from the building used by the organization involved prior to their leaving the facility.

Any individual or organization holding any meeting/event shall be responsible for any theft of school property and for damage thereto, and shall reimburse the Fairfield Township Board of Education for such thefts and/or damage at once. The Board of Education will not be responsible for anything lost or damaged.

Gym

The scoreboard and time clock may be used only when specific permission is requested and permission has been granted by the Board Secretary/Business Administrator.

Fields

The organization shall keep the fields in good condition and shall pay for any damage incurred during the use of the facility.

Soft drinks may not be served or used on the fields.

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Fees

Fees for the use of school buildings and facilities shall be set by the Board Secretary/Business Administrator and approved by the Board of Education. Revision of fees shall be done by an affirmative vote of the Board of Education. Fees may be waived for Fairfield Township organizations by an affirmative vote by the Board of Education at its sole discretion.

Rental charges must be paid in full to the Board Secretary/Business Administrator by noon of the weekday prior to the day of use. Checks or money orders should be made payable to the Fairfield Township Board of Education.

Personnel Charges will be billed within three days after use and are payable immediately to the Board Secretary/Business Administrator.

Custodial Services

A Fairfield custodian or custodians, will be assigned to every building where an activity is being held. Their duties shall be to see that the building is properly opened, lighted, heated, ventilated, cleaned and closed. Rates shall be as determined by the custodial contractor. This will most likely be overtime.

Police Security

When it is thought necessary to have police coverage at any meeting, either for protection or traffic control, the Board Secretary/Business Administrator will arrange for that coverage and bill the organization using the facility.

Classification of Uses

Class A	Any organization whose purpose is to raise money for its own organization or interest where an admission fee is charged.
Class B	Any organization whose sole purpose is to advance or benefit the interests of this community, whether or not an admission fee is charged. Also, any local organization holding a meeting of patriotic or civic nature when no admission fee is charged.
Class C	Any group or organization of students of the Fairfield Township School District, the Fairfield PT Coop or other comparable organizations where an admission fee is charged or a donation is solicited.
Class D	The Fairfield PT Coop or other comparable organizations using the school facilities for monthly meetings.

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Schedule of Rates

Class A	Rental charges plus personnel charges
Class B & C	Personnel charges only
Class D	No charges

Rental Charges

Rental charges and fee amounts shall be determined by the Board of Education and may be changed at any time, at the sole discretion of the Board.

Legal References

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

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

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

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

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

USCA 6301 et seq

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

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

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

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

A Uniform State Memorandum of Agreement Between Education and Law

Enforcement Officials (1999 Revisions)

Possible Cross References

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

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**Hours of Use of School Grounds & Equipment,
Fields, Basketball & Tennis Courts, Etc.**

Policy 1330.1

Date Adopted: December 17, 2009

Date Revised: October 22, 2015

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The Board of Education affirms that the buildings, grounds and equipment belong to the community, which paid for them. Responsible use of the school grounds and equipment outside of regular school hours by township residents and members of the public is an efficient use of them. The Board permits the use of the school grounds including basketball courts, athletic fields, tennis courts, and playground equipment by the general public provided that such use does not interfere with their use by the students and staff of the district schools. The athletic fields will not be available to the general public during school hours or during school events.

All rules and regulations established by the Board of Education and the local municipal government shall be observed by any person or persons while on school property.

The school and facilities shall be made available to the public as freely as is consistent with state statutes and policies of the Board of Education. The facilities will normally be available between the hours of 4:00 PM until 8:00 PM on weekdays.

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

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

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

Violence and/or vandalism of school buildings or facilities or equipment will not be condoned or tolerated.

Disorderly persons who enter onto school premises or grounds and cause a public disturbance or who do not abide by the provisions of this policy may be prosecuted.

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**Hours of Use of School Grounds & Equipment,
Fields, Basketball & Tennis Courts, Etc.**

Policy 1330.1

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Legal References

- NJSA 18A:11-1 General mandatory powers and duties
- 18A:20-34 Use of schoolhouse and grounds for various purposes
- 26:3D-55 et seq. New Jersey Smoke-Free Air Act
- NJAC 6A:26-12.2(a)4 Policies and procedures for school facility operation

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Trespassing on School Property

Policy 1330.5

Date Adopted: December 17, 2009

Date Revised:

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The Board of Education affirms its responsibility to provide for the safety of its students and staff within the school buildings and on school property. In order to meet this obligation, the Board establishes this policy to ban trespassing on school property.

During the school day, only students, staff, parents/guardians, invited visitors, Board Members or vendors on official business shall be permitted to be present on campus or in the school buildings. All other individuals shall be considered to be trespassing and shall be asked to leave immediately.

The Board directs the Superintendent of Schools to develop procedures for the staff to follow in the event that a person or persons are reported to be in violation of this policy.

In the event that a person or persons refuse to leave school property when directed to do so, the Superintendent of Schools or his/her designee shall take whatever lawful steps he/she deems necessary, including requesting assistance from the New Jersey State Police and/or filing a complaint against the individual(s) who are in violation of this policy.

In order to reduce or eliminate the number of persons who may be in violation of this policy, students who do not ride the school bus in accordance with school policy may only be picked up by their parents/guardians. In the event that a parent/guardian wishes to grant permission for someone other than himself/herself, the parent must notify the school prior to the end of the school day. The Board directs the Superintendent or his/her designee to take whatever steps he/she deems necessary to validate the request and to require proper photo identification of the person(s) picking up the student.

The Board further directs that written notification of the intent and content of this policy be sent to all parents/guardians of students each year.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
- 18A:20-34 Use of schoolhouse and grounds for various purposes
- 26:3D-55 et seq. New Jersey Smoke-Free Air Act
- NJAC 6A:26-12.2(a)4 Policies and procedures for school facility operation

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Local Units

Policy 1410

Date Adopted: Dec. 20, 1995

Date Revised: Dec.17, 2009, Sept. 26, 2013,
April 12, 2018

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The Board of Education wishes to cooperate as fully as possible with other public agencies in the community, which deal with pupils. Whenever feasible, the Superintendent of Schools shall develop positive working relationships with such agencies, including but not limited to investigative committees, pooled resources, and information exchange.

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

Relations with Police and Fire Authorities

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

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

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

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

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

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

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- A list of designated law enforcement authorities, including contact information, position, rank, and supervisor's contact information, of those who are authorized to activate the equipment to view the live streaming video. The list may be executed as a confidential attachment to the MOU.
- Description of the circumstances under which the designated individuals could activate and view the live streaming video.
- A detailed plan for preventing and detecting unauthorized access to live streaming video.

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

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

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

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

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

Procedures

The following procedures shall be followed:

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

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

Cooperative Arrangements with Other School Districts

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

The district in which pupils are in attendance has responsibility and authority for those pupils. In order that those pupils receive maximum benefit from their program of studies, articulation between the cooperating institutions is essential.

Further, this school district shall cooperate with other school districts in the solution of common educational concerns. District staff under the direction of the Superintendent of Schools shall participate in the coordination of such areas as research, exchange of information and data, coordination of curriculum, coordination of school calendar and activities, and any others where it may be advantageous to serve a broader area than this school district.

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Legal References

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

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

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

Possible Cross References

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

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Relations with County & Intermediate Units

Policy 1420

Date Adopted: December 21, 1995

Date Revised: December 17, 2009

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The Fairfield Township Board of Education directs the Superintendent and the Board Secretary/Business Administrator to make all possible use of the resources and services offered by the regional educational improvement centers, Educational services commissions and other like agencies deemed advantageous to the Fairfield Township School District by the Superintendent of Schools.

Legal References

- NJSA** 18A:11-1 General mandatory powers and duties
18A:17-14.1 Appointment of school business administrators; may act as secretary; duties, etc.
18A:17-15 Appointment of superintendents; terms; apportionment of expense
18A:17-24.1 Sharing of personnel by school boards
18A:20-9 Conveyance of unneeded real estate for nominal consideration; qualified recipients; reversion
18A:20-34 Use of schoolhouse and grounds for various purposes
18A:36A-1 et seq. Charter schools
18A:54-20 Powers of board (county vocational schools)
18A:58-37.1 et seq. Textbook aid to public and nonpublic schools
18A:61C-1 Program promoting cooperation between high schools and institutions of higher education; establishment; objective; increased availability of college-level instruction; scope
18A:61C-4 Program providing college credit courses for high school students on high school campuses; establishment
40:8A-1 et seq. Interlocal Services Act
52:14-15.9c1 et seq. Public Employees Charitable Fund-raising Act
- NJAC** 6A:8-3.1(a)2 Curriculum and instruction
6A:8-3.3(a) Enrollment in college courses
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:11-1.1 et seq. Charter Schools
6A:14-7.1 et seq. Receiving Schools
6A:16-1.1 et seq. Student Development Programs
6A:23-6.1 et seq. Purchase and Loan of Textbooks
6A:32-12 et seq. Annual Reporting and Planning Requirements

Fairfield Township Board of Education District Policy Manual

Community Relations

Series 1000

**Relations Between Area, State, Regional &
National Associations & the Schools**

Policy 1500

Date Adopted: December 21, 1995

Date Revised: December 17, 2009

Page 1 of 1

The Superintendent shall establish and maintain good working relationships between the district and such area, state, regional and national associations as may benefit the Fairfield Township Schools.

Legal References

- NJSA** 18A:11-1 General mandatory powers and duties
18A:17-14.1 Appointment of school business administrators; may act as secretary; duties, etc.
18A:17-15 Appointment of superintendents; terms; apportionment of expense
18A:17-24.1 Sharing of personnel by school boards
18A:20-9 Conveyance of unneeded real estate for nominal consideration; qualified recipients; reversion
18A:20-34 Use of schoolhouse and grounds for various purposes
18A:36A-1 et seq. Charter schools
18A:54-20 Powers of board (county vocational schools)
18A:58-37.1 et seq. Textbook aid to public and nonpublic schools
18A:61C-1 Program promoting cooperation between high schools and institutions of higher education; establishment; objective; increased availability of college-level instruction; scope
18A:61C-4 Program providing college credit courses for high school students on high school campuses; establishment
40:8A-1 et seq. Interlocal Services Act
52:14-15.9c1 et seq. Public Employees Charitable Fund-raising Act
- NJAC** 6A:8-3.1(a)2 Curriculum and instruction
6A:8-3.3(a) Enrollment in college courses
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:11-1.1 et seq. Charter Schools
6A:14-7.1 et seq. Receiving Schools
6A:16-1.1et seq. Student Development Programs
6A:23-6.1 et seq. Purchase and Loan of Textbooks
6A:32-12 et seq. Annual Reporting and Planning Requirements

Fairfield Township Board of Education District Policy Manual

Community Relations

Series 1000

**Relations with Organizations,
Including Non-Public Schools**

Policy 1600

Date Adopted: January 24, 1992

Date Revised: December 17, 2009

Page 1 of 2

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

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

Relations With Non-Public Schools

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

Donations To Private Organizations

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

Fairfield Township Board of Education District Policy Manual

Community Relations

Series 1000

Relations with Organizations, Including Non-Public Schools

Policy 1600

Page 2 of 2

Legal References

- NJSA** 18A:11-1 General mandatory powers and duties
18A:17-14.1 Appointment of school business administrators; may act as secretary; duties, etc.
18A:17-15 Appointment of superintendents; terms; apportionment of expense
18A:17-24.1 Sharing of personnel by school boards
18A:20-9 Conveyance of unneeded real estate for nominal consideration; qualified recipients; reversion
18A:20-34 Use of schoolhouse and grounds for various purposes
18A:36A-1 et seq. Charter schools
18A:54-20 Powers of board (county vocational schools)
18A:58-37.1 et seq. Textbook aid to public and nonpublic schools
18A:61C-1 Program promoting cooperation between high schools and institutions of higher education; establishment; objective; increased availability of college-level instruction; scope
18A:61C-4 Program providing college credit courses for high school students on high school campuses; establishment
40:8A-1 et seq. Interlocal Services Act
52:14-15.9c1 et seq. Public Employees Charitable Fund-raising Act
- NJAC** 6A:8-3.1(a)2 Curriculum and instruction
6A:8-3.3(a) Enrollment in college courses
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:11-1.1 et seq. Charter Schools
6A:14-7.1 et seq. Receiving Schools
6A:16-1.1et seq. Student Development Programs
6A:23-6.1 et seq. Purchase and Loan of Textbooks
6A:32-12 et seq. Annual Reporting and Planning Requirements
- Zelman, Superintendent of Schools of Public Instruction of Ohio, et al. v. Simmons-Harris et al, 536 US 232
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Fairfield Township Board of Education District Policy Manual

Community Relations

Series 1000

**Cooperative Arrangements & Other
Relationships with Other School Districts**

Policy 1650

Date Adopted: December 17, 2009

Date Revised:

Page 1 of 1

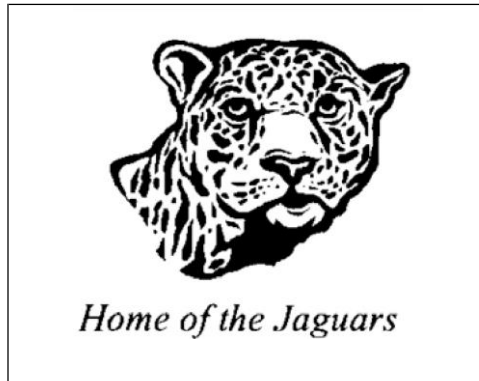
The Board may enter into cooperative agreements, otherwise known as “interlocal agreements,” “shared service agreements,” and/or “consortiums,” with other school districts in accordance with law.

Legal References

- NJSA** 18A:11-1 General mandatory powers and duties
18A:17-14.1 Appointment of school business administrators; may act as secretary; duties, etc.
18A:17-15 Appointment of superintendents; terms; apportionment of expense
18A:17-24.1 Sharing of personnel by school boards
18A:20-9 Conveyance of unneeded real estate for nominal consideration; qualified recipients; reversion
18A:20-34 Use of schoolhouse and grounds for various purposes
18A:36A-1 et seq. Charter schools
18A:54-20 Powers of board (county vocational schools)
18A:58-37.1 et seq. Textbook aid to public and nonpublic schools
18A:61C-1 Program promoting cooperation between high schools and institutions of higher education; establishment; objective; increased availability of college-level instruction; scope
18A:61C-4 Program providing college credit courses for high school students on high school campuses; establishment
40:8A-1 et seq. Interlocal Services Act
52:14-15.9c1 et seq. Public Employees Charitable Fund-raising Act
- NJAC** 6A:8-3.1(a)2 Curriculum and instruction
6A:8-3.3(a) Enrollment in college courses
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:11-1.1 et seq. Charter Schools
6A:14-7.1 et seq. Receiving Schools
6A:16-1.1et seq. Student Development Programs
6A:23-6.1 et seq. Purchase and Loan of Textbooks
6A:32-12 et seq. Annual Reporting and Planning Requirements

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District Policy Manual



Administration Series 2000



Home of the Jaguars

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

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Fairfield Township Board of Education District Policy Manual

Administration

Series 2000

**Concepts & Roles in Administration:
Goals & Objectives**

Policy 2000/2010

Date Adopted: December 21, 1995

Date Revised: December 17, 2009

Page 1 of 1

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

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

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

Legal References

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

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

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

Possible Cross References

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

Fairfield Township Board of Education District Policy Manual

Administration

Series 2000

Board / Superintendent Relations

Policy 2020

Date Adopted: December 21, 1995

Date Revised: December 17, 2009

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The Board of Education believes that the legislation of policies and the appraisal of their successful implementation are the most important functions of a school board. Execution of the policies shall be the function of the Superintendent of Schools.

Delegation by the Board of its executive powers to the Superintendent of Schools provides freedom for the Superintendent to manage the school within the Board's policies, and frees the Board to devote its time to policymaking and appraisal.

The Board holds the Superintendent responsible for carrying out its policies within established guidelines and for keeping the Board informed about school operations.

In his/her efforts to keep the Board informed, the Superintendent shall notify Board members as promptly as possible of any emergencies that occur in the schools.

Between Board meetings, the Superintendent is in charge of the schools, but shall report all significant developments and actions to the Board at the first opportunity.

The Board expects the administration to write regulations to implement Board policies.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:12-21 et seq. School Ethics Act
18A:54-20 Powers of board (county vocational schools)

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

Possible Cross References

2210, 5000, 5131.4, 9311

Fairfield Township Board of Education District Policy Manual

Administration

Series 2000

Code of Ethics for Administrators

Policy 2050

Date Adopted: December 17, 2009

Date Revised:

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Definitions

For the purposes of this policy, the following definitions shall apply:

“Administrator” means any employee of this school district who holds a position that:

- A. Requires certification with the endorsement of school administrator, principal or school business administrator;
- B. Does not require certification but is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by the school district;
- C. Requires certification with the endorsement of supervisor and is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by the school district.

For the purposes of this policy, the following definitions will apply:

“Business” means any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union, political organization, or other legal entity but does not include a school district or other public entity.

“Interest” means the ownership of or control of more than ten percent of the profits, assets, or stock of a business but does not include the control of assets in a labor union.

“Immediate family” means the spouse, by marriage or civil union pursuant to NJSA 37:1-33, domestic partner as defined in NJSA 26:8A-3, or the individual's or spouse's parent, child, sibling, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, whether the relative is related to the individual or the individual's spouse by blood, marriage or adoption.

Code of Ethics

No administrator or member of his/her immediate family shall have an interest in a business organization or engage in any businesses, transaction or professional activity that is in substantial conflict with the proper discharge of his/her duties in the public interest.

No administrator shall use or attempt to use his/her official position to secure unwarranted privileges, advantages, or employment for himself/herself, a member of his/her immediate family or any other person.

No administrator shall act in his/her official capacity in any matter where he/she, a member of his/her immediate family, or a business organization in which he/she has an involvement that might reasonably be expected to impair his or her independence of judgment in the exercise of his/her official duties.

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Administration
Code of Ethics for Administrators

Series 2000
Policy 2050

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No administrator shall undertake any employment or service, whether compensated or not, that might reasonably be expected to prejudice his/her independence of judgment in the exercise of his/her office duties.

No administrator shall act in his/her official capacity in any matter where he/she, a member of his/her immediate family, or a business organization in which he/she has an interest shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him/her directly or indirectly, in the discharge of his/her official duties.

No administrator shall accept offers of meals, entertainment, or hospitality that are limited to the clients/customers of the individual providing such hospitality. Administrators may attend hospitality suites or receptions at conferences only when they are open to others who are attending the conference.

No administrator shall use, or allow to be used, his/her public office or any information not generally available to the members of the public that he/she receives or acquires in the course of and by reason on his/her office, for the purpose of securing financial gain for himself/herself, any member of his/her immediate family or any business organization with which he/she is associated.

No administrator or business organization in which he/she has interest shall represent any person or party other than the Board of Education or this school district in connection with any cause, proceeding, application or other matter pending before this school district or in any proceeding not deemed to prohibit representation within the context of official labor union or similar representational responsibilities.

Nothing in this policy shall prohibit an administrator or members of his/her immediate family from representing himself/herself or themselves in negotiations or proceedings concerning his/her or their own interests.

Each administrator shall annually, in accordance with law, file with the New Jersey Commissioner of Education, a report regarding potential conflicts of interest and with the School Ethics Commission, a financial disclosure statement.

Legal References

- | | |
|------|---|
| NJSA | 18A:11-1 General mandatory powers and duties |
| | 18A:12-21 et seq. School Ethics Act |
| | 18A:54-20 Powers of board (county vocational schools) |
| NJAC | 6A:9-12.3 Authorization |
| | 6A:9-12.4 School administrator |

Fairfield Township Board of Education District Policy Manual

Administration

Series 2000

Evaluation of the Business Administrator

Policy 2055

Date Adopted: February 16, 2017

Date Revised:

Page 1 of 1

The Superintendent/Principal will evaluate the performance of the Business Administrator, tenured or non-tenured, in order to assist both the Board and the Business Administrator in the proper discharge of their responsibilities and to provide the district with efficient and effective services.

The evaluation of the Business Administrator will consist of an assessment, by the Superintendent, of the Business Administrator's performance of the duties specified in the job description approved by the Board. Reference will be made to the report of the auditor. The Superintendent/Principal may, in his/her discretion, consult with staff members assigned to work with the Business Administrator.

The Board and the Superintendent/Principal will annually establish procedures for the evaluation of the Business Administrator.

Such procedures may include, but need not be limited to, an informal conference with the Business Administrator for the purpose of discussing his/her job performance, a written evaluation report to which the Business Administrator may add comments, and the establishment of a written plan for performance improvement and growth. The Business Administrator will be evaluated by the Superintendent no later than the annual review.

Working from Home

The Superintendent/Principal and the Business Administrator may decide which duties may be performed by the Business Administrator in the home of the Business Administrator or other location. Such off-site work may result in more efficient performance of duties. In any and all such cases, the work performed by the Business Administrator shall be evaluated by the Superintendent/Principal in the same manner as work performed in the school building.

Legal References

- | | |
|------|---|
| NJSA | 18A:11-1 General mandatory powers and duties
18A:12-21 et seq. School Ethics Act
18A:27-4.1 Board of Education, procedure for certain personnel actions; recommendation of chief school administrator |
| NJAC | 6A:9-5.5 Assignment of titles
6A:9-12.3 Authorization
6A:9-12.4 School administrator |

Fairfield Township Board of Education District Policy Manual

Administration

Series 2000

Administrative Staff Organization

Policy 2100

Date Adopted: December 21, 1995

Date Revised: December 17, 2009

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The School System shall operate under a unit control system headed by the Superintendent of Schools.

The Superintendent of Schools shall be responsible for all programs provided by the district, both educational and operational.

Legal References

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

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

Fairfield Township Board of Education District Policy Manual

Administration

Series 2000

Residency Requirements

Policy 2111.4

Date Adopted: August 23, 2012

Date Revised:

Page 1 of 2

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

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

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

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

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

Current Employees

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

New Employees and/or Employment Candidates

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

Exemptions

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

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

Fairfield Township Board of Education District Policy Manual

Administration
Residency Requirements

Series 2000
Policy 2111.4

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

Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:3-15.2 Fraudulently issued, obtained, forged or altered degree or certification;
use in connection with business or occupation
18A:6-6 No sex discrimination
18A:6-7.1, -7.5 Criminal history record; employee in regular contact with pupils; grounds
for disqualification from employment; exception
18A:13-40 General powers and duties of board of newly created regional districts
18A:16-1 Officers and employees in general
18A:26-1, -1.1, -2 Citizenship of teachers,
etc. 18A:27-1 et seq. Employment and
Contracts 52:14-7 New Jersey First Act
52:14-7a Exemptions
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in
Education 6A:9-8.1 et seq. Requirements for Instructional
Certification
6A:9-11.1 et seq. Exceptions for the Requirements for the Instructional
Certificate 6A:9-12.1 et seq. Requirements for Administrative Certification
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and
Increasing Efficiency in Abbott School Districts
6A:30-1.1 et seq. Evaluation of the Performance of School
Districts 6A:32-4.1 Employment of teaching staff
6A:32-4.8 Support residencies for regularly certified, inexperienced first-year
principals 6A:32-5.1 Standards for determining seniority

Possible Cross References

4111.4, 4211.4

Fairfield Township Board of Education District Policy Manual

**Administration
Pandemic Situations**

**Series 2000
Policy 2111.5**

Date Adopted: January 14, 2021

Date Revised:

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The Board of Education recognizes that there may come a time when a pandemic is declared by a branch of the government. When and if such occurrences take place, the Board of Education hereby empowers its Superintendent of Schools, at his/her sole discretion, to take measures that he/she deems appropriate, including but not limited to closing school sessions, having lessons established that may include learning through accomplished through the use of the internet or other forms of technology, in order to protect the health and safety and/or health of the students, faculty, staff, and/ or visitors and/or contractors within this district.

Definition

For the purposes of this policy, the following definition shall apply:

Pandemic means a disease that is prevalent over a whole country or the world.

Law Superseding Policy

The Board of Education also recognizes that there may be instances in which the government (state, local or federal) issue guidelines that may supersede this policy and in such cases, Any and all governmental directives shall supersede any existing policy, regulation or procedure currently in force.

Legal References

NJSA 2A:62A-23 to 26 AED emergency medical services, 1999 statute

18A:16-6, -6.1 Indemnity of officers and employees against civil actions.

18A:35-4.6 et seq. Parents Right to Conscience Act of 1979

18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules 18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian

18A:40-5 Method of examination; notice to parent or guardian

18A:40-7, -8, -10, -11 Exclusion of pupils who are ill

18A:40-23 et seq. Nursing Services for Nonpublic School Pupils

18A:40A-1 et seq. Substance Abuse 44:6-2 Maintenance by boards of education of clinics for indigent children NJAC 6A:16-1.1et seq. Programs to Support Student Development

6A:26-12.1 et seq. Operation and Maintenance of School 8:57-1.1 et seq. Reportable Communicable Diseases \8:61-

1.1 Attendance at school by pupils or adults Infected by Human Immunodeficiency Virus (HIV) Plainfield v. Cooperman, 105 NJ 587 (1987)

Fairfield Township Board of Education District Policy Manual

Administration

Series 2000

COVID-19 Quarantine Policy

Policy 2111.55

Date Adopted: January 14, 2021

Date Revised: December 17, 2009, June 30, 2011,
February 16, 2017, September 1, 2017, September 17, 2018

Page 1 of 5

The Board of Education recognizes that there may come a time when a pandemic is declared by a branch of the government. When and if such occurrences take place, the Board of Education hereby empowers its Superintendent of Schools, at his/her sole discretion, to take measures that he/she deems appropriate, including but not limited to closing school sessions, having lessons established that may include learning through accomplished through the use of the internet or other forms of technology, in order to protect the health and safety and/or health of the students, faculty, staff, and/ or visitors and/or contractors within this district.

In accordance with the laws of this state, the rules of the local Board of Health or State Department of Health, state Board of Education, or in the absence of these, the rules of the school physician pertaining to communicable disease shall apply in determining periods of incubation, communicability, quarantine, and reporting.

Definition

For the purposes of this policy, the following definition shall apply:

- Pandemic means a disease that is prevalent over a whole country or the world.
- Quarantine means a period of time specified by the Board of Education, Superintendent of Schools, state governor, or district physician in which a student, visitor, contractor or other person, is required to remain isolated in order to ascertain whether that individual is free of illness or infection and may resume his or her activities in school

Under the 14-day quarantine travel advisory announced by the Governors of New Jersey, New York and Connecticut, individuals traveling to or returning to New Jersey from states with increasing rates of COVID-19 are advised to self-quarantine for 14 days. This includes travel by train, bus, car, plane and any other method of transportation.

To save lives and prevent the spread of COVID-19, the State has issued an incoming travel advisory that all individuals entering New Jersey from states with a significant spread of COVID-19 should quarantine for 14-days after leaving that state.

The 14-day quarantine travel advisory applies to travel from certain "impacted states" identified as those that 1) have an average daily number of new cases higher than 10 per 100,000 residents over a seven-day period or 2) have a 10% or higher positivity rate over a seven-day period. The advisory applies to travel from states that meet **either** of these levels.

Fairfield Township Board of Education

District Policy Manual

Administration
COVID-19 Quarantine Policy

Series 2000
Policy 2111.55

Date Adopted: January 14, 2021

Date Revised:

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As of Tuesday, October 6th, there are 35 states and U.S. jurisdictions that meet the criteria stated above:

- Alabama (added 6/24/20)
- Alaska (re-added 9/1/20)
- Arkansas (added 6/24/20)
- Colorado (added 9/29/20)
- Delaware (re-added 9/8/20)
- Florida (added 6/24/20)
- Georgia (added 6/30/20)
- Guam (added 8/25/20)
- Idaho (added 6/30/20)
- Illinois (added 7/28/20)
- Indiana (added 7/21/20)
- Iowa (added 6/30/20)
- Kansas (added 7/7/20)
- Kentucky (added 7/28/20)
- Louisiana (added 6/30/20)
- Minnesota (re-added 9/22/20)
- Mississippi (added 6/30/20)
- Missouri (added 7/21/20)
- Montana (re-added 9/1/20)
- Nebraska (added 7/21/20)
- Nevada (re-added 9/22/20)
- New Mexico (re-added 10/6/20)
- North Carolina (added 6/24/20)
- North Dakota (added 7/21/20)
- Oklahoma (added 7/7/20)
- Puerto Rico (re-added 9/15/20)
- Rhode Island (re-added 9/22/20)
- South Carolina (added 6/24/20)
- South Dakota (added 8/11/20)
- Tennessee (added 6/30/20)
- Texas (added 6/24/20)
- Utah (added 6/24/20)

Fairfield Township Board of Education

District Policy Manual

Administration

COVID-19 Quarantine Policy

Series 2000

Policy 2111.55

Date Adopted: January 14, 2021

Date Revised:

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- West Virginia (added 9/8/20)
- Wisconsin (added 7/14/20)
- Wyoming (added 9/22/20)

The self-quarantine is voluntary, but compliance is expected.

This advisory does not apply to individuals:

1. Who passed through a designated state for a period of limited duration (i.e. less than 24 hours) through the course of travel.
2. Who are passing through New Jersey on a layover for a period of limited duration (i.e. less than 24 hours) through the course of travel.
3. Who are traveling to New Jersey for business matters that are exempted from the application of the travel advisory.
4. Who are traveling to New Jersey and work in critical infrastructure fields, such as health care and federal, state and local law enforcement. Consult with your employer regarding whether there is industry-specific guidance that may apply to you.

Travelers and residents returning from impacted states should self-quarantine at their home, a hotel, or other temporary lodging. Individuals should only leave the place of self-quarantine to seek medical care/treatment or to obtain food and other essential items. As one example, no one who has traveled to or from a state on the COVID-19 hotspot list should be participating in or attending an in-person graduation ceremony.

Exemptions

Business Travel

Individuals who are traveling to New Jersey from impacted states for business are exempted from the application of the travel advisory. This, for example, would include truckers driving from an impacted state to New Jersey, and any state, local and federal officials and employees traveling in their official capacities on government business.

Individuals traveling for business should still consider postponing travel to the extent possible. Individuals are encouraged to self-monitor for symptoms upon return from any travel to an impacted state, and employers should consider screening employees for symptoms before permitting them to return to work. Employees and employers should follow current CDC guidance regarding travel.

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Critical Infrastructure Workers

Exceptions to the travel advisory are also permitted for individuals traveling to New Jersey from designated states who work in critical infrastructure, as defined by the Cybersecurity and Infrastructure Security Agency. This would include, for example, health care workers and state and local law enforcement.

Critical Infrastructure workers who have had an exposure but remain asymptomatic should adhere to the screening, social distancing, and mitigation practices prior to and during their work shift, as outlined by the CDC.

Seasonal Migrant Farm Workers

Migrant workers can continue to work with precautions. Critical infrastructure workers and employers should follow guidance from CDC, as well as NJ Department of Health, regarding strategies to limit disease spread.

Testing

Testing is available to everyone in New Jersey and is strongly encouraged for those who travelled to areas heavily impacted by COVID-19.

If an individual is from an impacted state and get a diagnostic/virus test, that person should still self-quarantine for 14 days. If he/she tests negative, he/she is still advised to self-quarantine for 14 days because he/she remains in the incubation period. A diagnostic test is a point-in-time indicator from the date of when he/she was last exposed - in this case, being in a state with significant community spread of COVID-19.

If he/she tests positive, he/she should self-isolate for at least 10 days and until one full day (or 24 hours) has passed since he/she had a fever without the use of fever-reducing medications and other symptoms are significantly improved. he/she should only leave self-isolation to receive medical care and to obtain food or other essential items.

Additional Travel Guidance

An individual may have been exposed to COVID-19 on his/her travels (domestic and/or international). He/she may feel well and not have any symptoms, but may be contagious without symptoms and spread the virus to others. He/she and their travel companions (including children) pose a risk to his/her family, friends, and community for 14 days after he/she were exposed to the virus. Regardless of where he/she traveled or what he/she did during a trip, actions should be taken to protect others from getting sick.

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Some types of travel and activities can put an individual at higher risk for exposure to COVID19. If an individual participated in higher-risk activities or think that he/she may have been exposed before or during a trip, extra precautions should be taken to protect others for 14 days after he/she arrives. High-risk activities include going to a large gathering (i.e., wedding, funeral, party), attending a mass gathering like a sporting event, concert, or parade, being in crowd, or traveling on a cruise ship or river boat.

Individuals should take extra precautions to protect others for 14 days after he/she arrives to New Jersey, individuals should:

1. Stay home as much as possible.
2. Avoid being around people.
3. Social distance. Stay at least 6 feet (2 arms' length) from other people who are not from your household. It is important to do this everywhere, both indoors and outdoors.
4. Wear a cloth or disposable mask to keep your nose and mouth covered when you are outside your home/where he/she are staying.
5. Wash hands often and use hand sanitizer.
6. Consider getting tested for COVID-19.

Destinations may have travel restrictions or requirements, such as mandated quarantines upon arrival.

Legal References

NJSA 2A:62A-23 to 26 AED emergency medical services, 1999 statute

18A:16-6, -6.1 Indemnity of officers and employees against civil actions.

18A:35-4.6 et seq. Parents Right to Conscience Act of 1979

18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules

18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian

18A:40-5 Method of examination; notice to parent or guardian

18A:40-7, -8, -10, -11 Exclusion of pupils who are ill

18A:40-23 et seq. Nursing Services for Nonpublic School Pupils

18A:40A-1 et seq. Substance Abuse 44:6-2 Maintenance by boards of education of clinics

for

indigent children

NJAC 6A:16-1.1 et seq. Programs to Support Student Development

6A:26-12.1 et seq. Operation and Maintenance of School 8:57-1.1 et seq. Reportable

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Contact Tracing

Contact tracing is a key strategy to prevent the further spread of COVID-19. Contact tracing in the United States requires the Board of Education to recruit, hire, and train adequate levels of case investigators and contact tracers. Successful case investigation and contact tracing for COVID-19 depends on a robust and well-trained public health workforce, with staff who have excellent and tactful interpersonal skills, cultural sensitivity, and language and interviewing skills that help them to build and maintain trust with clients and contacts.

The NJDOE Guidance does not include any “anticipated minimum standards” for contact tracing. However, all school and district administrators, school safety specialists, counselors, and any other staff deemed appropriate by the Superintendent of Schools/designee should be provided information regarding the role of contact tracing conducted by state, county, and local officials.

School officials should engage the expertise of their school nurses on the importance of contact tracing.

The NJDOE will credit certified School Safety Specialists in accordance with current laws.

Screening

The school district will provide screenings regarding the screening procedures for students and employees upon arrival at school or work location for symptoms and history of exposure. These screening procedures must include the following:

- Staff must visually check students for symptoms upon arrival (which may include temperature checks) and/or confirm with families that students are free of COVID-19 symptoms.
- Health checks must be conducted safely and respectfully, and in accordance with any applicable privacy laws and regulations.
- Results must be documented when signs/symptoms of COVID-19 are observed.
- Any screening policy/protocol must take into account students with disabilities and accommodations that may be needed in the screening process for those students.

The Board must adopt procedures for symptomatic staff and students, which shall include the following:

- Students and staff with symptoms related to COVID-19 must be safely and respectfully isolated from others. School officials will follow current Communicable Disease Service guidance for illness reporting.
- If the school district becomes aware that an individual who has spent time in a district facility tests positive for COVID-19, officials must immediately notify local health officials, staff, and families of a confirmed case while maintaining confidentiality.

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The procedures the district will use when someone tests positive for COVID-19 will include written procedures detailing the district's COVID-19 related response for symptomatic students and staff. The procedures must be consistent with the district's contact tracing procedures to the maximum extent practicable.

Remote Learning

In response to State directives regarding reopening school with adequate precautions to prevent the spread of this contagious disease, the Board shall provide in-person, fully virtual and hybrid learning opportunities for all students. The Board of education shall support a program of in person, fully virtual and hybrid learning that:

- Prioritizes the health, safety, and wellness of students and staff;
- Maintains the continuity of learning;
- Facilitates equity and ease of access to communications and resources;
- Flexibly accommodates the needs and varying circumstances of all learners;
- Incorporates educators, students, parents/guardians, Board Members and other community members into the entire analysis and planning cycle.

The virtual learning program may consist of synchronous and asynchronous tools. Synchronous tools provide ways of accessing and providing information that require interaction with others to occur at the same time (i.e., online classrooms, interactive webinars, videoconferencing). Asynchronous tools provide ways of accessing and providing information that does not require interaction with others to occur at the same time (i.e., forums, blogs, email, website links, etc.).

The length of the school day for in-person, fully virtual and hybrid learning programs shall be in accordance with the provisions of NJAC. 6A:32-8.3, stating that a school day shall consist of not less than four hours, except that one continuous session of two and one-half hours may be considered a full day in kindergarten.

Additional Anticipated Minimum Standard

The New Jersey Department of Education (NJDOE) Anticipated Minimum Standard provides that, in addition to the methods and considerations explicitly referenced in the NJDOE guidance, The Road Back: Restart and Recovery Plan for Education, for scheduling students for in-person, remote, or hybrid learning, families/guardians may submit, and the district shall accommodate, requests for full time remote learning. Such requests may include any service or combination of services that would otherwise be delivered on an in-person or hybrid schedule, such as instruction, behavioral and support services, special education and related services.

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A family/guardian may request that some services be delivered entirely remotely, while other services follow the same schedule they otherwise would according to the district's reopening plan.

Unconditional Eligibility for Full-Time Remote Learning

All students shall be eligible for full-time remote learning. Eligibility shall not be conditioned on a family/guardian demonstrating a risk of illness or other selective criteria. This includes students with disabilities who attend school in-district or are placed at receiving schools (county special services school districts, educational services commissions, jointure commissions, Katzenbach School for the Deaf, regional day schools, college operated programs, and approved private schools for students with disabilities).

Procedures for Submitting Full-Time Remote Learning Requests

Recognizing that planning is required in order to provide continuity in the student's educational program and arranging the appropriate staff and resources, a family/guardian shall submit a request for full-time remote learning, including requests to begin the school year receiving fulltime remote learning and requests to transition from in-person or hybrid services to full-time remote learning during the school year. Procedures for submitting the request are as follows:

- The request shall be submitted to an administrator at least ten (10) days before the start of the semester;
- Requests shall be approved within three (3) days after the receipt of the request;
- Questions and concerns may be directed to administrator or his or her designee;
- The family/guardian shall submit the following information or documentation with their request. The documentation shall not exclude any students from the school's full-time remote learning option, but rather be limited to the minimum information needed to ensure proper recordkeeping and implementation of successful remote learning:
 1. Verification of the technology necessary to receive remote instruction (including camera and speaker capability) and assurance that the student will have access to the device for the length of the school day;
 2. Verification of internet access and/or Wi-Fi sufficient to receive remote instruction.

Families/guardians having limited access to equipment or the internet shall inform the principal or his or her designee. The district shall make a reasonable effort to support the remote instruction by facilitating services and/or providing equipment.

- For students with disabilities, the district shall determine if an IEP meeting or an amendment to a student's IEP is needed for full-time remote learning.
- Families/guardians shall submit a request according to the procedures above for transitioning their student from in-person or hybrid delivery to full-time remote delivery;

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- Families/guardians are expected to cooperate in setting up the transition and may be required to participate in scheduled meetings (in-person or video or tele conferences) during the transition period;
- School teachers, administrators and other school staff shall endeavor to provide supports and resources to assist families/guardians, particularly those of younger students, with meeting the expectations of the district's remote learning option.

Upon satisfaction of these minimum procedures, the district shall approve the student's full-time remote learning request.

Scope and Expectations of Full-Time Remote Learning

A student participating in the Board's full-time remote learning option shall be afforded the same quality and scope of instruction and other educational services as any other student otherwise participating in district programs (e.g. students participating in a hybrid model). This includes but is not limited to:

- Access to standards-based instruction of the same quality and rigor as that afforded all other students of the district;
- The district shall make its best effort to ensure that every student participating in remote learning has access to the requisite educational technology;
- Special education services and related services shall be provided to the greatest extent possible.

Procedures to Transition from Full-Time Remote Learning to the In-Person Educational Program A student shall be eligible to transition to the in-person educational program. This will allow families/guardians to make the arrangements needed to effectively serve students' home learning needs and will support educators in ensuring continuity of instruction. The family/guardian shall submit a request to transition from full-time remote learning to the in-person educational program according to the following procedures:

- The request shall be submitted to the principal at least seven (7) days before the start of the semester. The principal may consider requests submitted during the semester on a case by case basis;
- Requests shall be approved within three (3) days after the receipt of the request;
- Questions and concerns may be directed to the principal or his or her designee;
- The family/guardian shall submit the following information or documentation with their request. The documentation shall not exclude any students from the school's in-person educational program, but rather be limited to the minimum information needed to ensure proper recordkeeping and implementation of a successful transition to the in-person education program:

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- Summary of synchronous and asynchronous learning opportunities successfully completed;
- Summary of synchronous and asynchronous learning opportunities still working through;
- The student shall submit to the COVID screening process upon reentry to the school;
- Students transitioning to the in-person educational program may be required to submit to an academic assessment prior to being placed in a class. Remediation's shall be provided for students that need them;
- Families/guardians are expected to cooperate in setting up the transition and may be required to participate in scheduled meetings (in-person or video or teleconferences) during the transition period.

Procedures for Communicating District Policy with Families

Teaching staff members and administrators shall provide clear and frequent communication with families/guardians, in their home language, and shall ensure that communication opportunities are as readily accessible as possible. Communication shall include but shall not be limited to, information regarding:

- Summaries of, and opportunities to review, the district's full-time remote learning policy and attendance policy;
- Procedures for submitting full-time remote learning requests;
- Scope and expectations of full-time remote learning;
- Procedures for transition from full-time remote learning to in-person services and viceversa;
- The district's procedures for ongoing communication with families and for addressing families' questions or concerns;
- Teaching staff members who are teaching remote classes shall have office hours to address questions and concerns. Teachers shall notify the families/guardians of their students regarding the time of the office hours and the method of contact (email, text, video or teleconference).

Reporting

To evaluate full-time remote learning, and to continue providing meaningful guidance for districts, the New Jersey Department of Education (NJDOE) may require districts to report to the NJDOE data regarding participation in full-time remote learning. Data will include the number of students participating in full-time remote learning by each of the following subgroups: economically disadvantaged; major racial and ethnic groups; students with disabilities; and English learners. The Superintendent of Schools shall ensure that such reports are completed efficiently

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Legal References

- NJSA 2A:62A-23 to 26 AED emergency medical services, 1999 statute
- 18A:16-6, -6.1 Indemnity of officers and employees against civil actions.
- 18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
- 18A:40-5 Method of examination; notice to parent or guardian
- 18A:40-7, -8, -10, -11 Exclusion of pupils who are ill
- 18A:40-23 et seq. Nursing Services for Nonpublic School Pupils
- 18A:40A-1 et seq. Substance Abuse
- NJAC 6A:16-1.1 et seq. Programs to Support Student Development
- 6A:26-12.1 et seq. Operation and Maintenance of School
- 8:57-1.1 et seq. Reportable Communicable Diseases
- Plainfield v. Cooperman, 105 NJ 587 (1987)

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Parents/Guardians may waive transportation for their child(ren) to and from school, should they so desire. Some parents/guardians may be uncomfortable with having their children board a school bus until the COVID-19 pandemic is more thoroughly contained. By advising parents of this option, the district may be able to collect accurate data that allows them to assess the demand for transportation and to plan accordingly. Further, the district may explore an option whereby parents receive a payment to waive transportation services in accordance with the provisions of NJSA 18A:39-1c. This option should specify the time period, up to a full school year, and the corresponding payment, that would be provided.

With respect to parental/guardian waiving of district provided transportation, NJSA 18A:39-1c provides for the following:

“Notwithstanding the provisions of NJSA 18A:39-1 or any other section of law to the contrary, a school district shall not be required to provide transportation services for the school year to an elementary school pupil who lives more than two miles from his public school of attendance or to a secondary school pupil who lives more than 2½ miles from his public school of attendance if the pupil's parent or guardian signs a written statement that the pupil waives transportation services for that school year. The written statement shall be in such form as determined by the Department of Education.”

“In the event that a parent or guardian signs a waiver pursuant to subsection a. of this section, the school district shall develop a policy for the provision of transportation services to the pupil in the case of a family or economic hardship.”

In addition, NJAC 6A:27-1.4 (b) provides that:

“Pursuant to NJSA 18A:39-1c, transportation need not be provided if a student's parent or guardian signs a written statement waiving transportation services for the school year.”

In such cases, the Board of Education shall develop a policy for the provision of transportation services to the student in the case of a family or economic hardship, and may develop guidelines and procedures for parental waivers of transportation services.

The Commissioner has already adopted and published the required waiver form on the NJDOE website. An electronic Microsoft Excel copy of that form is attached and can be found on the follow page on the NJDOE website: <https://www.nj.gov/education/finance/transportation/procedures/> (see section titled: “Parental Transportation Waiver and Reinstatement”).

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The Commissioner requires the Board of Education that receives a signed waiver of transportation to adopt a policy for the resumption of transportation services to the student in event of a family or economic hardship.

According to the documentation from the NJDOE, any such policy could consider the following:

- Waivers and reinstatements are subject to Board approval;
- Criteria for determining family or economic hardship;
- The acceptance of more than one waiver and reinstatement in a school year;
- Submission or proof of economic hardship; and
- The length of time between receipt of a Reinstatement request and the estimated start of transportation.

This option is separate and apart from the Parental Transportation Contracts, wherein the district shall provide reimbursement to parents/guardians for their agreement to transport their own child. This scenario usually occurs in out of district placement wherein it is cost beneficial to the district to provide reimbursement to the parent/guardian to transportation their own child(ren).

NJSA 18A:7F-25 Transportation aid
18A:22-8.6 Transportation (budget line item)
18A:39-1 et seq. Transportation To and From Schools
18A:39-1 c Waiver for Pupil Transportation Services
18A:46-19.6 Transportation to location or maintenance of vehicular classrooms to obtain services; payment of cost
18A:46-23 Transportation of pupils; special classes; handicapped children; state aid
39:3-10.9 et al. New Jersey Commercial Drivers License Act
39:3-27 Free registration of certain vehicles; transfer to other motor vehicles

NJAC 6A:27-1.1 et seq. Student Transportation
6A:27-1.4 (b) Student Transportation
6A:30-1.1 et seq. Evaluation of the Performance of School Districts Parents for Student Safety, Inc., v. Morris Bd. of Ed., 1986 S.L.D. (February 5), St. Bd. rev'g 1984 S.L.D. (August 24), aff'd App. Div., unreported decision (docket no. A3257-85-T7, decided February 17, 1987) certif. den. 108 N.J. 180 (1987) Wayne Board of Education v. Kraft et al., 139 NJ 597 (1995) Policies and Procedure Manual for Pupil Transportation NJ State Department of Education
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Organizational Chart

Policy 2120

Date Revised: December 17, 2009, June 30, 2011,
February 16, 2017, September 1, 2017, September 17, 2018, July 8, 2021

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

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

Legal References

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

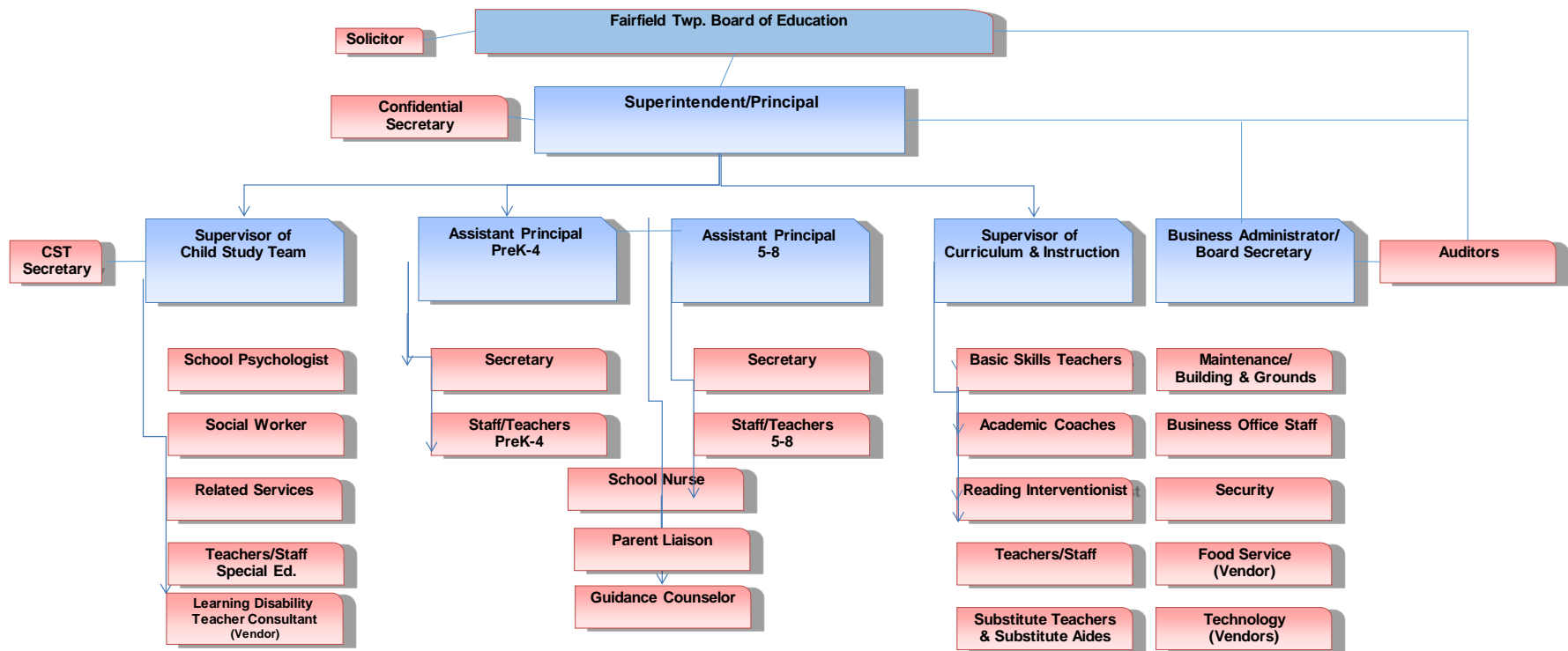
NJAC 6A:9-12.3 Authorization

6A:9-12.4 School administrator

6A:32-1.1 et seq. School District Operations

Possible Cross References

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



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Lines of Responsibility

Policy 2121

Date Adopted: March 27, 1995

Date Revised: December 17, 2009

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The Board of Education shall operate under a unit control system headed by the Superintendent of Schools.

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

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

Legal References

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

Possible Cross References

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

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Evaluation of Principals

Policy 2125

Date Adopted: November 21, 2013

Date Revised:

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

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

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

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

Training

Principals, assistant principals and vice principals shall be provided:

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

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Principal Evaluation

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

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

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

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

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

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

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Principal, Assistant Principal, and Vice Principal Observations

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

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

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

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

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

Post-observation conferences shall include the following procedures:

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

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

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

Professional Development Plans

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

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

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

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

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Corrective Action Plans

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

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

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

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

Records

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

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Legal References

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

Possible Cross References

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

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Administrative Positions / Job Descriptions

Policy 2130

Date Adopted: March 27, 1996

Date Revised: December 17, 2009

Page 1 of 1

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

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

The Superintendent of Schools shall supervise development and implementation of the procedures necessary for evaluation of certified and non-certified administrators and supervisors.

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

Legal References

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

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

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Evaluation of the Superintendent of Schools

Policy 2131

Date Adopted: June 24, 1992

Date Revised: December 17, 2009, May 1, 2014, February 16, 2017

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Definition / Title

In all cases within this policy manual, references to the Superintendent of Schools shall be the same as the Superintendent, Chief School Administrator, Superintendent of Schools and/or the Superintendent/Principal.

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

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

Role & Responsibility of the Board in the Evaluation of the Superintendent of Schools

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

- A. To complete a New Jersey School Boards Association training program on the evaluation of the Superintendent of Schools within six months of the commencement of newly appointed or elected district Board Member's term of office in accordance with the provisions of NJSA 18A:17-20.3.b;
- B. To review, revise and adopt procedures suggested by the Superintendent of Schools for implementation of this policy;
- C. To determine whether the services of a qualified consultant will contribute substantially to the evaluation process and to engage such a consultant as deemed appropriate to assist the Board of Education. The evaluation itself shall be the responsibility of the Board;
- D. To adopt an individual plan for professional growth and development of the Superintendent of Schools based in part upon any needs identified in the evaluation. The Board of Education and the Superintendent of Schools shall mutually develop this plan. The duration of the plan will be three to five years, depending on the Superintendent of Schools' contract with the school district;

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Policy 2131

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

Role & Responsibility of the Superintendent of Schools

The Board of Education shall determine the role and responsibility in consultation with the Superintendent of Schools. The Superintendent of Schools shall provide information and propose procedures to the Board of Education to assist in the following:

- A. Development of a job description and evaluation criteria, based upon the district's local goals, program objectives, policies, instructional priorities, state goals, statutory requirements, and the functions, duties and responsibilities of the Superintendent of Schools. The evaluation criteria shall include but not be limited to available indicators of pupil progress;

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

The Board of Education is ultimately responsible for the evaluation of the Superintendent of Schools and may, at its discretion, utilize or reject the suggestions provided by the Superintendent of Schools as noted above.

The policy shall be delivered to the Superintendent of Schools upon adoption. Amendments to the policy shall be distributed within 10 working days after adoption.

Legal References

- NJSA** 18A:4-15 General rule-making power
18A:6-10 through -17 Dismissal and reduction in compensation of persons under tenure in public school system
18A:12-21 et seq. School Ethics Act
18A:17-15 through -21 Appointment of superintendents; terms;
18A:17-20 Tenured and non-tenured superintendents; general powers and duties
18A:17-24 Clerks in superintendent's office
18A:17-24.1 Shared Administrators, Superintendents
18A:27-4.1 Appointment, transfer, removal or renewal of officers and employees; exceptions
18A:28-3 through -6.1 No tenure for noncitizens
18A:29-14 Withholding increments; causes; notice of appeals
40:8A-1 et seq. Interlocal Services Act
- NJAC** 6A:9-12 Requirements for Administrative Certification
6A:28-1.1 et seq. School Ethics Commission
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1 et seq. Employment and Supervision of Teaching Staff
6A:32-4.3 Evaluation of tenured and nontenured superintendent
6A:32-4.4 Evaluation of tenured teaching staff members
6A:32-4.5 Evaluation of nontenured teaching staff members

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**Superintendent /Principal –
Job Description & Evaluation**

Policy 2132

Date Adopted: June 24, 1992

Date Revised: December 17, 2009, April 12, 2018

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Appointment

The Board of Education shall appoint a Superintendent/Principal when such a vacancy exists. It may seek the advice and counsel of interested individuals an/or organizations and it may hire consultants to assist in the selection. However, final selection shall rest with the Board. The Superintendent shall be chosen by a majority vote of the entire membership of the Board.

The successful candidate shall meet all of the requirements for the position as outlined in the Superintendent's job description, including proper certification as determined by the New Jersey State Board of Education.

At the time of initial appointment, all contractual agreements concerning salary, fringe benefits and terms of employment shall be mutually agreed upon by the Board of Education and the person to be employed and shall be in accordance with state law.

Subsequent contractual agreements shall be developed mutually between the Board of Education and the Superintendent.

The Superintendent /Principal shall have general supervision over the schools of the district.

General Powers and Duties

The Superintendent /Principal is the chief advisor to the Board of Education, the executive officer of the school district, and the educational leader of the community. He/she shall have the power to issue instructions to effectuate Board policies and regulations.

Job Description of the Superintendent/Principal

Qualifications:

1. Valid New Jersey School Administrator Certificate or eligibility
2. Demonstrated leadership skills in the areas of curriculum development, program evaluation, staff development and school improvement; central office, school administration and teaching experience as determined by the Board of Education
3. Demonstrated success with curriculum, personnel management, school finance and strategic planning

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4. Strong leadership and communication skills
5. Required criminal history background check and proof of U.S. citizenship or legal resident alien status

Reports To:

Board of Education

Supervises:

Every district employee

Job Goal:

To inspire, lead, guide, and direct every member of the administrative, instructional, and support services staff in setting and achieving the highest standard of excellence. To provide leadership and managerial oversight to the instructional program and school operations, so that each student enrolled in the district may be provided with an appropriate and effective education.

Scope of Responsibility:

Leadership and management responsibilities of the Superintendent/Principal shall extend to all activities of the district, to all phases of the educational program, to all aspects of the financial operation, to all parts of the physical plant, and to the conduct of such other duties as may be assigned by the Board of Education. Due to the combined functions of this position, the Superintendent/Principal may, with Board of Education approval, delegate these duties together with appropriate authority, but may not delegate nor relinquish ultimate responsibility for results or any portion of accountability.

*Superintendent and School Principal are two distinct positions. Combining the two positions into one job description should not, however, mislead the public or Board of Education Members about the fact that two separate jobs are being done by one person.

Performance Responsibilities:

Instructional Leadership:

1. Ensures that a system of thorough and efficient education, as defined in state law and code is available to all students.
2. Ensures that the goals of the school system are reflected in its educational program and operations.

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3. Provides for the timely completion of annual district and school-level reporting and planning requirements including school report cards, pupil performance objectives and a quality assurance report to the public.
4. Reviews with staff all curriculum guides and courses of study annually in accordance with a Board of Education adopted evaluation schedule. Recommends, for Board of Education adoption, curricula, courses, textbooks and time schedules.
5. Ensures implementation and evaluation of all Board of Education-approved written curriculum for all subjects and inclusion of mandated programs and state core curriculum content standards.
6. Provides for curriculum articulation among grades and schools in the district and between/among constituent districts in a regional school system or sending-receiving agreement.
7. Encourages staff to develop programs, services and projects that reflect instructional diversity, alternatives and flexibility, while assuring an articulated, consistent education for all students.
8. Ensures the effectiveness of the instructional program by measuring student achievement against state and local standards. Initiates program changes as necessary.
9. Develops guidelines and direction for monitoring the effectiveness of existing and new programs.
10. Seeks out available sources for grant funding to support programs and projects.
11. Assumes responsibility for the management of the school in accordance with law, administrative code and Board of Education policies and regulations.
12. Exercises leadership in school-level planning for improvement of instruction.
13. Establishes and maintains an effective learning climate in the school.
14. Keeps professionally current and informed on research-based educational practices.
15. Plans, organizes and supervises all curricular and extracurricular activities.
16. Conducts periodic observations of teaching staff members; prepares written comments; and offers constructive suggestions for improvement when appropriate.
17. Prepares and submits the school's budget requests and monitors the expenditure of funds.
18. Establishes and maintains an efficient office system to support the administrative functions of the school.
19. Ensures the safekeeping of student and personnel files and other confidential records and documents; and the destruction of public records in accordance with law and regulations.
20. Approves the master teaching schedule and classroom assignments.
21. Conducts staff meetings as necessary for the proper functioning of the school.
22. Plans and supervises regularly scheduled parent/teacher conferences; and makes arrangements for special conferences as necessary.

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Personnel Administration:

1. Mentors staff and demands high performance. Implements sound personnel practices.
2. Directs and supervises the administrative staff and through them all district staff.
3. Develops recruitment and retention procedures to assure well-qualified applicants for professional and nonprofessional positions. Participates in final candidate interviews, as appropriate, and recommends appointment, transfer, renewal and dismissal of all certified and noncertified staff to the Board of Education.
4. Ensures that all staff is observed and evaluated annually in accordance with law and established procedures. Recommends certified and noncertified employees for contract renewal and/or tenure appointment.
5. Provides direction and serves as a resource for management representatives in negotiating with employee bargaining units. Supervises administration of collective bargaining agreements.
6. Recommends and implements the district's professional development plan.
7. Ensures that all teaching staff members fulfill continuing professional development and receive inservice training required by state/federal laws. Assumes responsibility for the maintenance of appropriate documentation in a central file and timely submission of all required reports.

Financial Management:

1. Ensures that the budget implements the district's goals.
2. Ensures implementation of Board of Education financial policies and district procedures. Provides direction to and supervision of school business functions. Encourages development and implementation of sound business practices.
3. Initiates and supervises development of the annual budget, providing opportunity for staff input. Recommends budget and budget priorities for Board of Education approval and communicates the educational and monetary impact of the budget to the community.
4. Ensures that the district develops and implements a multi-year (3-5 years) comprehensive maintenance plan.
5. Oversees school facility management to provide safe, efficient and attractive buildings, with strong emphasis on preventative maintenance and custodial care.
6. Ensures annual inspections of each school building for adherence to health and safety codes.
7. Continually assesses business management practices to achieve efficiency.
8. Ensures funds are spent prudently by providing adequate control and accounting of the district's financial and physical resources.

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Student Services:

1. Ensures that a system of free appropriate special education and/or related services is available to all pupils with educational disabilities.
2. Develops and oversees the delivery of the district's intervention and referral services for pupils who are experiencing difficulties in their classes and who have not been classified as in need of special education.
3. Develops, in consultation with the school physician, a plan for the provision of school nursing services to be adopted by the Board of Education.
4. Confers annually with the administrator of each nonpublic school located in the district to plan for nursing services that may be made available pursuant to law and submits an annual written report to the Executive County Superintendent.
5. Develops and implements policies and procedures related to missing children and the reporting of allegations of child abuse and neglect.
6. Implements a Board of Education-approved program of guidance and counseling services.
7. Ensures access to public education for homeless students in accordance with state and federal law and administrative code.
8. Maintains high standards of student conduct and enforces discipline as necessary in accordance with Board of Education policy and the students' rights to due process.
9. Notifies immediately the parent or guardian and the appropriate personnel to arrange for an immediate examination by a physician of any pupil suspected of being under the influence of alcohol or other drugs or of using anabolic steroids.
10. Reports incidents of violence, vandalism and substance abuse. Ensures the removal of students in possession of firearms from the general education program and provides notification as required by law and administrative code. Works cooperatively with law enforcement authorities in maintaining a safe and drug-free school environment.
11. Plans and supervises fire and other emergency drills as required by law and Board of Education policy.
12. Develops and maintains a master schedule for the academic and extracurricular programs; works cooperatively with the business administrator to schedule community use of the school building and grounds.
13. Attends special events held to recognize student achievement, and other school-sponsored activities and functions.
14. Ensures the proper collection, safekeeping, and accounting of school activity funds.

School/Community Relations:

1. Promotes community support of the schools. Interprets district programs and services, reports plans, events and activities of interest, and solicits community opinions regarding school and education issues.

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2. Presents the district's quality assurance report annually to the community at a regular Board of Education meeting by October 30th and submits a copy to the Executive County Superintendent by November 15th.
3. Identifies available community resources and linkages to social service agencies that support education and healthy child development.
4. Develops strategies to promote parental involvement in their children's education and provides opportunities for parent-teacher interaction.
5. Maintains contact and good relations with local media.
6. Ensures that district interests will be represented in meetings and activities of municipal and other governmental agencies.
7. Represents the school system and its interests in community organizations, activities and projects.

Superintendent-Board Responsibilities:

1. Prepares and recommends short- and long-range plans for Board of Education approval and implements those plans when approved.
2. Attends all regular and special meetings of the Board of Education, and participates in a professional leadership role. Designates an administrative staff member to serve in his/her absence, when appropriate.
3. Knows Board of Education policy and respects the policymaking authority and responsibility of the Board of Education.
4. Recommends drafts of new policies or changes to the Board of Education. Establishes guidelines and processes for monitoring implementation of Board of Education policies.
5. Collects adequate and reliable information before making recommendations and decisions.
6. Prepares, in conjunction with the Board of Education President, agenda recommendations relative to all matters requiring Board of Education action, including all facts, information, options and reports needed to assure informed decisions. Provides advice and counsel to the Board of Education on matters before it.
7. Provides a communication system to keep the Board of Education informed of district issues and critical information needed for decision-making.
8. Anticipates potential problems. Recommends policies or courses of staff action.
9. Keeps the Board of Education informed regarding developments in other districts or at state and national levels that would be helpful to the district.
10. Ensures that all local, state/federal standards for the health and safety of students and staff are maintained and that required reports are maintained.
11. Fulfills all statutory obligations and implements the education law of the State of New Jersey and the administrative code of the New Jersey Department of Education.

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12. Advises the Board of Education of its responsibilities under the School Code of Ethics Act;
13. Ensures the adoption of policies and procedures regarding required training for Board of Education Members and the annual distribution, public discussion, and documentation of the Act and the Code of Ethics for School Board Members.

Terms of Employment:

1. Twelve months.
2. Appointed for a period of 3-5 years; Serves in accordance with the terms of the contract between the Board of Education and the Superintendent/Principal;
3. Salary to be determined by the Board of Education.

Evaluation:

Performance of this job will be evaluated annually by April 30th in accordance with state law, administrative code, and the Board of Education's policy on evaluation of the Superintendent.

Procedure

Each Board Member should complete an evaluation of the Superintendent/Principal. The Board should then reach a consensus and issue a unanimous evaluation report that reflects the majority of the Board.

Annual Summary Conference

The annual summary conference, with a majority of the total membership of the Board, must be held prior to the report being filed; therefore, no later than April 30th and must be in private, unless the Superintendent requests it be in public. A review of the performance must be based upon the job description.

Indicators of student progress and growth toward the program objectives must be clearly delineated.

Annual Written Performance Report

The annual written performance report shall be prepared by a majority of the total membership of the Board and shall include, but not be limited to:

1. Performance areas of strength;
2. Performance areas needing improvement based on the job description and evaluation criteria;
3. Recommendation for professional growth and development;

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4. A summary of available indicators of student progress and growth and a statement of how these available indicators relate to the effectiveness of the educational program and performance of the Superintendent;
5. Provision for performance data which has not been included in the report prepared by the Board to be entered into the record by the Superintendent within ten days after the completion of the report.

The actual written performance report is prescribed by regulation. The report shall include:

1. Areas of strength;
2. Areas of weakness;
3. Professional improvement;
4. Student progress.

Strengths must be addressed. Areas needing improvement based on the job description and evaluation criteria must be noted.

Recommendations for professional growth, if any, must be listed and a mutual plan developed.

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Legal References

NOTE: These legal references pertain primarily to the superintendent's employment and evaluation. Many specific responsibilities are assigned by other statutes and administrative code regulations.

- NJSA** 18A:4-15 General rule-making power
18A:6-10 through -17 Dismissal and reduction in compensation of persons under tenure in public school system
18A:12-21 et seq. School Ethics Act
18A:17-15 through -21 Appointment of superintendents; terms;
18A:17-20 Tenured and non-tenured superintendents; general powers and duties
18A:17-24 Clerks in superintendent's office
18A:17-24.1 Shared Administrators, Superintendents
18A:27-4.1 Appointment, transfer, removal or renewal of officers and employees; exceptions
18A:28-3 through -6.1 No tenure for noncitizens
18A:29-14 Withholding increments; causes; notice of appeals
40:8A-1 et seq. Interlocal Services Act
- NJAC** 6A:9-12 Requirements for Administrative Certification
6A:28-1.1 et seq. School Ethics Commission
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1 et seq. Employment and Supervision of Teaching Staff
6A:32-4.3 Evaluation of tenured and nontenured superintendent
6A:32-4.4 Evaluation of tenured teaching staff members
6A:32-4.5 Evaluation of nontenured teaching staff members
- 8 U.S.C. 1101 et seq. - Immigration and Nationality Act
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Acting Superintendent of Schools

Policy 2133

Date Adopted: December 17, 2009

Date Revised:

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In the absence of the Superintendent of Schools, an Acting Superintendent of Schools is automatically assigned according to the following order, unless otherwise designated by the Board of Education:

1. Board Secretary / School Business Administrator
2. Principal

The role of Acting Superintendent of Schools shall be the same as for the Superintendent of Schools.

Legal References

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

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

Possible Cross References

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

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Administrative Positions – Review of Contracts

Policy 2200

Date Adopted: December 17, 2009

Date Revised:

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

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

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

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

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

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

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

1. Contracts for each class of administrative position shall be comparable with the salary, benefits and other emoluments contained in the contracts of similarly credentialed and experienced administrators in other districts in the region with similar enrollment, academic achievement levels and challenges, and grade span.

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2. No contract shall include provisions that are inconsistent with the travel requirements pursuant to NJSA.18A:11-12 including but not limited to the provisions for mileage reimbursement and reimbursement for meals and lodging in New Jersey. Any contractual provision that is inconsistent with law is superseded by the law.
3. No contract shall include provisions for the reimbursement or payment of employee contributions that are either required by law or by a contract in effect in the district with other teaching staff members, such as payment of the employee's State or federal taxes, or of the employee's contributions to FICA, Medicare, State pensions and annuities (TPAF), life insurance, disability insurance (if offered), and health benefit costs.
4. No contract shall contain a payment as a condition of separation from service that is deemed by the Executive County Superintendent to be prohibited or excessive in nature. The payment cannot exceed the lesser of the calculation of three months pay for every year remaining on the contract with proration for partial years, not to exceed 12 months, or the remaining salary amount due under the contract.
5. No contract shall include benefits that supplement or duplicate benefits that are otherwise available to the employee by operation of law, an existing group plan, or other means; e.g., an annuity or life insurance plan that supplements or duplicates a plan already made available to the employee. Notwithstanding the provisions of this section, a contract may contain an annuity where those benefits are already contained in the existing contract between that employee and the district.
6. Contractual provisions regarding accumulation of sick leave and supplemental compensation for accumulated sick leave shall be consistent with NJSA 18A:30-3.5. Supplemental payment for accumulated sick leave shall be payable only at the time of retirement and shall not be paid to the individual's estate or beneficiaries in the event of the individual's death prior to retirement. Pursuant to NJSA 18A:30-3.2, a new Board of Education contract may include credit of unused sick leave days in accordance with the new Board of Education's policy on sick leave credit for all employees.
7. Contractual provisions regarding accumulation of unused vacation leave and supplemental compensation for accumulated unused vacation leave shall be consistent with NJSA 18A:30-9. Contractual provisions for payments of accumulated vacation leave prior to separation can be included but only for leave accumulated prior to June 8, 2007 and remaining unused at the time of payment. Supplemental payments for unused vacation leave accrued consistent with the provisions of NJSA 18A:30-9 after June 8, 2007 as well as unused vacation leave accumulated prior to June 8, 2007 that has not been paid, shall be payable at the time of separation and may be paid to the individual's estate or beneficiaries in the event of the individual's death prior to separation.
8. Contractual provisions that include a calculation of per diem for 12 month employees shall be based on a 260 day work year.

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Administrative Positions – Review of Contracts

Policy 2200

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9. No provision for a bonus shall be made except where payment is contingent upon achievement of measurable specific performance objectives expressly contained in a contract approved pursuant to this section, where compensation is deemed reasonable relative to the established performance objectives and achievement of the performance objectives has been documented to the satisfaction of the Board of Education.
10. No provision for payment at the time of separation or retirement shall be made for work not performed except as otherwise authorized above.
11. No contract shall include a provision for a monthly allowance except for a reasonable car allowance. A reasonable car allowance cannot exceed the monthly cost of the average monthly miles traveled for business purposes multiplied by the allowable mileage reimbursement pursuant to applicable law and regulation and NJOMB circulars. If such allowance is included, the employee cannot be reimbursed for business travel mileage nor assigned permanently a car for official district business. Any provision of a car for official district business must conform with NJAC 6A:23A-6.12 and be supported by detailed justification. No contract can include a provision of a dedicated driver or chauffeur.
12. All Superintendent contracts shall include the required provision pursuant to NJSA 18A:17-51 which states that in the event the Superintendent's certificate is revoked, the contract is null and void.
13. Any actions by the Executive County Superintendent undertaken pursuant to this subchapter may be appealed to the Commissioner pursuant to the procedures set forth in NJAC 6A:3.

Legal References

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

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Administration

Series 2000

Administrative Leeway in Absence of Board Policy

Policy 2210

Date Adopted: March 15, 1996

Date Revised: December 17, 2009

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

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

Legal References

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

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

Possible Cross References

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

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Series 2000

Representative & Deliberative Groups

Policy 2220

Date Adopted: December 17, 2009

Date Revised:

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

Legal References

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

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

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

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Administration

Series 2000

Nondiscrimination / Affirmative Action

Policy 2224

Date Adopted: January 23, 2009

Date Revised: December 17, 2009, May 22, 2014

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

The Superintendent of Schools, in determining the candidates to be nominated shall seek information from the candidate's prior employers.

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

The Board authorizes the Superintendent of Schools to develop and implement a comprehensive equity plan as mandated by the New Jersey Department of Education to ensure that the district provides equality in educational programs and to identify and correct, or assess and prevent, all bias, discrimination and impermissible isolation in policies, practices and facilities of the district. Upon approval of this plan by the state department of education, the Board shall adopt it by resolution. A copy of the districts affirmative action/equity plans and self-evaluation of their achievement shall be available in the district office.

Affirmative Action Officer(s)

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

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Nondiscrimination / Affirmative Action

Policy 2224

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

Harassment

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

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

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

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

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

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Nondiscrimination / Affirmative Action

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

School and Classroom Practices

In implementing affirmative action, the district shall:

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

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

Contract/Employment Practices

The district directs the Superintendent of Schools to ensure that appropriate administrators implement the districts affirmative action policy by:

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

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

Disabled

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

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Report on Implementation

The Superintendent of Schools shall devise regulations, including grievance forms and procedures to implement the districts affirmative action policies. He/she shall report to the Board annually on the effectiveness of this policy and implementing procedures.

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Legal References

- NJSA 2C:16-1 Bias intimidation
2C:33-4 Harassment
10:5-1 et seq. Law Against Discrimination
18A:6-5 Inquiry as to religion and religious tests prohibited
18A:6-6 Sexual discrimination
18A:18A-17 Facilities for handicapped persons
18A:26-1 Citizenship of teachers, etc
18A:26-1.1 Residence requirements prohibited
18A:29-2 Equality of compensation for male and female teachers
18A:37-14 through -19 Harassment, intimidation, and bullying defined
18A:36-20 Discrimination; prohibition
26:8A-1 et seq. Domestic Partnership Act
- NJAC 5:23-7.1 et seq. Barrier free subcode of the uniform construction code
6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
6A:32-14.1 Review of mandated programs and services
- Executive Order 11246 as amended
29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended
20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986)
School Board of Nassau County v. Arline, 480 U.S. 273 (1987)
Vinson v. Superior Court of Alameda County, 740 P.2d 404 (Cal. Sup. Ct. 1987)
State v. Mortimer, 135 N.J. 517 (1994)
Taxman v. Piscataway Bd. of Ed. 91 F. 3d 1547 (3d Cir. 1996)
Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
Saxe v. State College Area School Dist., 240F. 3d 200 (3d Cir. 2001)
L.W. v. Toms River Regional Schools Board of Education, N.J., No. A-111-05 (Feb. 22, 2007),
Comprehensive Equity Plan, New Jersey Department of Education

Possible Cross References

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

Fairfield Township Board of Education District Policy Manual

Administration

Series 2000

Research, Evaluation & Planning

Policy 2240

Date Adopted: June 26, 1996

Date Revised: December 17, 2009

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

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

Legal References

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

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

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

Possible Cross References

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

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Series 2000

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

Policy 2241

Date Adopted: December 17, 2009

Date Revised:

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

Legal References

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

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

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

Possible Cross References

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

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Series 2000

**Action Planning for Thorough
& Efficient Certification**

Policy 2255

Date Adopted: August 21, 1996

Date Revised: December 17, 2009

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The Superintendent of Schools shall be responsible for assembling all necessary documentation to meet state certification requirements.

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

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

Certification requirements for teaching staff members shall not be violated.

Equivalency and Waiver Procedures

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

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

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

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

All applications for equivalency and waivers shall be signed by the Superintendent of Schools and approved by the Board of Education.

Alternative Monitoring

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

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Action Planning for Thorough & Efficient Certification

Policy 2255

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Legal References

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

Possible Cross References

1120, 1220, 2240

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Action Planning for State Monitoring - NJQSAC

Policy 2256

Date Adopted: July 25, 2013

Date Revised:

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

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

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

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

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

The Superintendent of Schools shall:

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

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Action Planning for State Monitoring - NJQSAC

Series 2000

Policy 2256

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

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

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

The Board shall ensure that:

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

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

Certification requirements for teaching staff members shall not be violated.

Equivalency & Waiver Procedures

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

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

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

Legal References

- NJSA 18A:7A-10 Evaluation of performance of each school
- 18A:7A-14 Review of evaluation of district performance
- 18A:7F-1 et al. Comprehensive Educational Improvement and Financing Act
- 18A:26-2 Certificates required; exception

- NJAC 6A:5-1.1 et seq. Regulatory Equivalency and Waiver
- 6A:8-1.1 et seq. Standards and Assessments
- 6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott Districts
- 6A:23-8.3 Commissioner to ensure achievement of the Core Curricular Content Standards
- 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 6A:32-2.1 Definitions
- 6A:32-12.1 Reporting requirements
- 6A:32-12.2 School-level planning
- 6A:32-14.1 Review of mandated programs and services

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

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Holiday Observance

Policy 2260

Date Adopted: December 17, 2009

Date Revised:

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The Superintendent of Schools and teachers of the school will be responsible for a suitable observance of legal holidays as outlined in Title 18A:36-6 to 36-13.

Appropriate exercises and activities shall be held in all schools in accordance with the provisions of the New Jersey Administrative Code.

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

Legal References

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

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Business & Non-Instructional Operations Series 3000



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Date Adopted: January 28, 2010

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Fiscal Management

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

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

Internal Controls / Standard Operating Procedures

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

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

Personnel Tracking and Accounting

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

Support Services

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

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

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

Long Range Plans

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

Legal References

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

Possible Cross References

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

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Business & Non-Instructional Operations

Series 3000

Budget Planning, Preparation & Adoption

Policy 3100/3110

Date Adopted: June 24, 1992

Date Revised: January 28, 2010

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

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

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

In order to ensure adequate time for the preparation and review of the proposed budget, the Board directs the Superintendent of Schools to develop a schedule of events associated with the development, presentation and adoption of the budget by the Board. The Superintendent of Schools shall prepare a tentative budget and shall confer with the Principal, Child Study Team Chairperson, Board Committees and other district personnel, as necessary, to make the tentative budget realistic.

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

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

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

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

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

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

The Board may submit a separate budget proposal or proposals to the voters for additional general fund tax levies which may be in excess to that which has been determined necessary for all students to have an opportunity to achieve the core curriculum content standards and a thorough and efficient education.

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

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

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The proposed budget as accepted by this Board shall be set forth in detail, using the form prescribed by the state department of education, and shall be made available to the public as required by law.

The district will publish the budget on the district website in “user-friendly” plain language budget summary format as prescribed by law.

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

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

Legal References

NJSA 18A:7F-1 et seq. Comprehensive Education Improvement and Financing Act of 1996
18A:13-17, -19, -23 Submission of budget; annual regional school election
18A:22-7, -8 through -13 Preparation of budgets
18A:22-8.6 Transportation (budget line item)/hazardous routes
18A:22-14 Fixing appropriations to be made; notice of intent to appeal (Type I districts)
18A:22-25 Borrowing against appropriations on notes (Type I districts)
18A:22-26 through -31 Type II district with board of school estimate; determination; certification and raising of appropriations; notice of intent to appeal amount of appropriation
18A:22-32, -33 Type II districts without board of school estimate; determination of appropriation
19:60-1 School elections, adjustments, ballots

NJAC 6A:8-1.1 et seq. Standards and Assessment
6A:23-8.1 et seq. Annual Budget Development, Review and Approval
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:26-10.1 et seq. Purchase and lease Agreements
6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Abbott v. Burke, 149 NJ 195 (1999)
Manual for the Evaluation of Local School Districts (September 2002)
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3160, 3220/3230, 3326

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Determination of Budget Priorities

Policy 3113

Date Adopted: January 28, 2010

Date Revised:

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

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

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

Legal References

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

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**Transfers of Funds Between Line Items /
Amendments / Purchases Not Budgeted**

Policy 3160

Date Adopted: January 28, 2010

Date Revised:

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

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

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

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

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

Legal References

- NJSA** 2C:30-4 Disbursing moneys, incurring obligations in excess of appropriations
18A:17-9 Secretary; report of appropriations, etc.; custodial duties, etc.
18A:18A-7 Emergency purchases and contracts
18A:22-8.1 Transfer of amounts among line items and program categories
18A:22-8.2 Prohibited transfers
18A:24-48 through -54 Application of proceeds to new purpose;
- NJAC** 6A:23-2.1 et seq. Double Entry Bookkeeping & GAAP Accounting in Local School Districts
6A:23-2.2, -2.11 N.J.A.C. 6A:30-1.1 et seq.
Evaluation of the Performance of School Districts
Hawkins-Stafford Elem & Secondary School Improvement Act of 1988 (Pub. L.100-297)
Guidelines for Development of Application--Basic Skills Improvement Plan--New Jersey State Department of Education, revised annually
Guidelines for Development of Program Plan--Bilingual/ESL Education Programs--New Jersey State Department of Education, revised annually
Manual for the Evaluation of Local School Districts (September 2002)
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3000, 3100/3110, 3320, 9127

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Business & Non-Instructional Operations

Series 3000

Business Office Operations – Internal Controls

Policy 3200

Date Adopted: August 13, 2009

Date Revised: January 28, 2010, October 11, 2018

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In accordance with statute and as a condition of receiving state aid, the district shall establish specific policies and procedures on internal controls designed to provide management with reasonable assurance that the district's goals and objectives will be met and that meet the requirements of NJAC 6A:23A-6.5 through NJAC 6A:23A-6.13. Internal controls shall promote operational efficiency and effectiveness, provide reliable financial information, safeguard assets and records, encourage adherence to prescribed policies and comply with law and regulation.

The specific internal controls contained in NJAC 6A:23A-6 shall be established together with other internal controls contained in NJAC 6A and other laws and regulations, required by professional standards and as deemed necessary and appropriate by district management. The district may submit a written request to the Commissioner of Education to approve and alternative system, approach or process for implementing the internal controls required in NJAC 6A:23A-6. The application must include documented evidence that includes, but is not limited to< an independent, third-party written assessment that he alternative system, approach or process will achieve the same safeguards, efficiency and other purposes as the specified internal control requirement(s).

The district shall evaluate business processes annually and allocate available resources appropriately in an effort to establish a strong control environment pursuant to the requirements of NJAC 6A:23A-6.5. In accordance with the provisions of NJAC 6A:23A-6.5(b), the Board Secretary/Business Administrator shall identify processes that, when performed by the same individuals, are a violation of sound segregation of duties and shall segregate the duties of all such processes among business office staff, based on available district resources, assessed vulnerability, and associated cost benefits. The district shall include in the Comprehensive Annual Financial Report (CAFR) a detailed organizational chart for the central office that ties to the district's position control logs, including but limited to, the business, human resources and information management functions.

The district shall establish Standard Operating Procedures (SOPs) for each task or function of the business operations of the district by July 1, 2009. The SOP Manual shall include sections on each routine task or function as outlined in NJAC 6A:23A-6.6(b) and 6A:23A-6.6(c). A standard operating procedure shall be established that ensures office supplies are ordered in appropriate quantities, maintained in appropriate storage facilities and monitored to keep track of inventory.

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Business Office Operations – Internal Controls

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Policy 3200

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Office Hours

The Board Secretary/Business Administrator may establish reasonable office hours to conduct the business of the district, at his/her sole discretion. It will be mandatory that the Board of Education and/or the Superintendent/Principal be advised in advance, of any changes in these hours.

The Superintendent/Principal, in consultation with the Board Secretary/Business Administrator may develop regulations to implement this policy.

Legal References

NJAC 6A:23A-6 et seq Accountability Regulations

Possible Cross References

3571, 9200, 9270

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Income

Policy 3201

Date Adopted: June 26, 1996

Date Revised: January 28, 2010

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The Board Secretary/Business Administrator shall collect all funds due the district in a timely manner.

Legal References

NJSA 18A:7F-1 et seq. Comprehensive Education Improvement and Financing Act of 1996
18A:11-1 General powers of the Board
18A:20-24 Funds; how raised
18A:22-34 Appropriations

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State Funds / Federal Funds

Policy 3220/3230

Date Adopted: January 23, 2009

Date Revised: January 28, 2010, December 21, 2010,
October 24, 2013, April 12, 2018

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Each year, when it is believed that the school district is eligible for federal and/or state assistance under the provisions of public laws, application for said assistance may be submitted so long as acceptance of the funds does not include conditions contrary to the policies of the Board of Education. The Superintendent of Schools shall inform the Board about specific assurances that may be required in addition to those addressed in this policy, and will provide the required language for Board adoption.

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

Drawdown of Federal Grant Funds

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

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

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

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

Reimbursement requests will be made by the Board Secretary/Business Administrator/designee on a monthly basis.

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The regular operating budget must include amounts anticipated to be received from state and/or federal sources, and a listing of projects describing how this money will be spent.

These recommendations for expenditures will be approved by the Board before projects are submitted.

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

Maintenance of Effort

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

Equivalence Comparability of Materials and Supplies

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

Supplement Not Supplant

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

Parent Participation

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

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Legal References

- NJSA** 18A:7F-1 et seq. Comprehensive Improvement and Financing Act of 1996
18A:7G-1 through -44 et al. Educational Facilities Construction and Financing Act
18A:11-1 General mandatory powers and duties
18A:34-1 Textbooks; selection; furnished free with supplies; appropriations
18A:38-7.7 through -7.14 Legislative findings and declarations (impact aid)
18A:58-7.1 School lunch program
18A:58-7.2 School lunch program; additional state aid
18A:58-11 Emergency aid
18A:58-11.1 Loss of tuition to district due to establishment of regional district; state aid for one year
18A:58-33.6 through -33.21 Additional State School Building Aid Act of 1970
18A:58-37.1 through -37.7 Textbook Aid to Public and Nonpublic Schools
18A:59-1 through -3 Federal aid
- NJAC** 6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:14-1.1 et seq. Special Education
6A:23-5.1 et seq. State Aid
6A:23-8.1 et seq. Annual Budget Development, Review and Approval
6A:23A-5.3 Accountability Regulations
6A:26-1.1 et seq. Educational Facilities
6A:27-8.1 et seq. State Aid
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services
Abbott v. Burke, 149 N.J. 145 (1997)
Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (Pub. L. 100-97)
20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
Drug-Free Workplace Act of 1988
34 CFR 80 (7-1-05) monitoring districts' use of federal grant funds
Education Department General Administrative Regulations (EDGAR)
34 CFR Part 85, Government-wide Debarment and Suspension (non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)
34 CFR 200.1 et seq.

Possible Cross References

3100, 3160, 3570, 3542.31

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Tuition

Policy 3240

Date Adopted: December 18, 1996

Date Revised: January 28, 2010

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Tuition for nonresident students will be computed as needed by the Board Secretary/Business Administrator and subject to approval by the Board of Education on a case-by-case basis.

The Board Secretary/Business Administrator shall be responsible for the assessment and collection of tuition.

Legal References

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

Possible Cross References

5117.7, 5118, 6178

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Materials / Services, Fees, Fines & Charges

Policy 3250

Date Adopted: December 18, 1996

Date Revised: January 28, 2010

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

The Superintendent of Schools shall oversee preparation of a schedule of fines for lost or damaged textbooks and/or equipment.

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

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

The Superintendent of Schools, shall approve reasonable charges for admission to school-sponsored events.

Fee Schedule

The following fee schedule shall apply for lost or damaged textbooks/library books:

1. A student who has seriously damaged a book is to pay the replacement cost minus 20% depreciation for each year the book was in use.
2. A student who has lost a book is to pay the replacement cost minus 20% depreciation for each year the book was in use.
3. A minimum of \$1.00 will be charged for all books lost or damaged regardless of age. Books that are over ten (10) years old will have a fee of \$1.00.

For the purposes of this policy/regulation, any part of a year is considered to be a full year.

Legal References

- NJSA 18A:34-1 Textbooks; selection; furnished free with supplies; appropriations
18A:34-2 Care and keeping of textbooks and accounting
18A:37-3 Liability of parents or guardian of minor for damage to property
18A:58-37.3 Purchase and loan of textbooks
- NJAC 6A:23-2.14 Student activity funds
6A:23-2.15 School store business practice
6A:23-6.6 Charge for textbook loss or damage
Ballato v. Long Branch Board of Education 1990 S.L.D. (August 20)

Possible Cross References

3453, 3517, 5131.5, 6153, 6161.3, 6200

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

Policy 3260/3270

Date Adopted: October 24, 1983

Date Revised: March 10, 1989, December 18, 1996,
January 28, 2010

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

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

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

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

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

The Superintendent of Schools or designee shall develop procedures for the disposition of district property which include:

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

Federally Funded Equipment and Property

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

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Textbooks

In accordance with NJSA 18A:34-3, the district will notify the NJ Department of Education regarding any textbooks it intends to discard. It is the responsibility of the Department of Education to create and maintain a statewide textbook database to facilitate the transfer of used textbooks from one district to another.

Although textbooks published 10 years prior to the year the district wishes to discard them will not be entered into this database, the district will take appropriate measure to share or recycle, if applicable or dispose, if necessary those textbooks.

Textbooks published within 10 years may be recycled by the district to students, parents, educational agencies, institutions, others, or by selling them or posted to the database.

The law regarding used textbooks does not apply to those textbooks that are “worn out or useless due to damage or mutilation.” Such textbooks can be disposed of without posting, regardless of publication date.

Legal References

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

Possible Cross References

3220/3230, 3280, 3440, 6171.3, 7110

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations

Series 3000

Gifts, Grants & Bequests

Policy 3280

Date Adopted: December 18, 1996

Date Revised: September 25, 2008, January 28, 2010

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

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

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

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

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

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

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

Grants

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

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

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Policy 3280

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Legal References

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

NJAC 6A:26-7.4 Approval of land acquisition

Possible Cross References

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

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Series 3000

Funds Management / Investing

Policy 3290

Date Adopted: May 21, 1997

Date Revised: January 28, 2010

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

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

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

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

No fund raising drives may be conducted except with the express approval of the Superintendent of Schools.

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

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

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

Legal References

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

Possible Cross References

1314

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations

Series 3000

**Secondary Bond Market –
Continuing Disclosure Commitments**

Policy 3291

Date Adopted: June 25, 2015

Date Revised:

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Access to capital is critical for advancing needed infrastructure projects and meeting cash flow needs. As a condition of providing access to capital in the form of debt, the financial community expects to be kept abreast of key financial information that could impact the value of securities in the secondary market. Legally, the Board of Education has an obligation to provide certain information. The Board is obligated under federal law to issue certain information at the time of issuing new debt, and it is frequently contractually obligated to continue providing certain information while their debt remains outstanding.

Should the district have outstanding bond, bond anticipation notes and/or other securities, or if it anticipates a need to access financial markets in the near future, it shall comply with any and all requirements mandated by the state and/or the Securities Exchange Commission (SEC) regarding any continuing disclosure commitments as may be mandated.

Continuing disclosure requirements are indirectly required pursuant to federal law. The Board Secretary/Business Administrator and/or the Superintendent of Schools are generally required in one or more documents authorizing the issuance of debt (commonly called “Continuing Disclosure Agreements”) to annually, or more frequently, publicly disclose certain information. Consequences of failing to live up to requirements will likely include future difficulty accessing credit markets. Consequences for non-compliance may include, among other things:

- Enforcement actions being brought by the SEC that will result in more severe penalties otherwise available pursuant to “the SEC’s “Municipalities Continuing Disclosure Cooperation Initiative”
- Denial or deferral of applications made to the Local Finance Board or Director of the Division for various approvals;
- Actions against state licensures in the event of fraudulent attestations of compliance; and/or
- Decreased scores on future “Best Practices Questionnaires” (which will contain questions as to past compliance) that could trigger a withholding of a portion of state aid.

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Secondary Bond Market & Continuing Disclosure Commitments

Policy 3291

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The Securities Exchange Commission (SEC) has adopted a program to encourage local issuers to self-identify any past noncompliance and improve timely continuing disclosure in the future. This program, known as the *Municipalities Continuing Disclosure Cooperation Initiative*, essentially establishes lesser enforcement actions provided local issuers self-identify past noncompliance and agree to a plan designed to prevent future noncompliance.

The Board of Education, through the Board Secretary/Business Administrator and the Superintendent of Schools shall proactively take steps to self-identify its own levels of compliance with Continuing Disclosure Agreements if it has outstanding debt, and to consult with appropriate public finance officials during this process to determine if it is advisable to participate in the SEC's program.

The Board will also take steps to improve disclosure closely by reviewing past compliance and, as appropriate, refraining from underwriting or buying new debt unless compliance has been achieved. When anticipating a need to access financial markets, the Board of Education will conduct a self-assessment of past continuing disclosure compliance and correct any deficiencies if they exist.

As a part of the budget submission process to the Executive County Superintendent, the Superintendent of Schools and the Board Secretary/Business Administrator are to attest that appropriate steps are being taken to ensure compliance with continuing disclosure requirements.

As part of such self-assessment, the Board shall identify any continuing disclosure contractual obligations with respect to past issuances of debt while it remained (or remains) outstanding. These obligations generally include filing audits, budgets, and certain operating data with various depositories.

Continuing Disclosure Agreements generally specify what information must be filed and where it must be filed. If there are any continuing disclosure requirements, the Board will file the following information through the Municipal Securities Rulemaking Board's Electronic Municipal Marketplace Access (EMMA) website (www.emma.msrb.org) in addition to any information it previously agreed to provide:

1. As soon as available: The issuer's Annual Financial Statement -- or a variation thereof where an Annual Financial Statement is not statutorily required; and
2. As soon as available: The Issuer's Audited Financial Statements; and
3. As soon as available: The Issuer's adopted budgets; and
4. Within 180 days of the end of the fiscal year: Annual Operating Data, consisting of (if applicable):

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- Debt Statistics
- Property Tax Information and tax statistics where the issuer relies on property tax collections as a major source of revenue;
- Other major revenue data and statistics where the issuer relies on revenues other than property tax collections.
- Capital Budget
- New construction permits

Within 10 business days of the occurrence of any material events consisting of the following:

1. Principal and interest payment delinquencies;
2. Non-payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
7. Modifications to rights of security holders, if material;
8. Bond calls, if material, and tender offers;
9. Defeasances;
10. Release, substitution, or sale of property securing repayment of the Securities, if material;
11. Rating changes;
12. Bankruptcy, insolvency, receivership or similar event of the obligated person;
13. The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
14. Appointment of a successor or additional trustee or the change of name of a trustee, if material; and
15. Any and all additional or other information or documents required by the specific continuing disclosure obligations of such Issuer, for any particular series of Securities outstanding.

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Secondary Bond Market & Continuing Disclosure Commitments

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The Board shall also ensure that past official statements, or similar documents issued with respect to new issuances of debt, have accurately reported past compliance with continuing disclosure requirements.

The Board Secretary/Business Administrator is encouraged to seek the assistance of an experienced professional to assist or undertake such self-assessment.

The Board Secretary/Business Administrator shall attest that appropriate steps are being taken to ensure compliance with continuing disclosure requirements.

District auditors are required to treat non-compliance with continuing disclosure requirements as an instance of non-compliance with prevailing laws, statutes, regulations, contracts and agreements that is required to be reported under Government Auditing Standards.

Legal References

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

Rule 15c2-12 (SEC) Prohibition of Underwriters from purchasing securities

Section 17(a) (SEC) Securities Act of 1933 – Enforcement

Section 10(b) (SEC)– Enforcement

Securities Exchange Act of 1934 – Violations and Compliance

West Clark Community Schools, AP File No. 3-15391 (7/29/2013)

City Securities Corp & Randy G Ruhl, AP File No. 3-15390 (7/29/2013)

Amendments Municipal Securities Disclosure, SEC Act Release No. 34-62184A (5/26/2010)

75FR331100, supra n. 348-362 (6/10/2010)

Possible Cross References

3290

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Depository

Policy 3293

Date Adopted: May 21, 1997

Date Revised: January 28, 2010

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

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

Legal References

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

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Signatures / Facsimiles

Policy 3293.1

Date Adopted: May 32, 1997

Date Revised: January 28, 2010 Aug. 11, 2022

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

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

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

All checks on the general funds account shall require three signatures: those of the Superintendent, Board President or Vice-President, the Board Secretary, Business Administrator and the Treasurer of School Monies. Each of these Board officers is also authorized to endorse for deposit, checks and drafts payable to the Board of Education.

All payroll deposit checks shall be signed by the Treasurer of School Monies, following approval of the payroll by the Superintendent of Schools and its certification by the Board President and the Board Secretary/Business Administrator.

Legal References

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

Possible Cross References

3326.1, 9121, 9123, 9125

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations
Expenditures / Expending Authority

Series 3000
Policy 3300

Date Adopted: June 24, 1992 | Date Revised: May 21, 1997, January 28, 2010

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

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

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

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

Legal References

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

NJAC 6A:23 Finance and business services

Possible Cross References

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

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Business & Non-Instructional Operations

Series 3000

Purchasing Procedures

Policy 3320

Date Adopted: January 28, 2010

Date Revised:

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

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

The Board of Education encourages the administration to:

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

Nothing may be ordered by any school personnel without the approval of the Superintendent of Schools.

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

Soliciting Prices/Bids and Quotations

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

The Business Administrator/Board Secretary shall:

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

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

The Board will make all final decisions, including, when advisable, rejection of all bids.

The Board Secretary/Business Administrator shall make every effort to obtain at least two and preferably three bids for each prospective purchase.

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Purchasing Procedures**

**Series 3000
Policy 3320**

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

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

Every transaction between a buyer and seller involving the transfer of property shall be by purchase order or formal contract signed by both the Board Secretary/Business Administrator and the Superintendent of Schools.

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

Multiple Year Contract/Bid Cycle

The Business Administrator/Board Secretary will establish a multiple year contract/bid cycle, the purpose of which is to ensure that the district is receiving the most efficient and economical services available. These services may consist of, but are not limited to:

- Auditing
- Food Service
- Transportation
- Insurance
- Custodial
- HVAC
- Electrical
- Plumbing
- Landscaping and Grounds
- Trash Removal

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Purchasing Procedures

Series 3000
Policy 3320

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Legal References

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

Possible Cross References

2224, 3300, 3326, 3327, 3570, 3571

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations

Series 3000

Incurring Liabilities

Policy 3321

Date Adopted: January 28, 2010

Date Revised:

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

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

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

Legal References

NJSA 10:5-1 et seq. Law Against Discrimination
18A:18A-1 et seq. Public Schools Contracts Law
18A:19-1 et seq. Expenditure of Funds; Audit and Payment of Claims
52:32-44 Business registration for providers of goods and services (definitions)

NJAC 6A:7-1.8 Equity in employment and contract practices
6A:23-1.2 Definitions
6A:23-2.6 Supplies and equipment
6A:23-6.1et seq. Purchase and Loan of Textbooks
6A:23-7.1et seq. Management of Public School Contracts
6A:27-9.1et seq. Contracting for Transportation Services
6A:30-1.1et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2224, 3300, 3326, 3327, 3570, 3571

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Purchase Orders

Policy 3322

Date Adopted: August 13, 2009

Date Revised: January 28, 2010, January 26, 2012

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

Secretary/Business Administrator:

1. The Board Secretary/Business Administrator shall identify and investigate the reason(s) for any increase to a purchase order.
2. If it is determined that such an increase is warranted, the Board Secretary/Business Administrator shall either approve a revision to the original purchase order with the reason(s) noted, approve the issuance of a supplemental purchase order for the difference, or cancel the original purchase order and issue a new purchase order.
3. If it is found that such an increase is not warranted, the purchase order shall be canceled and the returned to the appropriate vendor.
4. In no instance shall an adjustment be made to a purchase order that changes the purpose or vendor of the original purchase order or a bid award price.
5. Financial systems shall be programmed to:
 - a. Limit system access so that only appropriate business office staff may make purchase order adjustments,
 - b. Reject adjustments in excess of any established approval thresholds,
 - c. Prevent unauthorized changes to be processed,
 - d. Reject payments where the sum of the invoice amount plus any previous invoices charged to the purchase order exceeds the sum of the original purchase order amount plus any authorized adjustments,
 - e. Reject duplicate purchase order numbers,
 - f. Reject duplicate invoice numbers, and
 - g. Prepare an edit/change report listing all payments made in excess of the originally approved purchase order amount.

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

The Superintendent of Schools, in consultation with the Board Secretary/Business Administrator, may develop regulations to implement this policy.

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Policy 3322

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Legal References

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

Possible Cross References

2224, 3300, 3326, 3327, 3570, 3571

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Soliciting Prices, Bids & Quotations

Policy 3323

Date Adopted: May 21, 1997

Date Revised: January 28, 2010

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

The Board Secretary/Business Administrator shall:

1. Analyze and tabulate all bids, except construction bids;
2. Refer bids and analysis to the proper personnel to obtain recommendations;
3. Bring recommendations and all supporting materials before the Board of Education at its next regular meeting.

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

Legal References

NJSA 10:5-1 et seq. Law Against Discrimination
18A:18A-1 et seq. Public Schools Contracts Law
18A:19-1 et seq. Expenditure of Funds; Audit and Payment of Claims
52:32-44 Business registration for providers of goods and services (definitions)

NJAC 6A:7-1.8 Equity in employment and contract practices
6A:23-1.2 Definitions
6A:23-2.6 Supplies and equipment
6A:23-6.1 et seq. Purchase and Loan of Textbooks
6A:23-7.1 et seq. Management of Public School Contracts
6A:23A-6.10 Financial system and payment approval process
6A:27-9.1 et seq. Contracting for Transportation Services
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

Possible Cross References

2224, 3300, 3326, 3327, 3570, 3571

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Contracts

Policy 3324.1

Date Adopted: May 21, 1997

Date Revised: January 28, 2010

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

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

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

The Superintendent of Schools, in consultation with the Board Secretary/Business Administrator, may develop regulations to implement this policy.

Legal References

NJSA 18A:18A-1 et seq. Public Schools Contracts Law
18A:19-1 et seq. Expenditure of Funds; Audit and Payment of Claims
52:32-44 Business registration for providers of goods and services (definitions)

NJAC 6A:7-1.8 Equity in employment and contract practices
6A:23-1.2 Definitions
6A:23-2.6 Supplies and equipment
6A:23-7.1 et seq. Management of Public School Contracts
6A:23A-6.10 Financial system and payment approval process
6A:27-9.1 et seq. Contracting for Transportation Services

Possible Cross References

3320, 3323

Fairfield Township Board of Education District Policy Manual

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Payment for Goods & Services

Policy 3326

Date Adopted: June 25, 1997

Date Revised: January 28, 2010

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

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

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

Items not previously approved by the Board or provided for in the budget must be audited by the Board Secretary/Business Administrator and presented for Board approval.

Purchase Orders

The district will carefully monitor payments for invoice amounts that are greater than the approved purchase order, in order to avoid over-payments. A new purchase order will be issued (and the original purchase order voided) when the adjusted amount unreasonably exceeds the original purchase order amount. In no instance shall an adjustment be made to a purchase order that changes the purpose or vendor of the original purchase order or the bid award price, and adjustments may not exceed 10% of the original purchase order amount.

Financial Systems to Avoid Over-Payments

Pursuant to NJAC 6A:23A-6.10, the district will program its financial systems to avoid over-payments by:

1. Limiting system access so that only appropriate staff may make purchase order adjustments;
2. Rejecting adjustments in excess of any established approved thresholds;
3. Preventing unauthorized changes to be processed;
4. Rejecting payments where the sum of the invoice amount plus any previous invoices charged to the purchase order exceeds the sum of the original purchase order;
5. Rejecting duplicate invoice numbers; and,
6. Preparing an edit/change report listing all payments made in excess of the approved purchase order amount.

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

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Legal References

- NJSA** 18A:19-1 Expenditure of funds on warrant only; requisites
18A:19-2 Requirements for payment of claims; audit of claims in general
18A:19-3 Verification of claims
18A:19-4 Audit of claims, etc., by secretary; warrants for payment
18A:19-4.1 Account or demand; audit; approval
18A:19-9 Compensation of teachers, etc., payrolls
18A:22-8.1 Transfer of amounts among line items and program categories
- NJAC** 6A:23-2.9 Petty cash funds
6A:23A-6.10 Financial system and payment approval process

Possible Cross References

3320, 3451, 3453, 4142, 4242

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Payroll Checks

Policy 3326.1

Date Adopted: May 21, 1997

Date Revised: January 28, 2010

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The Board Secretary/Business Administrator/designee shall be responsible for the preparation of all salary checks in accordance with approved contractual salaries and any changes submitted by the Superintendent of Schools.

Payroll amounts shall be approved as part of special reports each month by the Board of Education.

Legal References

- NJSA 18A:4-37 Payment of salaries and expenses
- 18A:19-1 Expenditure of funds on warrant only; requisites
- 18A:19-2 Requirements for payment of claims; audit of claims in general
- 18A:19-3 Verification of claims
- 18A:19-4 Audit of claims, etc., by secretary; warrants for payment
- 18A:19-4.1 Account or demand; audit; approval
- 18A:19-9 through -11 Compensation of teachers, etc., payrolls

Possible Cross References

3293.1, 9121, 9123

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Employee Payroll Timesheets

Policy 3326.2

Date Adopted: September 10, 2020

Date Revised:

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1. Employees must use an authorized timesheet from the board of education office when reporting time worked. No other form will be accepted.
2. Timesheets are available at the board office.
3. Employees must submit ORIGINAL timesheets with legible writing for payroll processing.
4. Make sure you are utilizing the board approved hourly rate.
5. Employees must ensure the information being submitted on the timesheet is accurate. Check that the dates are correct, no overlapping dates/hours, snow closing/delays. The following information must be filled in: the hourly rate, total hours and the calculated total gross. When the employee is satisfied that the timesheet is correct, they can sign and date it.
6. It is the employee's responsibility to make sure their timesheet is approved by the appropriate supervisor.
7. All approved timesheets are to be submitted to the board office following the payroll schedule.

Timesheets for the 1st to 15th of the month need to be submitted by the 15th of that current month and timesheets for the 16th to the end of the month need to be submitted on the last day of that current month. If you submit a timesheet that is older than one (1) month, Administrator approval is required.

8. If the timesheet is not complete or accurate, it will be either returned to the employee's supervisor or returned to the employee for completion. If the appropriate timesheet is not returned by the payroll deadline date (see number 7), the employee risks not getting paid until the following pay date. It is the responsibility of the employee to ensure timely and accurate completion of the corrected timesheet.
9. If the employee has a non-working lunch, please breakout your lunch.
10. The following items cannot appear on your timesheet: a. "1 Day" in the total hour's column. (We need the specific hours worked) b. Dittos marks or arrows to show all the same times/date etc. (You must fill in each line correctly).

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Policy 3327**

Date Adopted: September 20, 1995

Date Revised: January 28, 2010, July 25, 2013,
April 12, 2018

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

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

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

All vendors, suppliers, contractors and/or any other business organizations that do business with the Board of Education shall be registered with the State of New Jersey and provide proof of that registration to the Business Administrator/Board Secretary before the Board may enter into a contract with that business. Proof of registration shall be in the form of a copy of the "State of New Jersey Business Registration Certificate." The Business Administrator/Board Secretary shall keep a copy of the registration certificate on file.

Affirmative Action

If awarded a contract, all companies/firms will be required to comply with the requirements of NJSA 10: 5-31 et seq. and NJAC 17:27. During the performance of any awarded contract, the contractor or subcontractor, where applicable, will:

- agree that it will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

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- post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause;
- where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex;
- will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment;
- comply with any regulations promulgated by the Treasurer pursuant to NJSA 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act;
- make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with NJAC 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to NJAC 17:27-5.2;
- inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities and labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.;
- revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions;
- review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

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Contracting with Small/Minority Businesses/Women's Business Enterprises and Labor Surplus Area Firms

In accordance with state and federal law, the Board of Education shall take all necessary affirmative steps to ensure that minority businesses, women's business enterprises and labor surplus area firms are used whenever possible.

Affirmative steps shall include but not be limited to:

- Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- Ensuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources;
- Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses and women's business enterprises;
- Establishing delivery schedule, where the requirement permits, that encourage participation by small and minority businesses and women's business enterprises;
- Using the services and assistance, as appropriate of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce: and,
- Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed above.

Disbarred Vendors

When acquiring goods and services under federally sponsored programs, the district will not contract with a vendor who is currently either debarred or suspended from doing business with the Federal government. Prior to contract award, and in accordance with Federal requirements, the district contracting specialist will check the Federal Debarred Vendor List – Excluded Parties List – System for Award Management on SAM.gov to ensure the prospective vendor is not debarred. Should a prospective vendor be found to be debarred or suspended by the Federal government, the Board Secretary/Business Administrator's office will notify the Superintendent/Principal of this finding and will place a hold on the supplier's registration within the district financial system.

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Legal References

- NJSA** 10:5-1 et seq. Law Against Discrimination
18A:6-8 Interest of school officers, etc., in sale of textbooks or supplies, royalties
10:5-31 Affirmative Action
18A:11-1 General mandatory powers and duties
18A:12-2 Inconsistent interests or office prohibited
18A:12-21 et seq. School Ethics Act
18A:18A-1 et seq. Public Schools Contracts Law
52:32-44 Business registration for providers of goods and services
- NJAC** 6A:7-1.8 Equality in employment and contract practices
6A:23A-6.3 Accountability regulations
6A:28-1.1 et seq. School Ethics Commission
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services
17:27-5.2 Vendor/Contractor guidelines

Comprehensive Equity Plan, New Jersey State Department of Education

Possible Cross References

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

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Reimbursement

Policy 3330

Date Adopted: January 28, 2010

Date Revised:

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

Legal References

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

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Direct Deposit of Payroll

Policy 3333

Date Adopted: June 25, 2015

Date Revised:

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In accordance with the provisions of P.L. 2013, C. 28, each employee of the district shall have his/her net pay deposited in a banking institution in a checking account, savings account or share savings account specified by the employee, as of the date specified in the Board of Education Resolution authorizing direct deposit of employee net pay and/or the date of the adoption of this policy.

Each employee shall notify the Board Secretary / Business Administrator in writing, the name of the employee's specified banking institution, account number and routing number for direct deposit of the employee's net pay funds.

The Board Secretary / Business Administrator shall develop forms as may be necessary and to be used by employees to specify the banking institution's name, the specific account number and routing number for direct deposit of the employee's net pay funds.

The Board of Education shall make available all information concerning net pay, any accompanying information approved for distribution with net pay, and W-2 forms in accordance with applicable federal law, only on the Internet with restricted access for the employee only.

The Board Secretary / Business Administrator shall develop and initiate necessary policies and procedures to protect the integrity and confidentiality of employee information relative to the provisions of this policy.

The Board of Education may, at its sole discretion grant an exemption from the requirements adopted in accordance with such terms and conditions as the Board of Education may deem necessary.

Legal References

- NJSA 18A:16-9 Responsibility of board
- 18A:19-9 et seq Compensation of teachers; payroll
- 18A:66-19 Payroll deductions
- 18A:66-127 Employees agreement to reduce salary for purchase of annuity
- 18A:66-128 Reduction of salary for obtaining certain benefits
- 43:3C-9 Payroll deductions
- 52:18A:107 et seq, Payroll deductions

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Travel Expenses

Policy 3335

Date Adopted: January 26, 2006

Date Revised: January 28, 2010, June 25, 2015, January 12, 2017

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

Board Members receive no payment for their services. With Board approval, they may be reimbursed for out-of-pocket expenses incurred on Board business.

Approved Types of Travel

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

Travel & Related Expenses

Travel reimbursement will be paid only upon compliance with the Board's policy provisions and approval requirements. Board Members, trustees and employees shall only be reimbursed for work-related travel that is directly related to and within the scope of the Board Member's and employee's current work responsibilities. Board Members and employees shall only be reimbursed for travel that:

1. Promotes the delivery of instruction and is critical to the instructional needs of the school district or furthers the efficient operation of the school district,
2. Is educationally necessary and fiscally prudent, and
3. Is directly related to and within the scope of the Board Member's current responsibilities, and for school district's professional development plan.

As described in this policy, school district travel expenditures include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees to and for the travel

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event. School district travel expenditures include costs for all required training and all travel authorized in existing school district employee contracts and Board policies. This includes, but is not limited to, required professional development and other staff training, required training for new Board Members, and attendance at specific conferences authorized in existing employee contracts.

Travel Payments

Travel payments will be paid only upon compliance with the Board's policy provisions and approval requirements. The Board will not ratify or approve payments or reimbursements for travel after completion of the travel event. All Board Members and employees shall adhere to the following specifications to be considered for reimbursement:

1. Reimbursement may not exceed State travel reimbursement guidelines as established by the Department of Treasury in NJOMB circular letter 06-02 (found at <http://www.state.nj.us/infobank/circular/cir0602b.html>), including but not limited to the types of travel, methods of transportation, mileage allowance, meal allowance, overnight travel and supporting documentation.
2. Reimbursement must also be in compliance with OMB Circular A-87 (found at http://www.whitehouse.gov/omb/circulars/a087/a87_2004.html). No reimbursement will be issued without submission of written documentation such as receipts, checks and vouchers detailing the amount of each expenditure. Such documentation must be submitted within a timeframe to be established by the Board.
3. Travel expenditures must be in compliance with State travel payment guidelines as established by the Department of Treasury and with guidelines established by the Federal Office of Management and Budget; except that those guidelines that conflict with the provisions of Title 18A of the New Jersey Statutes shall not be applicable, including, but not limited to, the authority to issue travel charge cards.
4. Board Members and employees shall provide within two weeks a brief report that includes, as appropriate, but may not be limited to, a description of the primary purpose for the travel, and a summary of the goals and key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district. This report will be submitted to the Superintendent/Principal or his/her designee.

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In addition to the requirements above, employee travel to be reimbursable must be directly related to the employee's professional development. No district employee shall be reimbursed for travel and related expenses without prior written approval of the Superintendent/Principal and prior approval by a majority of the full voting membership of the Board (as set forth below).

Out-of-state travel events shall be limited to the fewest number of Board Members or affected employees needed to acquire and present the content offered to all Board Members or staff, as applicable, at the conclusion of the event. Where the event is sponsored by a New Jersey-based organization and targeted to employees and/or Board Members of the school district, reimbursement for lodging may be permitted only where the sponsoring organization obtains a waiver pursuant to the provisions of NJAC. 6A:23A-7.11. Where the event is national or regional in scope and targeted to school district employees and/or Board Members from multiple states, reimbursement for lodging may only be provided if the event occurs on two or more consecutive days and where home to event commute exceeds fifty (50) miles.

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

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

Prior Approval Requirement

Board Members shall only be reimbursed for travel and related expenses that have received prior approval by a majority of the full voting membership of the Board, and is in compliance with N.J.S.A. 18A:12-24 and 24.1 of the School Ethics Act.

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

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2. Also, a Board Member shall not: act in his/her official capacity in any matter in which he or a member of his/her immediate family has a personal involvement that is or creates some benefit to the school official or member of his/her immediate family; or undertake any employment or service, whether compensated or not, which may reasonably be expected to prejudice his/her independence of judgment in the execution of his/her official duties.
3. For employees, a Board of Education requires that travel occur only upon prior written approval of the Superintendent/Principal and approval by a majority of the full voting membership of the Board.
4. For regular business travel only, the Board of Education may authorize an annual maximum amount per employee for regular business travel for which Board approval is not required. As defined by law, “regular school district business travel” is distinct from “training and seminars” and “conventions and conferences.”
5. For Board Members, travel may occur only upon prior approval by a majority of the full voting membership of the Board and that the travel be in compliance with section 4 of P.L.1991, c.393(C.18A:12-24) and section 4 of P.L.2001, c.178(C.18A:12-24.1).

Travel Advances Banned

An employee of the Board, a Board Member, or organization, shall not receive an amount for travel and travel-related expenses in advance of the travel pursuant to N.J.S.A. 18A:19-1 et seq.

Travel Methods

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

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

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circuitous routings or excessive flight duration and/or would result in overall transportation cost savings.

2. Rail Travel - When it has been determined to be advantageous to the conduct of district business, the most economical scheduling of rail travel is to be utilized.
3. Cruises - Participation in a conference, meeting or training event that is presented on a cruise ship is prohibited. Travel on a cruise ship as transportation to an event is also prohibited.
4. Ground Travel - Necessary taxicab charges are permitted. However, travel to and from airports and downtown areas should be confined to regularly scheduled shuttle service, whenever such service is less costly than taxicab service. If shuttle service between the airport and downtown destination is not available, taxicabs may be used. The rental of a "stretch limousine" is not authorized or reimbursable unless several travelers are sharing the expense, which proves to be less expensive than taxicabs, scheduled shuttle service or the use of a personally owned vehicle. Car rentals, either utilized for airport transportation or transportation at a conference, etc., are neither authorized nor reimbursable.
5. Special Conveyances - The rental or hire of a boat, aircraft or other special conveyance is allowed only when public or regular means of transportation is not available or when such regular means of transportation cannot be used advantageously in the interest of the district. In such cases, prior approval of the Superintendent/Principal is required. A satisfactory explanation must accompany these requests for approval.
6. Personal Vehicle (Mileage Basis) - Mileage allowance in lieu of all actual expenses of transportation is allowed. An employee traveling by his/her own automobile on official business at the rate authorized by the Board of Education or in an agreement between the Board and the employee's bargaining unit, provided such mode of travel is previously approved by the Superintendent/Principal. Mileage allowance will not exceed the mileage reimbursement rates. Parking and toll charges are allowed in addition to mileage allowance when accompanied by receipts.
7. Routing of Travel - All travel must be the most direct, economical and usually traveled route. Travel by other routes is allowed when official necessity is satisfactorily established in advance of such travel. In any case where a person travels by indirect route for personal convenience, the extra expense must be borne by the individual. Reimbursement for expenses must be based only on charges that do not exceed what would have been incurred by using the most direct, economical and usually traveled route.

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Reimbursement for mileage to and from the site activity shall be measured from the school or the home of the employee or Board Member, whichever distance is shorter. In the case wherein the distance from the employee's home to the site activity is less than that traveled to and from the employee's work location, no reimbursement shall be made unless the activity takes place on a day that is not considered a normal work day.

New contracts that specify a mileage reimbursement and that have an effective date of July 1, 2008 or later, must specify that the reimbursement rate shall be that stipulated in the current NJOMB Travel Circular. All district travel reimbursement shall also be in accordance with the rate stipulated in the current NJOMB Travel Circular. Parking and toll charges are allowed in addition to the mileage allowance.

Lodging, Accommodations, Meals & Miscellaneous Expenses

When travel is deemed necessary, district employees and Board Members may be reimbursed for allowable and reasonable expenses for lodging, accommodations, meals and miscellaneous expenses incurred. Unless approved in advance by the Board or the Superintendent/Principal, no expenses in excess of these rates will be eligible for reimbursement.

Meal Expenses Allowable Limits

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

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

Annual Maximum Travel Expenditure Amount

The Board shall:

1. Allot in its annual budget a maximum travel expenditure amount and annually review its policy to assure that it properly reflects the amount budgeted.
2. Vote to authorize each reimbursement; specifying the way in which it promotes the delivery of instruction or furthers the efficient operation of the school district, within the maximum annual amount.
3. Annually in the prebudget year, establish by Board resolution, a maximum travel expenditure amount for the budget year, which the school district shall not exceed in that budget year. The Board resolution shall also include the maximum amount established for the prebudget year and the amount spent to date.
4. Provide that the maximum school district travel expenditure amount shall include all travel in accordance with this policy supported by local and State funds.

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Documentation for Reimbursement of Expenses

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

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

Additional Detailed Accounting Requirements which Demonstrate Compliance

In order to demonstrate compliance with this policy, documentation of all reimbursed travel expenses shall be maintained on file. This record may include receipts, checks and vouchers submitted in connection with any reimbursement. The district shall maintain separate accounting for school district travel expenditures as necessary, to ensure compliance with the school district's maximum travel expenditure amount. This may include, but need not be limited to, a separate or offline accounting of such expenditures or expanding the school district's accounting system. The tracking system shall be sufficient to demonstrate compliance with the Board's policy and this section, and shall provide auditable information.

Minimizing Travel Expenditures

Boards of Education and staff will take the following steps:

1. "Retreats" will be held at school district facilities, if available. A retreat is a meeting of school district employees and Board Members, held away from the normal work environment, at which organizational goals and objectives are discussed.
2. A school district shall not provide funds for car rentals, limousine services, and chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendee's accommodations at the travel event.
3. One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement except in limited circumstances authorized in Department of the Treasury guidelines.
4. Overnight travel is eligible for a subsistence payment or reimbursement as authorized in department of the Treasury guidelines, except as otherwise superseded by the following:
 - Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the federal per diem rates as establish in the federal register for the current year;
 - Lodging expenses may exceed the federal per diem rates if the hotel is the site of the convention, conference, seminar or meeting and the going rate of the hotel is in excess of the federal per diem rates. If the hotel at the site of the convention, conference, seminar or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;

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- Receipts are required for hotel expenses. Meal expenses under the federal per diem allowance limits do not require receipts;
- In any case in which the total per diem reimbursement is greater than the federal per diem rate, except when the going rate for lodging at the site of the convention or meeting exceeds federal per diem rates, the costs will be considered to be excessive and shall not be paid by school district funds;
- School districts shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits; and,
- Payment or reimbursement is approved for the full cost of an official convention meal that the employee or Board Members attends; when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement.

Blanket or general pre-approval for travel is not authorized, and will not be permitted by the Board. Specifically, approval shall be itemized by event, event total cost, and number of employees and Board Members attending the event. However a Board may also approve, at any time prior to the event, travel for multiple months as long as the Board approval, as detailed in Board minutes, itemizes the approval by event, total cost, and number of employees and Board Members attending the event.

Exclusions Allowed by Law

Excluded from the requirements of prior Board approval is any travel caused by or subject to contractual provisions, other statutory requirements, or federal regulatory requirements. The Board will not exclude such travel from the subsistence requirements and the annual maximum travel expenditure amount.

Penalties

The Board by this policy informs its members and staff that the penalties for violating this policy based on State law include:

1. By law, any district Board of Education that violates its established maximum travel expenditure, or that otherwise is not in compliance with the travel limitations set forth in this section may be subject to sanctions by the commissioner as authorized pursuant to N.J.S.A. 18A:4-23 and N.J.S.A. 18A:4-24, including reduction of State aid in an amount equal to any excess expenditure.
2. A person who approves any travel in violation of the school district's policy or this section shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.

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Travel Expenses

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Policy 3335

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3. An employee or member of the Board of Education who travels in violation of the school district's policy or this section shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.

The Superintendent/Principal and Business Administrator will develop regulations to implement this policy.

Legal References

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

Possible Cross References

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

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Accounts

Policy 3400

Date Adopted: January 28, 2010

Date Revised:

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

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

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

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

Payments are to be made only by check.

Legal References

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

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

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

Possible Cross References

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

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Capital Reserve Account

Policy 3410

Date Adopted: January 28, 2010

Date Revised: January 26, 2012

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The Board of Education has established a Capital Reserve Account (CRA), a copy of which is on file with the County Superintendent of Schools. Funds in the CRA will only be used to implement capital projects in the district's Long Range Facilities Plan (LRFP) required pursuant to New Jersey law and may not be used for current expenses.

The Board may appropriate funds in the district's annual budget to meet the needs of its LRFP not met by State support in accordance with statute. When the district submits the LRFP to the New Jersey State Department of Education, the Board may deposit funds into the CRA at any time by Board resolution. This may be completed through the transfer of excess undesignated, unreserved general fund balance or through the transfer of excess undesignated, unreserved fund balance that is anticipated in the budget certified for taxes. No transfer of undesignated, unreserved fund balance shall be made subject to the provisions of New Jersey State statute. Audited excess undesignated, unreserved general fund balance shall not be deposited into a CRA and shall not be reserved and designated in the subsequent year's budget pursuant to statute.

The amount of money in the CRA shall not exceed the amount needed to implement the capital projects in the district's LRFP not met by State support. If the amount in the CRA exceeds the maximum amount approved, the district must withdraw the excess and reserve and designate it in the subsequent year's budget. As a part of the district's annual audit, the district's independent auditors will, pursuant to the procedures developed by the New Jersey Commissioner of Education, verify the amount in the CRA at any time during the year does not exceed the maximum permitted amount. All excess amounts in the CRA identified in the annual audit shall be reserved and designated in the subsequent year's budget.

Funds may be withdrawn from the CRA and the district may apply to the New Jersey Commissioner of Education for approval to withdraw funds from its CRA as provided by statute. In order to obtain approval to withdraw funds, the district shall comply with all requirements as provided for in statute.

The CRA will be established and held in accordance with the Generally Accepted Accounting Principles (GAAP) and is subject to annual audit.

If the cost to complete an approved school facilities project not funded in whole or in part by school bonds, exceeds the local share less excess costs, those costs up to 10% above the local share less excess costs may be withdrawn from the CRA. Funds withdrawn for the local share

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of a school facilities project not using school bonds or loan bonds for all or part of the local share which received a grant pursuant to statute must be transferred to the capital projects fund and accounted for separately with the corresponding grant. Any unexpended transferred capital reserve funds remaining after completion of such school facilities projects must be reserved and designated in the subsequent year's budget.

The CRA will be increased by the earnings attributable to the investment of the account's assets. Anticipated investment income must be included in the original annual general fund budget certified for taxes as miscellaneous income. Investment earnings shall be included in the maximum amount of capital reserve.

A separate account shall be established in the general fund for bookkeeping purposes only in order to account for increases to and withdrawal from the CRA and its balance.

Legal References

- NJSA 18A:7G-4 Long-range facilities plan
18A:21-2 et seq Capital Reserve Funds
18A:4-14 Uniform system of bookkeeping for school districts
- NJAC 6A:23-2.1 et seq. Double Entry Bookkeeping and GAAP Accounting in Local School Districts
- Handbook 2R2 - Financial Accounting for Local and State School Systems
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3400

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Inventories

Policy 3440

Date Adopted: May 21, 1997

Date Revised: January 28, 2010

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

The inventory shall be updated to reflect new equipment and shall be verified in a cycle to coincide with the reissuance of insurance policies. Loss of any portable capital equipment of \$500 unit value or more shall be reported to the Board. Consumable supplies shall be maintained on a continuous inventory basis. The Principal shall be responsible for physical counts in the building.

Major discrepancies in inventories, which are not resolved by proper accounting procedures, shall be reported to the Board.

The Board shall determine when it is necessary to hire an outside service to assist in appraisal.

Legal References

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

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

Possible Cross References

3530, 3570

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Money in School Buildings

Policy 3450

Date Adopted: September 25, 2008

Date Revised: January 28, 2010

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

The Principal may retain in properly designated student fund accounts any monies collected from students in the form of book fines, lost lock fines and lavatory dispenser revenues. Such funds will be used to purchase supplies or equipment that will directly benefit the student body. All such purchases will be made through the student activity fund account and will be readily identifiable.

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

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

Lost money shall be replaced by the person responsible.

Legal References

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

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

Possible Cross References

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

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Petty Cash Funds

Policy 3451

Date Adopted: August 25, 2005

Date Revised: January 28, 2010

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The Board of Education authorizes the establishment of petty cash funds in accordance with this policy and directs the implementation of appropriate controls to protect the funds from abuse.

The Board will establish petty cash funds and name custodians and amounts annually.

Petty cash funds may be disbursed only for the immediate payment of comparatively small expenditures and may not be used to circumvent the regular purchasing procedures of this district. The Board Secretary/Business Administrator shall annually establish a maximum single expenditure amount permitted from any petty cash fund.

Each request for petty cash funds must be in writing and must be signed by the person making the request. Supporting document, if any, will be affixed to the request.

The custodian of a petty cash fund shall submit a request to the Board Secretary/Business Administrator for replenishment when the monies available in the fund have declined to 50% or less than the authorized amount of the fund. The Board Secretary/Business Administrator shall prepare a voucher for approval by the Board. The voucher will include disbursement slips to support the amount of the replenishment and its allocation to any account.

The petty cash must be secured daily. All petty cash funds will be closed out for audit at the end of the school year, and unused funds will be returned to the depository. The custodian of each petty cash fund will report to the Board on amounts disbursed from the fund not less than once per year.

Legal References

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

NJAC 6A:23-2.9 Petty cash fund

Possible Cross References

3320, 3326, 3571, 3571.3

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School Activity Funds

Policy 3453

Date Adopted: May 21, 1997

Date Revised: January 28, 2010

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

The student activity fund will include monies collected for and dedicated for, but not limited to, student government, clubs, publications, school trips, the school band and orchestra, and other activities.

All funds collected must be turned in to the school office within 24 hours of collection and must be deposited on the day they are received.

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

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

Monies raised by student organizations must be expended for the benefit of students. The Superintendent of Schools or designee shall be responsible for developing guidelines for the accounting of student activities funds.

All monies accumulated in the account of a specific class or activity will, upon the graduation of that class or the discontinuance of the activity, revert to the student activity fund.

The following regulations will govern the student activities fund:

1. Receipts will be detailed showing date, sources, purpose and amount;
2. Disbursements will be recorded chronologically showing date, vendor, check number, purpose and amount;
3. Checks will bear at least two signatures;
4. Book balances will be reconciled with bank balances;
5. Borrowing from student activity accounts is prohibited.

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School Activity Funds**

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Legal References

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

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

Possible Cross References

3280, 3450, 3571, 3571.4, 5136

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Business & Non-Instructional Operations
Support Services

Series 3000
Policy 3500

Date Adopted: January 28, 2010

Date Revised:

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The Fairfield Township Board of Education recognizes the importance of support services to the operation of the school district and the achievement of district and school educational goals.

The Board of Education directs the Superintendent of Schools/designee to ensure the provision of sufficient and appropriate support services which may include but that are not limited to:

1. Secretarial and clerical;
2. Janitorial;
3. Buildings and grounds maintenance;
4. Food services;
5. Student transportation.

Support services are essential to the successful operations of the school system and management of auxiliary operations is an important responsibility. It should be remembered, however, that education is the district's central function, and all support services shall be provided, guided and evaluated accordingly.

Legal References

NJSA 18A:33-3 Cafeterias for pupils
18A:58-7.1 School lunch program

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Series 3000

Operation & Maintenance of Plant

Policy 3510

Date Adopted: June 24, 1992

Date Revised: January 28, 2010

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

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

In addition, the Superintendent of Schools shall develop and implement a maintenance program that shall include:

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

Facilities Maintenance, Repair Scheduling & Accounting

The Board Secretary/Business Administrator shall establish, implement and monitor Standard Operating Procedures for the approval and prioritization of work order requests that will take into account the health and safety of students, staff and visitors to the school. Maintenance and repair items shall be prioritized on an annual basis in accordance with urgency and budgetary constraints.

Administrative approval is required for any and all expenditures.

Unless a situation poses an imminent threat to the health and/or safety to building occupants, a complete work order shall be prepared using district software designed for that purpose.

The work order shall be finalized by the district maintenance manager when the work has been completed.

The work order system shall also be applied in like fashion when the work required must be accomplished by outside sources.

In such cases, standard procedures for obtaining bids and quotations shall be instituted.

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Legal References

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

Possible Cross References

3000/3010, 3516, 7110, 9130

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**Business & Non-Instructional Operations
Equipment**

**Series 3000
Policy 3514**

Date Adopted: May 21, 1997

Date Revised: January 28, 2010

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

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

The administration shall develop procedures for providing routine maintenance by outside contractors for specialized or complicated equipment as necessary and for utilizing local maintenance employees whenever feasible and economical for maintenance and repair of furniture and less specialized equipment.

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

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

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

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

Unused equipment shall be kept in a secure, locked area. Access shall be limited to those persons who have direct responsibility for the equipment as well as the administration of the school.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:20-34 Use of schoolhouse and grounds for various purposes
18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:26-12.2 Policies and procedures for school facility operation

Possible Cross References

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

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Series 3000

Smoking

Policy 3515

Date Adopted: May 21, 1997

Date Revised: January 28, 2010, September 3, 2014

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The Board prohibits smoking in all buildings and school grounds belonging to the district and in all school vehicles.

Definition of Smoking, Tobacco Products & Tobacco Use

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

The Superintendent of Schools and the Board Secretary/Business Administrator shall develop the legally required procedures to implement this policy.

Legal References

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

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

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

Possible Cross References

1250, 1330, 4119.23, 4219.23, 5131.6

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District Telephones / District Cellular Phones

Policy 3515.1

Date Adopted: June 24, 1992

Date Revised: January 28, 2010

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

Office telephones shall be reserved for the use of office staff members. Other staff members should use telephones designated for communication with parents/guardians and the community. Telephone logs shall be maintained for all toll calls.

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

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

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

Other regulations and procedures may be administered through the Superintendent of Schools.

Legal References

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

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Parking

Series 3000
Policy 3515.2

Date Adopted: May 21, 1997

Date Revised: January 28, 2010

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Parking spaces shall be available for staff and visitors.

The district will not assume responsibility for any vehicle parked on school property.

Legal References

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

Possible Cross References

1250

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Safety

Policy 3516

Date Adopted: May 21, 1997

Date Revised: March 31, 2010

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

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

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

Use & Storage of Hazardous Substances

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

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

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

1. Any article containing a hazardous substance if the hazardous substance is present in a solid form which does not pose any acute or chronic health hazard to any person exposed to it;
2. Any hazardous substance constituting less than one percent of a mixture unless the hazardous substance is present in an aggregate amount of 500 pounds or more in a container in a public school building;
3. Any hazardous substance which is a special health hazardous substance constituting less than the threshold percentage established by the Department of Health and Senior Services pursuant to P.L.1983, c.315 (C.34:5A-1 et seq.), for that special health hazardous substance when present in a mixture;
4. Any hazardous substance present in the same form and concentration as a product packaged for distribution and use by consumers and which is not a product intended primarily for commercial use;
5. Any fuel in a motor vehicle;

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6. Tobacco or tobacco products;
7. Wood or wood products;
8. Foods, drugs, or cosmetics;
9. Hazardous substances which are an integral part of a building's structure or furnishings;
10. Products which are personal property and are intended for personal use; and,
11. Any substance used in the routine maintenance of a school building or its grounds, any substance used in a classroom science laboratory, any substance used in a school occupational training facility, including laboratories and shops, and any substance used in the normal operation of the classrooms or administrative offices of a public or private school or child care center, including any substance used in the heating or cooling of the school.

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

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

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

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

1. Notice of any construction or other activities involving hazardous substances will be posted on the bulletin board of their children's school;
2. Hazardous substances may be stored at the school at various times throughout the year;
3. Hazardous substance fact sheets for any of the hazardous substances being used or stored are available at the school.

Soil Contamination on School Property

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

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

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The notice shall include:

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

The notice may be provided by:

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

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

Implementation

Rules and procedures implementing this policy shall be reviewed and adopted by the Board of Education as required by law and shall be disseminated to staff and pupils annually, and whenever any changes are made.

The Superintendent of Schools and Business Administrator/Board Secretary shall be responsible for the promulgation of such rules to all personnel concerned.

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Legal References

- NJSA** 18A:6-2 Instruction in accident and fire prevention
18A:11-1 General mandatory powers and duties
18A:17-42 et seq. Public School Safety Law
18A:40-12.1, -12.2 Protective eye devices required for teachers, pupils and visitors in certain cases
18A:41-1 et seq. Fire Drills and Fire Protection
18A:54-20 Powers of board (county vocational schools)
34:5A-1 et seq. Worker and Community Right to Know Act
- NJAC** 5:23 Barrier free subcode of the uniform construction code
6A:16-1.4 District policies and procedures
6A:19-10.1 et seq. Safety and Health Standards
6A:26-1.1 et seq. Educational Facilities
6A:26-12.1 et seq
6A:27-12.2 Accident reporting
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
- Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

5141.1, 5142, 5142.1

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Safety Practices & Procedures

Policy 3516.1

Date Adopted: September 24, 2015

Date Revised:

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The Board of Education recognizes that it is required by law to take measures to provide for the safety of pupils and district employees. These safety measures shall provide procedures and precautions for the safety of pupils in school, employees in the performance of their duties, and visitors to the district.

Definitions

For the purposes of this policy, the following definitions and examples shall apply:

“Extension cord” means a length of electrical cord with a plug at one end and a socket at the other, used to connect an appliance when the electrical supply is some distance away and is for temporary use.

“Personal appliances” are, but not limited to:

- Space Heaters
- Cooling Fans
- Coffee Machines
- Coffee Pots
- Toasters/Toaster Ovens
- Microwaves
- Hot Plates/Stoves/Burners
- Personal Refrigerators
- Personal Air Purifiers
- Radios
- Plug-Ins (Deodorizers)
- Candle Warmers

“Personal furniture and other items” are, but not limited to, furniture and Items that are not provided by the Board of Education to use in a classroom setting, including, but not limited to:

- Chairs
- Stools
- Book Cases
- Rugs
- Shower Curtains
- Television
- No unauthorized and/or potentially hazardous materials/equipment in the rooms (i.e., excessive decorations, materials hanging from light fixtures)

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- Approved decorative materials (during the holiday seasons) such as curtains, draperies, streamers and fabrics must be noncombustible or flame-proofed
- Combustible materials are prohibited
- Materials/decorations hanging from ballasts are prohibited
- Any other unauthorized equipment or personal furniture in classrooms.

“Designated staff members” are district employees who are given the authority by the Business Administrator/Board Secretary and/or the Maintenance Manager, with approval by the Board of Education, either written or verbal to use temporary wiring, extension cords, personal appliances, furniture, or other items.

The district shall implement the following policy in compliance with the International Fire Code, NJ edition, sections, 605.1 through 605.11.

Staff must abide by the following safety procedures:

1. The use of power extension cords and multi-plug adapters and non-fused plug strips is prohibited.
2. Per 605.4.1; power taps (power strips) shall be polarized, grounded and equipped with over-current protection (fuse or circuit breaker) and shall be listed in accordance with Underwriters Laboratories 1363.
3. Only district designated staff members shall use approved temporary wiring or extension cords, for electrical power and lighting installation during periods of construction remodeling, repair or demolition of buildings, structures, equipment or similar activities.
4. The allowable time for the use of approved temporary wiring or extension cords is permissible for a period not to exceed 90 days.
5. The district prohibits the use of all personal appliances (i.e. refrigerators, etc.), personal furniture (i.e. bookshelves, chairs, etc.), and other items not purchased by the school district, except for designated staff or areas complying with NJAC 30.13, the 2002 NJ School Integrated Pest Management Act, and by Board approval when needed. Personal desktop items that do not negate this policy are excluded (i.e. pencil holders, paperclip holders, small picture frames, etc.)

Procedure

The Business Administrator/Board Secretary, in consultation with the Maintenance Manager shall determine both the number and the type(s) of appliances that will be approved for use, and designate the areas where they shall be used. Such approval shall be in writing and signs will be posted in the designated areas.

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Enforcement

1. All employees shall immediately comply with this policy.
2. Any employee that observes a violation of this policy has an obligation to report the violation to the Business Administrator/Board Secretary and/or the Maintenance Manager.
3. The Business Administrator/Board Secretary and/or the Maintenance Manager shall have the authority to direct any employee to remove the violation immediately.

Legal References

- NJSA** 18A:6-2 Instruction in accident and fire prevention
18A:11-1 General mandatory powers and duties
18A:17-42 et seq. Public School Safety Law
18A:40-12.1, -12.2 Protective eye devices required for teachers, pupils and visitors in certain cases
18A:41-1 et seq. Fire Drills and Fire Protection
18A:54-20 Powers of board (county vocational schools)
34:5A-1 et seq. Worker and Community Right to Know Act
- NJAC** 5:23 Barrier free subcode of the uniform construction code
6A:16-1.4 District policies and procedures
6A:19-10.1 et seq. Safety and Health Standards
6A:26-1.1 et seq. Educational Facilities
6A:26-12.1 et seq
6A:27-12.2 Accident reporting
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
- Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3516, 5141.1, 5142, 5142.1

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First Aid

Policy 3516.3

Date Adopted: January 28, 2010

Date Revised:

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In cases of injury to, or sudden illness of, a student, school employee or visitor, the responsibility of the Board and its personnel lies in giving emergency care and first aid until medical help can be obtained if necessary.

The Board directs the Superintendent of Schools to develop procedures for the proper handling and reporting of such emergencies and to disseminate them to all personnel.

Legal References

- NJSA 18A:6-2 Instruction in accident and fire prevention
- 18A:16-6 Indemnification of employees
- 18A:11-1 General mandatory powers and duties
- 18A:17-42 et seq. Public School Safety Law
- 18A:40-12.5 Emergency administration of epinephrine
- 18A:40-7 Nebulizer required
- 18A:54-20 Powers of board (county vocational schools)

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Vandalism

Policy 3516.5

Date Adopted: May 21, 1997

Date Revised: January 28, 2010

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Vandalism

Wanton destruction of school property or equipment or unauthorized removal of same shall be reported at once to the Superintendent of Schools and Business Administrator/Board Secretary as soon as discovered.

Every resident of the district, all staff members, pupils, and the police department are asked by the Board to cooperate in reporting any incidents of vandalism of property belonging to this Board and the names of the person or persons believed to be responsible.

The Business Administrator/Board Secretary shall then forward the bill for the cost of such damage or damages to the responsible party or parties and to their parents if they are minors, requiring payment of the amount. If the vandalism is committed by a pupil or pupils enrolled in the district's school, the violators shall be subject to the Student Code of Conduct.

The Business Administrator/Board Secretary shall devise procedures to keep building and equipment secure and district pupils and personnel safe from intruders. Such procedures may include employment of school law enforcement officers as permitted by statute.

All necessary steps shall be taken and police cooperation and action shall be sought to protect school property from theft and vandalism.

The Superintendent shall take appropriate action in any court of law against any individuals whom he/she believes to have committed an act of vandalism on school property and he/she is further empowered and directed to pursue said action to the fullest extent of the law.

The Superintendent shall obtain an estimate of the cost of repairs of any damage or injury to school property or equipment. He/she shall then forward a bill for the cost of such damage or damages to the responsible party or parties and to their parents/guardians, requiring payment of the amount of such damage or injury within ten days. If the vandalism is committed by a student or students enrolled in the district, the Superintendent of Schools shall suspend such students until the damages are paid in full, or adequate arrangements are made for repayment.

If payment is not made within ten days of adequate arrangement are not made for payment in full, the Superintendent shall inform the Solicitor for the Board, and the Solicitor shall forthwith commence, on behalf of the Board of Education, a civil action to recover from the responsible party or parties and their parents/guardians to the fullest extent of the law the amount of damage or injury sustained by the Board of Education, together with the costs of such action.

Theft, willful damage to school property, and unlawful entry into the school building are criminal acts, punishable by law.

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Legal References

NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
2A:53A-15 Liability of parent /guardian for willful destruction of property
18A:25-2 Authority over pupils
18A:37-1 et seq. Discipline of Pupils

NJAC 6A:14-2.8 Discipline/suspension/expulsion
6A:16-1.1 et seq. Programs to Support Student Development

H.A. v. Warren Hills Regional School District, 1976 S.L.D. 336

Commissioners' Decisions indexed under "Pupils - Punishment of" in Index to N.J. School Law Decisions

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

20 U.S.C.A. 6301 et seq.

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

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1410, 3250, 5114, 5131.5

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Business & Non-Instructional Operations

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Management of Life-Threatening Allergies

Policy 3516.6

Date Adopted: January 28, 2010

Date Revised:

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The Board of Education strives to provide a safe environment to all pupils, employees, and visitors who have allergic/anaphylactic reactions to various food items that may be found in the school.

The purpose of this policy is to minimize the risk of exposure of pupils with severe allergies to potentially life-threatening allergens without depriving the pupil with severe allergies of normal peer interactions or placing unreasonable restrictions on the activities of other pupils while in school.

The Board of Education directs the Superintendent of Schools or his/her designee to develop a system of identifying pupils with life threatening allergies that will prepare the school personnel to deal with occurring life-threatening reactions, despite precautions taken. The Board of Education also believes that staff members involved with pupils should be instructed as to the potentially severe, life-threatening nature and proper treatment of the specific allergic condition.

An allergy action plan and identification sheet shall be developed with the pupil's name, specific allergy, warning signs of reactions and emergency treatments.

The Board of Education acknowledges that it is difficult, if not impossible, to completely avoid all allergy causing foods or other life-threatening allergens because they can be hidden or accidentally introduced. Therefore, the Board of Education does not support a ban on any particular allergen. This policy has been promulgated in an effort to minimize the risk of exposure of pupils with severe allergies to potentially life-threatening allergens.

For the purposes of this policy the following definitions shall apply:

- Allergen means a substance that provokes an allergic response and includes bee or wasp venom, certain food and latex and other chemicals.
- Injector means a syringe and needle that contain a pre-measured dose of epinephrine or adrenaline and includes epi-pens and other preloaded auto-injectors.
- Severe allergy means a severe allergic reaction or anaphylactic response to an allergen, which, if left untreated can lead to sudden death.
- Life-threatening means an illness or condition that requires an immediate response to specific symptoms or sequelae that if left untreated may lead to potential loss of life, such as, but not limited to, the use of an inhaler to treat an asthma attack or the use of an adrenalin injection to treat potential anaphylactic reaction.

Responsibility of Parents/Guardians

Parents/guardians must:

- A. Advise the Principal and School Nurse about the pupil's severe allergy;
- B. Provide and keep emergency contact information current;
- C. Assist the Principal and School Nurse by asking the pupil's physician to provide a doctor's order;

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- D. Provide the School Nurse with a case containing at least one unexpired injector or other medication as prescribed by a physician and, if the pupil is approved for self-administration of medication, that the pupil has a case or medication readily available, while at school, on field trips or at other school events and activities,
- E. Check expiration dates of medication and injectors and replace them as necessary; and,
- F. Provide medically-approved snacks and/or lunches for the pupil.

Responsibility of Pupils with Severe Allergies

Pupils with severe allergies must:

- A. Not exchange and/or eat food items provided by others;
- B. Wash their hands before eating;
- C. Learn to recognize symptoms of a severe allergic reaction;
- D. Promptly inform a teacher or staff member as soon as accidental ingestion or exposure to an allergen occurs or symptoms of a severe allergic reaction appear; and,
- E. If the pupil is approved for the self-administration of medication, keep an injector or medication available at all times.

Responsibility of the School Nurse

The School Nurse is responsible for planning the coordination and management of pupils who have life-threatening allergies.

The School Nurse must:

- A. Document the training of each delegate for each student annually;
- B. Communicate regularly with delegates;
- C. Update the Individualized Healthcare Plan of any student with life-threatening allergies;
- D. Advise the parents/guardians of the pupil with severe allergies of this policy;
- E. Consult with and advise the parents/guardians of the pupils with severe allergies and the school community of school-specific procedures regarding severe allergies, and administration of medication at school,
- F. Request and ensure that the parents/guardians and primary physician sign the authorization to administer medication;
- G. Advise all staff members of pupils who have potentially life-threatening allergies as soon as possible.

The School Nurse is encouraged to involve the pupil's parents/guardians in all phases of planning.

The School Nurse must ensure that a Severe Allergy Alert Form is developed for each pupil with severe allergies in cooperation with the parents/guardians, the pupil's physician and where the School Nurse deems it necessary, other staff or consultant.

The Principal/designee will ensure that appropriate medication is taken on all field trips.

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Educating the School Community

The Superintendent of Schools must ensure:

- A. That all specifically selected teaching and non-teaching staff and lunchroom supervisors receive annual training on a regular basis, in the recognition of a severe allergic reaction, if applicable;
- B. That delegates are aware of the procedure and receive annual training in the recognition of a severe allergic reaction and the use of injectors and the emergency plan, if applicable; and,

With the consent of the parent/guardian, the Superintendent of Schools and the teacher must ensure that the pupil's classmates are provided with information on severe allergies. Intimidation and bullying will not be tolerated.

Responsibility of Teachers

Teachers of pupils with severe allergies must:

- A. Assist the School Nurse to facilitate communication with other parent/guardians to instruct them to avoid allergenic foods and substances for classroom events; and,
- B. Leave information about pupils with severe allergies in an organized, prominent and accessible format for substitute teachers.

Responsibility of Teachers and Lunchroom Supervisors

The teacher and the lunchroom supervisor of a pupil with severe allergies must:

- A. Know the School's emergency response protocol;
- B. Encourage pupils not to share or trade food items; and,
- C. Encourage the pupil with severe food allergies to eat only what he/she brings from home.

Emergency Response Protocol

The Superintendent of Schools must ensure that:

- A. An emergency response protocol is developed for the school, including collection and storage of injectors, education of all parties, procedures to be followed, location of the medications, field trip and lunchroom procedures.
- B. Any injectors provided by parents/guardians and which are not in the pupil's possession are appropriately stored in a secure area of the School Nurse's office; and,
- C. He/she is aware of the location of and has access to the injectors.

Annual Training of Staff

All delegates shall be trained annually in the use of an epi-pen and the emergency administration of epinephrine.

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Legal References

FCS Instruction 783-2, Revision 2
42 USC 12183(b) Americans with Disabilities Act
1973 Vocational Rehabilitation Act, Section 504
20 USC 1413 Individuals with Disabilities Education Act
20 USC 1232g Family Education Rights and Privacy Act
FCS Instruction 783-2, Revision 2

Possible Cross References

5142.21, 61153

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Liability Insurance

Policy 3532

Date Adopted: May 21, 1997

Date Revised: January 28, 2010

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The Board recognizes the risks it faces in the ordinary course of conducting a school program and chooses to insure itself against certain liabilities as a result of said risks.

The Board shall, in accordance with law, insure, whether through commercial insurance or as a part of a joint self-insurance fund, its employees against injury or death resulting in the course of their employment and chooses also to:

- A. Insure members of the Board, officers, and employees of the district against personal liability for damages for death, injury to person, or damage or loss of property, caused by the negligent act or omission of the member, officer, or employee when acting within the scope of his office or employment;
- B. Insure against any major liability arising from the use of a motor vehicle by an employee or student of the district in the performance of district business.

Legal References

NJSA 18A:12-20 Indemnification of board members
18A:16-6 Indemnity of officers and employees
18A:20-25 through -33 Insurance

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations

Series 3000

Property Insurance

Policy 3532.2

Date Adopted: May 21, 1997

Date Revised: January 28, 2010

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The Board recognizes its responsibility under law to keep all insurable property of this school district, real and personal, insured, whether through commercial insurance or as a part of a joint self-insurance fund, for its replacement value against loss or damage by fire and has adopted as policy the extension of that coverage to theft, water damage, glass breakage, explosion, boiler damage, smoke, windstorm and vandalism.

In placing the insurance coverage the Board shall be guided by the price of such coverage, the ability of the insurer to meet prescribed obligations promptly and fully, the reputation and past performance of the agent of the insurer and the desirability of distributing the insurance coverage of the district through an agent of record.

The Board may appoint annually an insurance advisor who may be the agent of record and who shall:

- A. Review the insurance program of the district, consider alternatives, and report recommendations to the Board;
- B. Recommend specific insurance placement and prepare specifications for same;
- C. Assist the Board in the establishment and maintenance of property, valuation, and insurance records;
- D. Provide annual safety and fire inspections;
- E. Process all claims; and,
- F. Recommend such measures as may reduce the cost of insurance premiums including assumption of risk, loss prevention, and transfer of risk

Legal References

NJSA 18A:12-20 Indemnification of board members
18A:16-6 Indemnity of officers and employees
18A:20-25 through -33 Insurance

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Employee Indemnification & Bonding

Policy 3532.3

Date Adopted: January 28, 2010

Date Revised:

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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 insure, whether through commercial insurance or as a part of a joint self-insurance fund, employees of the school district against injury and death arising out of or in the course of their employment, in accordance with law.

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 with the Board. This indemnification will include all costs of defending such action, including reasonable legal 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. Indemnification for exemplary or punitive damages is not required and will be governed by the standards and procedures set forth in statute.

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 all costs of defending such proceeding, including reasonable legal 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.

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

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

Bonding

Employees of the district who are responsible for the safekeeping of district monies shall be bonded. The Board will determine annually the employees who are to be bonded. The Board shall bear the cost of bonding each employee required to be bonded by this policy or by statute.

Legal References

NJSA 18A:12-20 Indemnification of board members
18A:16-6 Indemnity of officers and employees

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Unsafe Conditions

Policy 3540.3

Date Adopted: January 28, 2010

Date Revised:

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It shall be the policy of the Board of Education that no transportation service shall be provided to any public or private schools to which resident students attend on such days as it is deemed unsafe to operate the district school due to inclement weather, unsafe road conditions, or other circumstances. It shall be the duty of the Superintendent of Schools to determine when these conditions exist.

Legal References

NJSA 18A:25-2 Authority over pupils - bus driver
18A:39-1 et seq. Transportation to and from schools

Policies and Procedure Manual for Pupil Transportation NJ State Department of Education
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3516, 3541.1, 5142

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Transportation Routes & Services

Policy 3541.1

Date Adopted: June 24, 1992

Date Revised: January 28, 1998, January 23, 2003,
January 28, 2010, September 3, 2014, May 12, 2022

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The Board recognizes that it is mandated by law that transportation shall be furnished for elementary students (grades PreK-8) who live beyond 2.0 miles from the school to which they are assigned.

The Fairfield Township School District will strive to maximize the use of scheduled buses, but will not provide additional buses or incur added expenses for the taxpayers while providing this service.

The Board directs the Superintendent of Schools to develop bus routes to provide safe, economical, and reasonable expeditious transportation for:

- A. Students who live remote from the school as defined by New Jersey law or as directed by the Board of Education when bus routes are approved;
- B. Students whose route to the school is deemed hazardous by the Board;
- C. Educationally disabled students in accordance with their IEP;
- D. Students participating in board-approved extracurricular activities or field trips;
- E. Students in grades pk-2
- F. Other students as required by law.

The criteria to be used in designing routes and assigning pupils to them shall include:

- A. The distance to be traveled to and from school;
- B. The hazards involved on the route to be traveled;
- C. The requirements of the instructional program;
- D. Bus routes shall avoid unimproved roads, narrow roads and roads in poor condition whenever possible;
- E. Bus stops shall be determined using state guidelines for distance and safety. Bus stops shall be planned to permit grouping of riders as opposed to frequent and unnecessary stopping of the bus to serve small groups. In determining whether or not an unsafe condition exists for a bus stop, the following factors shall be taken into consideration:
 - A steep grade
 - A curve
 - Sight distance of 300 feet or less for approaching vehicles
- F. Transportation to and/or from locations outside the township is not permitted;

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- G. At no time shall any bus make a stop at a place other than an established bus stop for the purpose of loading and/or unloading, except when road and/or weather conditions are such that they present a hazardous situation. This shall be at the bus driver's discretion.
- H. New bus stops shall be established and old ones relocated when necessary to fulfill the requirements of these regulations.
- I. All bus stops shall be established with the primary concern for traffic safety conditions, whenever possible, allowing minimum of 300 feet of unobstructed vision in both directions.
- J. Pupil assignments to bus routes and changes in bus routes during the course of the school year shall be the responsibility of the Superintendent of Schools.
- K. Pupils may be expected to cross roads when the bus is present and the red lights are flashing;
- L. School buses are not permitted to back up in a developed housing area at any time; and,
- M. A distance of at least 300 feet from one stop to the next should be followed unless hazards along the route and the safety of the students is in question. In areas of greater population density, students are to walk to assigned bus stops located at intervals along the route;

The following transportation procedures will be followed:

- A. Students are not permitted to ride another bus or board or disembark at a different bus stop other than their own designated bus stop;
- B. No bus driver is permitted to allow any student on his/her bus other than students who are assigned to ride his/her bus;
- C. No requests for day-to-day or week-to-week bus changes will be permitted;
- D. Special arrangements such as babysitting must be made for a minimum of five (5) days per week;
- E. All requests for transportation changes must be made in writing to the Superintendent of Schools or designee. The term "babysitting" in this section does not include the afterschool childcare program that operates in the school.
- F. All requests shall be subject to availability; and,
- G. All pupils shall be required to observe the bus conduct regulations or risk loss of the privilege of such transportation.

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Legal References

NJSA 18A:7F-25 Transportation aid
18A:22-8.6 Transportation (budget line item)
18A:39-1 et seq. Transportation To and From Schools
18A:46-19.6 Transportation to location or maintenance of vehicular classrooms to obtain services; payment of cost
18A:46-23 Transportation of pupils; special classes; handicapped children; state aid
39:3-10.9 et al. New Jersey Commercial Drivers License Act
39:3-27 Free registration of certain vehicles; transfer to other motor vehicles

NJAC 6A:27-1.1et seq. Student Transportation
6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Parents for Student Safety, Inc., v. Morris Bd. of Ed., 1986 S.L.D. (February 5), St. Bd. rev'g 1984 S.L.D. (August 24), aff'd App. Div., unreported decision (docket no. A-3257- 85-T7, decided February 17, 1987) certif. den. 108 N.J. 180 (1987)
Wayne Board of Education v. Kraft et al., 139 NJ 597 (1995)
Policies and Procedure Manual for Pupil Transportation NJ State Department of Education
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Transportation Waiver

Policy 3541.2

Date Adopted: October 23, 2014

Date Revised:

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The Board of Education is required to provide transportation services for the school year to an elementary pupil living more than two miles from the public school of attendance in accordance with the provisions of NJSA 18A:39-1 et seq.

The Board of Education shall determine pupil transportation needs and approve pupil transportation routes based on all pupils eligible for transportation in accordance with the provisions of NJSA 18A:39-1 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 pupils eligible for transportation each school year, the Board of Education recognizes certain pupils eligible for transportation services voluntarily elect not to use the transportation services offered by the Board of Education resulting in empty seats on school buses going to and from school.

To assist the Board of Education in operating the school district's transportation system in the most cost-effective manner, the Board of Education may provide a pupil's parent/guardian the option of waiving transportation services for that school year in accordance with the provisions of NJSA 18A:39-1c.

In the event the Board of Education provides this option, a pupil's parent/guardian will be required to sign a written statement indicating the pupil waives transportation services for that school year. The written statement shall be in such form as determined by the New Jersey Department of Education (Addendum #1).

In the event a parent/guardian of a pupil 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 pupil's eligibility for transportation to and from school, upon receipt of a written request by the parent/guardian (Addendum #2).

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Legal References

NJSA 18A:7F-25 Transportation aid
18A:22-8.6 Transportation (budget line item)
18A:39-1 et seq. Transportation to and from Schools
18A:39-1c Waiver for pupil transportation services under certain circumstances
18A:46-19.6 Transportation to location or maintenance of vehicular classrooms to obtain services; payment of cost
18A:46-23 Transportation of pupils; special classes; handicapped children; state aid
39:3-10.9 et al. New Jersey Commercial Drivers License Act
39:3-27 Free registration of certain vehicles; transfer to other motor vehicles

NJAC 6A:27-1.1et seq. Student Transportation
6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Parents for Student Safety, Inc., v. Morris Bd. of Ed., 1986 S.L.D. (February 5), St. Bd. rev'g 1984 S.L.D. (August 24), aff'd App. Div., unreported decision (docket no. A-3257- 85-T7, decided February 17, 1987) certif. den. 108 N.J. 180 (1987)

Wayne Board of Education v. Kraft et al., 139 NJ 597 (1995)

Policies and Procedure Manual for Pupil Transportation NJ State Department of Education

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

**Fairfield Township School District
Parental Transportation Services Waiver Form
Student Transportation Services**

To be completed by the Parent/Guardian. Please Print.

I understand that, if eligible, the Fairfield Township Board of Education is obligated to transport my child to and from school, pursuant to the provisions of NJSA 18A:39-1 et seq.

In accordance with the provisions of NJSA 18A:39-1c, I agree to waive said transportation services provided by the Fairfield Township Board of Education.

I understand that I will be responsible to provide transportation for my child/children, listed below:

to and from the Fairfield Township Elementary School each school day and the Fairfield Township Board of Education will not be required to provide transportation services to my child/children for the 20____ - 20____ school year.

I have received and read the Fairfield Township Board of Education Transportation Waiver policy (3541.2) and agree to the terms for waiving transportation services.

I understand I may reinstate my child's/children's transportation upon written request and showing a need due to family or economic hardship as defined by the Transportation Waiver policy.

Parent/Guardian Signature: _____

Parent/Guardian Printed Name: _____

Date: _____ Phone Number: _____

Email Address (if applicable): _____

For District Use Only

Date Waiver Received: _____

Board Notification Date: _____

**Fairfield Township School District
Reinstatement of Transportation Services Request Form
Student Transportation Services**

In order to request reinstatement of student transportation services, please complete the following. To be completed by the Parent/Guardian. Please Print.

I understand that transportation services can be resumed upon request, should my family experience a family or economic hardship that prevents us from transporting my child/children to and from the Fairfield Township Elementary School.

I previously waived student transportation services for my child/children listed below:

to and from the Fairfield Township Elementary School each school day.

As of _____ (date), I am no longer able to transport my child/children due to a family or economic hardship, as defined in the Fairfield Township Board of Education Transportation Waiver policy (3541.2). I therefore request reinstatement of transportation services for the 20____- 20____ school year. I am providing proof of my family/economic hardship as required by the Transportation Waiver policy.

I further understand, if approved, the reinstatement of transportation services will according to the Fairfield Township Board of Education policy after receipt of the completed Reinstatement of Transportation Services Request Form , accompanied by acceptable documentation of the hardship and approved by the Fairfield Township Board of Education during an official, regularly scheduled Board Meeting.

Parent/Guardian Signature: _____

Parent/Guardian Printed Name: _____

Date: _____ Phone Number: _____

For District Use Only
Date Request Received: _____
Board Approval Date: _____
Date Transportation Reinstated: _____

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations

Series 3000

Student Transportation in Private Vehicles

Policy 3541.31

Date Adopted: May 21, 1997

Date Revised: January 28, 2010

Page 1 of 2

In recommending arrangements for pupil transportation to and from school-related activities, the Superintendent of Schools shall consider the type of activity, the total number of pupils involved, and the availability of appropriate vehicles. Groups of students too small in number to make economical use of Type I or Type II vehicles may be transported in privately owned passenger vehicles driven by qualified school personnel, state employees and parents/guardians.

Transportation by Volunteer Drivers

The Business Administrator and Superintendent of Schools may supplement the transportation recourses of the district by identifying qualified school personnel and parents/guardians who are willing to provide transportation for district pupils to and from school-related activities.

Qualifications shall include:

- A. A valid New Jersey (or other state) driver's license with no convictions for moving violations;
- B. A private passenger vehicle of eight or fewer capacity, with a current New Jersey or other state inspection sticker; and a private passenger vehicle with a seat belt for each passenger; and
- C. Evidence of at least statutorily required insurance coverage.

The Business Administrator and Superintendent of Schools shall develop and the Board shall adopt detailed regulations to ensure that:

- A. District approval of activities involved;
- B. District determination of drivers and assignment of pupils to them;
- C. Pupil safety in pickup, transit and drop off;
- D. Adequate supervision of pupils at the activity.

Transportation of Pupils by District Employees as Part of Assigned Duties

District employees who transport pupils in a private vehicle during working hours as a part of their assigned duties shall:

- A. Have a current New Jersey (or other state) driver's license with no convictions for moving violations;
- B. A private passenger vehicle of eight or fewer capacity, with a current New Jersey or other state inspection sticker; and a private passenger vehicle with a seat belt for each passenger; and
- C. Conform to all safety practices set forth in the regulations of this policy.

Implementation of this policy shall be in conformity with applicable negotiated contract.

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations
Student Transportation in Private Vehicles

Series 3000
Policy 3541.31

Page 2 of 2

Board of Education Members, the school administrators, teachers, and other employees who routinely or by special assignment use their personal vehicles for any school purpose shall be held harmless from any liability that may be incurred because of such transportation, while working within the scope of employment, except that the school district shall not be liable to reimburse the employee for any additional premiums due to his/her vehicle's insurance, that results from an accident that occurs during such transportation.

Cost of damage to a Board Member's, administrator's, teacher's or employee's vehicle resulting from an accident or vandalism while he/she is performing designated school missions, shall be defrayed within the limits of the Board's insurance policy coverage.

Employees are not authorized or expected to transport students in their personal automobiles unless explicitly authorized by the Superintendent of Schools.

Legal References

NJSA 18A:16-6 Indemnity of officers and employees against civil actions
18A:39-20.1 Transportation to and from related school activities in private vehicle with capacity of eight or less; authorization of qualified school personnel, state employees or parents

NJAC 6A:27-7.6 Transportation to and from related school activities
6A:27-7.7 Parent transporting his or her own child or children

Possible Cross References

5020, 6131.1, 6145, 6145.1, 6145.2, 6153

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations
Educationally Disabled Transportation

Series 3000
Policy 3541.32

Date Adopted: June 24, 1992

Date Revised: January 28, 2010

Page 1 of 1

The transportation of educationally disabled students shall be the responsibility of the school district. Bus routes shall be developed in cooperation with the receiving district.

The Superintendent of Schools shall annually formulate and promulgate to all staff members and students and their parents rules and regulations to govern the safety of the children on the buses and at points of embarkation and debarkation. Rules for the acceptable conduct of pupil passengers will be created and disseminated and the bus drivers will be instructed to report infractions of those rules to the appropriate administrator.

Vehicles used to transport educationally disabled children shall comply with the requirements of statute and the rules of the State Board of Education. Bus drivers shall observe the procedures established therein.

Legal References

NJSA 18A:25-2 Authority over pupils - bus driver
18A:39-1 et seq. Transportation to and from schools
18A:39-22.1 School bus used to transport developmental disabilities client permitted
18A:39-20.1 Transportation to and from related school activities in private vehicle with capacity of eight or less; authorization of qualified school personnel, state employees or parents

NJAC 6A:27-5.1 Special needs students transportation
6A:27-7.6 Transportation to and from related school activities
6A:27-7.7 Parent transporting his or her own child or children

Possible Cross References

3516, 5142

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations

Series 3000

Transportation Safety

Policy 3541.33

Date Adopted: March 27, 1996

Date Revised: January 28, 2010

Page 1 of 1

The safety and welfare of pupils shall be the first consideration in all matters pertaining to transportation. The Board directs the Superintendent of Schools to provide regulations and forms for the immediate reporting of all incidents involving any vehicle used to transport students that include any of the following:

- Physical injury to anyone concerned, no matter how minor
- Property damage of any kind, even if the financial loss is negligible

It shall be the responsibility of the Superintendent of Schools to direct an investigation on the report and to comply with the law. The information gained shall be considered in evaluating subcontractor performances, and in scheduling inspection of vehicles.

Emergency evacuation drills shall be conducted regularly throughout the school year to acquaint the pupil riders thoroughly with emergency situations. An emergency evacuation drill shall be held as soon as possible after the opening day of school and then at least twice a year.

All passengers on buses equipped with seat belts shall wear properly adjusted and fastened seat belts or other child restraint systems at all times while the bus is in operation. Bus drivers are responsible for the safety of pupils entering, riding, and departing their vehicle.

Legal References

NJSA 18A:6-7.1 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
18A:25-2 Authority over pupils
18A:39-1 et seq. Transportation To and From Schools
39:3-10.9 et seq New Jersey Commercial Driver License Act
39:3B-1.1 et seq. School Buses, Equipment and Regulations

NJAC 6A:27-1.1 et seq. Student Transportation

34 CFR Part 85.100 et seq., Government-wide Debarment and Suspension (non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)
49 U.S.C. § 31306 et seq.- Omnibus Transportation Employee Testing Act of 1991
49 C.F.R. Part 40.1 et seq. - Procedures for Transportation Workplace Drug Testing Programs
49 C.F.R. Part 382.101 - Controlled Substance and Alcohol Use and Testing
49 C.F.R. Part 391.1 et seq. - Qualification of drivers
Policies and Procedures Manual for Pupil Transportation, N.J. State Department of Education

Possible Cross References

3516, 5142

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations

Series 3000

Monitoring Devices on School Vehicles

Policy 3541.36

Date Adopted: January 28, 2010

Date Revised:

Page 1 of 1

The Board of Education recognizes that safe and secure conditions for all pupils transported in contracted school vehicles is paramount. Pupils transported in contracted school vehicles must maintain proper discipline in the vehicle at all times.

To maintain the safe and secure conditions for all pupils transported on contracted school vehicles, the Board may use devices to monitor and/or observe student behavior, teacher and support staff behavior, school bus driver discipline procedures and/or school bus driver driving techniques. The device may be a sound video camera, a voice monitoring device or other appropriate devices. The recording may be used in pupil and staff discipline matters, for driver discipline or training. Notice of this policy will be provided to parents/guardians and all transportation personnel each year in staff, pupil and/or parent handbooks when video and/or audio monitoring devices are used.

Legal References

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

20 USCA 1231g

30 CFR 300.571 Part 99, 300.572, 300.5773

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Business & Non-Instructional Operations

Series 3000

Use of District Vehicles

Policy 3541.37

Date Adopted: August 13, 2009

Date Revised: January 28, 2010

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The Board of Education, upon the recommendation of the Superintendent of Schools may authorize, at its discretion, by an affirmative vote of the Board's full membership, the lease, lease-purchase or purchase and assignment of district vehicles for the conduct of official district business. The vehicles may be assigned either to individuals or to units within the organization for pool use according to the following classifications:

1. Vehicles may be assigned permanently and individually to the Superintendent, Board Secretary/Business Administrator or other supervisory employees who based on their job duties may be called upon on a 24 hour, seven-day a week basis. No individual assignment shall be made for the primary purpose of commuting.
2. A unit may be permanently assigned one or more district pool vehicles only if employees of the unit will collectively use the vehicle or each vehicle for more than an average of 750 miles per month on official district business. Pool vehicles shall not be used for the purpose of commuting and shall remain at a district facility when not in official use.
3. Board Members or employees may be temporarily assigned a district vehicle for travel events.
4. The Board of Education directs that the Board Secretary/Business Administrator or his/her designee is assigned the functions of district vehicle coordinator.
5. Vehicle use logs shall be maintained for all individual and pool assignments in order to accurately record all usage of each vehicle, including the driver, mileage, and starting and destination points.
6. All complaints of a potential misuse shall be investigated and appropriate disciplinary action taken.
7. All changes to vehicle assignment, whether pool or individual, shall require prior written approval of the Superintendent and the authorization of an affirmative majority vote of the full Board.
8. No luxury vehicle, one which exceeds the greater of \$30,000 or any current dollar limit established in Internal Revenue Service law or regulation, shall be purchased, lease-purchased or leased by the district. If a vehicle is assigned to the Superintendent, it may be a full size or intermediate, four-door sedan of the non-luxury class. All other vehicles shall be compact sedans, unless special passenger, cargo, equipment, or use requirements make the standard vehicle unsuitable for documented district needs.
9. The district vehicle shall be used primarily for business purposes, however, incidental and reasonable personal use is permitted.
10. All damage to district vehicles, regardless of cause, shall be reported within 24 hours to the vehicle coordinator and the employee assigned to file insurance claims.
11. No physical alterations shall be made to a vehicle without prior Board approval.
12. Drivers of district vehicles shall possess a valid driver's license to operate a vehicle in New Jersey.
13. When a vehicle is due for routine maintenance in accordance with the manufacturer's schedule, the driver of an individually assigned vehicle or, in the case of a pool vehicle, the

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Series 3000
Policy 3541.38

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vehicle coordinator shall be responsible for ensuring that the vehicle receives the scheduled service.

14. A driver assigned a district vehicle shall be responsible for the security of the vehicle and its contents.
15. Drivers shall be personally responsible for all fines accrued as a result of traffic violations related to operation of district vehicles.
16. The driver, or the driver's supervisor, if the driver is incapacitated, of a district vehicle involved in an accident resulting in damage to the district vehicle or other vehicle shall file, within 24 hours of the accident, a detailed written report with the vehicle coordinator and the district staff member responsible for making insurance claims.
17. Police shall be immediately notified of an accident by the driver or vehicle coordinator, if the driver is incapacitated. A copy of the police report shall be submitted to the vehicle coordinator and the district staff member responsible for making insurance claims as soon as possible.
18. If a district vehicle is misused in any of the following ways, the driver's driving privileges for district vehicles shall be suspended or revoked, and additional disciplinary action shall be taken as appropriate.
 - Frequent violation of traffic laws,
 - Flagrant violation of the traffic laws.
 - Operation of a vehicle which the police or insurance company determined was the cause of an accident.
 - Use of a vehicle for unauthorized use whether personal use, business use, or commuting.
 - Violation of these rules or district policy governing the assignment, use, operation, repair, and/or maintenance of vehicles. This includes the failure to submit a vehicle for routine maintenance as called for in the manufacturer's routine maintenance schedule.
 - Operation of a vehicle while impaired to any degree, or under the influence of alcohol or narcotics as defined by State statutes.
 - Use of a district vehicle by an unauthorized individual while assigned to an employee.
 - Use of a district vehicle to transport any person or child, other than in the course of their assigned duties and responsibilities.
 - Use of radar detectors in district vehicles.

The Board shall establish a policy for progressive, uniform, and mandatory disciplinary actions to be applied as necessary.

The Superintendent of Schools, in consultation with the Board Secretary/Business Administrator, may develop regulations to implement this policy.

Legal References

NJAC 6A:23A-6.12 Vehicle assignment and use

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Series 3000

District Vehicle Tracking, Maintenance & Accounting

Policy 3541.38

Date Adopted: August 13, 2009

Date Revised: January 28, 2010

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The Board of Education directs the Board Secretary/Business Administrator to develop a system for the management, control and regulatory supervision of school district vehicles including, but not limited to, the following:

1. Vehicle inventory control record including:
 - Vehicle make, model and year,
 - Vehicle identification numbers (VIN),
 - Original purchase price,
 - Date purchased,
 - License plate number,
 - Person assigned or pool if not individually assigned,
 - Driver license number of person assigned and expiration date,
 - Insurer and policy number of person assigned, and
 - Usage category such as regular business, maintenance, security or pupil transportation.

2. Driving record of operators of district vehicles including:
 - Name of driver,
 - Driver license number and expiration date,
 - Insurer and policy number of person assigned,
 - Motor vehicle code violations,
 - Incidents of improper or non-business usage,
 - Accidents, and
 - Other relevant information.

3. Record of maintenance, repair and body work for each district vehicle including:
 - Vehicle make, model and year,
 - Vehicle identification numbers (VIN),
 - Original purchase price,
 - Date purchased,
 - License plate number,
 - Usage category such as regular business, maintenance, security or pupil transportation,
 - Manufacturer's routine maintenance schedule,
 - Category of work performed (routine maintenance, repair or body work),
 - Purchase order number,
 - Date work was performed,
 - Detailed description of work performed,
 - Mileage on date work was performed, and
 - Cost of work performed.

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District Vehicle Tracking, Maintenance & Accounting

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Policy 3541.38

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The Superintendent of Schools, in consultation with the Board Secretary/Business Administrator, may develop regulations to implement this policy.

Legal References

NJAC 6A:23A-6.11 Vehicle tracking, maintenance and accounting
6A:23A-6.12 District vehicle assignment and use

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations

Series 3000

Food Service

Policy 3542

Date Adopted: May 21, 1997

Date Revised: January 28, 2010

Page 1 of 2

The Board of Education within its financial means, endeavors to provide a nutritious food service program in a manner that allows the food service facilities and programs to be used to provide a nourishing lunch to all school children.

The Superintendent of Schools shall ensure that pupils and parents are informed concerning good nutrition practices in an effort to promote better nutrition in food service operations.

In planning menus for the food service operations, the different nutritional needs and problems of various groups should be considered.

The School Lunch Program shall:

- Operate on a nonprofit basis, with prices to be approved by the Board as necessary;
- Be operated in strict compliance with all laws and regulations pertaining to health, sanitation and safety; internal accounting; employment practices; nutritional standards; costs of lunches; and periodic reporting;
- Charge school personnel a price in accordance with state school nutrition guidelines;
- Restrict the sale of federally defined “junk foods” in schools that operate the National School Lunch Program from the beginning of the school day until the end of the last lunch period.

The sale of all foodstuffs in the school must be approved by the Board of Education. Nutritious snacks, such as fresh fruit, fruit juice, nuts, seeds, yogurt, cheese, raisins and skim milk, shall be made available where possible. The sale of foods of low nutritional value (candy and other “junk foods”) for fund raising projects must be approved by the Superintendent of Schools.

The Business Administrator/Board Secretary has overall responsibility for the administration and operation of the school lunch program in keeping with federal and state laws and the policies and directives of the Board.

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Business & Non-Instructional Operations
Food Service

Series 3000
Policy 3542

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Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:18A-5 Exceptions to requirement for advertising
18A:18A-6 Standards for purchase of fresh milk; penalties; rules and regulations
18A:33-3 through -5 Cafeterias for pupils
18A:54-20 Powers of board (county vocational schools)
18A:58-7.1 through -7.2 School lunch program

NJAC 2:36-1.1 et seq. Child Nutrition Programs
6A:23-2.6 Supplies and equipment
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
6A:32-14.1 Review of mandated programs and services

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

Possible Cross References

3542.31, 5131

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations
Wellness & Nutrition

Series 3000
Policy 3542.1

Date Adopted: January 28, 2010

Date Revised: October 23, 2014, June 25, 2015,
September 24, 2015, June 23, 2016

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The Board of Education believes that children need access to healthful foods and opportunities to be physically active in order to grow, learn, and thrive, and that good health fosters student attendance and education.

Therefore, the Board of Education is committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity, and will ensure that:

- A. All students will have opportunities, support, and encouragement to be physically active on a regular basis.
- B. Foods and beverages sold or served at school will meet the nutrition recommendations of the *U.S. Dietary Guidelines for Americans, the Healthy, Hunger-Free Kids Act of 2010* and the USDA nutrition standards for National School Lunch, School Breakfast and/or After School Snack Programs.
- C. Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.
- D. Meal periods shall be scheduled at appropriate times (Lunches will be served between 10:00 AM and 2 PM).
- E. All food preparation areas shall have had regular health inspections and received satisfactory approvals.
- F. To the maximum extent practicable, all schools in the district will participate in available federal school meal programs (including the School Breakfast Program, National School Lunch Program including- after-school snacks, Summer Food Service Program, Fruit and Vegetable Snack Program, and Child and Adult Care Food Program).
- G. Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services.
- H. The Board will engage students, parents, teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing district-wide nutrition and physical activity policies.

Goals for the Promotion for Nutrition Within the District

The following activities will be coordinated within district:

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Wellness & Nutrition

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Policy 3542.1

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- Age-appropriate materials will be posted where food and beverages are served to students encouraging the value of good nutrition;
- During the school year, the lunch program will have promotional days where at least one (1) new nutritional alternative menu item will be featured as part of the menu pattern meal component;
- Staff members will promote this nutritional alternative during meals with appropriate hand-outs regarding any nutritional menu item alternative(s);
- The Superintendent/Principal/designee will encourage serving food products that meet the nutritional standards of the Healthy, Hunger-Free Kids Act of 2010 when used as an incentive or reward for student accomplishments, club or activity within the school;
- Designated staff members will coordinate obtaining student input on menu planning that will include taste testing of new nutritional food, satisfaction surveys, to promote nutrition awareness;
- Food service staff will place the healthier food items in the service line where students are more likely to choose them;
- Parents/guardians will be provided the nutritional standards of the the Healthy, Hunger-Free Kids Act of 2010;
- Parents/guardians will be encouraged to pack lunches and snacks that meet the nutritional standards as specified in the Healthy, Hunger-Free Kids Act of 2010;

The Superintendent/Principal/designee shall develop procedures and regulations process for measuring the effectiveness for the implementation of this policy. He/she shall also designate personnel with the responsibility for ensuring the school is complying with the policy. In addition, the Superintendent of Schools shall designate a district administrator to oversee and ensure that the district complies with the provisions of this policy and that the policy is implemented correctly for each are beverages are offered, including vending machines and the school store(s), if applicable.

Nutritional Education

The Superintendent/Principal/designee will ensure that there will be at least one presentation per school year promoting good nutrition and nutrition education. These presentations may be provided through classroom visits from school staff members trained in nutrition, school-wide or group assembly programs, during health/physical education classes during the school year, or any other presentation manner. This requirement may be provided as part of nutrition education provided to students as part of the district's curriculum.

The Superintendent/Principal/designee will post the nutritional guidelines of the Healthy, Hunger-Free Kids Act of 2010 where food and beverages are served.

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Wellness & Nutrition

Series 3000
Policy 3542.1

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The school lunch menu will include nutritional information, activities, recipes, and/or any other information that encourages the selection of healthy food items.

Physical Activity

In the elementary grades of the district:

- All students shall receive health/physical education under the supervision of a properly certified teaching staff member;
- The Superintendent/Principal/designee will ensure there is age-appropriate equipment and supplies available during recess time for students to participate in physical activities;
- Students will be encouraged by school staff members supervising student recess time to participate in some type of physical activity, which may include, but not be limited to: walking; playing games that require physical activity, such as kick ball, volleyball, baseball, basketball, etc.; rope jumping; and/or using playground equipment;
- The Superintendent of Schools will encourage classroom teachers to incorporate brief, physical activity breaks into the school day to establish an environment that promotes regular physical activity throughout the school day. He/she shall also coordinate special events highlighting physical activity, that may include field days, walk-a-thons, and activity tournaments or competitions;
- The Superintendent/Principal/designee may involve parents, community members, and students in the planning of these events

In the middle school grades of the district:

- All students shall receive health/physical education under the supervision of a properly certified teaching staff member;
- Middle school students may be offered opportunities to participate in after-school intramural and/or interscholastic team activities coordinated and under the supervision of school staff members;
- After-school activities and clubs where physical activity for students is included as a key component to the activity's or club's purpose may be provided by the Board. This may include, but not be limited to, gardening clubs, walking clubs, and exercise classes.

Other School-Based Activities

The district will establish a Wellness Committee comprised of the Superintendent/Principal/designee, a health/physical education teacher, the school nurse, at least two (2) parents/guardians, at least two (2) students, and at least one (1) food service staff member.

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Wellness & Nutrition

Series 3000
Policy 3542.1

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The Superintendent/Principal/designee will coordinate information being disseminated to students and parents promoting the school lunch program, nutrition, and nutrition education.

The school district will celebrate a School Wellness Week, as determined by the Superintendent/Principal/designee and will have special activities throughout the week to promote nutrition and physical activity. These special activities will be planned and coordinated by the Wellness Committee.

The Superintendent/Principal/designee will encourage fund-raising activities that promote physical activity such as walk-a-thons, teacher-student activity competitions, family activity nights, and school dances.

Annual Progress Report

The goals for nutrition promotion, nutrition education, physical activity, and other school-based activities that promote student wellness shall be evaluated annually by the Superintendent/Principal/designee and Wellness Committee in an Annual School Progress Report provided to the Superintendent/Principal/designee by June 30th of each school year.

The Annual Progress Report shall present the extent to which the district is in compliance with this policy, any recommended changes to this policy, and an action plan for the following school year to achieve the school's annual goals and objectives.

Guidelines for All Foods and Beverages

The Board of Education requires that the district to comply with the federal school meal nutrition standards and the smart snacks in accordance with the requirements specified in the Healthy, Hunger-Free Kids Act of 2010. The nutritional standards shall apply to all foods and beverages sold in each school in the district as part of the menu pattern meal, a la carte, in school stores, snack bars, or vending machines. The food requirements for any food sold in schools must meet a range of calorie and nutrient requirements as outlined in the Healthy, Hunger-Free Kids Act of 2010

The school district will comply with the Healthy, Hunger-Free Kids Act of 2010 beverage requirements and beverage portion requirements for elementary and middle school students. Potable water shall be made available to children at no charge in the place where breakfast, lunch, and afterschool snacks are served during meal service.

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Policy 3542.1

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On-campus fundraisers involving food or beverage items must meet the Smart Snack standards of the Healthy, Hunger-Free Kids Act of 2010. These nutrition standards do not apply to non-school hours, weekends, and off-campus fundraising events.

The Superintendent of Schools shall be responsible to providing support for staff members so they have the skills and knowledge to implement the provisions of this policy.

The Board of Education will support the implementation of nutrition education throughout the school day and during after school programs, in order to promote a consistent message to parents/guardians and students.

Healthy Snack Guidelines

The following additional nutrient requirements shall also apply:

1. Calorie Limits – Snack Items \leq 200 calories; Entrée Items \leq 350 calories
2. Sodium Limits - Snack Items \leq 230 mg.*; Entrée Items \leq 480 mg.
3. Fat Limits - Snack Items \leq 35% of calories; Entrée Items \leq 10% of calories;
Trans fat: zero grams
4. Sugar Limit - \leq 35% of weight from total sugars in foods

* On July 1, 2016, snack items must contain \leq 200 mg. sodium per item.

Accompaniments such as cream cheese, salad dressing and butter must be included in the nutrient profile as part of the food item sold. This helps control the amount of calories, fat, sugar and sodium added to foods

This policy does not apply to medically authorized special needs diets pursuant to 7 CFR Part 210, school nurses using Foods of Minimal Nutritional Value (FMNV) during the course of providing health care to individual students or special needs students whose Individualized Education Plan (IEP) indicates their use for behavior modification.

Adequate time shall be allowed for student meal service and consumption. Schools shall provide a pleasant dining environment. The Board of Education recommends that physical education or recess be scheduled before lunch whenever possible.

Notification

At a minimum, a copy of this policy shall be posted in the cafeteria(s), school store(s) and provided to the parent group(s) of the school district.

Parents/guardians shall be provided information supporting the provisions of this policy and promoting healthy choice awareness.

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Wellness & Nutrition

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Policy 3542.1

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All staff members shall be provided with a copy of this policy annually or following any revision to it.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:18A-4.1 f.,h. Use of competitive contracting in lieu of public bidding; boards of education
18A:18A-6 Standards for purchase of fresh milk; penalties; rules and regulations
18A:33-3 through -5 Cafeterias for pupils
18A:33-9 through -14 Findings, declarations relative to school breakfast programs
18A:54-20 Powers of board (county vocational schools)
18A:58-7.1 through -7.2 School lunch program

NJAC 2:36-1.1 et seq. Child Nutrition Programs
6A:16-5.1(b) School safety plans
6A:23-2.6 Supplies and equipment
6A:32-12.1 Reporting requirements
6A:32--14.1 Review of mandated programs and services
6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Healthy, Hunger-Free Kids Act of 2010
Sec. 204 at the Federal Child Nutrition and WIC Reauthorization Act of 2004 (P.L. 108-265)
42 U.S.C. 1751 et seq. Richard B. Russell National School Lunch Act
42 U.S.C. 1771 et seq. Child Nutrition Act of 1966
7 C.F.R. Part 210 Medically authorized special needs diets
7 C.F.R. Part 210.10 Foods of minimum nutritional value
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1200, 1220, 3000/3010, 3450, 3510, 3542, 3542.31, 3542.44, 4222, 5131, 9123, 9124

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations

Series 3000

Wellness & Nutrition

Policy 3542.1

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations

Series 3000

Wellness & Nutrition

Policy 3542.1

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations

Series 3000

Free or Reduced-Price Lunches/Breakfast/Milk

Policy 3542.31

Date Adopted: May 21, 1997

Date Revised: January 28, 2010, February 16, 2017
December 14, 2023

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It is the policy of the Board of Education that this school district participates in any federal or state subsidized food program for the benefit of eligible pupils.

Eligibility shall be as determined by the guidelines of the subsidizing agency. The Board requires that all regulations of the subsidizing agency be observed, especially those that preserve the privacy of eligible pupils.

The Board hereby adopts, as its own, the free and reduced-price policy developed by the Bureau of Child Nutrition programs pursuant to federal regulations.

Breakfast After the Bell

If seventy percent or more of the students enrolled in any school within the district on or before the last school day before October 16 of the preceding school year are eligible for free or reduced-price meals under the National School Lunch Program or the Federal School Breakfast Program, the district shall establish a "Breakfast After the Bell" program for that school in accordance with N.J.S.A. 18A:33-11.3

A school within the district may request a one-year waiver from their requirements to provide "Breakfast After the Bell" under certain circumstances set forth N.J.S.A. 18A:33-12.

Offer vs. Serve

It is the policy of the Board of Education that this school district participates in any federal or state subsidized food program for the benefit of eligible pupils.

Eligibility shall be as determined by the guidelines of the subsidizing agency. The Board requires that all regulations of the subsidizing agency be observed, especially those that preserve the privacy of eligible pupils.

The Board hereby adopts, as its own, the free and reduced-price policy developed by the Bureau of Child Nutrition programs pursuant to federal regulations.

Offer Versus Serve

In order to reduce plate waste and food costs relating to reimbursable meals, the district will participate in the Offer Versus Serve program, as described in this policy.

Food service staff members shall be trained annually in the provisions of this policy.

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Business & Non-Instructional Operations

Series 3000

Free or Reduced-Price Lunches/Breakfast/Milk

Policy 3542.31

Date Adopted: May 21, 1997

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Lunch Offer Versus Serve

Students receiving reimbursable lunches may decline a certain number of food components in the meal.

A school lunch eligible for federal reimbursement shall offer five (5) food components in the appropriate amounts per grade grouping:

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

Students may decline two (2) of the five (5) required food components, but must select at least $\frac{1}{2}$ cup of either fruit (or fruit combination) or a $\frac{1}{2}$ cup of vegetable (or vegetable combination) or $\frac{1}{2}$ cup of a fruit/vegetable combination.

After selecting the $\frac{1}{2}$ cup of fruit or vegetable requirement, students must select at least two (2) additional full components in the full amounts (per age/grade grouping) required amount to count toward the reimbursable Offer Versus Serve meal.

The student's decision to accept all five (5) food components or to decline two (2) food components shall not affect the price charged for the meal. The lunch is priced as a unit. If students do not choose enough food items to comprise a reimbursable meal, a-la-carte prices will be charged.

School staff shall not make exceptions to this policy, such as requiring every student to take a particular food component. It is the student's choice to select any three (3), four (4) or all five (5) components of the reimbursable meal.

Breakfast Offer Versus Serve

Students receiving reimbursable breakfasts may decline a certain number of food components in the meal.

A school breakfast eligible for federal reimbursement shall offer four (4) food items from the three (3) food components in the appropriate amounts per grade grouping:

- Fruit or vegetable or juice;
- Milk;
- Grains, including optional Meat/Meat

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Policy 3542.31

Date Adopted: May 21, 1997

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Alternate Students may decline one (1) of the four (4) items

offered.

The student's decision to accept all four (4) food items or to decline one (1) food item shall not affect the price charged for the meal. The breakfast is priced as a unit. If students do not choose enough food items to comprise a reimbursable meal, a-la-carte prices will be charged. School staff, including food service staff, shall not make exceptions to this policy, such as requiring every student to take a particular food component. It is the student's choice to select any three (3) or all four (4) components of the reimbursable meal.

Legal References

7 C.F.R.210.1 ET.SEQ.

NJSA 18A:33-3 Cafeterias for pupils
18A:33-4 School lunch; availability to all children
18A:33-5 Exemptions
18A:33-10 Establishment of school breakfast program in certain schools
18A:33-11 Implementation of school breakfast program by district
18A:58-7.1 through -7.2 School lunch program

NJAC 2:36-1.2 Policy and agreement for school nutrition programs
2:36-1.8 Review and evaluation

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Business & Non-Instructional Operations

Series 3000

Food Services Account

Policy 3542.35

Date Adopted: January 28, 2010

Date Revised:

Page 1 of 1

The Board of Education directs that all monies derived from the operation, maintenance or sponsorship of the food service facilities of this district be deposited in the Food Services Account, a special checking account, and shall be administered by the Board Secretary/ Business Administrator in the same manner as are other monies belonging to the district.

Cafeteria funds shall be expended in such manner as may be approved by the Board, but no amount shall be transferred from the Food Services Account to any other account or fund of this district, except as authorized by the Board and in accordance with law.

The Board Secretary/Business Administrator is authorized to disburse funds from the Food Services Account in accordance with law.

Legal References

- NJSA** 18A:11-1 General mandatory powers and duties
18A:18A-4.1 f.,h. Use of competitive contracting in lieu of public bidding; boards of education
18A:18A-6 Standards for purchase of fresh milk; penalties; rules and regulations
18A:33-3 through -5 Cafeterias for pupils
18A:33-9 through -14 Findings, declarations relative to school breakfast programs
18A:54-20 Powers of board (county vocational schools)
18A:58-7.1 through -7.2 School lunch program
- NJAC** 2:36-1.1 et seq. Child Nutrition Programs
6A:16-5.1(b) School safety plans
6A:23-2.6 Supplies and equipment
6A:32-12.1 Reporting requirements
6A:32--14.1 Review of mandated programs and services
6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Possible Cross References

3542.31, 5131

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Business & Non-Instructional Operations

Series 3000

Biosecurity Management Plan

Policy 3542.40

Date Adopted: January 28, 2010

Date Revised:

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The Board of Education recognizes its responsibility to protect the health of the pupils, staff, and visitors to this school district as well as providing a safe school environment and secure food service program. Therefore, the Board hereby directs the establishment of a Biosecurity Management Plan designed to keep school meals free from intentional contamination and enable the administration and food service personnel to respond to threats or incidents of bioterrorism.

The Biosecurity Management Plan:

- Establishes lunch program policies and procedures that minimize the risk of intentional contamination of food and reduce the risk of illness or death in the school community;
- Assigns key personnel to specific roles and duties pertaining to the Biosecurity Management Plan;
- Sets procedures aimed at preventing threats and incidents of product tampering and food contamination;
- Includes appropriate response actions to be taken should an incident occur,
- Provides documentation of actions planned and/or taken;

Implementation of the Biosecurity Management Plan shall be the responsibility of the food service director with the oversight of the Superintendent of Schools/designee.

Legal References

NJAC 2:36-1.13 Biosecurity for School Food Service

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Series 3000

Food Service - Purchasing

Policy 3542.44

Date Adopted: January 28, 2010

Date Revised:

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The Board of Education authorizes and directs the Board Secretary/Business Administrator or the district food service vendor to execute contracts with proper vendors in accordance with state law to purchase subsistence amounts of perishable foods without competitive bids. This policy shall be published annually as required by law, along with the procedures by which authorized vendors may become eligible to submit quotations.

Legal References

- NJSA 18A:18A-5(a)6 Exceptions to requirements for advertising
18A:18A-6 Standards for purchase of fresh milk; penalties; rules and regulations
- NJAC 6A:23-2.6 Supplies and equipment

Possible Cross References

3542, 3542.31, 5131

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Series 3000

Written Code of Conduct for Procurement

Policy 3542.45

Date Adopted: September 14, 2017

Date Revised:

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In accordance with the provisions of 18A:18A-1 et seq NJ Public School Contract Law, 21 CFR Part 200, 318 , CFR Part 3019.42 and the policies dealing with purchasing of this district, all procurements must ensure that there is open and free competition and adhere to the most restrictive federal/state/local requirements.

This district seeks to conduct all procurement procedures in compliance with stated regulations and to prohibit conflicts of interest and actions of employees engaged in the selection, award and administration of contracts

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal, state, or local award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

The officers, employees, and agents of the non-federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.

The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-federal entity. Based on the severity of the infraction, the penalties could include a written reprimand to their personnel file, a suspension with or without pay, or termination.

Legal References

NJSA 18A:18A-1 et seq NJ Public School Contract Law
18A:18A-5(a)6 Exceptions to requirements for advertising
18A:18A-6 Standards for purchase of fresh milk; penalties; rules and regulations

21 CFR Part 200, 318
CFR Part 3019.42

NJAC 6A:23-2.6 Supplies and equipment

Possible Cross References

3542, 3542.31, 5131

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Series 3000

Meals on Credit / Charged Meals

Policy 3542.46

Date Adopted: January 28, 2010

Date Revised: August 23, 2012, April 12, 2018

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While the Board of Education understands that there may be occasions when students fail to bring the required lunch money to school, the cafeteria personnel are not empowered to extend unlimited credit to students. In the event that a student does not bring money to purchase lunch, the following procedures will be followed:

- Up to ten dollars (\$10.00): Lunch will be provided and the student will be reminded that he/she must bring lunch or lunch money to school. The student will be advised that he/she is expected to bring payment for the charged lunch the following day.
- Twenty dollars (\$20.00) and over: Students will receive a substitute lunch consisting of a cold, nutritionally adequate meal.
- After a student reaches ten dollars (\$10.00) in charges, a letter will be mailed to the student's parents/guardians from the cafeteria manager, indicating that lunch or lunch money must be brought to school every day and that the student has received lunches on credit. The letter will list the amount due and state that in the event that accumulated charges reach twenty dollars (\$20.00), the student will receive a substitute lunch consisting of a cold, nutritionally adequate meal. The letter will also state that the student will receive the substitute lunch until the charges are paid in full and that failure to pay for school lunches may result in court action taken by the district against the parents/guardians.
- The district may initiate legal action against parents/guardians three weeks after the written notification of charges in excess of \$50.00. The parents/guardians will be responsible for the lunch charges and applicable court expenses after legal papers are filed.
- Students may not charge more than one meal per meal period.
- Students may not charge extra portions of any meal.
- Students may not charge snacks at any time.
- All charged lunches must be paid prior to receiving the regular school lunch.
- Students will still be charged for the substitute lunch.

Students charging lunch may be asked to stand at the end of the serving line in order to keep the line moving quickly, and to provide time for the cashier to complete any forms required to prepare a record of students charging lunch.

Procedures

In accordance with the provisions of state law, if any money is owed for a student's school meals, the designated administrator shall contact the student's parent/guardian and provide notice of the debt before discontinuing meal service.

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Business & Non-Instructional Operations Meals on Credit / Charged Meals

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Policy 3542.46

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The designated administrator shall allow a period of ten (10) school days for the parent/guardian to pay the amount due.

If the parent/guardian does not make full payment by the end of the ten (10) school days, a second letter will be sent by the designated administrator, stating that the student will not be served a school meal beginning five (5) school days from the date of the second notice, unless payment is made in full.

Students may receive an alternate meal during the period that regular meals have been suspended. This alternative meal shall provide adequate nutritional benefits to the student and will be prepared in consideration of any food allergies the student may have.

Provided the designated administrator has sent the required letters to parents/guardians, as noted above, after three (3) meal charges, students will not be permitted to participate in the school breakfast program until meal charges are paid in full.

Any and all payments submitted by parents/guardians to cover charged meals shall be accounted for by the designated employee.

Notification

A copy of this policy shall be provided in writing to all households at the start of each school year and to households whose children transfer into the district during the school year. It is recommended that a copy of the policy be included in student handbooks and/or online. Multiple methods of communication with parents/guardians should be used whenever possible.

Additionally, all staff members shall be provided with a copy of this policy to ensure proper enforcement.

Legal References

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

Possible Cross References

3542, 3542.31, 5131

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations Copyrighted Materials

Series 3000
Policy 3543.11

Date Adopted: January 28, 2010

Date Revised:

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It is the intent of the Board of Education to adhere to the provisions of the current copyright laws and Congressional guidelines.

The Board recognizes that unlawful copying and use of copyrighted materials contributes to higher costs for materials, lessens the incentives for development of quality educational materials and fosters an attitude of disrespect for law which is in conflict with the educational goals of this school system.

The Board of Education directs that district employees adhere to all provisions of Title 17 of the United States Code, entitled "Copyrights", and other relative federal legislation and guidelines related to the duplication, retention, and use of copyrighted materials.

The Board further directs that:

- A. Unlawful copies of copyrighted materials may not be produced on district owned equipment.
- B. Unlawful copies of copyrighted materials may not be used with district owned equipment, within district owned facilities, or at district-sponsored functions.
- C. The legal and/or insurance protection of the district will not be extended to employees who unlawfully copy and use copyrighted materials.

Employees who make copies of copyrighted materials in their jobs are expected to be familiar with published provisions regarding fair use and public display, and are further expected to be able to provide to their supervisor, upon request, the justification under The Copyright Act of 1976, as amended, is codified at 17 U.S.C. Sec.101 et seq. Section 107 or 110 of United States Code 17 for copies that have been made or used.

Employees who use copyrighted materials that do not fall within fair use or public display guidelines will be able to substantiate that the materials meet one of the following tests:

- A. The materials have been purchased from an authorized vendor by the individual employee or the Board of Education and a record of the purchase exists.
- B. The materials are copies covered by a licensing agreement between the copyright owner and the Board of Education or the individual employee.
- C. Materials are being reviewed or demonstrated by the user to reach a decision about possible future purchase of licensing and a valid agreement exists that allows for such use.

Although there continues to be controversy regarding interpretation of the copyright laws, this policy represents a sincere effort to operate legally.

Legal References

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

The Copyright Act of 1976, as amended and codified as 17 U.S.C. Sec.101 et seq.

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District Policy Manual**

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District Records & Reports

Policy 3570

Date Adopted: May 21, 1997

Date Revised: January 28, 2010

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In accordance with the provisions of P.L. 2001, c.404, the Board of Education will provide reasonable access, inspection, copying and examination of all public records except those specifically exempted by law.

For the purpose of this policy, Board records shall be defined as, “any paper, written or printed book, document drawing, map, plan, photograph, microfilm, data processed or image processed, stored or maintained electronically or by sound-recording or in a similar device or any copy thereof, that has been made, maintained or kept on file in the course of the Board’s official business and/or that has been received in the course of the Board’s official business.”

Exemptions

Documents, records and/or information that are exempted from public access include:

1. In general, the portion of any document that discloses the social security number, credit card number, unlisted telephone number or driver license number of any person;
2. Personnel or pension records, except that an individual’s name, title, position, salary, payroll record, length of service, date of separation and the reason therefore, and the amount and type of any pension received are considered government records;
3. Inter-agency or intra-agency advisory consultative or deliberative material;
4. Any record within the attorney-client privilege;
5. Administrative or technical information regarding computer hardware, software or networks that, if disclosed, would jeopardize computer security;
6. Emergency or security information or procedures for any building or facility that, if disclosed, would jeopardize security;
7. Information that, if disclosed would give an advantage to competitors or bidders;
8. Information relating to any sexual harassment complaint;
9. Information relating to any grievance filed by or against an individual in connection with collective negotiations;
10. Information that is a communication between the Board and its insurance carrier, administrative service organization or risk management office; and
11. Information that is to be kept confidential pursuant to a court order.

Custodian of Board Records

The Custodian of Board Records shall be the Board Secretary/Business Administrator.

Responsibility of the Custodian of School Records

The Custodian of Board Records must permit Board records to be inspected, examined, and copied during regular business hours. The district position of Board Secretary/Business Administrator is officially designated by this action, Custodian of Board Records. The Board

Secretary/Business Administrator is required to keep and maintain all records and documents belonging to the Board except those required by the Treasurer of School Monies.

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District Records & Reports

Series 3000
Policy 3570

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Timely Access

In general, the Custodian of Board Records has a duty to provide access to a Board record in a timely manner. However, there may be instances where the requested record(s) may be archived. In that case, the Custodian of Board Records will attempt to provide the requested record(s) within seven (7) business days after receiving the request. In general, failure to respond within seven (7) business days may be deemed a denial of the request.

Redaction of Records

In general, before providing public access, the Custodian of School Records has a duty to redact any information that discloses the social security number, credit card number, unlisted telephone number, driver license number and/or other exempted information.

Form for Requesting Records

The custodian shall adopt a form for the public to use to make requests for Board records. The form must provide the following:

1. Space for the name, address and telephone number of the requestor;
2. Space for a brief description of the record sought;
3. Space for the custodian to indicate which record will be made available, and fees (if any), to be charged;
4. Specific directions and procedures for requesting the record;
5. A statement as to whether prepayment of fees (if any) are required;
6. An indication that, in general, the custodian has seven (7) business days after receiving the request to respond;
7. A statement of the requestor's right to challenge a decision denying access and the procedure for filing an appeal;
8. Space for the requestor to sign and date the form;
9. Space for the custodian to sign and date the form if the request is fulfilled or denied.

Fees Charged for Copying Records

The Board may assess fees for providing copies of records. If the Custodian of School Records can demonstrate that the actual cost for duplicating a record exceeds these rates, he/she shall charge the actual cost per page. Under certain circumstances, special service fees may also be charged.

Appeal of Denial or Access to Records

A person who is denied access to a Board Record may file suit in Superior Court or may file a complaint with the Government Records Council within the New Jersey Department of Community Affairs.

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Policy 3570

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Legal References

NJSA 10:4-6 et seq. Open Public Meetings Act
18A:4-14 Uniform system of bookkeeping for school districts
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
18A:11-2 Power to sue and be sued; reports; census of school
18A:11-2b N.J.S.A. 18A:17-7 through -12 Secretary to give notices and keep minutes, etc.
18A:17-28(e) Duties of business manager
18A:17-35 Records of receipts and payments
18A:17-36 Accounting; monthly and annual reports
18A:17-46 Act of violence; report by school employee; notice of action taken; annual report
18A:36-19 Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
47:1A-1 et seq. Examination and copies of public records ("Open Public Records Act")
47:3-15 et seq. Destruction of Public Records Law

NJAC 2:36-1.1 et seq. Child Nutrition Programs
6A:16-5.3 Incident reporting of violence, vandalism and substance abuse
6A:23-2.1 et seq. Double Entry Bookkeeping and GAAP Accounting in Local School Districts
6A:27-7.9 Vehicle records
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A: 32-7.1 et. seq. Student Records
6A:32-12.2 School level planning
15:3-2.1 et. seq. Records Retention

Annual Data Collection Plan, New Jersey State Department of Education Records Retention Schedule, New Jersey State Department of Education

Matawan Regional Teachers Association v. Matawan-Aberdeen Bd. of Ed., 212 N.J. Super. 328 (Law Div. 1986)

Laufgas v. Barnegat Twp. Bd. of Ed., 1987 S.L.D. 2442, aff'd St. Bd. 1988 S.L.D. 2496

Horner v. Kingsway Regional, 1990 S.L.D. 752 Beatty v. Chester Bd of Ed, 1999 S.L.D. (Sept.)

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

4112.6, 4212.6, 5125, 9330

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations
Audit

Series 3000
Policy 3571.4

Date Adopted: September 10, 1985

Date Revised: September 25, 2008, January 28, 2010

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An audit of the accounts of the school district shall be made annually by a public school accountant selected by the Board of Education. The audit examination shall be conducted in accordance with statute and generally accepted auditing standards and shall include all funds over which the Board has direct or supervisory control.

An auditor's fee shall be established in each fiscal year. The Board of Education shall select an auditing firm experienced in school accounting and willing to perform the required services for the established fee.

Within 30 days following the receipt of the annual audit, the Board of Education will, at a regular meeting, cause the recommendations of the auditor to be read and to be discussed, and the discussion noted in the minutes of the meeting. The Board will direct the implementation of the auditor's recommendations.

The Auditor must provide a copy of the most recent review to the Board of Education.

Legal References

NJSA 18A:6-68 Bookkeeping and accounting system (educational services commission)
18A:18A-1 et seq. Public School Contracts Law
18A:23-1 et seq. Audits and auditors

NJAC 6A:23-1.2 Definitions
6A:23-2.2(i) Principles and directives for accounting and reporting
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.2 School level planning

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

Possible Cross References

4112.6, 4212.6, 5125, 9330

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations
Integrated Pest Management

Series 3000
Policy 3575

Date Adopted: May 27, 2004

Date Revised: September 25, 2008, January 28, 2010

Page 1 of 3

The New Jersey School Integrated Pest Management Act of 2002 requires schools to implement a school integrated pest management policy. As per this policy, the Board of Education directs the Superintendent of Schools to implement Integrated Pest Management (IPM) procedures to control pests and minimize exposure of children, faculty, and staff to pesticides. In addition, the Board of Education shall adopt and maintain an IPM plan developed by the Superintendent of Schools/designee as part of this policy.

Definition

For the purposes of this policy, Integrated Pest Management shall be defined as a sustainable approach to managing pests by using all appropriate technology and management practices in a way that minimizes health, environmental, and economic risks. IPM includes, but is not limited to, monitoring pest populations, consumer education, and when needed, cultivation practices, sanitation, solid waste management, structural maintenance, physical, mechanical, biological and chemical controls.

Integrated Pest Management Procedures

Implementation of IPM procedures will determine when to control pests and whether to use mechanical, physical, cultural, biological or chemical methods. Applying IPM principles prevents unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment.

In preparing the IPM, the Superintendent of Schools will consider the full range of management options, including no action at all. Non-pesticide pest management methods are to be used whenever possible. The choice of using a pesticide shall be based on a review of all other available options and a determination that these options are not effective or not reasonable. When it is determined that a pesticide must be used, low impact pesticides and methods are preferred and shall be considered for use first.

Development of IPM Plans

The school IPM plan is a blueprint of how the school system will manage pests through IPM methods. The IPM plan states the district's goals regarding the management of pests and the use of pesticides. It reflects the school's site-specific needs. The IPM plan shall provide a description of how each component of the school IPM policy will be implemented at the school. The Superintendent of Schools, in collaboration with the Principal, shall be responsible for the development of the IPM plan for the school.

IPM Coordinator

The Superintendent of Schools shall designate an integrated pest management coordinator, who is responsible for the implementation of the school integrated pest management policy. The Board

of Education shall approve the selection of the named IPM Coordinator upon recommendation of the Superintendent of Schools.

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Integrated Pest Management

Policy 3575

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Education /Training

All school personnel will be educated about potential pest problems and IPM methods used to achieve the pest management objectives.

The IPM Coordinator, other school staff and pesticide applicators involved with implementation of the school IPM policy will be trained in appropriate components of IPM as it pertains to the school environment.

Students, parents/guardians will be provided information on this policy and instructed on how they can contribute to the success of the IPM program.

Record keeping

Records of pesticide use shall be maintained on site to meet the requirements of the state regulatory agency and the Board of Education.

Records shall also include, but are not limited to, pest surveillance data sheets and other non-pesticide pest management methods and practices utilized.

Notification/Posting

The Superintendent of Schools, under the direction of the Board of Education, is responsible for timely notification to students' parents or guardians and the school staff of pesticide treatments pursuant to the School IPM Act.

Re-entry

Re-entry to a pesticide treated area shall conform to the requirements of the School IPM Act.

Pesticide applicators

The IPM coordinator shall ensure that applicators follow state regulations, including licensing requirements and label precautions, and must comply with all components of the School IPM Policy.

Evaluation

Annually, the Superintendent of Schools will report to the Board of Education on the effectiveness of the IPM plan and make recommendations for improvement as needed.

The Board of Education directs the Superintendent of Schools to develop regulations/procedures for the implementation of this policy.

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Integrated Pest Management

Series 3000
Policy 3575

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Legal References

NJSA 13:1F-19 through -33 "School Integrated Pest Management Act"
18A:17-49 through -52 Buildings and grounds supervisors to be certified educational facilities managers
18A:22-8 Contents of budget; program budgeting system
34:5A-1 et seq. Worker and Community Right to Know Act
34:6A-25 et seq. New Jersey Public Employees Occupational Safety and Health Act

NJAC 5:23 Barrier free subcode of the uniform construction code
6A:26-12.1 et seq. Operation and Maintenance of Facilities
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
7:30-13.1 et seq. Integrated Pest Management

The School Integrated Pest Management Act of 2002

Possible Cross References

3000/3010, 3516, 7110, 9130

Fairfield Township Board of Education District Policy Manual

Business & Non-Instructional Operations

Series 3000

**Evaluation of Business &
Non-Instructional Operations**

Policy 3600

Date Adopted: January 28, 2010

Date Revised:

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The school district shall evaluate business processes annually and allocate available resources appropriately in an effort to establish a strong control environment.

The Business Administrator/Board Secretary shall identify processes that when performed by the same individuals are a violation of sound segregation of duties. The Business Administrator/Board Secretary shall segregate the duties of all such processes among business office staff based on available district resources, assessed vulnerability and the associated cost-benefit

The following functions shall be segregated and completed by different employees in all districts:

- A. Human resources and payroll
- B. Purchasing and accounts payable

The district shall include in the Comprehensive Annual Financial Report (CAFR) detailed organizational charts for the central office that tie to the districts' position control logs, including, but not limited to, the business, human resources and information management functions.

Legal References

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

NJAC 6A:23A-6.5 Segregation of duties

Possible Cross References

3000/3010, 3200, 3300, 3400, 3500, 3510, 3530, 3541, 3542, 3542.1, 3570, 7110, 9330

Fairfield Township Board of Education

District Policy

Manual



Home of the Jaguars

Instructional & Support Personnel Series 4000



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Concepts & Roles in Personnel

Policy 4000

Date Adopted: May 21, 1997

Date Revised: February 25, 2010

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The Fairfield Township Board of Education shall maintain a sufficient number of positions to provide for the specific educational needs of the students in the district's programs. Only the Board can create a new position or appoint a person to an existing position with the exception of the Superintendent's confidential secretary who shall be appointed by the Superintendent of Schools with Board approved required.

The objectives of the Board's personnel program are to:

1. Recruit and retain well qualified personnel to support and accomplish the Board's programs;
2. Create an environment that will stimulate and maintain:
 - A high level of performance;
 - Increase effectiveness and skills;
 - Opportunities for career advancement;
 - Good relationships among staff, administration and the Board.

In order to meet these objectives, the following shall be implemented:

1. All positions will be clearly defined so that all personnel know:
 - Their jobs;
 - To whom they are responsible;
 - The authority that goes with the job;
 - The channels of communications.
2. Opportunity for transfer and promotion will be provided in order to make full use of demonstrated skills and abilities. Therefore, well qualified staff will be given full consideration in filling vacancies.
 - Fix the initial salary for new positions and new employees;
 - Determine the duties of any such position in order to meet the needs of a changing school population;
 - Implement newly designed courses and activities for the pupils of the district; and,
 - Ensure that the school district is administered in a thorough and efficient manner.
3. Upon creation of new positions or when vacancies occur in established positions, notices announcing the vacancies shall be made district-wide and to sources outside the district if the Board deems it necessary. Adequate sources from which staff may be recruited will be developed and maintained by the Superintendent of Schools;
4. Vacancies as a result of staff reorganization shall be announced district-wide. Applications will be accepted and screened prior to advertising for these positions in sources outside the district;

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5. In order to attract qualified candidates for vacancies, the administration shall maintain contacts with college placement bureaus and other recruitment sources, giving special emphasis to those source that offer a high percentage of qualified candidates that would advance the affirmative action goals of the district.
6. Each position will be filled on a merit basis by selecting the available individual best qualified in terms of carefully determined requirements of the particular position;
7. In-service training shall be provided for staff members to advance their professional growth;
1. There will be no discrimination against or in favor of an employee or an applicant for employment because of race, color, creed, national origin, affectional or sexual orientation, atypical hereditary cellular or blood trait, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability or because of genetic information or refusal to submit to or make available the results of a genetic test, or other conditions not related to the duties and responsibilities of the job. Every effort shall be mad to continue to employ persons who represent the various aspects of the community.

The Superintendent of Schools shall recommend candidates to the Board of Education for all positions for appointment. If all candidates presented are rejected, the Superintendent of Schools shall present a new selection. Candidates shall not be appointed by the Board against the Superintendent's recommendation.

The Board shall establish all new positions upon consideration of the recommendations of the Superintendent of Schools.

The Superintendent of Schools shall be responsible for supervision and evaluation of all employees.

Legal References

NJSA 18A:6-75 through -78 Establishment and operation; teacher performance evaluation project
18A:16-1 Officers and employees in general
18A:27-3.1 Nontenured teaching staff; observation and evaluation; conference; purpose
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

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Goals & Objectives in Personnel

Policy 4010

Date Adopted: February 25, 2010

Date Revised:

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It shall be the policy of the Fairfield Township Board of Education to seek and to hold the most highly qualified personnel for all professional, paraprofessional positions. The Board shall:

- A. Recruit, screen and select personnel who have the highest capabilities, strongest commitment to quality education and greatest probability of effectively implementing the district's educational program;
- B. Ensure continuing competency of district employees through positive programs of evaluation, inservice training and staff development specifically related to the learning program and to each staff member's career development aspirations;
- C. Assign personnel where they will make the greatest contribution to the learning program;
- D. Seek out and develop strong leadership skills and abilities within staff;
- E. Develop a climate that will produce optimum staff performance, morale and satisfaction;
- F. Involve professional staff, under the direction of the Superintendent of Schools, in program planning and evaluation;
- G. Provide competitive compensation and benefits; and,
- H. Develop positive personnel evaluation processes that contribute to the improvement of staff capabilities and the educational program.

Legal References

- NJSA 18A:6-75 through -78 Establishment and operation; teacher performance evaluation project
18A:16-1 Officers and employees in general
18A:27-3.1 Nontenured teaching staff; observation and evaluation; conference; purpose
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

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Instructional Personnel

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Code of Ethics

Policy 4110.22

Date Adopted: February 25, 2010

Date Revised:

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Preamble

The educators, both teachers and administrators, employed by the Board of Education believe in the worth and dignity of man. Each educator recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic citizenship. All educators regard as essential to these goals the protection of the freedom to both learn, and to teach; and the guarantee of equal educational opportunity for all. The educator accepts personal responsibility to practice the profession according to the highest ethical standards.

All educators recognize the magnitude of the responsibility they have accepted in choosing a career in education, and engage themselves, individually and collectively with other educators to judge their colleagues, and to be judged by them in accordance with the provisions of this code.

Principle 1—Commitment to the Student and Parents/Guardians

All educators measure their success by the progress of all students toward realization of their potential as worthy and effective citizens. The educator, therefore, works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals. Educators recognize the concerns of parents/guardians and attempt to demonstrate these concerns in the best interest of children.

In fulfilling their obligation to the students and parents/guardians, educators:

1. Shall not deliberately suppress or distort subject matter for which they bear personal responsibility;
2. Shall respect the confidence of each pupil; information given in confidence should be passed only to authorized persons or agencies that are attempting to aid the pupil unless disclosure is required by law;
3. Shall respect the basic responsibility of parents/guardians for their children, seek to establish friendly and cooperative relationships with the home, and shall be discreet with information received from parents/guardians;
4. Shall not use classroom privileges and prestige to promote personal gain, selfish interests, partisan politics, or sectarian religious views;
5. Shall strive to help pupils develop sound moral, ethical, emotional, social and intellectual foundations;
6. Shall strengthen the democratic activities of the school and show all pupils that American citizenship involves responsibilities as well as privileges;
7. Shall demonstrate their primary responsibility is to the pupil;
8. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety;
9. Shall conduct professional business in such a way that they do not expose the student to unnecessary embarrassment or disparagement;

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10. Shall not on the grounds of race, color, creed, national origin, affectional or sexual orientation, atypical hereditary cellular or blood trait, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability or because of genetic information or refusal to submit to or make available the results of a genetic test, or other conditions not related to the duties and responsibilities of the job exclude students from participation in, or deny them benefits under any program, nor grant any discriminatory consideration of advantage;
11. Shall not tutor for remuneration students assigned to their classes.

Principle II --Commitment to the Public

Educators hold a position wherein the public trust is embodied. As a trustee of democratic ideals and of the American heritage, the educator strives to strengthen appreciation for education and its potential service in the making of a strong country.

In fulfilling their obligation to the public, educators:

1. Shall not misrepresent an institution or organization with which they are affiliated, and shall take adequate precautions to distinguish between personal views and institutional/organization policy;
2. Shall not knowingly distort or misrepresent the facts concerning educational matters in direct and indirect public expressions;
3. Shall strive to maintain a positive public image in the educational program of the school;
4. Shall perform the duties of citizenship and participate in community activities;
5. Shall not interfere with a colleague's exercise of political and citizenship rights and responsibilities;
6. Shall not use institutional privileges for private gain or to promote political candidates or partisan political activities;
7. Shall accept no gratuities, gifts or favors, nor offer any favor, service, or thing of value to obtain special advantage.

Principle III --Commitment to the Profession

In fulfilling their obligations to the profession, educators:

1. Shall accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities;
2. Shall not use coercive means or promise special treatment in order to influence professional decisions of colleagues;
3. Shall withhold, protect and safeguard information acquired about colleagues in the course of employment, unless disclosure serves legitimate professional purposes;
4. Shall not misrepresent any professional qualification;
5. Shall not knowingly distort evaluations of colleagues;
6. Shall endorse the principle that the profession must accept responsibility for the conduct of its members and understands that as educators, individual conduct will be regarded as representative of the profession;

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Series 4000
Policy 4110.22

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7. Shall maintain an attitude and personal appearance that strengthens public respect for the teaching profession and for the school;
8. Shall properly and efficiently use and protect all school properties, equipment and materials;
9. Shall be loyal to the nation, the state and the school system;
10. Shall adhere to the conditions of a contract until the contract has been terminated by mutual consent, or has otherwise been legally modified;
11. Shall exercise their right to participate in the democratic processes, which help determine school policy. Once policy is determined, all educators are then obligated to support it;
12. Shall conduct school affairs through defined channels of the school system;
13. Shall be considerate and loyal in their relationships with fellow educators and take pride in their achievements;
14. Shall regard public criticism of fellow educators as unprofessional;
15. Shall report to the appropriate school authority any matters which involve the best interests of the school;
16. Shall seek continued professional growth.

Principle IV—Commitment to Professional Employment Practices

The educator regards the employment agreement as a pledge to be executed both in spirit and in fact in a manner consistent with the highest ideals of professional service. All educators believe that sound professional relationships with governing Boards are built upon personal integrity, dignity and mutual respect.

In fulfilling their professional obligations to education, all educators:

1. Shall apply for, accept offer or assign a position or responsibility on the basis of professional preparation and legal qualifications;
2. Shall apply for a specific position only when it is known to be vacant, and shall refrain from underbidding or commenting adversely about other candidates;
3. Shall not knowingly withhold information regarding a position from an applicant or misinterpret an assignment or conditions of employment;
4. Shall provide notice to the employing agency of any change in availability of service, and the employment agent shall give prompt notice of change in availability;
5. Shall adhere to the terms of a contract or appointment, unless these terms have been legally terminated, falsely represented, or substantially altered by unilateral action of the employing agency;
6. Shall conduct professional business through legitimate channels;
7. Shall not delegate tasks of a certified professional to unqualified personnel;
8. Shall use all work time for the purpose for which it is intended.

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Principle V—Commitment to Confidentiality

It is the desire of all educators and the Board to rectify any misunderstanding between the teachers, the Board of Education, and the school district by direct discussions informally among the affected parties. It is only when such informal discussions fail to resolve the differences, shall either party employ more formal procedures. Before more formal procedures are employed, at least 15 days written notice should be given to the other party.

Principle VI—Commitment to High Standards

It is the intent of this policy to prescribe our commitment to high ethical standards, but it is not feasible to describe every possible infraction, which violates those standards. Our commitment to high ethical standards means, therefore, that since each educator must be a mature, responsible decision-maker, the propriety or impropriety of any action depends not only on the goodness of the ends sought, but also upon the efficacy of the means used to achieve those ends. In short, each educator must apply the criterion, “what would a reasonable person do?” in each decision-making situation.

Legal References

- NJSA 18A:6-75 through -78 Establishment and operation; teacher performance evaluation project
18A:16-1 Officers and employees in general
18A:27-3.1 Nontenured teaching staff; observation and evaluation; conference; purpose
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder
18A:27-5 Written contracts of employment required

Possible Cross References

4112.8, 4117.5, 4118.2, 4119.22, 4138, 4138.2

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Morality Policy

Policy 4110.3

Date Adopted: Sept. 14, 2023

Date Revised:

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Employees of the District serve in a position of public trust, are compensated with public funds, and are entrusted with public property. Employee actions and behavior must be honest and above reproach at all times. This work rule requires complete honesty in the discharge of an employee's duties, and, unless otherwise prohibited by law, it applies to all conduct whether the employee is on duty or off duty.

The conduct which is prohibited by this work rule includes, but is not limited to, the following:

1. Making statements to representatives of the District which the employee knows or has reason to believe are untrue, inaccurate, or incomplete.
2. Stealing cash, funds, or property of any kind belonging to the District, belonging to a fellow employee, or belonging to other persons who are on District property.
3. Failing to report or to transfer to the District any funds or property belonging to the District.
4. Unauthorized use, possession or removal of vehicles, property or equipment belonging to the District, belonging to a fellow employee, or belonging to others persons who are on District property.
5. Falsification of employment applications or any District records, including, but not limited to, work records and time records. Time record violations include, but are not limited to, claiming time for work which was not performed by the employee and reporting/signing another employee in or out.
6. Performing official duties in an unauthorized manner.
7. Charging items for personal use to a District credit card or account, or making unauthorized withdrawals from a District account using a debit card.
8. Misuse or unauthorized use of accounts or allowance (clothing, mileage, meals, etc.)
9. Converting surplus District property to personal use without authorization, or declaring property to be surplus or junk and then converting it to personal use.
10. Making improper claims for overtime when no overtime was worked, or working slowly to create the need for overtime work.
11. Using sick leave, or any other leave of absence, for any purpose which is not authorized.

Employees who violate this policy are subject to disciplinary action, including termination.

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Absences for Jury Duty

Policy 4110.5

Date Adopted: February 25, 2010

Date Revised:

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Any full time school employee who is summoned for jury duty or subpoenaed as a witness must, apply through the office of the Superintendent of Schools to be granted leave for such purpose. The Superintendent of Schools may, at his/her discretion and as circumstances warrant, rearrange the employee's work schedule and/or grant leave with pay, minus any remuneration received for such court duty that coincides with the hours for which the employee is being paid by the Board.

Legal References

NJSA 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

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Creating & Abolishing Positions

Policy 4110.7

Date Adopted: February 25, 2010

Date Revised:

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Creating Positions

The Board of Education recognizes its authority to create and fill teaching staff member positions to implement a thorough and efficient system of free public education.

The Board shall create new positions as they are required, approve job titles, and specify the number of positions required to staff adequately each employment category. On a careful review of the position, the Board shall establish the background experiences and personal qualities, if any to be required of candidates or preferred among applicants for a particular position. Any such local qualifications shall be flexibly applied.

The Superintendent of Schools shall recommend to the Board, such new positions or additions to existing employment categories as may be required by the specific instructional needs of pupils of the district and each school within the district.

Positions shall, to the maximum extent possible, conform with certification regulations of the New Jersey State Board of Education. When district organization requires the creation of a nonconforming, unrecognized position, the approval of the County Superintendent of Schools shall be sought before the position is filled.

Abolishing Positions

The Board of Education will provide the professional staff necessary for the economical and efficient implementation of the educational program of the district. The Board reserves the right to abolish positions and reduce district staff commensurately whenever reasons of economy, reorganization of the school district, reduction in the number of pupils, or other good cause so warrant. The Superintendent of Schools shall continually review the efficiency and effectiveness of the district organization and recommend to the Board the abolishment of positions and reallocation of duties and positions.

Legal References

NJSA 18A:16 Employment in general
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder
18A:28-9 Reduction in force

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Recruitment, Selection & Hiring

Policy 4111

Date Adopted: May 21, 1997

Date Revised: February 25, 2010, May 22, 2014, October 11, 2018

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The Board of Education believes that the quality of the professional staff in large part determines the quality of the education offered district pupils. Therefore, the Superintendent of Schools shall have the responsibility of locating and recruiting the best-qualified candidates to provide for the identified needs of district pupils.

Provisional teaching candidates shall be given equal consideration with all other candidates for teaching positions. The Superintendent of Schools shall follow all requirements of the administrative code in providing the necessary training program for all teachers hired with provisional certificates.

It shall be the duty of the Superintendent of Schools to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the initiation of a criminal history check, proof of citizenship or eligible alien status, and certification for the type of position for which nomination is made.

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

The Superintendent of Schools, in determining the candidates to be nominated shall seek information from the candidate's prior employers.

The Superintendent of Schools shall prepare and maintain job descriptions that define the duties, responsibilities and qualifications required for each position. The Board shall adopt those job descriptions required by law or code and others as appropriate.

The Board shall affirm employment and initial placement on the salary guide by a majority vote of the full membership of the Board.

The Board will appoint teaching staff members only upon the recommendation of the Superintendent of Schools.

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In accordance with the provisions of PL 2018 c5, as of June 1, 2018, all applicants for a position involving regular contact with students must provide:

- a contact list of their current and former employers within the last 20 years that were schools or involved direct contact with children;
- a written authorization allowing the former employers to release requested information;
- a written statement as to whether the applicant has ever been the subject of, or disciplined for, any child abuse or sexual misconduct concerning any student; and,
- a written statement as to whether the applicant ever had a license or certificate suspended or revoked in connection with child abuse or sexual misconduct with a student.

Former employers are indemnified for providing this information.

In addition, the law stipulates that the district is required to contact the references to verify the applicant's employment history, and previous employers have 20 days to disclose requested information. The applicant may receive a provisional contract of up to 90 days while the investigation is proceeding. Any information provided is not considered a public record and not subject to an OPRA request. The district will not be subject to liability for claims brought by an applicant who is not offered employment or whose employment is terminated because required information could not be verified.

The law further stipulates that beginning on June 1, 2018, all applications for positions involving regular contact with students must include a notification of the penalties for willfully providing false information regarding this information.

Violation of this law by the applicant may result in discipline, including termination and/or a civil penalty of not more than \$500.00.

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Legal References

- NJSA** 10:5-1 et seq. Law Against Discrimination
18A:3-15.2 Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation
18A:6-5 Inquiry as to religion and religious tests prohibited
18A:6-6 No sex discrimination
18A:6-7.1, -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
18A:6-76.1 Deadline for notification to students of requirements of provisional certificate and induction program
18A:16-1 Officers and employees in general
18A:26-1, -1.1, -2 Citizenship of teachers, etc.
18A:27-1 et seq. Employment and Contracts
26:8A-1 et seq. Domestic Partnership Act
- NJAC** 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:9-6.1 et seq. Types of Certificates
6A:9-8.1 et seq. Requirements for Instructional Certification
6A:9-11.1 et seq. Exceptions for the Requirements for the Instructional Certificate
6A:9-12.1 et seq. Requirements for Administrative Certification
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1 Employment of teaching staff
6A:32-5.1 Standards for determining seniority
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
Old Bridge Education Association v. Old Bridge Township Bd. of Ed., 1986 S.L.D.
Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1547 (3d Cir. 1996)
The Comprehensive Equity Plan, New Jersey Department of Education

Possible Cross References

2130, 2131, 3000/3010, 4000, 4111.1, 4112.2, 4112.4, 4112.5, 4112.6, 4112.8, 4121, 4123, 5120, 6010, 9123, 9124

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**Nondiscrimination / Affirmative
Action / Sexual Harassment**

Policy 4111.1

Date Adopted: June 25, 1997

Date Revised: February 25, 2010, May 22, 2014,
May 7, 2020

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The Board of Education guarantees to all persons equal access to all categories of employment, retention and advancement in this district, regardless of any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes.

An affirmative action/equity program shall be a part of every aspect of employment not limited to but including upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation including fringe benefits; employment selection or selection for training and apprenticeships; promotion; or tenure.

The Board-designated affirmative action officer shall identify and recommend correction of any existing inequities, and any that occur in the future.

Harassment and Favoritism

The Board of Education is an affirmative action employer and holds all its employees responsible for maintaining a working environment that is free from all discriminatory practices. Harassment or favoritism on any basis included in the Board's statement of equal access to employment, retention and advancement is prohibited.

Administrators shall be familiarized with the actions that constitute harassment and favoritism. This material shall be included in the legally mandated affirmative action in-service training for all employees, and shall be clear and specific (see Policy 2224). When harassment has been determined to have taken place, disciplinary action will follow.

Sexual Harassment

The Board of Education shall maintain a working environment that is free from sexual harassment.

- A. Sexual harassment shall consist of unwelcomed sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when made by any member of the school staff to a student, when made by any member of the school staff to another staff member, or when made by any student to another student, or when made by a student to a staff member, when:

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1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, or when
 2. Submission to or rejection of such conduct by an individual is used as the basis of academic or employment decisions affecting that individual, or when
 3. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment or education environment.
- B. Sexual harassment, as set forth in Section A, may include, but is not limited to the following:
1. verbal harassment or abuse
 2. pressure for sexual activity
 3. repeated remarks to a person with sexually demeaning implications
 4. unwelcomed touching suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, job, etc.

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

Administrators and supervisors will make it clear to all staff that sexual harassment is prohibited. No supervisory employee shall threaten or insinuate, either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation, compensation, assignment or advancement. No supervisory employee shall promise or suggest, either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any term or condition of employment of an employee. Sexually harassing conduct committed by non-supervisory personnel is also prohibited.

Staff may file a formal grievance related to sexual harassment. The Affirmative Action Officer will receive all complaints and carry out a prompt and thorough investigation and will protect the rights of both the person making the complaint and the alleged harasser.

Students may also file formal grievances related to sexual harassment (refer to Parent/Student Handbook – grievance policy).

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A substantiated charge against a staff member in the school district shall subject such staff member to disciplinary action, such as a letter of reprimand, withholding of an increment or possible discharge.

A substantiated charge against a student in the school district shall subject that student to student disciplinary action, including suspension or expulsion, consistent with the student disciplinary code.

Notice of this policy will be circulated to the school and departments of the school district on an annual basis and incorporated in teacher and parent handbooks. It may also be distributed to all originations in the community having cooperative agreements with the public schools. Failure to comply with this policy may result in termination of the cooperative agreement. Training sessions on this policy and the prevention of sexual harassment shall be held for teachers and students in the school on an annual basis.

“Whistleblower” Protection

The Board prohibits discrimination or retaliation against any school employee who does any of the following:

- A. Disclose or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the Board that the employee reasonably believes is in violation of a law, or a rule or regulation established pursuant to law;
- B. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, rule or regulation established pursuant to law by the Board; or
- C. Objects to, or refuses to participate in any activity, policy, or practice which the employee reasonable believes is in violation of law, rule or regulation; is fraudulent or criminal; or is incompatible with public health, safety or welfare.

The Board shall ensure that notices are posted conspicuously in each school, informing employees that they are protected under the “Conscientious Employee Protection Act”.

Report on Implementation

The Superintendent of Schools shall devise regulations, including grievance forms and procedures to implement this policy. He/she shall be responsible for informing staff annually of the identity and location of the affirmative action officer and the implementing procedures.

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Lactation Provisions

Employees hired or returning to work following a pregnancy leave who choose to continue providing their milk for their infants shall receive the accommodations required by law that support their choice to breast feed.

Accommodations shall include but shall not be limited to:

A. Milk expression breaks for breastfeeding

The employees shall be allowed to breastfeed or express milk during work hours using their normal breaks and meal times. For time that may be needed beyond the usual break times, employees may use personal leave or may make up the time as negotiated with their supervisors.

B. A place to express milk

A private room (not a toilet stall or restroom) shall be made available for the employee(s) to breastfeed or express milk. The room will be private and sanitary, located near a sink with running water for washing hands and rinsing out breast pump parts, and have an electrical outlet. If employees prefer, they may also breastfeed or express milk in their own private offices, or in other comfortable locations agreed upon in consultation with the principal. Expressed milk can be stored in general refrigerators; in designated refrigerators provided in the lactation room or other location; or in employee's personal cooler.

C. Staff Support

The principal shall notify pregnant and breastfeeding employees about the district's worksite lactation support policies and procedures. The principal shall be responsible for negotiating policies and practices that will help facilitate each employee's infant feeding goals. It is expected that all employees will assist in providing a positive atmosphere of support for breastfeeding employees.

The building principal shall ensure that the New Jersey Department of Education signage shall be displayed in a clear and conspicuous manner in the school's waiting area, as well as in any lactation room that is made available. The New Jersey Department of Education signage shall contain information about breast feeding; affirm a mother's right to nurse in public; and indicate that lactation rooms are being made available for the privacy and comfort of nursing mothers.

The building principal shall ensure board policy and regulations on provisions for milk expression breaks, for breastfeeding and the designated lactation room(s) are distributed to staff and students who are pregnant and nursing mothers returning from maternity leave.

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Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:6-5 Inquiry as to religion and religious tests prohibited 18A:6-6
No sex discrimination
18A:18A-17 Facilities for handicapped persons
18A:26-1 Citizenship of teachers, etc.
18A:26-1.1 Residence requirements prohibited
18A:29-2 Equality of compensation for male and female teachers 26:8A-1
et seq. Domestic Partnership Act
34:19-1 et seq. Conscientious Employee Protection Act
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education 6A:30-1.1 et
seq. Evaluation of the Performance of School Districts 6A:32-14.1 Review of
mandated programs and services
- Executive Order 11246 as amended
29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended
20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal
Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973 20 U.S.C.A.
1401 et seq. - Individuals with Disabilities Education Act 42 U.S.C.A. 12101 et
seq. - Americans with Disabilities Act (ADA) Meritor Savings Bank v. Vinson, 477
U.S. 57 (1986)
School Board of Nassau County v. Arline, 480 U.S. 273 (1987)
Vinson v. Superior Court of Alameda County, 740 P.2d 404 (Cal. Sup. Ct. 1987) Taxman v.
Piscataway Bd. of Ed., 91 F. 3d 1547 (3d Cir. 1996)
Saxe v. State College Area School Dist., 240 F. 3d 200 (3d Cir. 2001)
The Comprehensive Equity Plan, New Jersey State Department of Education Manual for the
Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2130, 2131, 2224, 3320, 4111, 4112.2, 4112.4, 4112.5, 4112.6, 4112.8, 4121, 4147,
5120, 5145.4, 6121

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Induction Program for Provisional Teachers

Policy 4111.2

Date Adopted: February 25, 2010

Date Revised:

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The Board of Education recognizes that all newly prepared teachers are required to serve their first year of employment under provisional certification and in a district induction program designed to train and guide new teachers and to identify those teachers who qualify for standard certification.

The Board will approve a plan for the induction of new teaching staff members and submit the plan to the New Jersey Department of Education as required by law.

Professional Support Team

The Board shall, in accordance with New Jersey State Board of Education rules, provide provisional teachers with the training and supervision of a professional support team composed of the Superintendent of Schools/designee, and experienced mentor teacher, and such additional members as the Superintendent of Schools may recommend. Support team members shall be appropriately certified, experienced, cooperative and recognized for their discretion and helpfulness. Support team members shall be appropriately trained for participation in the induction program.

Mentor teachers shall, whenever possible, have instructional expertise in the same instructional area as the provisional teacher.

Evaluation of Provisional Teachers

Provisional teachers shall be formally evaluated at least three times, at ten week intervals during the first year of employment, by the Superintendent of Schools/designee. Additional evaluations may be conducted.

Role of Mentor Teachers

Mentor teachers shall not participate in any way in decisions that may have a bearing on the employment or certification of provisional teachers. They shall not assess or evaluate the performance of provisional teachers. Interactions between provisional teachers and experienced mentor teachers are formative in nature and considered a matter of professional privilege. Mentor teachers shall not be compelled to offer testimony on the performance of provisional teachers.

Compensation for Support Team Members

Members of the professional support team shall be compensated in accordance with the fee schedule approved by the New Jersey State Board of Education.

The provisional teacher shall be assessed the entire amount of the fee(s) if the amount has not been budgeted by the Board of Education or provided by the New Jersey Department of Education.

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The amount of the assessment shall, on the written request of the teacher, be deducted from the provisional teacher's salary in amounts prorated throughout the first year of service.

Legal References

- NJSA 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
- 18A:40A-4 Preservice training of future teachers; teaching certificate requirements

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Domestic Violence

Policy 4111.3

Date Adopted: January 10, 2019

Date Revised:

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The Board of Education is committed to ensuring that all staff are supported in the event that they experience domestic violence as defined by law (N.J.S.A. 2C:25-19). Victims of domestic violence can suffer devastating physical, emotional and psychological effects and economic disruption. The Board encourages employees who are victims of domestic violence to contact the appropriate administrator or employee responsible for orienting, training, counseling and appraising staff. Employees disclosing their experiences with domestic violence shall be supported in the work environment to an extent that is feasible and practical for the employee to maintain and perform their job and for the effective operation of the educational program.

Reporting Domestic Violence

Any disclosure of domestic violence by an employee shall be taken seriously and according to the following guidelines:

- Employees are encouraged to meet with the appropriate administrator in person. Requests to meet maybe made by cell phone or telephone. Email may not be confidential and should not be used when private information is being discussed or disclosed unless this is the only safe method of communication available;
- The appropriate administrator shall ensure that an employee's disclosure of domestic violence be kept confidential unless there exists an emergent danger to the employee or other staff;
- The appropriate administrator shall ensure that such conversations are held in a room or office that can be closed off from the hearing range of other staff members to the extent possible;
- The appropriate administrator officer shall ensure that any sharing of confidential information is only done with the written authorization of the employee. This excludes reported incidents of violence or abuse against children;
- The appropriate administrator shall ensure that any records pertaining to domestic violence be kept separate from the personnel record and in strict confidentiality. Only the employee, the appropriate administrator and the Superintendent of Schools shall have access to an employee's confidential file; and
- The appropriate administrator will assemble a list of resources available to victims of domestic violence.

These resources shall include but may not be limited to information on domestic violence (books, web resources, etc.), legal resources available such as advocacy and law enforcement options, medical and psychological treatment and counseling referral sources, food and housing options and local support groups.

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Work Support

In order to help prevent occupational disruption, loss of employment and financial hardship that may occur when an employee experiences domestic violence the appropriate administrator may investigate the following options to support the employee's continued performance of their job responsibilities, including but not limited to:

- Adjusting work assignments;
- Temporary or permanent job restructuring;
- Temporary adjustment to the employee's work schedule;
- Work from home options;
- Flexible approval of paid sick leave, personal time and vacation time;
- Other reasonable options.

The employee shall work with the appropriate administrator and the supervisor when requesting employment changes that affect the normal schedule. The Superintendent of Schools or, as necessary and required by law, the Board shall approve such support measures. Notice to the appropriate collective bargaining unit covering the employee may be necessary where required by the contract or State law. Approval may be granted when reasonable and practical.

Approval shall not be granted when such request places a hardship on the Board and/or the educational program. Approval of requested employment modifications shall include the following considerations:

- The overall size of the school district's program with respect to the number of employees, number and type of facilities and the size of the budget;
- The type of employment responsibilities and the effect on the educational program; and
- The nature and expected duration of the request and cost to the district.

Teaching staff members shall not be granted schedule changes that frequently interfere with their assigned class schedule. All changes in employment responsibilities and schedule shall be consistent with the appropriate collective bargaining agreement.

Leave

In accordance with the New Jersey Security and Financial Empowerment Act (SAFE Act) an employee of this district shall be entitled to up to 20 days of unpaid leave in a 12-month period when the employee or his or her child, parent, spouse, domestic or civil union partner has been the victim of a domestic violence incident or a sexually violent offense. This entitlement applies to any employee that has been employed by the district for at least 12 months and has worked 1,000 hours during the 12-month period immediately preceding the leave.

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Leave may be taken under the SAFE Act to:

- Seek medical attention or recover from physical or psychological injuries resulting from a domestic violence or a sexually violent offense for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Obtain services from a victim services organization for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Obtain psychological or other counseling for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Participate in safety planning, relocating or other actions to increase the safety of the employee or to ensure economic security of the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Seek legal assistance or remedies to ensure the health and safety of the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence or sexual violence; or
- Attend, participate in or prepare for a civil or criminal court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, was a victim.

Employees eligible to take leave under the NJ SAFE Act must, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave. The employee must provide the district written notice as far in advance as reasonable and practicable under the circumstances.

The district may require the employee to provide documentation of the domestic violence or sexually violent offense that is the basis for the leave. Documentation may include a restraining order, a letter from the prosecutor's office, documentation regarding the conviction of the abuser, medical documentation, a certification from a domestic violence specialist or rape crisis center, or documentation from a religious or social services professional who has assisted the employee or the employee's family member.

Any documentation required by the district and provided by the employee shall be maintained in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is authorized by a federal or State law, rule or regulation.

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The SAFE Act prohibits the district from discharging, harassing or otherwise discriminating or retaliating or threatening to discharge, harass or otherwise discriminate against an employee with respect to the compensation, terms, conditions or privileges of employment on the basis that the employee took or requested any leave that the employee was entitled to under the NJ SAFE Act, or on the basis that the employee refused to authorize the release of information deemed confidential under the NJ SAFE Act.

Employees may take leave under the SAFE Act for each incident of domestic violence or sexually violent offense, so long as the employee has not exhausted the maximum permissible leave time of 40 days within the 12-month period. Leave may be taken in blocks of time or intermittently in minimum intervals of one day.

If the employee requests leave for a reason covered by both the NJ SAFE Act and the Family Leave Act, N.J.S.A. 34:11B-1 et seq., or the federal Family and Medical Leave Act, 20 U.S.C. 2601 et seq., the leave shall count simultaneously against the employee's entitlement under each respective law.

Violations of the SAFE Act

Any employee alleging a violation of the NJ SAFE Act must file a private cause of action in the Superior Court within one year of the date of the alleged violation (N.J.S.A. 34:11C-1 et seq.).

NJSA	2C:25-19 Definition of Domestic Violence and Victim of Domestic 18A:16-2 through -5 Health examinations 18A:11-1 General mandatory powers and duties 11A:2-6a Civil Service, domestic violence policies 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder 18A:30-1, -2 Sick leave 18A:30-16 Prolonged absence beyond sick leave 34:11B-1 et seq. Federal Family Medical Leave Act 34:11C-1 et seq. New Jersey Security and Financial Empowerment Act 34:19-1 et seq. Conscientious Employee Protection Act
NJAC	6A:7-1.1 et seq. Managing for Equality and Equity in Education 6A:16-11.1 District policies and procedures; reporting potentially missing or abused children
	29 USCA 2601 et. seq. (Family Medical Leave Act) 29 C.F.R. 825.200 et seq. P.L. 2008, c. 17, Family Temporary Disability Leave Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

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Residency Requirements

Policy 4111.4

Date Adopted: August 23, 2012

Date Revised:

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

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

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

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

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

Current Employees

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

New Employees and/or Employment Candidates

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

Exemptions

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

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

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

Legal References

- NJSA** 10:5-1 et seq. Law Against Discrimination
18A:3-15.2 Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation
18A:6-6 No sex discrimination
18A:6-7.1, -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
18A:13-40 General powers and duties of board of newly created regional districts 18A:16-1 Officers and employees in general
18A:26-1, -1.1, -2 Citizenship of teachers, etc.
18A:27-1 et seq. Employment and Contracts
52:14-7 New Jersey First Act
52:14-7a Exemptions
- NJAC** 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:9-8.1 et seq. Requirements for Instructional Certification
6A:9-11.1 et seq. Exceptions for the Requirements for the Instructional Certificate
6A:9-12.1 et seq. Requirements for Administrative Certification
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1 Employment of teaching staff
6A:32-4.8 Support residencies for regularly certified, inexperienced first-year principals
6A:32-5.1 Standards for determining seniority

Possible Cross References

2111.4, 4211.4

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Contract – Nontenured Personnel

Policy 4112

Date Adopted: February 25, 2010

Date Revised:

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In accordance with law and for the mutual protection of the district and the employee, every teaching staff member who has not achieved tenure shall be required annually to sign an employment contract. The contract shall be executed by the President of the Board of Education on behalf of the Board and shall contain a termination clause of 60 days' notice.

Each employment contract shall include:

- A. The term of employment, including beginning and ending dates;
- B. The salary at which the person is employed;
- C. The intervals at which the person is employed;
- D. A provision for termination of contract on notice duly given;
- E. Such other matters as may be necessary to a full and complete understanding of the contract.

Should an employee be offered in error a contract for a salary which differs from that approved by the Board, the salary approved by the Board shall be the salary paid.

The Superintendent of Schools shall issue salary notification to all tenured and non-tenured personnel indicating the name of the employee and giving a concise explanation of their contractual salary for the coming year. All salary notification statements shall be issued by the Board Secretary/Business Administrator.

All terms and conditions of the contract shall conform with requirements of state law and the State Board of Education.

Legal References

- NJSA 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc; employment thereunder
18A:27-5 Written contracts of employment required
18A:27-6 Contents of contracts
18A:27-7 Contract forms
18A:27-8 Filing of contracts
18A:28-8 Notice of intention to resign required

Camden Board of Education v. Nelson Alexander, et als. (A-34/35-02)
Cresskill Bd. Of Ed. v. Cresskill Ed. Assn., 362 NJ Super. 7 (App.Div. 2003)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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**Instructional Personnel
Certification**

**Series 4000
Policy 4112.2**

Date Adopted: June 25, 1997

Date Revised: February 25, 2010, September 26, 2013

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The certification of teachers and other personnel in the public schools of New Jersey is a protective measure for the children, the community, and the staff members themselves. All personnel hired shall have proper certification as required by the New Jersey State Board of Education. The Superintendent of Schools will take appropriate steps to avoid employment of teachers with revoked or suspended certificates.

Validity of certification must be verified with the office of the Executive County Superintendent.

The Superintendent of Schools must receive valid evidence of proper certification or qualifications to pursue the alternative route to certification before presenting a candidate to the Board of Education.

District Reporting Requirements

Pursuant to the provisions of NJAC 6A:9-17.4(a), the Superintendent of Schools shall notify the New Jersey Board of Examiners when:

- Tenured teaching staff members who are accused of criminal offenses or unbecoming conduct resign or retire from their positions;
- Nontenured teaching staff members who are accused of criminal offenses or unbecoming conduct, resign, retire or are removed from their positions;
- A certificate holder fails to maintain any license, certificate or authorization pursuant to the provisions of NJAC 6A:9-4.1(b) that is mandated in order for the holder to serve in a position; or
- He or she becomes aware that a certificate holder has been convicted of a crime while in the district's employ;
- The Superintendent of Schools has received a report from the Division of Child Protection and Permanence (DCP&P) substantiating allegations of abuse or neglect or establishing "concerns" regarding a certificated teaching staff member.

In the event the New Jersey State Board of Examiners issues an order to show cause based on the information that the school district provided about the certificate holder, it shall be the responsibility of the school district to cooperate with the Board of Examiners in any proceeding arising from the order to show cause.

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Policy 4112.2**

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Provisionally Certified Teachers

The Board of Education encourages the employment of provisionally certified teachers for service in their first and second years of employment. The building principal or other appropriately certified administrator shall observe and evaluate all provisionally certified teachers in the first year of employment in conformance with the schedule described in the administrative code.

Mentoring Novice Teachers

In order to enhance student achievement of the Core Curriculum Content Standards by enhancing the skills of inexperienced teachers, identifying exemplary teaching skills and practices necessary for excellent teaching and assist novice teachers in adjusting to the challenges of teaching, the Board of Education shall ensure the development of a mentoring plan for all novice teachers employed in the district.

The plan shall provide each novice teacher with in-person contact with a mentor teacher (who may be a retired teacher or administrator) who shall provide confidential support and guidance to the novice teacher. The plan shall be developed by the local Professional Development Committee, approved by the Board of Education, and aligned with the professional standards for teachers as set forth in administrative code. Included in the plan shall be criteria for selection and training of mentor teachers. Implementation of the district mentor plan shall be in compliance with the administrative code and included in the district annual report.

The Board of Education shall annually submit a report with required data to the State Department of Education on the effectiveness of the local mentoring plan. State funds appropriated for the novice teacher mentoring program shall be applied in accordance with law and code.

Special Education

All personnel serving students with disabilities shall be appropriately certified and licensed, where a license is required.

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Legal References

NJSA 18A:6-38 Powers and duties of the board; issuance and revocation of certificate; rules and regulations
18A:6-39 Issuance of certificates to non-citizens
18A:6-76.1 Deadlines for notification to students of requirements of provisional certificate and induction program; submission of induction program plan to school districts and Department of Education; coordination of mentor training program
18A:26-1, -2, -8.1, -9 Citizenship of teachers, etc.
18A:26-2.1 et al. Supervisory certificate required for appointment as director of athletics
18A:27-2 Employment without certificate prohibited
18A:29-1 Uncertified teacher denied salary
18A:40A-4 Preservice training of future teachers; teaching certificate requirements

NJAC 6:30-2.1(a)8 Purpose and program descriptions (Adult education programs)
6A:9-1.1 et seq. Professional Licensure and Standards
6A:9-17.4 District reporting responsibilities
6A:10A-2.2 Preschool programs
6A:14-1.1 et seq. Special Education
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1(d) Employment of teaching staff
6A:32-12.1 et seq. Reporting requirements

Old Bridge Education Association v. Old Bridge Township Bd. of Ed., 1986 S.L.D. 1917
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2131, 4010, 4111, 6130, 6141, 6142.1, 6156, 6163.1, 6164.2, 6171.4, 6200

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Tax Shelter Annuities

Policy 4112.3

Date Adopted: February 25, 2010

Date Revised:

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The Board of Education recognizes the importance of providing the opportunity for employees to participate in a tax shelter annuity through the district's payroll process.

The guidelines for tax shelter annuities in the district shall be as follows:

1. The approved agency or agencies shall be designated by the Board.
2. The Board shall direct the Board Secretary to make payroll deductions and transmit such to the agency.
3. Any questions or clarifications of these programs shall be addressed by employees to the Board Secretary/Business Administrator. Any enrollment or information sessions relative to the programs shall be conducted after regular school hours or during lunch.
4. The Board accepts no liabilities for the performance of either the funds or the agencies.

Legal References

- NJSA 17B:17-5 Annuity defined
18A:66-127 Employees of board of education, agreement to reduce salary for purchase of annuity
18A:66-128 Reduction of salary for obtaining certain benefits

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Credit Union

Policy 4112.35

Date Adopted: February 25, 2010

Date Revised: January 26, 2012

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The Board of Education recognizes the importance of providing the opportunity for employees to participate in a personal savings plan through the districts payroll deduction process.

The guidelines for Credit Union payroll deductions in this district shall be as follows:

1. The approved agency shall be designated by the Board of Education in accordance with pertinent negotiated contracts.
2. The Board shall direct the Board Secretary to make payroll deductions and transmit such to the designated credit union each payroll period.
3. All enrollments for the program shall be accomplished in September or February of each school year.
4. Any questions or clarifications of these programs shall be directed to the credit union by employees. Any enrollment or information sessions relative to the programs shall be conducted after regular school hours.
5. The Board accepts no liabilities or responsibility for the performance of the designated credit union.

Legal References

NJSA 18A:66-128 Reduction of salary for obtaining certain benefits
18A:16-9 Responsibility of board
18A:19-9 et seq Compensation of teachers; payroll
18A:66-19 Payroll deductions
18A:66-127 Employees agreement to reduce salary for purchase of annuity
18A:66-128 Reduction of salary for obtaining certain benefits
43:3C-9 Payroll deductions
52:18A:107 et seq, Payroll deductions

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Employee Health

Policy 4112.4

Date Adopted: August 28, 2003

Date Revised: February 25, 2010

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Health Examinations

When a candidate has been given a conditional offer of employment, he/she shall be required to submit to a medical evaluation and a physical examination. This physical examination may include testing for controlled dangerous substances as they are defined in the criminal code. Elements of the examination of newly employed staff shall include but not be limited to those physical exam elements listed in administrative code.

Employees may be required to undergo an annual physical examination.

The results of all required employee medical examinations shall be made known to the Superintendent of Schools on a confidential basis, discussed with the employee, and made a part of his/her confidential medical record. Records and reports of examinations shall be filed with the district medical inspector as confidential information but shall be available to and reported to appropriate health agencies as required by law.

In the event an employee of the Board has been determined to have a mental abnormality or communicable disease or exhibits symptoms of substance abuse and, if in the opinion of the district medical inspector such condition makes the employee unfit for continued employment, the Board may remove the employee from further service as provided by law or grant leave as provided by law during the period of unfitness. An employee determined to be unfit must provide the Board with satisfactory proof of recovery before reinstatement will be allowed.

In order to protect the pupils and staff in the district schools, all regulations of the State Department of Education, the State Department of Health and the Local Board of Health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases. Staff members who have been identified as having a communicable disease shall not be permitted continued employment unless they qualify under the above agencies' rules pertaining to periods of incubation, communicability, quarantine and reporting.

When required examinations are performed by a physician designated by the Board, the Board shall bear the expense. Should an employee prefer to see his/her own physician, with Board approval, the employee shall bear the expense.

In the event that the prospective employee in question had, as a condition of employment in another NJ school district during the same school year, undergone an identical physical examination and can provide the Superintendent of Schools a copy of a certificate to verify this, then, in that case, the Superintendent of Schools, at his/her discretion, may excuse the prospective from obtaining a new physical examination.

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Each school employee shall submit an updated health history with an assurance statement presented within a time frame established by the Board of Education.

An employee who refuses to submit an updated health history with an assurance statement shall undergo a physical examination pursuant to applicable state laws and regulations.

Confidentiality of employee medical records including computerized records shall be assured. The school district shall regulate access, compilation and maintenance of employee health records in compliance with federal and state statutes governing the collection, maintenance, disclosure and security of employee medical records. It shall be the responsibility of the Superintendent of Schools to establish procedures to ensure the security of employee health records maintained in this school district.

The section of the medical record which contains the health history, e.g. medications or current health status to assure ready access in a medical emergency, may be shared with the Superintendent of Schools/designee and school nurse with the consent of the employee.

When an employee is requested to submit to a physical examination, except in the verification of sick leave, he/she shall be provided with:

- A. A written statement of reasons for the request;
- B. An opportunity for a Board hearing, if so requested (said hearing shall be in private and confidential unless the employee requests otherwise);
- C. Adequate prior notice of the date of the hearing;
- D. Copies of statements or affidavits relied on by the Board prior to the hearing;
- E. An opportunity to be represented at the hearing by counsel or other persons of the employee's choice;
- F. An opportunity to present witnesses on his/her behalf.

Reports of these examinations shall include a statement by the examining physician as to any physical or mental condition noted likely to prevent the person examined from performing all duties and responsibilities of the position sought or occupied, or creating a risk to the health or welfare of pupils or other employees, or a statement that no such condition exists.

All records and report of such examinations shall be filed with the district medical inspector as confidential information but shall be available to and reported to appropriate health agencies as required by law.

Occupational Containment of Bloodborne Pathogens

The Board is committed to provide a safe and healthful work environment for staff. In pursuit of this endeavor, an Exposure Control Plan (ECP) shall be provided to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with federal regulations.

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The ECP is a key document to assist the district in implementing and ensuring compliance with the OSHA bloodborne pathogens standard, thereby protecting employees. This ECP includes:

- A. Identification of tasks, procedures and job classifications where occupational exposure to blood occurs;
- B. Procedures for evaluating the circumstances surrounding an exposure incident; and,
- C. The schedule and method for implementing the specific sections of the standard, including:
 1. Methods of compliance;
 2. Hepatitis B vaccination;
 3. Post-exposure evaluation and follow-up;
 4. Hazard communication requirements;
 5. Effective employee training;
 6. Recordkeeping.

The ECP shall be reviewed annually to ensure that it reflects use of the most current medical technology.

Implementation and Dissemination

The Superintendent of Schools in consultation with the district medical inspector shall prepare regulations to implement this policy in compliance with law and code. All employees shall receive this policy and be made aware of all requirements for health examinations.

Legal References

- NJSA** 2C:35-1 et seq. Comprehensive Drug Reform Act of 1987
18A:16-2 Physical examinations; requirement
18A:16-3 Character of examinations
18A:16-4 Sick leave; dismissal
18A:16-5 Records of examinations
18A:40-10 Exclusion of teachers and pupils exposed to disease
18A:66-39 Disability retirement
26:4-1 "Communicable disease" defined
26:4-6 Prohibiting attendance of teachers or pupils
26:4-15 Reporting of communicable diseases by physicians
26:5c-1 et seq. AIDS Assistance Act
- NJAC** 6A:16-1.4 et seq. District policies and procedures
6A:16-2.1 Health services policy and procedure requirements
6A:32-6.1 et seq. School Employee Physical Examinations
8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV Infection
12:100-4.2 Safety and Health Standards for Public Employees (Adoption by reference)
- 42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
29 CFR 1910.1030 - Bloodborne Pathogen Standard
School Board of Nassau County v. Arline, 480 U.S. 273 (1987)
Warren v. Warren Fire Officers Association, 10 NJPER 15022
HIV Policy and Practice: Regulatory Requirements for New Jersey Public Schools, SDOE Division of Student Services, Sept. 1996, Doc. #P101400-31
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

4111, 4112.6, 4117.50, 4117.52, 4119.23, 4150

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Vaccination and Testing

Policy 4112.4.1

Date Adopted: October 14, 2021

Date Revised:

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VACCINATION AND TESTING

The board believes that preventing the transmission of COVID-19 is critical to keeping schools open for in-person instruction. The board requires that all eligible teachers, educational staff, contracted employees, vendors, volunteers, providers and any other individuals working in the schools where regular visits to the schools are part of the individual's job duties, be fully vaccinated. Unvaccinated eligible teachers, educational staff, contracted employees, vendors, volunteers, providers and any other individuals working in the schools shall be subject to routine COVID-19 testing.

Executive Order 253 declares that "the State has experienced significant upticks in critical COVID-19 metrics over the past few months, including COVID-19 positive cases, the rate of transmission, spot positivity, and new hospitalizations, that warrant additional precautions in certain settings, especially those with a substantial number of unvaccinated individuals. The Centers for Disease Control (CDC) has emphasized that vaccination is a critical means to prevent spread of COVID-19 and to avoid infection of those individuals that cannot be vaccinated because their age precludes them from receiving one... The majority of the student population remains ineligible for vaccination at this time." Therefore, the CDC has strongly recommended vaccination of all eligible teachers and educational staff.

Executive Order 253 also declares that as of October 18, 2021, all staff members who are eligible to be vaccinated against COVID-19 must receive the vaccine or be subject to routine COVID-19 testing. Executive Order 253 also applies to contracted employees, vendors, providers and any other individuals working in the schools where regular visits to the schools are part of the individual's job duties, including volunteers.

According to N.J.S.A. 26:13-3, the Governor of the State has the authority to declare a public health emergency. According to N.J.S.A. App.A:9-33, the purpose of the Civilian Defense and Disaster Control Act is to "provide for the health, safety and welfare of the people of the State of New Jersey and to aid in the prevention of damage to and the destruction of property during any emergency ... by prescribing a course of conduct for the civilian population..." According to N.J.S.A. App.A:9-40, public officials are required to fully cooperate with the Governor in all matters affecting any declared emergency. Furthermore, Executive Order 253 expressly forbids state entities from taking any action that conflicts with or impedes its implementation.

Definitions

"Covered settings" are all public, private, and parochial preschool programs, and elementary and secondary schools, including charter and renaissance schools.

"Covered workers" shall include all individuals employed by the covered setting, both full and part-time, including, but not limited to, administrators, teachers, educational support professionals, individuals providing food, custodial, and administrative support services, substitute teachers, whether employed directly by a covered setting or otherwise contracted, contractors, providers, and any other individuals performing work in covered settings whose job duties require them to make regular visits to such covered settings, including volunteers. Covered workers do not include individuals who visit the covered setting only to provide one-time or limited duration repairs, services, or construction.

"Fully vaccinated" for COVID-19 is two weeks or more after an individual has received the second dose in a two-dose series or two weeks or more after they have received a single-dose vaccine. Individuals will only be considered fully vaccinated where they have received a COVID-19 vaccine that is currently authorized for emergency use by the Food and Drug Administration (FDA) or the World Health Organization (WHO), or that are approved for use by the same. Workers who are not fully vaccinated, or for whom vaccination status is unknown or who have not provided sufficient proof of documentation, shall be considered unvaccinated.

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Vaccination and Testing

Policy 4112.4.1

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Date Revised:

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Vaccination and Testing

The board requires all covered workers to either provide adequate proof that they have been fully vaccinated or submit to COVID-19 testing at minimum one to two times weekly. This requirement shall take effect on October 18, 2021, at which time any covered workers that have not provided adequate proof that they are fully vaccinated must submit to a minimum of weekly or twice weekly testing on an ongoing basis until fully vaccinated.

Covered workers may demonstrate proof of full vaccination status by presenting the following documents if they list COVID-19 vaccines currently authorized by the Food and Drug Administration (FDA) Emergency Use Authorization (EUA) in the United States and/or the World Health Organization (WHO), along with an administration date for each dose:

- A. The CDC COVID-19 Vaccination Card issued to the vaccine recipient by the vaccination site, or an electronic or physical copy of the same;
- B. Official record from the New Jersey Immunization Information System (NJIS) or other State immunization registry;
- C. A record from a health care provider's portal/medical record system on official letterhead signed by a licensed physician, nurse practitioner, physician's assistant, registered nurse or pharmacist;
- D. A military immunization or health record from the United States Armed Forces; or
- E. Docket mobile phone application record or any state specific application that produces a digital health record.

Covered settings collecting vaccination information from covered workers must comport with all federal and State laws, including but not limited to the Americans with Disabilities Act, that regulate the collection and storage of that information.

Testing

The covered worker shall undergo screening testing at a minimum of one to two times each week.

The unvaccinated covered worker shall submit proof of a COVID-19 test to the chief school administrator or his or her designee. (**Select Option 1:** The worker may choose either antigen or molecular tests that have EUA by the U.S. Food and Drug Administration (FDA) or are operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services. **OR Option 2** The district shall provide the unvaccinated covered worker with on-site access to an antigen or molecular COVID-19 test.)

If the covered worker is not working on-site during a week where testing would otherwise be required, the worker is still required to submit to testing for that week. This testing requirement is in addition to any other diagnostic testing of symptomatic workers or screening testing of vaccinated workers.

Tracking and Records

The chief school administrator shall assign a staff member who is responsible for tracking test results and reporting such results to local public health departments.

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Vaccination and Testing

Date Adopted: October 14, 2021

Date Revised:

The collection of and storage of test results, examination results and proof of vaccination documentation shall comport with board policies and all federal and State laws, including but not limited to the Americans with Disabilities Act, that regulate the collection and storage of that information. Employee records and documentation shall be kept in the employee's confidential health record that shall be maintained separately from other personnel files (see board policy 4112.6/4212.6 Personnel Records). The custodian of records shall maintain test results, examination results and proof of vaccination records and documentation for all other covered workers in a locked and secure location to ensure confidentiality (see board policy 3570 District Records and Reports).

Adopted:
NJSBA Review/Update:
Readopted:

Key Words

Proof of Vaccination, Vaccination, COVID-19, Coronavirus, Examination, Test

Resources:

The CDC recently issued updated guidance regarding considerations for wearing face coverings and how it can help slow the spread of COVID-19. Schools should refer to this guidance as it includes details regarding who should and should not wear a face covering:

[Guidance for COVID-19 Prevention in K-12 Schools | CDC](#)

Centers for Disease Control and Prevention "Your Guide to Masks" at: [Your Guide to Masks | CDC](#)

NJDOE School Reopening Frequently Asked Questions at: <https://www.nj.gov/education/reopening/faqs/#sd>

NJDOE Update to Conditions of Learning, Health and Safety, "Critical Area of Operation #5: Screening, PPE, and Response to Students and Staff Presenting Symptoms" and "Critical Area of Operation #3: Transportation" <https://nj.gov/education/reopening/updates/docs/RestartUpdateFacecoverings080320.pdf>

"Physical Distancing, face coverings, and eye protection to prevent person-to-person transmission of SARS-CoV-2 and COVID-19: a systematic review and meta-analysis;" September 21, 2020. D.K. Chu, S. Duda, K. Solo, S. Yaacoub, and H. Schunemann. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7503118/>

Legal References:

N.J.S.A. 18A:35-4.6

through -4.8

N.J.S.A. 18A:40-4

N.J.S.A. 18A:40-4.4

N.J.S.A. 18A:40-4.5

N.J.S.A. 18A:40-5

N.J.S.A. 18A:40-6

N.J.S.A. 18A:40-7, -8,

-10, -11

N.J.S.A. 18A:40-12.37 Release to share medical information

Parents Right to Conscience Act of 1979

Examination for physical defects and screening of hearing of pupils; health records

Exemption

Immunity from action of any kind due to provisions of act

Method of examination; notice to parent or guardian

In general

Exclusion of pupils who are ill

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N.J.S.A. 18A:40-20

Immunization at public expense

N.J.S.A. 26:1A-9.1

Exemption of pupils from mandatory immunizations

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

Prohibiting attendance of teachers or pupils

N.J.A.C. 6A:14-3.4

Evaluation

N.J.A.C. 6A:16-1.1et seq.

Programs to Support Student Development

See particularly:

N.J.A.C. 6A:16-1.1, -1.3,

-2.1, -2.2, -2.3, -2.4

N.J.A.C. 8:57-4.3

Medical exemptions

N.J.A.C. 8:57-4.4

Religious exemptions

N.J.A.C. 8:57-4.5

Provisional admission

N.J.A.C. 8:57-4.7

Records required

N.J.A.C. 8:57-4.8

Reports to be sent to the State Department of Health

N.J.A.C. 8:57-4.9

Records available for inspection

N.J.A.C. 8:57-4.22

Emergency power of the Commissioner, Department of Health and Senior Services

20 U.S.C.A. 1232h

Protection of Pupil Rights Amendment

Executive Order No. 251, Governor Philip D. Murphy, August 6, 2021.

Executive Order No. 253, Governor Philip D. Murphy, August 23, 2021.

The NJDOE Guidance: *The Road Back: Restart and Recovery* at:

<https://www.nj.gov/education/reopening/>

The NJDOE Guidance: *The Road Forward: Health and Safety Guidance for the 2021-*

2022 School Year at: [The Road Forward \(nj.gov\)](https://www.nj.gov/education/reopening/)

Possible

Cross References:

*1410

Local units

*4123

Classroom aides

*5111

Admission

*5113

Absences and excuses

*5131.6

Drugs, alcohol, tobacco (substance abuse)

*5141

Health

*5141.21

Administering medication

*5200

Nonpublic school pupils

*Indicates policy is included in the Critical Policy Reference Manual.

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Criminal History Verifications

Policy 4112.5

Date Adopted: February 25, 2010

Date Revised:

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Pursuant to N.J.S.A. 18A:6-7.1 et. seq. and N.J.S.A. 18A:39-19.1, all employees of a public school district under the supervision of the State Department of Education who hire or contract for the services of any employees having regular pupil contact must submit a criminal background check. This mandate shall apply to all employees hired or contracted by the school district after October 8, 1986.

In order to provide for the proper security of the children of this district by prohibiting employment of unfit persons in the schools, the Board of Education directs the Superintendent of Schools to establish procedures necessary for the implementation of the school employee criminal history review consistent with statute and code.

Further, the Board directs that all employees subject to the criminal history check successfully clear this process prior to appointment unless the Superintendent of Schools determines that the circumstances and/or needs of the district warrant an exception.

Legal References

- NJSA 18A:6-7.1 et seq Criminal history record checks for final candidates for school employee positions
18A:39-19.1 Criminal records of school bus drivers; effect

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Policy 4112.6**

Date Adopted: June 25, 1997

Date Revised: February 25, 2010

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Orderly administration of the school district and compliance with state and federal law require the compilation of information about all employees of the district. The Board of Education recognizes that there is a distinction between those personnel records which are clearly a matter of public concern, and those which must be considered privileged until such time as they are opened to the public by the NJ Commissioner of Education or the courts.

The Superintendent of Schools may consult with the Board Attorney regarding which personnel records are mandated to be kept by law, and those to be kept for administrative purposes. The Superintendent of Schools and the Board Attorney shall be responsible for limiting administrative records to those that are consistent with New Jersey and federal law.

In accordance with federal law, the Superintendent of Schools shall establish procedures to release information upon request regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents/guardians for any teacher or paraprofessional who is employed by a school receiving Title I funds and who provides instruction to their children.

The Superintendent of Schools shall establish the necessary regulations for maintaining both public and confidential employee records.

- A. The public file shall consist of an alphabetic index of all those presently employed by the district in whatever capacity. The information in this file shall be limited to name, title, position, salary, payroll record, length of service, and, if applicable, date of separation and rehire. The Superintendent of Schools shall devise procedures for making this file available to the public in accordance with the Open Public Records Act.
- B. The confidential file shall consist of an individual personnel folder for each current employee. The information in this file shall include all records mandated by state and federal law; evaluation of performance; record of attendance; original application filed by the employee; transcript of certification; original salary and increments; date of tenure; notations of commendation and disciplinary actions consistent with law. This file is available for examination:
 1. At any time, by the Superintendent of Schools or the supervisory personnel he/she designates;
 2. During regular business hours, by the employee or his personally authorized representative, in accordance with regulations and in the presence of the Superintendent of Schools;
 3. During regular business hours, or at any meeting of the Board or any committee thereof, by any member of the Board in connection with any assigned Board responsibility or duty.

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- C. Employee health records shall be maintained separately from other personnel files and in strict confidentiality. Only the employee, the chief medical inspector and the Superintendent of Schools shall have access to an employee's medical file. To assure ready access in a medical emergency, the section of the medical record that contains the health history may also be shared with the building principal and the school nurse with the consent of the employee.
- D. Staff emergency contact cards for all employees shall be maintained by the Superintendent of Schools/designee and updated annually.

Legal References

- NJSA 18A:6-7 Oaths of persons employed in teaching capacities
- 18A:6-7a Removal from personnel files of reference to complaint of child abuse or neglect determined to be unfounded
- 18A:6-11 Written charges; written statement of evidence; filing; statement of position by employee; certification of determination; notice
- 18A:11-1 General mandatory powers and duties
- 18A:54-20 Powers of board (county vocational schools)
- 47:1A et seq. Examination and copies of public records ("Open Public Records Act")
- 47:3-15 et seq. Destruction of Public Records Law
- NJAC 6A:32-6.1 et seq. School Employee Physical Examinations
- 12:100-4.2 Safety and health standards for public employees occupational exposure to bloodborne pathogens (Adoption by reference)
- 29 CFR 1910.1030 - Bloodborne Pathogen Standard
- No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
- Executive Order No. 9, September 30, 1963; modified by Executive Order No. 11, November 15, 1974
- Citizens for Better Education v. Camden Bd. of Ed., 124 N.J. Super. 523 (App. Div. 1973)
- Trenton Times Corp. v. Trenton Bd. of Ed., 138 N.J. Super. 357 (App. Div. 1976)
- Nero v. Hyland, 76 N.J. 213 (1978), rev'd 146 N.J. Super. 46 (App. Div. 1977), 136 N.J. Super. 537 (Law Div. 1975)
- Brick Township Education Association v. Brick Township Bd. of Ed., 1974 S.L.D. 111
- Sayreville Education Association v. Sayreville Bd. of Ed., S.L.D. 197
- White v. Galloway Township Bd. of Ed., 1977 S.L.D. 900, aff'd St. Bd. 1977 S.L.D. 903
- Witchel v. Cannici and the Passaic Bd. of Ed., 1966 S.L.D. 159
- Mendell v. Cimmino and the Kinnelon Bd. of Ed., 1970 S.L.D. 185
- Cordano v. Weehawken Bd. of Ed., 1974 S.L.D. 316, appeal dismissed St. Bd. 1974 S.L.D. 323
- Horner v. Kingsway Regional Board of Education, 1990 S.L.D. 752
- Lacey Township Board of Education v. Lacey Township Education Association, 130 N.J. 312 (1992)
- Beatty v. Chester 1999 S.L.D. August 31
- Ciambrone v. Bloomingdale 2000 S.L.D. May 7
- Manual for the Evaluation of Local School Districts
- New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3570, 4111, 4112.4/, 4115/4116, 5141.4

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Instructional Personnel
Nepotism

Series 4000
Policy 4112.8

Date Adopted: June 25, 1997

Date Revised: February 25, 2010, January 12, 2017, April 12, 2018

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In order to avoid the reality and the appearance of conflict of interest in its employment, and in accordance with NJAC 6A:23A-6.2, the Board of Education will not appoint a relative of a Board Member or of an Administrator, as defined by statute, to any employment position in this district, and directs that no person who is a relative of a Board Member or administrator shall be placed in nomination for any vacant position. Nor shall any person be considered for employment in any position in which he/she would come under the direct or indirect supervision of any relative.

Definitions

For the purpose of this policy “nepotism” shall be defined as the showing of favoritism to an employee or candidate for employment based on the existence of a relationship as a relative or immediate family member of a Board Member or Superintendent / Principal.

Definitions

For the purpose of this policy the following definitions shall apply:

“Nepotism” shall be defined as the showing of favoritism to an employee or candidate for employment based on the existence of a “conflicted relationship” with a Board Member or Superintendent / Principal.

“Conflicted relationship” includes but is not limited to an immediate family member, a relative, and any other relationship that create a justifiable impression that the public trust may be violated.

“Conflicted Board Member/administrator” shall mean any Board Member or administrator with a conflict of interest, regardless of the source of conflict as identified in the definitions below.

“Relative” shall be defined as an individual’s spouse, civil union partner, domestic partner, or the parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, of the individual or of the individual’s spouse, civil union partner or domestic partner, whether the relative is related to the individual or the individual’s spouse, civil union partner or domestic partner, by blood, marriage or adoption.

“Immediate family” shall be defined as Board Member or school administrator, their spouse, civil union partner, domestic partner, child, parent or sibling residing in the same household, whether related by blood, marriage or adoption.

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“Other” when describing relationships between individuals and Board Members or the Superintendent / Principal includes but is not limited to in-law, cousin, cohabitating partner, and step daughter-in-law and any other personal or professional relationship that creates the justifiable impression that the public trust is being violated.

In accordance with the provisions of NJSA 18A:12-24(b), Board Members may not provide any unwarranted privilege, advantage or employment in the district. However, there shall be no presumption of a conflict simply because a Board Member a Board Member’s family member works in the district. Should a Board Member and his/her family member, as described herein, enter into a business arrangement or if the family member were to be granted unwarranted privilege, advantage or employment in the district, a conflict would then be apparent and the Board Member would be required to comply with all pertinent sections of this policy.

Employment and Supervision of a Relative

The Board of Education, in order to avoid both the reality and the appearance of conflict of interest in employment, will not initially appoint a relative of a Board Member or of the Superintendent / Principal to any employment position in this district.

No Board Member or administrator of this district, shall use or attempt to use his/her official position to secure unwarranted privileges, advantages or employment for himself, members of his/her immediate family or others.

The Superintendent / Principal shall not recommend to the Board for initial hire any relative of a Board Member or of the Superintendent / Principal, unless the person is subject to the exception below. Nor shall any person be considered for employment in any position in which he/she would come under the direct or indirect supervision of any relative. Where it is not feasible to eliminate such a direct or indirect supervisory relationship, appropriate screens and/or alternate supervision/reporting mechanisms shall be put in place.

No conflicted administrator shall supervise, or exercise authority over personnel matters in which the administrator has a conflict. No Board Member shall deliberate or vote on a matter involving the member’s conflicted relationship. Nor should the Board Member be present for any confidential discussion of employment matters in which they have a conflict. Neither should the Board Member receive confidential information pertaining to a matter in which they have a conflict.

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Exceptions

Persons who are employees of the Board of the date that this policy becomes effective or the date a relative becomes a Board Member or Superintendent / Principal shall not be prohibited from continuing to be employed in the district. This includes employees who must be renewed annually by the Board. The Superintendent / Principal may recommend those employees for reemployment, transfer, promotion or removal.

A relative of a Board Member or Superintendent / Principal may be initially employed by the district provided that the district has obtained the approval from the Executive County Superintendent. Such approval shall be granted only upon demonstration by the school district that it conducted a thorough search for candidates and that the proposed candidate is the only qualified and available person for the position. Per diem substitutes and student employees may be excluded from the initial hiring aspects of this nepotism policy.

Participation in Employment Related Matters

Conflicted Board Members may not participate in employment matters concerning the Superintendent / Principal, principal or any administrator or supervisor(s) in the chain of command between the employee and Superintendent / Principal.

Prohibited activities for conflicted Board Members include hiring of the selection agency, criteria, job description, voting to advertise for applicants, search committee, vote to hire and any evaluation and contract discussion post-hire.

Conflicted Board Members may not be present in closed session when discussions regarding the administrators take place and should not be privy to executive session materials until such time as the minutes are made available to the general public.

Board Member/Superintendent / Principal Participation in Negotiations

In-District Bargaining Units

When a Board Member or school administrator is in a conflicted relationship that prohibits participation in collective negotiations, that Board Member or school administrator shall not participate in any way in negotiations. This includes, but is not limited to, setting negotiation parameters, being a member of the negotiating team, receiving negotiations updates, voting on the proposed agreement and post-contract participation in grievances. Nor shall that Board Member or school administrator be present with the Board in closed session when negotiation strategies are being discussed. A school administrator may provide technical information that is necessary to the collective bargaining process when no one else can provide that information.

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Board Members or the Superintendent / Principal are similarly precluded from participation in negotiations with any bargaining unit whose members have supervisory authority over a family member or other conflicted connection.

Out-of-District Similar Statewide Bargaining Units

When a Board Member or school administrator is in a conflicted relationship with an individual who is a member of an out-of-district similar statewide union with which the Board is negotiating, that Board Member or school administrator shall not participate in any way in negotiations. This includes, but is not limited to:

- Developing negotiation parameters;
- Being a member of the negotiating team;
- Receiving confidential negotiations information updates prior;
- Voting on the contract; and
- Grievance participation.

A school administrator may, however provide technical information that is necessary to the collective bargaining process when no one else in the district can provide that information.

When a Board Member or school administrator is in a conflicted relationship involving a relative who is a member of an out-of-district similar statewide union with which the Board is negotiating, there is no conflict unless the relative has a union leadership position in the state-wide union or local union that has the ability to affect negotiations. Union leadership positions in the state-wide union or local union that have the ability to affect negotiations include but are not limited to:

- Officer;
- Grievance chairperson;
- Building representative;
- Negotiation committee member.

A school official who has a conflicted relationship with any employee of the district or an employee in another out-of-district similar statewide union as of the effective date of this policy shall declare such relationship to the Board immediately.

Doctrine of Necessity

When a quorum of the Board has conflicted interests, the doctrine of necessity may be invoked in order to allow conflicted Board Members to participate in the negotiation process and vote. The doctrine of necessity may be invoked for the negotiation team or superintendent search committee only when the Board of Education has fewer non-conflicted Board Members than are required, pursuant to statute, to take action. The Board shall only invoke the doctrine of necessity after consultation with the Board attorney.

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When invoking the Doctrine of Necessity, the Board shall state publically that it is invoking the Doctrine of Necessity with the reasons for doing so and the specific nature of the conflicts of interest. The Board shall read the resolution invoking the doctrine of necessity at a regularly scheduled public meeting, post the notice of the resolution for 30 days and provide the School Ethics Commission with a copy of the resolution

Implementation

The connections and relationships that create a conflict of interest for an individual Board Member’s participation in Board decisions are subject to changes that result from commissioner rulings or changes in law. Therefore, the Board shall consult with the Board attorney as necessary and appropriate for guidance and clarification related to the implementation of this policy.

A school official who has such relationship with any employee of the district as of the effective date of this policy shall declare such relationship immediately.

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Legal References

- NJSA** 18A:12-2 Inconsistent interests or office prohibited
18A:12-21 et seq. School Ethics Act
18A:16-1 Officers and employees in general
18A:27-4.1 Appointment, transfer, removal or renewal of officers and employees;
- NJAC** 6A:4-1.1 et seq. Appealable decisions
6A:23A-1.2 et seq. Fiscal accountability; definitions
6A:23A-6.2 et seq. Fiscal accountability; nepotism
6A:28-1.1 et seq. School Ethics Commission
In the Matter of the Election of Dorothy Bayless to the Board of Education of the Lawrence Township School District, 1974 S.L.D. 603, reversing 1974 S.L.D. 595
Shirley Smiecinski v. Board of Education of the Township of Hanover, Morris Cnty
Scola v. Ringwood Bd. of Ed., 1978 S.L.D. 413
Salerno v. Old Bridge Board of Ed., 1984 S.L.D. (April 28)
Larsen v. Woodbridge Board of Ed., 1985 S.L.D. (March 18)
Scannella v. Scudillo, School Ethics Decision, Complaint No. C-14-93,
In the Matter of Frank Pannucci, 2000 S.L.D. March 1, State Board Rev'g
Commissioner 97 NJAR 2d (EDU) 339
School Ethics Commission, Advisory Opinion
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)
School Ethics Commission, Advisory Opinion, A01-93
School Ethics Commission, Advisory Opinion, A021-93
School Ethics Commission, Advisory Opinion, A10-93
School Ethics Commission, Advisory Opinion, A107-94
School Ethics Commission, Advisory Opinion, A33-95
School Ethics Commission, Advisory Opinion, A03-95
School Ethics Commission, Advisory Opinion, A01-98
School Ethics Commission, Advisory Opinion, A14-00
School Ethics Commission, Advisory Opinion, A01-93
School Ethics Commission, Advisory Opinion, A03-13
School Ethics Commission, Advisory Opinion, A01-13
School Ethics Commission, Advisory Opinion, A15-93
School Ethics Commission, Advisory Opinion, A22-13
School Ethics Commission, Advisory Opinion, A10-14
School Ethics Commission, Advisory Opinion, A11-14
School Ethics Commission, Advisory Opinion, A43-14
School Ethics Commission, Advisory Opinion, A03-15
School Ethics Commission, Advisory Opinion, A05-15
School Ethics Commission, Advisory Opinion, A24-17
School Ethics Commission, Advisory Opinion, A35-17

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Sick Leave Accrued in Another District

Policy 4112.9

Date Adopted: February 2, 2000

Date Revised: February 25, 2010

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The Board of Education, at its discretion, may elect to allow a newly hired employee to apply for up to 24 sick days earned in another accredited public school district to be applied as sick leave only in the Fairfield Township Public Schools.

Application to carry in sick days from another district must be made in writing to the Superintendent of Schools at least 7 days prior to the Board's approval of the staff member's initial hiring.

A letter from the prospective employee's former school district must be supplied with the written request. The letter must be on school letterhead, signed by the Building Principal or Personnel Director and state the employee's name, length of employment and number of sick and personal days accrued during his/her time of employment.

Application to carry in sick days from another district may not be made after the Board has approved the hiring of a staff member.

Sick days carried in from another district may not be counted toward any sick leave buy-back to which an employee is eligible when leaving or retiring from the Fairfield Township Public School District.

Sick leave days "carried into" the district may not be converted to vacation, personal or bereavement days.

Legal References

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

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Assignment / Transfer

Policy 4113 / 4114

Date Adopted: June 25, 1997

Date Revised: February 25, 2010

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The Superintendent of Schools shall make certified staff assignments in the manner best calculated, in his/her judgment, to enhance the educational program.

Teaching, supervisory and administrative personnel are subject to assignment and transfer after recommendation of the Superintendent of Schools and approved by the Board of Education. Procedures for such transfers shall comply with provisions of current negotiated agreements and state and federal law.

The Superintendent of Schools may use his/her discretion to make temporary assignments of existing employees to cover long-term absences of other staff members. It is the policy of the Board that these temporary assignments will be in the best interest of the school district and its pupils.

It is the policy of the Board that twelve-month employees are expected to work a full school day on such days as school is in session less than full time due to a scheduled non-emergency activity (workshop, in-service, staff meeting, etc.). The Superintendent of Schools may dismiss twelve-month employees after less than a full school day's work in any situation where he/she deems their continued attendance to be of little or no value to the educational program being considered at that time.

Part-time teachers shall be scheduled by the Superintendent of Schools and in the case of emergency school closings, part-time teachers may be scheduled to work on alternate days than those on which they would have been scheduled in order to affect no loss of instructional time due to school closing.

Any staff member appointed to an extra duty position is expected to serve unless excused for extenuating circumstances. A refusal to serve or resignation from extra duty service without permission may constitute an act of insubordination and subject the employee to disciplinary procedures.

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Legal References

NJSA 18A:25-1 Transfer of teaching staff members
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions
18A:59-1 through -3 Apportionment and distribution of federal funds; exceptions
34:13A-1 et seq. New Jersey Employer-Employee Relations Act

NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

42 U.S.C.A. 2000d - 2000d4 - Title VI of the Civil Rights Act of 1964
20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act
Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100-297)
34 CFR 200.1 to 200.89 - Part 200
34 CFR Part 204
Ridgefield Park Education Association v. Ridgefield Park Board of Education, 78 N.J. 144 (1978)
The Comprehensive Equity Plan, New Jersey State Department of Education Division
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2224, 4111, 4111.1, 5145.4, 6160

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**Series 4000
Policy 4115 / 4116**

Date Adopted: August 3, 2000

Date Revised: February 25, 2010, November 21, 2013,
December 18, 2014, December 12, 2018

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Supervision

The Board of Education believes that the purpose of supervision is to improve teacher performance in the classroom so that all students have an opportunity to achieve the New Jersey Student Learning Standards.

Each teacher employed in this district as of the effective date specified in code shall be responsible for fulfilling requirements for continuing education and for making annual progress toward the goal of 20 clock hours of state-approved professional development annually. Each teacher's individual professional development plan (PDP) shall incorporate appropriate steps toward this goal and shall be designed to assist teachers in obtaining and maintaining the knowledge and skills essential to student achievement of the New Jersey Student Learning Standards. The professional development plan shall describe specific activities designed to provide guidance for that teacher in improving his/her performance. Such activities may include, but are not limited to, seminars, course work, day-long workshops, and classes on certain instructional approaches.

Although supervisors shall develop professional development plans in collaboration with teachers, the Superintendent/Principal shall maintain final authority in determining their appropriate content. The content of each PDP shall be developed by each teacher's supervisor in consultation with the teacher and shall align with the Professional Standards for Teachers in NJAC 6A:9-3.3 and the Standards for Professional Learning in NJAC 6A:9C-3.3. Supervisory assistance and support in achieving the 20 clock hours of state-approved continuing education shall be offered in the context of the district's evaluation process, negotiated agreements, other policies, student safety and well-being, continuity of instruction, and budgetary constraints.

The Superintendent/Principal shall develop procedures for supervision of the teaching and administrative staff in performance of their duties that shall not be limited to the observations required for evaluation. Such supervision may include, but need not be limited to, review of lesson plans and teacher-made examinations; regularly scheduled curriculum conferences; and brief, informal classroom observations. The supervisor shall note the teacher's satisfactory fulfillment or non-fulfillment of continuing education requirements identified in the professional development plan.

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Evaluation

The Board of Education believes that the effective evaluation of teaching staff is essential to the achievement of the educational goals of this district, including student achievement of the Common Core State Standards for mathematics and language arts and literacy and the Core Curriculum Content Standards. The purpose of this evaluation shall be to promote professional excellence and improve the skills of teaching staff members; improve pupil learning and growth; and provide a basis for the review of staff performance.

The Board of Education is committed to establishing educator evaluation rubrics for the evaluation of teaching staff members' effectiveness to further the development of a professional corps of State educators and to increase student achievement. The district evaluation system shall facilitate:

- Continual improvement of instruction;
- Meaningful differentiation of educator performance using four performance levels;
- Use of multiple valid measures in determining educator performance levels, including objective measures of student performance and measures of professional practice;
- Evaluation of educators on a regular basis;
- Delivery of clear, timely and useful feedback, including feedback that identifies areas for growth and guides professional development; and,
- District personnel decisions.

Definitions

For the purpose of this policy on teacher evaluation the following definitions shall apply:

“Corrective action plan” means a written plan developed by a teaching staff member serving in a supervisory capacity in collaboration with the teaching staff member to address deficiencies as outlined in an evaluation. The corrective action plan shall include timelines for corrective action, responsibilities of the individual teaching staff member “and the school district for implementing the plan, and specific support that the district shall provide.

"Post-observation conference" means a meeting, either in-person or remotely, between the supervisor who conducted the observation and the teaching staff member for the purpose of evaluation to discuss the data collected in the observation.

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"Teaching staff member" means a member of the professional staff of any district or regional Board of Education, holding office, position, or employment of such character that the qualifications for such office, position, or employment require him or her to hold a valid, effective, and appropriate standard, provisional, or emergency certificate issued by the State Board of Examiners. Teaching staff members include the positions of school nurse and school athletic trainer. There are three different types of certificates that teaching staff members work under:

- An instructional certificate (holders of this certificate are referred to in this chapter as "teachers");
- Administrative certificate; and
- Educational services certificate.

This definition of teaching staff member includes certified staff positions that have instructional responsibilities as well as certified staff positions that have no instructional responsibilities. Some examples of teaching staff member positions without instructional responsibilities include supervisor, director, school nurse, athletic trainer, principal, vice-principal, student assistance counselor, school psychologist, and guidance counselor.

It is important to note that there are different requirements in this policy and in the law for the training, observation and observation conferences of classroom teachers and the training, observation and observation conferences of certified staff members who have no instructional responsibilities. This also includes differences in the educational rubrics adopted by the Board of Education and approved by the commissioner. The requirements of this policy and law for other aspects of teacher evaluation apply to staff with and without instructional responsibilities (teaching staff members) including reports, personnel records, professional development plans and corrective action plans.

"Teacher" is defined as a "teaching staff member" who holds the appropriate standard, provisional, or emergency certificate issued by the State Board of Examiners and who is assigned a class roster of students for a particular course.

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Board of Education Responsibilities

The Board of Education shall:

- Ensure that evaluation rubrics are submitted to the commissioner by June 1st for approval by August 1st. The Board of Education shall annually adopt evaluation rubrics for all teaching staff members that have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The evaluation rubric that has been approved by the Commissioner of Education shall not be subject to collective negotiations. No collective bargaining agreement or other contract entered adopted after July 1, 2013 shall conflict with the district's educator evaluation system;
- Annually adopt policies and procedures developed by the Superintendent/Principal on the evaluation of all teaching staff members.
- Annually adopt, by June 1st, Commissioner-approved educator practice instruments and notify the New Jersey Department of Education which instruments will be used as part of the school district's evaluation rubrics;
- Ensure the principal of each school within the school district has established a School Improvement Panel. The panel shall be established annually by August 31 and shall carry out the duties and functions described below;
- Ensure data elements are collected and stored in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation and student growth objective data; and,
- Ensure that the Superintendent/Principal or his or her designee certifies to the New Jersey Department of Education that any observer who conducts an observation of a teaching staff member for the purpose of evaluation meets the statutory observation requirements as described below and in accordance with the provisions of NSSA 18A:6-119, 18A:6-123 b(8), and 18A:27-3.1. In addition, the Superintendent/Principal or his or her designee shall certify that a teacher member of the School Improvement Panel conducting observations for the purposes of evaluation has the agreement of the majority representative, has the appropriate supervisory certification and has the approval of the principal who supervises the teacher being observed. A teacher member of the School Improvement Panel who participates in the evaluation process shall not serve concurrently as a mentor;

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- Ensure that the Superintendent/Principal annually notifies all teaching staff members of the adopted policies and procedures by October 1st. The Board of Education shall also notify each teaching staff members at the beginning upon commencement of employment.
- The Board of Education shall establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the Board of Education 's evaluation policies and procedures. Beginning with the 2018-19 school year, the District Evaluation Advisory Committee shall no longer be required.

The Board of Education shall ensure through the Superintendent/Principal or his or her designee(s) that the following requirements are met:

- A. The Superintendent/Principal directs the development of and oversees the district evaluation policies and procedures requiring the annual evaluation of all teaching staff members. The Superintendent/Principal may consult with the District Advisory Evaluation Committee or representatives from School Improvement Panels. The Superintendent/Principal shall ensure:
- The assignment of roles and responsibilities for implementation of evaluation policies and procedures;
 - The development of job descriptions and evaluation rubrics for all teaching staff members, the process for calculating the summative ratings and each component;
 - The application of methods of data collection and reporting appropriate to each job description, including, but not limited to, the process for student attribution to teachers, principals, assistant principals, and vice principals for calculating the median and schoolwide student growth percentile;
 - Processes for observations for the purpose of evaluation and post-observation conference(s) by a supervisor;
 - Process for developing and scoring student growth objectives;
 - The process for preparation of individual professional development plans; and,
 - The process for the preparation of an annual written performance report by the teaching staff member's designated supervisor and an annual summary conference between the teaching staff member and his or her designated supervisor.
- B. The Superintendent/Principal notifies all teaching staff members annually of the adopted evaluation policies and procedures no later than October 1st. If a staff member is hired after October 1st, he/she shall be notified of the policies at the beginning of his or her employment. All teaching staff members shall be notified of amendments to the policy within 10 working days of adoption;

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- C. The principal of each school within the school district has established a School Improvement Panel. The panel shall be established annually by August 31st;
- D. Data elements shall be collected from the implementation of the teaching and principal practice instruments and the data shall be stored in an accessible and usable format. Data elements shall include, but not be limited to, scores or evidence from observations for the purpose of evaluation; and,
- E. The Superintendent/Principal or his or her designee in the district shall certify to the New Jersey Department of Education that any observer who conducts an observation of a teaching staff member meets the statutory observation and certifies that the teacher member of the School Improvement Panel meets the requirements detailed below and according to law; and,
- F. The Superintendent/Principal shall develop policies and procedures that ensure student performance data on the Statewide assessment, is, upon receipt, promptly disseminated to teaching staff members who were primarily responsible for instructing applicable students in the year the assessment was administered, as well as to teachers who will be primarily responsible to instructing applicable students in the upcoming school year.

Training for Teaching Staff Members and Supervisors

The Board of Education shall ensure, through the Superintendent/Principal or his or her designee(s) that the following training procedures are observed when implementing the evaluation rubric for all teaching staff members and, when applicable, applying the Commissioner-approved educator practice instruments:

Teaching Staff Members

Annual training shall be provided on and descriptions provided of each component of the evaluation rubric for all teaching staff members who are being evaluated. More thorough training shall be provided for any teaching staff member who is being evaluated for the first time. Training shall include detailed descriptions of all evaluation rubric components, including, when applicable, detailed descriptions of student achievement measures and all aspects of the educator practice instruments

Supervisors of Classroom Teachers

"Supervisor" means an appropriately certified teaching staff member, employed in the school district in a supervisory role and capacity, and possessing a school administrator, principal, or supervisor, endorsement as defined in NJAC 6A:9-1.1.

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Annually provide updates and refresher training for supervisors who are conducting evaluations in the district and more thorough training for any supervisor who will evaluate teaching staff members for the first time. Training shall be provided on each component of the evaluated teaching staff member's evaluation rubric before the evaluation of a teaching staff member;

Each supervisor who will conduct observations for the purpose of evaluation of a teacher shall complete two co-observations annually, during the academic year: co-observers shall use co-observation to promote accuracy and consistency in scoring; and, a co-observation may count as one required observation for the purpose of evaluation as long as the observer meets the requirements of law and this policy (see Teacher Observation and Observation Conferences below). The co-observation shall not count as two or more required observations. If a co-observation counts as one required observation, the score shall be determined by the teacher's designated supervisor.

The Superintendent/Principal shall annually certify to the Department of Education that all supervisors of teaching staff members in the school district who are utilizing evaluation rubrics have completed training on and demonstrated competency in applying the evaluation rubrics.

District Evaluation Advisory Committee

The Board of Education shall establish a District Evaluation Advisory Committee to oversee and guide the planning and implementation of the district's evaluation policies and procedures. Members of the District Evaluation Advisory Committee shall include representation from the following groups:

- Teachers from each school level represented in the school district;
- Central office administrators overseeing the teacher evaluation process;
- Supervisors involved in teacher evaluation, when available or appropriate; and,
- Administrators conducting evaluations, including a minimum of one administrator conducting evaluations who participates on a School Improvement Panel.

Members also shall include the Superintendent/Principal, a special education administrator, a parent, and a member of the Board of Education. The Superintendent/Principal may extend membership on the District Evaluation Advisory Committee to representatives of other groups. The District Evaluation Advisory Committee is not required but may be continued at the discretion of the district.)

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School Improvement Panel

The principal of each school shall establish a School Improvement Panel. The panel shall include the principal, a vice-principal, and a teacher who is chosen by the principal in consultation with the majority representative. If an assistant principal or vice principal is not available to serve on the panel, the principal shall appoint an additional member who is employed in the district in a supervisory role and capacity. The principal may appoint additional members to the panel as long as all members meet the following criteria and teachers on the panel represent at least one-third of its total membership.

The building principal annually shall choose the teacher(s) on the School Improvement Panel through the following process:

- The teacher member shall be a person with a demonstrated record of success in the classroom and who has demonstrated a record of success with an evaluation rating of effective or highly effective in the most recent available annual summative rating;
- The majority representative may submit to the principal teacher member nominees for consideration;
- The principal shall have final decision making authority and is not bound by the majority representative's list of nominees.

The teacher member shall serve a full academic year, except in case of illness or authorized leave, but may not be appointed more than three consecutive years. All members of the School Improvement Panel shall be chosen by August 31st of each year.

Duties of the School Improvement Panel

The School Improvement Panel shall:

- Oversee the mentoring of teachers and support the implementation of the district mentoring plan;
- Conduct evaluations of teachers according to Board of Education policy and law;
- Ensure corrective action plans for teachers are created and conduct the mid-year evaluations for teachers who are on a corrective action plan; and.
- Identify professional development opportunities for all teaching staff members based on the review of aggregate school-level data, including, but not limited to, educator evaluation and student performance data to support school-level professional development plans;

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- To conduct observations for the purpose of evaluation, the teacher member shall have: agreement of the majority representative; an appropriate supervisory certificate; and, approval of the principal who supervises the teacher being observed.
- The teacher member who participates in the evaluation process shall not serve concurrently as a mentor.

Components of Teacher Evaluation

The components of teacher evaluation shall include the following:

- A. Evaluation rubrics for all teaching staff members shall be adopted by the Board of Education annually. The evaluation rubrics shall have four defined annual ratings: ineffective, partially effective, effective, and highly effective. The evaluation rubrics for teachers, principals, vice principals, and assistant principals shall include all other relevant minimum standards as stated in Board of Education policy and law. Evaluation rubrics shall be submitted to the Commissioner by June 1st for approval by August 1st of each year;
- B. Board of Education adopted practice instruments for teaching staff members;
- C. Observations for the purposes of evaluation and post observation conferences by the supervisor;
- E. A professional development plan (PDP);
- F. An annual summary conference between designated supervisors and teaching staff members shall be held before the written performance report is filed. The conference shall be held on or before June 30 of each year and include, but not be limited to, a review of the following:
 - The performance of the teaching staff member based upon the job description and the scores or evidence compiled using the teaching staff member's evaluation rubric, including, when applicable, the educator's practice instrument and available indicators or student achievement measures such as student growth objective scores and student growth percentile scores;
 - The progress of the teaching staff member toward meeting the goals of the individual professional development plan or, when applicable, the corrective action plan;
 - The preliminary annual performance report.

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If any scores for the teaching staff member's evaluation rubric are not available at the time of the annual summary conference due to pending assessment results, the annual summative evaluation rating shall be calculated once all component ratings are available.

- G. An annual performance report shall be prepared by the designated supervisor. The annual performance report shall include, but not be limited to:
- A summative rating based on the evaluation rubric, including, when applicable, a total score for each component;
 - Performance area(s) of strength and area(s) needing improvement based upon the job description and components of the teaching staff member's evaluation rubric;
 - The teaching staff member's individual professional development plan or corrective action plan from the evaluation year being reviewed in the report.

The teaching staff member and the designated supervisor shall sign the report within five working days of the review.

The Board of Education shall include all performance reports and supporting data, including, but not limited to, written observation reports and additional components of the summative evaluation rating as part the teaching staff member's personnel file, or in an alternative, confidential location. If reports and data are stored in an alternative location, the personnel file shall clearly indicate the report's location and how it can be easily accessed. The records shall be confidential and shall not be subject to public inspection or copying pursuant to the Open Public Records Act.

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Teacher Evaluation Rubric

The evaluation rubrics for all classroom teachers shall include, but not be limited to:

- A. Components of student achievement:
 1. Median student growth percentile for teachers who:
 - a. Teach at least one course or group within a course that falls within a standardized-tested grade or subject;
 - b. Teach the course or group within the course for at least 60 percent of the time from the beginning of the course to the day of the standardized assessment; and
 - c. Have at least 20 individual student growth percentile scores attributed to his or her name during the school year of the evaluation. If a teacher does not have at least 20 individual student growth percentile scores in a given school year, the student growth percentile scores attributed to a teacher during the two school years prior to the evaluation year may be used in addition to the student growth percentile scores attributed to the teacher during the school year of the evaluation;
 2. Student growth objectives which are academic goals that teachers and designated supervisors set for groups of students. Student growth objectives and the criteria for assessing teacher performance based on the objectives shall be determined, recorded, and retained by the teacher and his or her supervisor by October 31st of each school year, or within 25 working days of the teacher's start date if the teacher begins work after October 1st;
- B. Measures of teacher practice component rating which shall be based on the measurement of the teacher's performance according to the district's Commissioner-approved teacher practice instrument. Observations shall be used as one form of evidence for the measurement;
- C. Teacher observation.

Teacher Practice Instrument

The teacher practice instrument shall be approved by the Department of Education and shall:

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- A. Include domains of professional practice that align to the New Jersey Professional Standards for Teachers;
- B. Include scoring guides for assessing teacher practice that differentiate among a minimum of four levels of performance, and the differentiation has been shown in practice and/or research studies. Each scoring guide shall:
 - 1. Clearly define the expectations for each rating category;
 - 2. Provide a conversion to the four rating categories: highly effective, effective, partially effective, and ineffective;
 - 3. Be applicable to all grades and subjects; or to specific grades and/or subjects if designed explicitly for the grades and/or subjects; and
 - 4. Use clear and precise language that facilitates common understanding among teachers and administrators;
- C. Rely, to the extent possible, on specific, discrete, observable, and/or measurable behaviors of students and teachers in the classroom with direct evidence of student engagement and learning; and
- D. Include descriptions of specific training and implementation details required for the instrument to be effective.

Observation: Tenured & Nontenured Classroom Teachers

For all teachers, at least one of the required observations shall be announced and preceded by a pre-conference, and at least one of the required observations shall be unannounced. The Superintendent/Principal shall decide whether additional required observations are announced or unannounced, if applicable. The following additional requirements shall apply:

- A. Each observation required for the purpose of evaluation shall be conducted for at least 20 minutes;
- B. Nontenured teachers shall be observed at least three times each school year but not less than once each semester. Evaluations shall take place before April 30th each year. The evaluations may cover that period between April 30 of one year and April 30th of the succeeding year. In the case of the first year of employment all three evaluations must be completed prior to April 30th. The number of required observations and evaluations may be reduced proportionately when an individual teaching staff member's term of service is less than one academic year. Each evaluation shall be followed by a conference between that teaching staff member and his or her superior or superiors. The purpose of this procedure is to recommend as to reemployment, identify any deficiencies, extend assistance for their correction and improve professional competence:

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1. To earn a teacher practice score, a nontenured teacher shall receive at least three observations;
 2. If a nontenured teacher is present for less than 40 percent of the total student school days in a school year, he or she shall receive at least two observations to earn a teacher practice score;
- C. Tenured teachers shall be observed at least two times during each school year. Observations for all tenured teachers shall occur prior to the annual summary conference, which shall occur prior to the end of the academic school year;
- D. If a tenured teacher was rated highly effective on his or her most recent summative evaluation and if both the teacher and the teacher's designated supervisor agree to use this option, one of the two required observations may be an observation of a Commissioner-approved activity other than a classroom lesson. The Department shall post annually to its website a list of Commissioner-approved activities that may be observed in accordance with this section;
- E. Teachers on a corrective action plan shall receive one additional observation, including a post-observation conference.
- F. Upon receiving a final summative evaluation that necessitates a corrective action plan any remaining required observation(s) shall not be conducted until the corrective action plan has been finalized;
- G. A written or electronic observation report shall be signed by the supervisor who conducted the observation and post-observation and the teacher who was observed;
- H. The teacher shall submit his or her written objection(s) of the evaluation within 10 teaching staff member working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report. The district may consider and address the objections in the teacher's corrective action plan.

Observation Conferences for Teachers

The following procedures shall apply to teacher observation conferences:

- A. A supervisor who is present at the observation shall conduct a post-observation conference with the teacher being observed. A post-observation conference shall occur no more than 15 teaching staff member working days following each observation;
- B. The post-observation conference shall be for the purpose of reviewing the data collected at the observation, connecting the data to the teacher practice instrument and the teacher's individual professional development plan, collecting additional information needed for the evaluation of the teacher, and offering areas to improve effectiveness;

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- C. If agreed to by the teacher, one required post-observation conference and any pre-conference(s) for observations of tenured teachers who are not on a corrective action plan may be conducted via written communication, including electronic;
- D. One post-observation conference may be combined with a teacher's annual summary conference, as long as it occurs within the required 15 teaching staff member working days following the observation for the purpose of evaluation; and,
- E. A pre-conference, when required, shall occur at least one but not more than seven teaching staff member working days prior to the observation.

Annual Performance Report for Teachers

The annual written performance report shall be prepared by the designated supervisor. In the case of a teacher, the annual written performance report shall be prepared by the teacher's principal, or his or her designee, and shall include, but not be limited to:

- A. A summative rating based on the evaluation rubric, including, when applicable, a total score for each component, including the median student growth percentile, student growth objectives, the teacher practice component, and teacher observation. The four summative performance ratings are:
 - 1. Highly effective;
 - 2. Effective;
 - 3. Partially effective;
 - 4. Ineffective;
- B. Performance area(s) of strength and area(s) needing improvement based upon the job description and components of the teaching staff member's evaluation rubric; and
- C. The teaching staff member's individual professional development plan or corrective action plan from the evaluation year being reviewed in the report.

The teaching staff member and the designated supervisor shall sign the report within five working days of the review.

Annual Summary Conference for Teachers

The annual summary conference between designated supervisors and teaching staff members shall be held before the annual performance report is filed. The conference shall occur on or before June 30th of each year and include, but not be limited to, a review of the following:

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- A. The performance of the teaching staff member based upon the job description and the scores or evidence compiled using the teaching staff member's evaluation rubric, including the educator's practice instrument; and available indicators or student achievement measures such as student growth objective scores and student growth percentile scores;
- B. The progress of the teaching staff member toward meeting the goals of the individual professional development plan or, when applicable, the corrective action plan;
- C. The preliminary annual written performance report.

If any scores for the teaching staff member's evaluation rubric are not available at the time of the annual summary conference due to pending assessment results, the annual summative evaluation rating shall be calculated once all component ratings are available.

Teaching Staff Members other than Teachers, Principals, Vice Principals & Assistant Principals

Some examples of teaching staff member positions without instructional responsibilities may include supervisor, director, school nurse, athletic trainer, student assistance counselor, school psychologist, and guidance counselor.

The components of the teacher evaluation rubric shall apply to teaching staff members other than a teacher, principals, vice principals and assistant principals and the district shall determine the components of the Board of Education adopted rubric that apply to staff without instructional responsibilities.

Observations include, but are not limited to: observations of meetings, student instruction, parent conferences, and case-study analysis of a significant student issue. The observation shall:

- A. Be at least 20 minutes in length;
- B. Be followed within 15 teaching staff member working days by a conference between the supervisor who made the observation and the nontenured teaching staff member;
- C. Be followed by both parties to the conference signing the written or electronic evaluation report and each retaining a copy for his or her records; and
- D. Allow the nontenured teaching staff member to submit his or her written objection(s) of the evaluation within 10 teaching staff member working days following the conference. The objection(s) shall be attached to each party's copy of the annual written performance report. The district may consider and address the objections in the teacher's corrective action plan.

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All tenured teaching staff members shall receive at least one observation per school year.
All nontenured teaching staff members shall receive at least three observations.

Personnel Records of Teaching Staff Members

The Board of Education shall include all written performance reports and supporting data, including, but not limited to, written observation reports and additional components of the summative evaluation rating as part of the teaching staff member's personnel file or in an alternative, confidential location. If reports and data are stored in an alternative location, the personnel file shall clearly indicate the report's location and how it can be easily accessed. The records shall be confidential and shall not be subject to public inspection or copying according to the Open Public Records Act

Teacher Professional Development Plans

Each teacher shall be guided by an individualized professional development plan (PDP), which shall include at least 20 hours per year of qualifying activities. The 20-hour annual requirement shall be based on the length of full-time employment and reduced by a pro rata share reflecting part-time employment, or an absence, including the use of family or medical leave.

The content of each PDP shall be developed by each teacher's supervisor in consultation with the teacher and shall align with the Professional Standards for Teachers and the Standards for Professional Learning. The individual PDP shall be effective for one year and shall specify, at a minimum:

- A. One area for development of professional practice derived from the results of observations and evidence accumulated through the teacher's annual performance evaluation;
- B. One area for development of professional practice derived from individual, collaborative team, school, or school district improvement goals.

Progress on the individual PDP shall be discussed at the annual summary conference as detailed in law. Evidence of progress toward meeting the requirements of the teacher's individual PDP may be provided by the teacher and/or his or her supervisor, and shall be reviewed as part of each annual summary conference.

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Each teacher's individual PDP shall be updated annually no later than October 31st. If the teacher is hired after October 1st the PDP shall be developed within 25 working days of his or her hire. A teacher's individual PDP goals may necessitate more than the recommended minimum requirements of 20 hours of professional development annually. Additional hours of qualifying experiences may be required for teachers in low-performing schools, as determined by the Commissioner.

The Board of Education shall ensure that all teachers receive the necessary opportunities, support, and resources to engage in ongoing professional learning and to complete the requirements of their respective PDPs.

Corrective Action Plans for Teaching Staff Members

When a teaching staff member is rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics, a corrective action plan shall be developed by the teaching staff member and the Superintendent/Principal or the teaching staff member's supervisor.

A corrective action plan shall be developed by the teaching staff member and the teaching staff member's designated supervisor when the teaching staff member is rated ineffective or partially effective on the annual summative evaluation, as measured by the evaluation rubrics. If the teaching staff member does not agree with the corrective action plan's content, the designated supervisor shall make the final determination.

The corrective action plan shall be developed and the teaching staff member and his or her designated supervisor shall meet to discuss the corrective action plan by October 31st of the school year following the year of evaluation. However, if the ineffective or partially effective summative evaluation rating is received after October 1st of the school year following the year of evaluation, a corrective action plan shall be developed, and the teaching staff member and his or her designated supervisor shall meet to discuss the corrective action plan within 25 teaching staff member working days following the school district's receipt of the teaching staff member's summative rating.

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

The content of the corrective action plan shall:

- A. Address areas in need of improvement identified in the educator evaluation rubric;
- B. Include specific, demonstrable goals for improvement;
- C. Include responsibilities of the evaluated employee and the school district for the plan's implementation; and
- D. Include timelines for meeting the goal(s).

The teaching staff member's designated supervisor and the teaching staff member on a corrective action plan shall discuss the teaching staff member's progress toward the goals outlined in the corrective action plan during each post-observation conference. The teaching staff member and his or her designated supervisor may update the goals outlined in the corrective action plan to reflect any change(s) in the teaching staff member's progress, position, or role.

Progress toward the teaching staff member's goals outlined in the corrective action plan shall be documented in the teaching staff member's personnel file and reviewed at the annual summary conference or the mid-year evaluation. Both the teaching staff member on a corrective action plan and his or her designated supervisor may collect data and evidence to demonstrate the teaching staff member's progress toward his or her corrective action plan goals.

Progress toward the teaching staff member's goals outlined in the corrective action plan may be used as evidence in the teaching staff member's next annual summative evaluation; however, such progress shall not guarantee an effective rating on the next summative evaluation.

Responsibilities of the evaluated employee on a corrective action plan shall not be exclusionary of other plans for improvement determined to be necessary by the teaching staff member's supervisor.

Mid-Year Evaluation of the Corrective Action Plan

The School Improvement Panel shall ensure teachers with a corrective action plan receive a mid-year evaluation. The mid-year evaluation shall occur approximately midway between the development of the corrective action plan and the expected receipt of the next annual summative rating. The mid-year evaluation shall include, at a minimum a conference to discuss progress toward the teacher's goals outlined in the corrective action plan. The mid-year evaluation conference may be combined with a post-observation conference.

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The School Improvement Panel shall ensure teachers with a corrective action plan receive one observation, including a post-observation conference, in addition to the observations required as part of the teaching staff member evaluation process.

Tenured teachers with a corrective action plan shall be observed by multiple observers.

Implementation

This policy and related procedures shall be reviewed at least yearly, and any necessary revisions made before being readopted by the Board of Education.

The b Board of Education shall ensure that the Superintendent/Principal notifies each teaching staff member of the Board of Education adopted evaluation policies and procedures no later than Oct. 1st

If a staff member is hired after October 1st, the teaching staff member shall be notified of the evaluation policies and procedures at the beginning of his or her employment. All teaching staff members shall be notified of amendments to the policy within 10 working days of adoption.

Legal References

- NJSA** 18A:4-15 General rule-making power
18A:4-16 Incidental powers conferred
18A:6-10 et seq. Dismissal and reduction in compensation of persons under tenure in public school system
18A:11-1 General mandatory powers and duties
18A:27-3.1 through -3.3 Non-tenured teaching staff; observation and evaluation; conference; purpose
18A:27-10 et seq. Nontenured teaching staff member; offer of employment for next succeeding year or notice of termination before May 31
18A:28-5 Tenure of teaching staff members
18A:29-14 Withholding increments; causes; notice of appeals
- NJAC** 6:30-2.1(a)8 Purpose and program descriptions
6A:32-4.1(e) (f) Employment of teaching staff
6A:32-4.4 Evaluation of tenured teaching staff members
6A:32-4.6 Procedure for appearance of nontenured teaching staff members before a district board of education upon receipt of a notice of nonreemployment
6A:32-5.1 et seq. Standards for determining seniority
6A:9-15.1 et seq. Required Professional Development for Teachers
6A:32-4.4 Evaluation of tenured teaching staff member
6A:32-4.5 Supervision of instruction: observation and evaluation of nontenured teaching staff members

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**Instructional Personnel
Separation**

**Series 4000
Policy 4117**

Date Adopted: February 25, 2010

Date Revised:

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Notice as per employee contracts shall be given in cases of dismissal by the Board of Education or resignation by the employee.

At the discretion of the Superintendent of Schools, employees retiring from the district may be required to participate in an "exit interview," the purpose of which is to ascertain pertinent information from the employee that will be useful in recruitment and retention of employees.

All notices to and from employees shall be in accordance with law.

Legal References

NJSA 18A:27-3.1 Non-tenured teaching staff; observation and evaluation; conference; purpose
18A:27-3.2 Teaching staff member; notice of termination; statement of reasons; request;
written answer
18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions
18A:27-9 Teaching after notice of termination of contract
18A:27-10 et seq. Nontenure teaching staff member; offer of employment for next succeeding
year or notice of termination before May 31
18A:28-8 Notice of intention to resign required
18A:66-43 Retirement of service age limits
18A:66-44 Service retirement allowances

NJAC 6A:32-4.1 et seq. Employment of teaching staff
6A:32-4.6 Procedure for appearance of nontenured teaching staff members before a district
board of education upon receipt of notice of nonreemployment

Donaldson v. North Wildwood Bd. of Ed., 65 N.J. 236 (1974)

Hicks v. Pemberton Township Board of Education, 1975 S.L.D. 332

Velasquez v. Brielle Board of Education, 97 N.J.A.R. 2d (EDU) (August 6), aff'g on different
grounds Comm'r 96 N.J.A.R. 2d (EDU) (April 4)

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Retirement

Policy 4117.1

Date Adopted: August 18, 1997

Date Revised: February 25, 2010

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Retirement shall be at the option of the employee in accordance with the rules and regulations of the Teachers Pension and Annuity Fund or P.E.R.S. The Board will abide by state law in the matter of retirement agreements. In the event that the Board has any jurisdiction, it will decide on a case-by-case basis.

At the discretion of the Superintendent of Schools, employees retiring from the district may be required to participate in an “exit interview,” the purpose of which is to ascertain pertinent information from the employee that will be useful in recruitment and retention of employees.

Each year, paid employees who are retiring may be recognized by the Board at the conclusion of the school year.

Legal References

- NJSA 18A:27-9 Teaching after notice of termination of contract
- 18A:28-8 Notice of intention to resign required
- 18A:66-43 Retirement of service age limits
- 18A:66-44 Service retirement allowances

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Withholding an Increment

Policy 4117.26

Date Adopted: December 17, 1997 | Date Revised: February 25, 2010

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All advancements on the salary guide, including all annual increments, shall not be considered to be automatically granted and must be earned by satisfactory performance. Advancements require favorable evaluations of the employee's performance of assigned duties, a satisfactory attendance record, and adherence to the rules of this district and high standards of professional conduct.

The Board of Education may determine, by recorded roll call majority vote of the full membership and at any time prior to the commencement of the school year or contract year in which the employee's salary will vest, to withhold any or all of the increments indicated by the salary guide or by Board policy. In no case will the Board withhold a portion of an increment. The Board shall, within ten days of its formal action to withhold an increment, give written notice to the affected employee of both the action and the reason or reasons for which it was taken.

It is the intent of the Board that the withholding increments be a measure employed for the improvement of the educational program of this district and for the encouragement of the highest possible professional performance of its employees. Accordingly, the Board directs that efforts be made to inform employees of any deficiencies that may result in the withholding of an increment and to assist them in the correction of those deficiencies.

Nothing in this policy shall limit the right of a successor Board to restore an employee from whom an increment or increments have been withheld to that place on the salary guide he or she would have achieved had the increment or increments not been withheld.

Legal References

- NJSA 18A:25-7 Appearance of teaching staff member before board or member when written notice required
18A:29-14 Withholding increments; causes; notice of appeal
- NJAC 6A:32-4.1 et seq. Withholding salary increment
6A:32-4.6 Procedure for appearance of nontenured teaching staff members before a district board of education upon receipt of notice of nonreemployment

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Series 4000

**Arrest Reporting Requirements
for Certificated Staff Members**

Policy 4117.27

Date Adopted: February 25, 2010

Date Revised: January 26, 2012, February 16, 2017

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All certificated staff members who are charged, arrested or indicted for a crime or offense must submit a report to the Superintendent/Principal of the charge, arrest or indictment, including (but not limited to) disorderly persons' offenses. This reporting requirement pertains to both in-state and out-of-state offenses and crimes. Pursuant to NJAC 6A:9B-4.3, the employee will make the report within fourteen (14) days. The staff member shall also report the disposition of any charges within seven (7) days of the disposition.

Failure to comply with these reporting requirements may be deemed "just cause" to revoke or suspend the certificate(s) of any certificate holder pursuant to NJAC 6A:9B-4.5.

The Superintendent/Principal will make these requirements known to all new employees and to all employees on an annual basis.

For the purposes of this policy, Driving Under the Influence (DUI) and reckless driving charges are not considered to be "criminal offenses" for the purpose of notifying the Board of Examiners.

District Reporting Requirements

Pursuant to N.J.A.C. 6A:9-17.4(a), the Superintendent//Principal shall notify the New Jersey Board of Examiners when:

- A. Tenured teaching staff members who are accused of criminal offenses or unbecoming conduct resign or retire from their positions;
- B. Nontenured teaching staff members who are accused of criminal offenses or unbecoming conduct, resign, retire or are removed from their positions;
- C. A certificate holder fails to maintain any license, certificate or authorization pursuant to N.J.A.C. 6A:9-4.1(b) that is mandated in order for the holder to serve in a position;
- D. He/she becomes aware that a certificate holder has been convicted of a crime while in the district's employ;
- E. He/she has received a report from the Department of Children and Families substantiating allegations of abuse or neglect, or establishing "concerns" regarding a certificated teaching staff member.

The district shall cooperate with the Board of Examiners in any proceeding arising from an order to show cause issued by the Board of Examiners and based on information about the certificate holder that the district provided.

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Legal References

- NJSA 18A:6-7.1 Criminal history record checks for final candidates for school employee positions
18A:39-19.1 Criminal records of school bus drivers
- NJAC 6A:9B-4.3 Arrest reporting requirements
6A:9B-4.5 Grounds for revocation and suspension of certification

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Resignation**

**Series 4000
Policy 4117.3**

Date Adopted: February 25, 2010

Date Revised:

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A certified employee shall submit his resignation in writing to the Superintendent of Schools at least 60 days prior to the effective date of resignation. This date shall be approved unless the Board of Education desires to accept the resignation sooner.

The resignation becomes effective upon its formal approval by the Board of Education, and may be withdrawn by the employee at any time prior to Board action.

Any employee of the school district who terminates his employment of his own volition with exception of retirees or if released by the Board will forfeit Board granted benefits accrued during his employment.

If an employee returns to the employ of the Board of Education after having had prior service, said employee will begin with the same benefits as any other new employee, except as covered by New Jersey State law, and/or the contracted agreement between the employee and the Board of Education.

At the discretion of the Superintendent of Schools, employees retiring from the district may be required to participate in an “exit interview,” the purpose of which is to ascertain pertinent information from the employee that will be useful in recruitment and retention of employees.

Legal References

NJSA 18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions
18A:27-9 Teaching after notice of termination of contract
18A:27-10 et seq. Nontenure teaching staff member; offer of employment for next succeeding year or notice of termination before May 31
18A:28-8 Notice of intention to resign required
18A:66-43 Retirement of service age limits
18A:66-44 Service retirement allowances

NJAC 6A:32-4.1 et seq. Employment of teaching staff

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Personnel Reduction / Abolishing a Position

Policy 4117.4

Date Adopted: February 25, 2010

Date Revised: September 25, 2008

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The Board of Education has the right under the state law to abolish unilaterally any existing position in whole or in part and to reduce the number of employees in any category for reasons of economy, reduction in the number of pupils, change in the administrative or supervisory organization, change in the educational program or other good cause.

Should it become necessary to reduce the number of employees in the district, the laws and regulations of the state shall be the controlling guides. If, in the case of such reduction, candidates for termination are non-tenured personnel only, the primary basis for selection for termination or reduction shall be the needs of the district's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

If, in the case of such reduction, candidates for termination or reduction in grade are tenured in this district, the state regulations regarding seniority shall be the primary basis for decision. In the event that there should be equal applicable seniority among staff members, the decision for reduction or termination shall be based on the needs of the district's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

In no case shall any choice be based on arbitrary, capricious or discriminatory reasons.

The Superintendent of Schools shall prepare guidelines for restructuring positions and for determining objectively which employees are to be dismissed as a result, and shall present his/her recommendations to the Board for action.

Legal References

- NJSA 18A:28-5 Tenure of teaching staff members
18A:28-9 Reduction of force; power to reduce and reasons for reduction
18A:28-10 Reasons for dismissals of persons under tenure on account of reduction
18A:28-11 Seniority; board to determine; notice and advisory opinion
18A:28-12 Dismissal of persons having tenure on reduction; reemployment
- NJAC 6A:9-5.5 Assignment of titles
6A:32-5.1 Standards for determining seniority
Dennery v. Passaic County Regional High School District Bd. of Ed., 131N.J. 626 (1993)
Primka v. Edison, 93 NJAR 2d (EDU) 91 aff'd State Board 93 NJAR 2d (EDU) 94 aff'd App. Div. unpub. Op. Dkt. No. A-2427-92T3 Jan. 18, 1994
Impey v. Board of Education of Shrewsbury, 142 N.J. 388 (1995)
Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1542 (3d Cir. 1996)

Possible Cross References

2131, 4115/4116, 4117.41

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Nonrenewal of Non-tenured Teachers

Policy 4117.41

Date Adopted: August 18, 1997

Date Revised: February 25, 2010

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The Board shall determine annually whether or not a new contract will be offered to a non-tenured teaching staff member after hearing the recommendation of the Superintendent of Schools. No non-tenured teaching staff member shall be offered a new contract by the Board unless so recommended by the Superintendent of Schools. Should the Board choose not to offer a new contract, written notice or non-renewal of employment will be sent by the Superintendent of Schools. This notice will be given by the date specified by law.

A written request from a non-tenured teaching staff member for a written statement of reasons for non-reemployment will be honored by the Board of Education according to New Jersey law and code. An informal appearance before the Board may be requested in writing within 10 calendar days and shall be scheduled within 30 days from receipt of the Board's statement of reasons in accordance with the law.

It is the Board of Education's prerogative to determine the date, starting time and length of an informal appearance, the purpose of which shall be to permit the staff member a final opportunity to convince the Board of Education to offer reemployment. Written notice of date and time will be provided to the staff member at least five working days prior to the informal appearance.

The non-tenured teaching staff member may be represented by counsel or one individual of his/her choosing and may present witnesses on his/her behalf. Those witnesses are not subject to cross-examination by the Board of Education and will be excused from the hearing after making their statements.

Within three working days following the informal appearance, the Board of Education or its designee will notify the teaching staff member, in writing, of the Board's final decision.

Legal References

- NJSA 18A:27-3.1 Evaluation of performance of nontenure teacher
18A:27-3.2 Request for statement for reasons for non-reemployment
18A:27-4.1 Board of Education, procedure for certain personnel actions; recommendation of chief school administrator
18A:27-10 et seq Continuation and termination of employment, notice, etc
18A:28-9 Reduction of force; power to reduce and reasons for reduction
18A:28-10 Reasons for dismissals of persons under tenure on account of reduction
18A:28-11 Seniority; board to determine; notice and advisory opinion
18A:28-12 Dismissal of persons having tenure on reduction; reemployment

Possible Cross References

4115/4116, 4117.4

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Disciplinary Action

Policy 4117.5

Date Adopted: February 25, 2010

Date Revised:

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It shall be the policy of the Board of Education to apply the statutes of the state, the policies of this Board and the regulations of the administration with equal consideration to each staff member.

The Superintendent of Schools shall prepare disciplinary rules for situations most often encountered which provide for progressive penalties including-where appropriate-verbal warnings, written warnings, non-renewal of non-tenured employees, withholding of an increment from tenured employees, dismissal of non-tenured employees and establishing of charges against tenured employees. Such rules shall ensure nondiscriminatory application, differentiate between a second offense of the initial type and a second offense unlike that for which the employee was initially reprimanded, and be in accordance with established due process procedures.

Disciplinary rules shall be reviewed and approved by the Board and shall include the provision that the Board reserves the right to deduct pay for required service not performed, including time lost through tardiness in accordance with its policies.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
- 18A:6-10 et seq Dismissal and reduction in compensation
- 18A:27-4 Power of boards of education to make rules governing employment

Possible Cross References

4117.26

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Unauthorized Absence

Policy 4117.53

Date Adopted: October 30, 1997

Date Revised: February 25, 2010

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The Board of Education expects all employees to adhere to the policy of the Board regarding unauthorized absence from school property during work hours. Employees violating this policy by leaving school early or during periods other than lunchtime, without authorization by an Administrator, shall be subject to disciplinary action.

Legal References

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

18A:27-4 Power of boards of education to make rules governing employment

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Grievance Procedure – Title IX

Policy 4118.1

Date Adopted: August 18, 1997

Date Revised: February 25, 2010

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Complaints regarding alleged discrimination on the basis of race, color, creed, national origin, affectional or sexual orientation, atypical hereditary cellular or blood trait, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability or because of genetic information or refusal to submit to or make available the results of a genetic test, or other conditions not related to the duties and responsibilities of the job must be made in writing. Forms are available from the Affirmative Action Officer.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment

Possible Cross References

2224, 3320, 5145.4, 6121

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Conflict of Interest

Policy 4119.21

Date Adopted: August 18, 1997

Date Revised: February 25, 2010

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An employee of the Board shall not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity that is in conflict with the proper discharge of his/her duties.

An employee of the Board shall not use or attempt to use his/her position to secure unwarranted privileges or advantages for himself/herself or others.

An employee of the Board shall not act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest such as selection or purchase of any textbook or other materials on which he/she receives a royalty.

An employee of the Board shall not accept any gift, favor, service or other item of value under circumstances from which it might be reasonably inferred that such gift, service or other item of value was given or offered for the purpose of influencing him/her in the discharge of his/her duties.

Legal References

NJSA 2C:27-1 et seq. Bribery and Corrupt Influence
18A:6-8 Interest of school officers, etc., in sale of textbooks or supplies; royalties
18A:6-8.4 Right to hold elective or appointive state, county or municipal office
18A:11-1 General mandatory powers and duties
18A:12-21 et seq. School Ethics Act
18A:54-20 Powers of board (county vocational schools)
19:34-15 Electioneering within or about polling place; misdemeanor

NJAC 6A:4-1.1 et seq. Appeals
6A:28-1.1 et seq. School Ethics Commission

Green Township Education Association v. Rowe, et al., 328 N.J. Super 525 (App. Div. 2000)

Possible Cross References

1140, 1313, 4112.8, 4117.5, 4118.2, 4119.22, 4119.23, 9270

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Instructional Personnel

Series 4000

Grooming, Appearance, Dress & Conduct

Policy 4119.22

Date Adopted: January 24, 2002

Date Revised: February 25, 2010,
Aug. 11, 2022

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The Fairfield Township Board of Education expects all staff members to be neatly groomed and dressed in clothing suitable for the subject or instruction of work being performed.

Staff Dress Code Guidelines

Grooming and attire shall meet the following criteria during school hours:

1. Female staff members may wear dresses, suits, skirts or slacks with blouses or sweaters, slack ensembles or slack suits.
2. Male staff members may wear suits or slacks (shirts with collars with or without ties); a turtleneck shirt or turtleneck sweater with or without a jacket is acceptable.
3. The clothing and appearance of all staff members must be clean and neat.
4. Physical Education, Science and Art teachers may wear clothing deemed appropriate for their instructional assignment and in their classrooms. All staff members may wear appropriate for special occasions such as, but not limited to the following:
 - Picnics
 - Nature Walks
 - Field Trips
 - Halloween Parties
 - Track Meets
5. All staff members are role models for students and therefore, hats and caps must be removed when entering our school buildings and offices. No clothing shall be worn by staff members that constitutes a danger to the health and/or safety to himself/herself or others, and no clothing may be worn that distracts and/or disrupts the instructional program. (Example: mini-skirts, see-through clothing, stretch pants and leggings)
6. The Building Principal and/or the staff member's supervisor shall determine whether a violation of this dress code has occurred and shall discuss in private, the violation with the staff member. Where a single violation so warrants or violations reoccur, the Principal or supervisor may enter a reprimand in the staff member's file. Upon the third letter of reprimand, the Building Principal or immediate supervisor may recommend more stringent disciplinary action such as, but limited to, the following:
 - Withholding of increment
 - Insubordination charges
7. A staff member may appeal the denial of a waiver of this dress code or the entry of a reprimand thorough the grievance procedure.
8. These guidelines shall be reviewed with various union and/or staff members at intervals of not less than three (3) years.

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Policy 4119.22

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Examples of Unacceptable Attire During School Hours

1. Torn and/or dirty clothing
2. Sneakers (except for medical reasons)
3. See-through clothing
4. Excessively tight/form-fitting clothing including leggings and stretch pants
5. Shirt or blouse buttons opened beyond the mid-point of the chest
6. Midriff, halter or tube tops
7. Painters pants or overalls
8. T-shirts or undershirts as outerwear
9. Clothing with obscene language/gestures
10. Sweatshirts, sweatpants and sweatsuits (exception – Physical Education)
11. Caps or hats in the building
12. Dark eyeglasses (except for medical reasons)
13. Distracting attire – mini-skirts or shorts that do not reach the knee
14. Dungarees, jeans (except during casual dress day, field trips, and other school-sponsored activities as permitted per the discretion of the Board and/or the Superintendent)

If a staff member feels that an exception to this policy would enable him/her to carry out assigned duties more effectively, a request shall be made to the Superintendent of Schools.

Conduct

The Board of Education that staff conduct to be that of appropriate role models for pupils.

When an employee, either within the schools or outside normal duties, creates conditions under which the proper operation of the schools is affected, the Board, upon recommendation of the Superintendent of Schools and in accordance with statutes shall determine whether such acts or act of actions constitute conduct unbecoming a school employee, and if so, will proceed against the employee in accordance with law.

Unbecoming conduct sufficient to warrant Board review may result from a single flagrant incident or from a series of incidents.

Legal References

- NJSA 18A:6-10 Dismissal and reduction in compensation of persons under tenure in public school system
18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc., employment thereunder
18A:54-20 Powers of board (county vocational schools) Hicks v. Pemberton Bd. of Ed., 1975
S.L.D. 332 Quiroli v. Linwood Bd. of Ed., 1974
S.L.D. 1035
Carlstadt Teachers Ass'n v. Carlstadt Bd. of Ed., App. Div., unreported decision (docket no. A-1469-80-T4, decided March 26, 1982), 1982 S.L.D. 1448

Possible Cross References

4117.5, 4119.2, 4119.21, 4119.22, 4119.23, 4138, 6144

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**Instructional Personnel
Student/Staff Interaction**

**Series 4000
Policy 4119.221**

Date Adopted: September 14, 2023

Date Revised:

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FTSD recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the safest and most learning-conducive environment possible.

The District expects its staff to act in a manner that reflects professional, moral, and ethical practices within established boundaries. District staff members are expected to maintain an atmosphere conducive to learning, and interactions with students must be consistent with the educational mission of the District and legitimate educational purpose within the scope of the staff member's employment duties.

This administrative regulation addresses a range of behaviors that constitute improper interactions with students, including boundary blurring and grooming behavior that undermine the professional adult/student relationship that can lead to misconduct or the appearance of impropriety.

Therefore, all employees shall:

1. Communicate and interact with students in a manner that respects student rights to a safe and secure environment.
2. Maintain appropriate boundaries with students that are consistent with their role, duties, responsibilities, within accepted norms of behavior for the educational setting, and in a manner that a reasonable person would not interpret as inappropriate. Examples of boundary violations include but are not limited to the following:
 - a. Singling or seeking out a specific student which may create excessive emotional attachment for all parties or may be perceived as a "special relationship" or as acting in a "parental" role;
 - b. Entering into or attempting to form a flirtatious, romantic or sexual relationship with any student, regardless of the student's age;
 - c. Inappropriate physical contact with a student without a legitimate educational purpose, including grabbing, touching, tickling, stroking hair, cuddling, sitting on lap, etc. and or prolonged hugging; Note that legitimate purposes could include, but are not limited to, the following: assisting an injured student; assisting a student with special needs with toileting or other physical assistance; appropriate coaching instruction; appropriate performing arts instruction; or to protect the safety of students or staff;
 - d. Kissing of any kind;
 - e. Showing inappropriate images, photographs, videos or other content to a student;
 - f. Taking photographs or videos of students outside of district sponsored events or activities, or that do not have a specific educational purpose;
 - g. Telling sexual jokes or commenting about the physical attractiveness of students in a sexualized manner;
 - h. Giving or exchanging personal gifts, cards, and letters with an individual student for which it is directly or implicitly suggested that a student is to say or do something in return that does not have a legitimate educational purpose; and
 - i. Using student bathrooms.

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3. Understand that staff should not be alone with a single student and may only be alone with a single student on school premises during the normal school day when:
 - a. It is a requirement of the employee's position, role, duties, or responsibilities;
 - b. The employee's supervisor has deemed it educationally necessary and has authorized it in advance; and
 - c. The employee takes reasonable precautions to make sure that the interaction with the student is visible and/or audible to others.
4. Employees must obtain written approval in advance from their supervisor and the student's parent/guardian to engage in the following conduct:
 1. Participate in non-school-related extracurricular activities outside of school premises;
 2. Meet with students outside of the normal school day;
 3. Visit a student's home;
 4. Invite students to social events or activities off school premises;
 5. Transport a student alone in the employee's personal vehicle; and
 6. Conduct instruction outside of the normal school day or outside of school premises.
5. Employees must refrain from unauthorized and inappropriate communications, and avoid appearances of impropriety in communications with students. This restriction applies to all means of communication, including electronic mail, texting and online interactions.

Factors that may be considered in determining whether communication is inappropriate include but are not limited to:

1. Use of the employee's personal social media or communication platforms to communicate with students, including "friending" or "following" IUSD students, even if they are adult students;
2. The subject, content, purpose, authorization, timing, and frequency of communications;
3. If the content of communication is sexual in nature or sexually explicit;
4. Use of a platform that automatically erases communications or provides features that are intended to hide or alter communication history;
5. Actions taken by the employee intended to delete or alter records of the interaction(s) with the student; and
6. If the communication is not related to homework, school work, or some other legitimate school business.

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Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student.

For purposes of this policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff, or other persons or to prevent damage to property.

For clarification purposes, the following examples are offered for direction and guidance of school personnel:

A. Examples of PERMITTED actions (NOT corporal punishment)

1. Stopping a student from fighting with another student;
2. Preventing a pupil from committing an act of vandalism;
3. Defending yourself from physical injury or assault by a student;
4. Forcing a pupil to give up a weapon or dangerous object;
5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.

B. Examples of PROHIBITED actions (corporal punishment)

1. Hitting, shoving, pushing, or physically restraining a student as a means of control;
2. Making unruly students do push-ups, run laps, or perform other physical acts that cause pain or discomfort as a form of punishment;
3. Paddling, swatting, slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

Acceptable and Unacceptable Staff/Student Behavior

This policy is intended to guide all School faculty and staff in conducting themselves in a way that reflects the high standards of behavior and professionalism required of school employees and to specify the boundaries between students and staff.

Although this policy gives specific, clear direction, it is each staff member's obligation to avoid situations that could prompt suspicion by parents, students, colleagues, or school leaders. One viable standard that can be quickly applied, when you are unsure if certain conduct is acceptable, is to ask yourself, "Would I be engaged in this conduct if my family or colleagues were standing next to me?"

For the purposes of this policy, the term "boundaries" is defined as acceptable professional behavior by staff members while interacting with a student. Trespassing the boundaries of a student/teacher relationship is deemed an abuse of power and a betrayal of public trust

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Some activities may seem innocent from a staff member's perspective, but can be perceived as flirtation or sexual insinuation from a student or parent's point of view. The objective of the following lists of acceptable and unacceptable behaviors is not to restrain innocent, positive relationships between staff and students, but to prevent relationships that could lead to, or may be perceived as sexual misconduct.

Staff must understand their own responsibility for ensuring that they do not cross the boundaries as written in this policy. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes. Thus, it is crucial that all employees learn this policy thoroughly and apply the lists of acceptable and unacceptable behaviors to their daily activities. Although sincere, competent interaction with students certainly fosters learning, student/staff interactions must have boundaries surrounding potential activities, locations and intentions.

Duty to Report Suspected Misconduct

When any employee becomes aware of another staff member having crossed the boundaries specified in this policy, he or she must speak to this staff member if the violation appears minor, or report the matter to school administrators. If the observed behavior appears significant, it is the duty of every staff member to immediately report it to an administrator. All reports shall be confidential. It is the duty of the designated administrator and/or Superintendent to investigate and thoroughly report the situation. Employees must also report to the administration any awareness or concern of student behavior that crosses boundaries or where a student appears to be at risk for sexual abuse.

Unacceptable Staff/Student Behaviors (Violations of this Policy)

- Kissing of ANY kind.
- Any type of unnecessary physical contact with a student in a private situation.
- Intentionally being alone with a student away from the school.
- Making or participating in sexually inappropriate comments.
- Listening to or telling sexual jokes or jokes and/or comments with sexual double-entendre.
- Seeking or offering emotional involvement (which can include intimate attachment) with a student beyond the normative care and concern required of an educator.
- Listening to or telling sexually-oriented stories.
- Discussing staff's personal troubles or intimate issues with a student, especially in an attempt to gain their support and understanding.
- Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.
- Remarks about the physical attributes or physiological development of anyone outside of an academic discussion that is part of a course curriculum.
- Sending electronic communications, such as chats, e-mails, text messages, pictures, social media instant or direct messages or responses, or letters to students if the content is not about school activities.
- Being alone in a room with a student at school and with the door closed, unless otherwise required as part of a state-mandated privileged conversation (such as a school counselor, school psychologist, school nurse, mental health professional).
- Involving students in non-educational or non-school related issues, including, but not limited to, the employee's employment issues.

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- Using profanity with or to a student.
- Being “friends” with a student on any personal or non-School social media website.
- Allowing students in your home without signed parent permission for a pre-planned and pre-communicated educational activity which must include another educator, parent, or other responsible adults.
- Giving students a ride to/from school or school activities without parent permission, or outside of a legally mandated purpose.

Acceptable and Recommended Staff/Student Behaviors

- Obtaining parents’ written consent for any after-school activities on or off campus.
- Obtaining formal written approval (from school site and parents) to take students off of school property for activities such as field trips or competitions.
- Engaging in communication with students that is professional, pertains to school activities or classes, and is easily accessible to the minor student’s parent or legal guardian.
- Keeping the door open when alone with a student.
- Keeping a reasonable space between you and your students.
- Stopping and correcting students if they cross your own personal boundaries.
- Refer students to the appropriate staff person that is trained to address their particular concerns.
- Be aware of the legally protected confidentiality rights of students and parents.
- Keeping staff supervisor and student’s parents informed when a significant issue develops about a student.
- Keeping after-class discussions with a student professional and brief.
- Asking for advice from senior staff or administrators if you find yourself in a difficult situation related to Boundaries.
- Involving your supervisor if a conflict arises with a student.
- Informing your supervisor about situations that have the potential to become more severe.
- Making detailed notes about an incident that could evolve into a more serious situation later.
- Recognizing the responsibility to stop unacceptable behavior of students and/or co-workers.
- Asking another staff member to be present if you will be alone with any student.
- Asking another staff member to be present, or within close supervisory distance, when you must be alone with a student after regular school hours.
- Giving students praise and recognition without touching them.
- Keeping your professional conduct a high priority during all moments of student contact.
- Asking yourself if any of your actions, which go contrary to these provisions, are worth sacrificing your job and career.

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District employees should use appropriate discretion when using social networks and communication platforms for personal communications and should limit this activity to off-duty hours and the use of their personal electronic communication devices. Information posted online, despite privacy protections, can be exposed to unintended recipients. To avoid jeopardizing their professional effectiveness, employees are encouraged to familiarize themselves with the privacy policies, settings, and protections on any social networking websites or communication platforms to which they choose to subscribe.

Exceptions

There may be an occasion when an emergency or unforeseen circumstance may result in a deviation from professional boundaries set out in this policy. In such an event, the adult shall be prepared to provide support and justification for any deviation from the requirements of the Board Policy and this Administrative Regulation and must demonstrate that he/she has maintained an appropriate relationship with the student.

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Substance Abuse: Drugs, Steroids & Alcohol

Policy 4119.23

Date Adopted: May 21, 1997

Date Revised: August 18, 1997, February 25,
2010

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The Board of Education recognizes that the misuse of drugs, steroids, and alcohol is a serious problem with enormous impact upon the welfare of the entire school community. The Board is committed to the prevention of drug, steroid, and alcohol abuse and rehabilitation of drug, steroid, and alcohol abusers and implementation of an effective drug, steroid, and alcohol awareness program for staff members, as well as providing special assistance for addicted staff. The Board desires to utilize positive approaches in dealing with these problems but will resort to necessary and appropriate steps to protect the school community from harm caused by exposure to drugs, steroids, and alcohol abuse.

Adoption of Policies and Procedures

- A. The Board hereby adopts these policies and procedures for the discipline, evaluation and treatment of staff members who possess, consume or who, on reasonable grounds, are suspected of being under the influence of the following substances in the work site.
 1. All controlled dangerous substances as identified and prohibited in N.J.S.A. 24:21-1
 2. All chemicals and/or chemical compounds which release toxic vapors as defined in N.J.S.A. 27A:170-25.9 and N.J.S.A. 2C:98-3
 3. All alcoholic beverages.
 4. Anabolic steroids
- B. Guidelines – All Employees
 1. For the purpose of this policy “worksites” shall include any school building, or any school premises and any school-approved vehicle used to transport students to and from school or school activities. Worksite also includes off school property during any school sponsored or school approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the school district.
 2. The unlawful manufacture, distribution, dispensing, possession of, use of or sale of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, steroid, or any other controlled substance on or in school worksites is prohibited. Any violation may subject an employee to participation in a drug rehabilitation program and disciplinary action including but not limited to non-renewal, suspension, or termination at the discretion of the Board of Education.
 3. The use of alcoholic beverages in school worksites is prohibited. Violations of this prohibition may subject an employee to disciplinary action that may include but is not limited to non-renewal, suspension, or termination at the discretion of the Board.
 4. The Board of Education, as a result of criminal convictions of any criminal drug statute violation by an employee occurring outside of the worksite, may discipline

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Substance Abuse: Drugs, Steroids & Alcohol

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said employee. Disciplinary action may include, but not be limited to non-renewal, suspension, or termination at the discretion of the Board.

5. The Superintendent of Schools shall establish a drug-free awareness program that includes notice of the dangers of drug abuse in the workplace and available drug counseling programs and shall distribute this information to all employees annually. New employees shall be provided with a copy of this information prior to beginning work assignments.
 6. The Superintendent of Schools with the Board shall establish standards of staff conduct to include disciplinary sanctions required when staff members violate Board policies related to drug, steroid, and alcohol abuse. All disciplinary sanctions shall be implemented within the framework of the employees' contractual rights and due process. All employees shall be provided with a copy of this information annually.
 7. Nothing in this policy shall be construed in any way to authorize or require the transmittal of any information or records that are in the possession of a substance-abuse counseling or treatment program included, but not limited to, the school districts own substance abuse programs.
 8. All information concerning a staff member's involvement in a school intervention or treatment program shall be kept strictly confidential. See 42 C.F.R. 2 and N.J.A.C. 6:3-6.6.
 9. The Superintendent of Schools will ensure that all district employees receive annual in-service training to make them aware of their responsibilities in accordance with Board policies and N.J.A.C. 6:3-6.3 et seq.
 10. The Board will review annually the effectiveness of these policies and the Memorandum of Agreement entered into with the appropriate law enforcement agency. As part of this review, the Board will consult with the County Superintendent of Schools, local community members, and the County Prosecutor's office.
 11. The policies and procedures contained herein shall be made available to all staff on an annual basis.
- C. Work Performance in Connection with a Federal Grant
In order for the school district to qualify for any direct federal grant, the district must certify that it will provide a drug-free workplace and maintain a good faith effort to continue to maintain a drug-free workplace. To this end, employees engaged in school worksites as a result of federal grant monies shall in addition to complying with requirements of the programs shall be in strict compliance with this policy.

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The Superintendent of Schools shall notify all employees that they are to notify their respective supervisors of convictions of any criminal drug statute violation occurring in the workplace. Employees must notify their supervisors no later than five days after such conviction. To be in compliance, the district must notify the federal grant program of such conviction within 10 days of receipt of said conviction.

Legal References

- NJSA** 2C:33-16 Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
2C:35-1 et seq. Comprehensive Drug Reform Act of 1987
18A:11-1 General mandatory powers and duties
18A:16-2 Physical examinations; requirement
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:36-32 Cigarette coin-operated vending machines; operation, installation or maintenance on property used for school purposes; fine
18A:54-20 Powers of board (county vocational schools)
26:3D-55 et seq. New Jersey Smoke-Free Air Act
- NJAC** 6A:16-6.3 Reporting students or staff members to law enforcement authorities
6A:16-6.5 Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs
6A:26-12.2(a)4 Policies and procedures for school facility operation
- New Jersey Constitution, Art. IV, § VII, par. 2 Anti-Drug Abuse Act of 1988
Drug-Free Workplace Act of 1988
A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Bayonne Teachers' Assoc v BOE, City of Bayonne Office Admin Law
Fairlawn Education Assoc v Fairlawn BOE 79 NJ 574 (1979)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1330, 1410, 3515, 4117.5

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Drug-Free Workplace

Policy 4119.232

Date Adopted: February 25, 2010

Date Revised:

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The Board of Education prohibits the unlawful manufacture, distribution, dispensing, possession or use of any controlled dangerous substance by any person in any school building, on school grounds, or during any activity or event sponsored by the Board.

Every employee of this district must, as a condition of employment, agree to be bound by this policy. An employee who violates the prohibitions or reporting requirements of this policy will be subject to discipline, which may include dismissal, or certification of tenure charges, as appropriate. An employee whose involvement with drugs results in a conviction for a crime of the third degree or above or for an offense touching his/her position will be deemed to have forfeited his/her public employment, pursuant to N.J.S.A. 2C:51-2.

An employee who is convicted of a drug-related offense must report the conviction to the Superintendent of Schools within five days of its occurrence. The Superintendent of Schools will report the conviction, within ten days of the date on which notice of the conviction is received, to any federal agency from which the district has received funds through a grant.

The Board directs the Superintendent of Schools to establish and maintain a program to:

1. Alert employees as to the dangers of drug abuse in the workplace;
2. Inform employees of the prohibitions against drugs set forth in this policy;
3. Inform employees of available drug counseling, rehabilitation, and assistance programs;
and,
4. Warn employees of the penalties that may be imposed for violations of prohibitions set forth in this policy.

The Board will report to law enforcement officials and prosecute as appropriate any employee or visitor who violates the prohibitions of this policy. A pupil who violates this policy will be treated in accordance with law.

This policy will be distributed to each district employee, including all those engaged in the performance of services under a federal grant, and will be prominently posted in the district.

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Legal References

NJSA 2C:33-16 Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
2C:35-1 et seq. Comprehensive Drug Reform Act of 1987
18A:11-1 General mandatory powers and duties
18A:16-2 Physical examinations; requirement
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:36-32 Cigarette coin-operated vending machines; operation, installation or maintenance on property used for school purposes; fine
18A:54-20 Powers of board (county vocational schools)
26:3D-55 et seq. New Jersey Smoke-Free Air Act

NJAC 6A:16-6.3 Reporting students or staff members to law enforcement authorities
6A:16-6.5 Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs
6A:26-12.2(a)4 Policies and procedures for school facility operation

New Jersey Constitution, Art. IV, § VII, par. 2 Anti-Drug Abuse Act of 1988
Drug-Free Workplace Act of 1988

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

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

Bayonne Teachers' Assoc v BOE, City of Bayonne Office Admin Law

Fairlawn Education Assoc v Fairlawn BOE 79 NJ 574 (1979)

Drug-Free Workplace Act of 1988, P.L. 100-690

34 CRF 85.600 et seq.

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1330, 1410, 3515, 4117.5

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Political Activities

Policy 4119.24

Date Adopted: February 25, 2010

Date Revised:

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

1. A staff member shall not engage in political activity on school premises.
2. A staff member shall not post political circulars or petitions on school premises nor distribute such circulars or petitions to pupils nor solicit campaign funds or campaign workers on school premises.
3. A staff member shall not display any material that would tend to promote any candidate for office on an election day in a school facility that is used as a polling place.

A staff member who is a member of the State Legislature or the County Board of Chosen Freeholders is entitled by law to time off from school district duties, without loss of pay, during the time the member attends meetings of the Legislature or Board of Chosen Freeholders or any committee of those bodies. No other staff member who holds elective or appointive office is so entitled, except as such time off may be provided for by the Board policy or negotiated agreement.

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

Legal References

- NJSA 18A:6-8.1 Leave of certain employees to serve in legislature
18A:6-8.1 Leave of certain employees to serve on board of chosen freeholders
18A:6-8.4 Right to hold elective or appointive state, county or municipal office

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Series 4000

**Acceptable Use of Computer Network(s) / Computers,
E-mail, Social Networks & Other Forms of Electronic
Communications by Instructional Staff Members**

Policy 4119.26

Date Adopted: February 25, 2010

Date Revised: October 23, 2014

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The Board of Education recognizes that as telecommunications and other new technologies shift the manner in which information is accessed, communicated and transferred that those changes will alter the nature of teaching and learning. Access to telecommunications will allow Instructional staff members to explore databases, libraries, Internet sites, bulletin boards and the like while exchanging information with individuals throughout the world. The Board supports access by Instructional staff members to information sources but reserves the right to limit in-school use to materials appropriate to educational purposes. Then Board directs the Superintendent of Schools to provide training of Instructional staff members in skills appropriate to analyzing and evaluating such resources as to appropriateness for educational purposes.

The Board also recognizes that telecommunications will allow Instructional staff member access to information sources that have not been pre-screened using Board-approved standards. The Board therefore adopts the following standards of conduct for the use of computer network(s) and declares unethical, unacceptable, inappropriate or illegal behavior as just cause for taking disciplinary action, limiting or revoking network access privileges, instituting legal action or taking other appropriate action as deemed necessary.

The Board provides access to network(s)/computers for educational purposes only. The Board retains the right to restrict or terminate Instructional staff members' access to the computer network(s)/ computers at any time, for any reason. The Board retains the right to have the Superintendent of Schools/designee monitor network activity in any form necessary to maintain the integrity of the network(s) and ensure its proper use.

Standards for Computer Network(s)

Any individual engaging in the following actions declared unethical, unacceptable or illegal when using computer network(s)/computers shall be subject to discipline or legal action:

- A. Using the computer network(s)/computers for illegal, inappropriate or obscene purposes, or in support of such activities. Illegal activities are defined as activities that violate federal, state or local laws and regulations. Inappropriate activities are defined as those that violate the intended use of the network(s). Obscene activities shall be defined as violation of generally accepted social standards for use of publicly owned and operated communication vehicles.
- B. Using the computer network(s)/computers to violate copyrights, institutional or third-party copyrights, license agreements or other contracts.

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- C. Using the computer network(s) in a manner that:
1. Intentionally disrupts network traffic or crashes the network(s);
 2. Degrades or disrupts equipment performance;
 3. Uses the computing resources of the school district for commercial purposes, financial gain or fraud;
 4. Steals data of other intellectual property;
 5. Gains or seeks unauthorized access to the files of others or vandalizes the data of another user;
 6. Gains or seeks unauthorized access to resources or entities;
 7. Forges electronic mail messages or uses an account owned by others;
 8. Invades the privacy of others;
 9. Posts anonymous messages;
 10. Possesses any data that is a violation of this policy; and/or,
 11. Engages in other activities that do not advance the educational purposes for which computer network(s)/computers are provided.

District computers, computer networks, email resources, etc. are to be used for educational purposes only. Specifically prohibited are online shopping, blogging, fantasy sports, social networks and other non-educational uses.

Electronic Communication

School district personnel shall adhere to the following guidelines when sending or receiving messages via district owned or issued devices and the district network:

1. All messages shall pertain to legitimate school business;
2. Personnel shall not reveal district issued passwords to others. If a staff member believes that a password has been lost or stolen, or that email has been accessed by someone without authorization, he/she must contact the supervisor for technology or the principal;
3. District administrators shall have access to the employee's password or passwords for all district owned or issued devices and the use of the district network;
4. Electronic messages on school owned or issued electronic devices and the district network shall be retained for the period of time specified by the Destruction of Public Records Law and Board policy;
5. Federal copyright laws shall be observed;
6. Staff shall not send messages that contain material that:

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- May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
 - Violates the district's affirmative action policies;
 - Is personal in nature and not related to the business of the district;
 - Can be interpreted as provocative, flirtatious or sexual in nature;
 - Is confidential and not authorized for distribution;
 - Violates Board Policy on Harassment, Intimidation and Bullying.
7. Personnel shall become familiar with the district's policies and regulation on staff and student access to networked information resources and acceptable use of technology before initiating email use;
8. Employees learning of any misuse of the email systems shall notify the supervisor for technology, principal or Superintendent of Schools immediately.

Online Education

An online classroom is still a classroom. Though courses and/or assigned programs of home instruction may be online, appropriate classroom behavior is still mandatory. Respect for the participants is essential for learning and student achievement.

Staff communications with students during online education will be limited to legitimate school business as set forth under cell phones, text messages and electronic communication, above. Professional standards and etiquette shall be observed at all times.

Social Networking Websites

The Superintendent of Schools/designee will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the on-line, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process. The orientation and reminders will give special emphasis to:

- A. Improper fraternization with students using social networking websites on the internet:
- Teachers may not list current students as "friends" on networking sites;
 - Teachers are not to engage in "friending" or otherwise communicating with students on social networking sites such as Facebook, MySpace and other social networking sites;

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- All e-contacts with students should be through the district's computer and telephone system;
 - All contact by coaches with team members shall be sent to all team members;
 - Teachers will not give out their private cell phone or home phone numbers without prior approval of the district;
 - Inappropriate contact via e-mail or phone is prohibited;
- B. Inappropriateness of posting items with sexual content;
- C. Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol;
- D. Examples of inappropriate behavior from other districts, as behavior to avoid;
- E. Monitoring and penalties for improper use of district computers and technology;
- F. The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct.
- G. Conduct violations include but are not limited to: discussing or posting statements in a negative or detrimental context regarding the district, the school, other staff members, students, parents, relations between the school and the community, etc.

The Superintendent of Schools/designee will periodically conduct Internet searches to see if teachers have posted inappropriate materials on-line. When inappropriate use of computers and websites is discovered, the Superintendent of Schools/designee will download the offensive material and promptly bring that misconduct to the attention of the board's personnel committee for review.

Cell Phones

As a general rule, school staff shall not contact students' cell phones unless directed to do so by the parent/guardian or student. School district personnel shall limit cell phone interaction with students to contact that pertains to legitimate school business.

Legitimate school business includes (but is not limited to):

1. Answering academic inquiries regarding homework, other classroom work or assignments;
2. Scheduling appointments for school related conferences and/or extra help;
3. Clarifying classroom expectations and/or assignments;
4. Notifications related to classroom, club or sports schedules, events, trips, assignments, and deadlines.

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Cell phone contact with students shall be as brief and direct as possible. When brief contact is not sufficient and/or feasible to resolve the matter, where appropriate, teachers shall schedule face-to-face conferences during regular classroom and extra-help periods to confer with the student. No cell phone contact shall exceed three replies.

Text Messages

Any text messages by staff members, coaches and volunteers shall, as a general rule, be sent to the entire class, team, club or organization and not to any student individually. Exceptions may include situations involving confidential medical issues, emergencies or individual issues not involving the entire group. Staff shall not send messages containing material that:

1. May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
2. Violates the district's affirmative action policies;
3. Is personal in nature and not related to the business of the district;
4. Can be interpreted as provocative, flirtatious or sexual in nature;
5. Is confidential information and not authorized for distribution;
6. Violates Board Policy on Harassment, Intimidation and Bullying.

Implementation

This policy shall be made available electronically or otherwise disseminated to all staff members, annually or as needed.

Violations

Individuals violating this policy shall be subject to appropriate disciplinary actions as defined by Board Policy and the district disciplinary code(s) that includes but is not limited to:

- A. Use of network(s)/computers only under direct supervision;
- B. Suspension of network privileges;
- C. Revocation of network privileges;
- D. Suspension of computer privileges;
- E. Revocation of computer privileges;
- F. Suspension;
- G. Dismissal;
- H. Legal action and prosecution by the authorities; and/or,
- I. Any appropriate action that may be deemed necessary by the Superintendent of Schools and approved by the Board of Education.

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Implementation

This policy shall be distributed annually to all staff members.

NJSA 2A:38A-1 et seq Computer system
2C:20-25 Computer-related theft
18A:7A-11 Reports by school districts
18A:6-10 Dismissal and reduction in compensation of persons under tenure
18A:11-1 General mandatory powers and duties
18A 27-4 Power of boards of education to make rules governing employment of
teacher, etc.; employment thereunder
18A:36-35 School Internet web sites; disclosure of certain student information
prohibited

Hicks v. Pemberton Bd of Ed 1975 SLD 332
Quiroli v. Linwood Bd of Ed 1974 SLD 1035
Carlstadt Teachers Ass'n v. Carlstadt Bd of Ed App. Div. unreported decision
(Docket no. A-1469-80-T4, decided March 26, 1982) 1982 SLD 1448
N.J. v. T.L.O. 469 U.S. 325 (1985)
O'Connor v. Ortega 480 U.S. 709 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1111, 3514, 4117.50, 4118.2, 4119.2, 4119.21, 4119.22, 4119.23, 4119.24, 4138,
4138.2, 5114, 5124, 5131, 5131.5, 5142, 6142.10, 6144, 6145.3, 6161

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Cell Phones & Other Electronic Devices

Policy 4119.27

Date Adopted: February 25, 2010

Date Revised: September 3, 2014
September 14, 2023, January 8, 2024

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Staff members are not permitted to use personal cell phones or other portable electronic communications devices while performing their assigned duties (class time, duty periods) and during school related activities.

During school meetings, personal cell phones are to be turned off and not used.

Personal cell phones may be used during planning periods, staff lunches, emergency situations and /or before and after the regular workday.

Legal References

NJSA 2C:33-19 Possession of remotely activated paging devices on school property, disorderly persons offense
18A:11-1 General mandatory powers and duties

NJAC 6A:16-5.8 Remotely activating paging devices

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Instructional Personnel Duties / Responsibilities

Series 4000
Policy 4119.3

Date Adopted: February 25, 2010

Date Revised:

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Teaching staff members, because of their proximity to students, are frequently confronted with situations that, if handled incorrectly, could result in liability to the district and personal liability to the staff member. It is the purpose of this policy to direct the preparation of guidelines that would minimize that possibility.

Major duties of each professional employee are delineated below:

- A. To carry out duties and responsibilities set forth by New Jersey statutes, Title 18A, and New Jersey Administrative Code.
- B. To abide by rules and regulations as established by the Board of Education.
- C. To carry out specific job responsibilities as established by the Board of Education.
- D. To uphold rules and regulations as established by the Superintendent of Schools and other school administrators.
- E. To properly channel all negative criticism about the district or its employees to the Superintendent of Schools.
- F. To adhere to prescribed curricula and courses of study.
- G. To adhere to the specific job description for the contracted position.

It is the responsibility of the Superintendent of Schools to prepare regulations to ensure the maintenance of the following standards:

- A. Each teacher must maintain a standard of care for supervision, control and protection of students commensurate with assigned duties and responsibilities;
- B. A teacher should not voluntarily assume responsibility for duties he/she cannot reasonably perform. Such assumption carries the same responsibilities as assigned duties.
- C. A teacher must provide proper instruction in the safety matters presented in assigned curriculum guides;
- D. Each teacher must immediately report to the administration an accident or safety hazard he/she detects;
- E. A teacher must not send students on any personal errands;
- F. A teacher must not transport students in a personal vehicle without the approval of the Superintendent of Schools;
- G. A student shall not be required to perform work or services that may be detrimental to his/her health;
- H. Pursuant to the laws of the state, each teacher must report to the Superintendent of Schools or the Principal, in the absences of the Superintendent, immediately, any sign of suspected child abuse or drug abuse.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment

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Temporary & Part-Time Personnel

Policy 4120

Date Adopted: February 25, 2010

Date Revised:

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The Fairfield Township Board of Education has the responsibility to employ such persons as may be needed to conduct the business of the school district. Such employment requires the official action of the Board.

The Board recognizes that there are times when extraordinary conditions warrant that the Superintendent of Schools hire temporary personnel in advance of official action by the Board in order to ensure the continuity of the district's functions and programs.

Legal References

NJSA 18A:16-1.1. May appoint temporary officers and employees
18A:11-1 General mandatory powers and duties

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Instructional Personnel

Series 4000

Substitute Teachers

Policy 4121

Date Adopted: August 18, 1997

Date Revised: February 25, 2010, January 26, 2012

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The Superintendent of Schools shall make provision to employ the services of substitute teachers in order to maintain the effective operation of the educational program.

The Board shall approve substitute personnel and the positions in which they may substitute. The employment of a substitute teacher prior to approval by the Board is authorized only when such employment is required to maintain continuity in the educational program. Retroactive approval shall be requested from the Board at the next regular meeting.

Teacher substitutes must have at least a valid substitute teaching certificate issued by the Executive County Superintendent of Schools, and preferably hold a post secondary degree.

A substitute teacher who holds valid teaching certification credentials or a certificate of eligibility or a certificate of eligibility with advanced standing issued by the State Board of Examiners may be employed to teach subjects authorized by their credentials for up to 60 school days. Any such certified substitute teacher may be employed to teach subjects not authorized by his/her credentials for up to 40 school days.

In the event that one person is employed by this district as a substitute teacher under the same teaching assignment for more than 60 days, he/she shall be compensated at the same rate as a teacher with similar credentials on a pro-rated basis.

A substitute teacher who holds valid teaching certification credentials or a certificate of eligibility or a certificate of eligibility with advanced standing issued by the State Board of Examiners may be employed to teach subjects not authorized by his/her credentials for up to 40 school days.

A substitute teacher who holds a standard substitute teaching certificate may be hired for up to 20 consecutive school days under the same teaching assignment.

The Executive County Superintendent of Schools may grant an extension of these limits upon written application from Superintendent of Schools, demonstrating the districts inability to hire an appropriately certified teacher for the vacant position within the original school day time limits.

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Policy 4121**

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The Superintendent of Schools may apply in writing to the Executive County Superintendent of Schools for an extension of the original school day time limits written application from this district, demonstrating the districts inability to hire an appropriately certified teacher for the vacant position within the original school day time limits.

Any substitute teacher shall be entitled only to the wages approved by the Board on a per diem basis, and to no other benefits.

The Superintendent of Schools shall recruit, screen and recommend to the Board candidates for employment as instructional substitutes. He/she shall:

- A. Develop procedures for the assignment of substitutes;
- B. Develop methods of evaluating substitute teachers and make recommendations to the Board for the retention of substitutes who have performed their duties satisfactorily. Upon approval by the Board, these substitutes will be added to the list of substitutes who will be employed in the school.

Legal References

NJSA 18A:6-7.1 through -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
18A:16-1.1 May appoint temporary officers and employees
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions
18A:29-16 Emergency certificates; day-by-day basis substitute

NJAC 6A:9-6.5 County substitute credential
6A:32-6.1 et seq. School Employee Physical Examinations

8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986
Sayreville Education Ass'n v. Sayreville Bd. of Ed., App. Div., unreported decision (docket no. A-4899-82T2, decided April 12, 1984)
Lammers v. Bd. of Ed. of Borough of Point Pleasant, Ocean County, S/B (June 5, 1991)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

4111, 4112.2, 4112.4

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Student Teachers / Interns

Policy 4122

Date Adopted: August 18, 1997

Date Revised: February 25, 2010

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The Board of Education encourages the Superintendent of Schools to cooperate with colleges and universities in the placement of teachers/administrative interns in the district school. Student teachers/administrative interns shall be placed with experienced staff members who agree to perform this service.

Student teachers/administrative interns shall comply with the requirements of law regarding health examinations.

The supervising teacher and administration shall be responsible for the conduct of student teachers while serving in the district school. The Superintendent of Schools shall be responsible for administrative interns.

Student teachers shall be allowed to participate in school activities where their contributions would be appropriate to the educational program of the school.

The Superintendent of Schools shall ensure the equitable distribution of student teachers/administrative interns throughout the school.

No remuneration will be provided to student teachers or administrative interns by the Board of Education.

Legal References

NJSA N.J.S.A. 18A:6-7.1 through -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
18A:11-1 General mandatory powers and duties
18A:16-2 through -5 Physical examinations; requirement
18A:16-6 Indemnity of officers and employees against civil actions
18A:16-6.1 Indemnity of officers and employees in certain criminal actions
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:9-10.2 Curriculum for teacher preparation programs
6A:9-10.3 Supervision of practicum students
6A:32-4.1(d)(e) Employment of teaching staff
6A:32-6.1 et seq. School Employee Physical Examinations

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

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Instructional / Non-Instructional Aides

Policy 4123

Date Adopted: February 25, 2010

Date Revised:

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Within its financial means, the Board may hire aides as recommended by the Superintendent of Schools.

It is the responsibility of the classroom teacher to plan for any teacher aide's constructive involvement with the class. The primary benefit must be to the pupils.

Classroom aides shall be under the supervision of the classroom teacher. Non-instructional aides shall be under the supervision of appropriate personnel as assigned by the Superintendent of Schools.

All aides shall be required to comply with the provisions of the law regarding health and criminal background checks.

In accordance with federal law, the Superintendent of Schools shall establish procedures to release information, upon request, regarding the qualifications of classroom aides to parents/guardians for any classroom aide who is employed by any school receiving Title I funds and who provides instructional assistance to their children.

Qualification of Classroom Aides in Title I Schools

All classroom aides hired in schools that receive Title I funds shall be qualified in accordance with federal law. All such classroom aides must have a high school diploma or its equivalent. All such classroom aides hired after January 8, 2002, except those working as translators or solely conducting parent involvement activities, also must meet at least one of the following criteria:

- A. Completed at least 60 credits at an institution of higher education and
- B. Be eligible for and obtain a certificate as a county substitute teacher.

Legal References

- NJSA 18A:6-7.1 through -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
18A:11-1 General mandatory powers and duties
18A:16-2 through -5 Physical examinations; requirement
18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:32-6.1 et seq. School Employee Physical Examinations
6A:32-4.7 Approval of paraprofessional staff
- 8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

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**Staff Development; In-service Education /
Visitations, Conferences**

Policy 4131/4131.1

Date Adopted: August 18, 1997

Date Revised: September 25, 2008, February 25, 2010,
September 26, 2013

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The Board of Education recognizes its legal obligation to provide inservice activities that are aligned with student learning and educator development needs, and school, district, and/or State improvement goals. It is the Board of Education's priority that continuing education for teaching staff focus on the improvement of teachers' and school leaders' effectiveness in assisting students in the achievement of the Common Core State Standards (CCSS) in mathematics and language arts and literacy and Core Curriculum Content Standards (CCCS).

The Superintendent of Schools shall develop a comprehensive management system for staff professional improvement and shall assist staff members in the area of professional improvement by providing relevant information regarding workshops, professional meetings and course offerings. Professional learning shall incorporate coherent, sustained, and evidence-based strategies that improve educator effectiveness and student achievement, including job-embedded coaching or other forms of assistance to support educators' transfer of new knowledge and skills to their work.

Professional Development for School Leaders

For the purposes of this policy, "school leader" shall be defined as an administrator whose position requires possession of a school administrator, principal, or supervisor endorsement.

All active school leaders serving on a permanent or interim basis shall complete training on issues of school law, ethics, governance, and harassment, intimidation and bullying as required by NJSA 18A:26-8.2, and other statutory requirements related to student safety and well-being. To meet this ongoing requirement, the specific training needs of each school leader will be reviewed annually as part of the professional development planning process.

School Leaders

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

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Policy 4131/4131.1

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

Professional Development for the Chief School Administrator

The Board of Education shall oversee and review the Superintendent of Schools' professional development. The professional development shall be linked to individual, school, and district professional development goals and to the district's professional development plan.

The Board of Education shall review the professional development plan. The Superintendent of Schools shall provide to the Board of Education annual evidence of progress toward completion of the professional development plan and summative evidence of plan completion every three to five years, depending on the Superintendent of Schools' contract with the Board of Education.

In cases where there is disagreement between a Superintendent of Schools and his or her Board of Education regarding plan contents or progress toward completion, the Superintendent of Schools may appeal to the executive county superintendent, who will have final decision-making authority on all such matters.

Professional Development for Principals, Supervisors and Other Administrators

The Superintendent of Schools shall oversee and review professional development for each principal and supervisor. The professional development shall be linked to individual, school, and district professional development goals and the district's professional development plan.

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Leaders whose positions require a principal or supervisor endorsement shall have an annual plan developed in collaboration with the Superintendent of Schools, or designee holding a Superintendent of Schools endorsement. Leaders whose positions require a Superintendent of Schools' endorsement but who do not serve as a Superintendent of Schools of the district shall have an annual plan developed in collaboration with the Superintendent of Schools, or designee holding a Superintendent of Schools endorsement.

The Superintendent of Schools, or designee holding a Superintendent of Schools endorsement, shall meet with the principal, supervisor, or other school administrator at mid-year to assess progress toward completion or modification of the plan. The Superintendent of Schools, or designee holding a Superintendent of Schools endorsement, shall review the status of the professional development plan as part of the principal's, supervisor's, or other district administrator's annual performance evaluation.

Evidence of Progress

Each active school leader shall be required to provide evidence of progress toward fulfillment of his or her plan including a narrative account detailing plan goals and their achievement; and documentation of professional growth activities such as school-based learning activities; training; university coursework; action research; and study groups. Study groups may include school, district, county, and/or State associations and organizations, school and district collaborative teams, and virtual learning communities.

Professional Development for Teachers

To meet the state professional development requirements, each teacher shall be guided by an individualized professional development plan (PDP), which shall include at least 20 hours per year of qualifying activities. The 20-hour annual requirement shall be reduced by a pro rata share reflecting the use of family or medical leave. It is the individual teacher's responsibility in accordance with district policies, to assure that a teacher meets the professional development requirement. There is no mandated financial obligation on the part of the district.

The content of each PDP shall be developed by each teacher's supervisor in consultation with the teacher and shall align with the Professional Standards for Teachers as described in NJAC 6A:9-3.3 and the Standards for Professional Learning in NJAC_6A:9-15.3. The PDP shall be effective for one year and shall specify, at a minimum:

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- A. One area for development of professional practice derived from the results of observations and evidence accumulated through the teacher's annual performance evaluation;
- B. As appropriate, an additional area for development of professional practice aligned to the teacher's role as a member of his or her collaborative professional learning team. The professional learning team consists of teachers, school leaders, and other administrative, instructional, and educational services staff members who commit to working together to accomplish common goals and who are engaged in a continuous cycle of professional improvement focused on;
 - Evaluating student learning needs through ongoing reviews of data on student performance; and
 - Defining a clear set of educator learning goals based on the rigorous analysis of these data
- C. As appropriate, an additional area for development of professional practice aligned with school and/or district improvement plans and goals; and
- D. Any requirements for professional development stipulated elsewhere in statute or regulation.

The progress of each teacher in meeting the goals of the PDP must be determined annually and aligned to the district process for teacher evaluation. Progress on the PDP must be discussed during a minimum of one annual conference between the teacher and his or her supervisor. Each teacher shall provide evidence of progress toward meeting the requirements of his or her individual PDP, and this evidence must be reviewed as part of each conference. The PDP shall be revised at a minimum annually but may be adjusted as necessary to support the teacher's progress. All teachers shall have an individual PDP within 30 instructional days of the beginning of their respective teaching assignments.

A teacher's individual PDP goals may necessitate more than the recommended minimum requirements. The PDP shall accommodate additional professional development as necessary. Additional hours of qualifying activities may be required for teachers in low-performing schools, as determined by the Commissioner.

The Board of Education shall ensure that all teachers receive the necessary opportunities, support, and resources to engage in ongoing professional learning and to complete the requirements of their respective PDPs.

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School-Level Professional Development Plans

The principal shall oversee the development and implementation of a plan for school-level professional development. The school-level professional development plan shall include a description of school-level and team-based professional learning aligned with identified school goals, and teacher and student learning needs. The school-level plans shall become part of the district professional development plan reviewed by the Board of Education.

The principal shall ensure that all teachers receive the necessary opportunities, support, and resources to complete professional development requirements.

District-Level Professional Development Plans

The Superintendent of Schools or his or her designees shall oversee the development and implementation of plans to address the districts' professional development needs. (School districts sending to the same middle and/or high school may form a regional consortium to develop one district-wide plan based on the sending schools' plans.)

In accordance with the provisions of NJAC 6A:9-15.6, the Superintendent of Schools:

- A. Review school-level professional development plans;
- B. Assess the learning needs of students, teachers, and school leaders based on educator evaluation data, school-level plans, and data from school- and district-level performances;
- C. Plan, support, and implement professional development activities that address the CCSS and the CCCS, and that align with the Standards for Professional Learning as noted in NJAC 6A:9-15.3 and the Professional Standards for Teachers and School Leaders in NJAC 6A:9-3.3 and 3.4; and
- D. Develop and update, as necessary, the district mentoring plan for new teachers as required by Policy 4112.2 Certification and NJAC 6A:9-8.4.

The Superintendent of Schools shall review the district plan annually to assess its effectiveness and revise it as necessary to meet the district's learning goals for students, teachers, and school leaders. The district plan shall provide information on school-level and district-wide professional development opportunities, the resources being allocated toward their support, and a justification for the expenditures. The district plan shall also include any professional development required by statute or regulation.

The Superintendent of Schools shall be responsible for the content and implementation of the district professional development plan. The Superintendent of Schools shall present the plan to the Board of Education to review for fiscal impact.

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The Board of Education reserves the right to deny any plan that fails to advance district goals and objectives; is not conducive to student achievement of the Common Core State Standards or the Core Curriculum Content Standards; or contravenes current negotiated agreements, other Board of Education policies, student safety and well-being, continuity of the instructional program, or budgetary constraints.

Staff participation that may require release time and/or financial reimbursement from the Board of Education will be determined by the Board of Education after recommendation by the Superintendent of Schools.

Staff members who participate in out-of-district programs at Board of Education expense shall submit a written report highlighting the main thrust and ideas observed by the participant.

Mandated Inservice Programs

The Superintendent of Schools shall arrange development of appropriate inservice presentations, seminars and/or workshops on equity issues, special education, child abuse and neglect, drug/alcohol abuse awareness, handling blood and body fluids, possible hazardous substances in the workplace, crises response, school violence and other topics specifically required by federal or New Jersey law. These required presentations, seminars and/or workshops shall not count automatically toward the required 20 hours of continuing education annually.

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Legal References

NJSA 18A:7A-11 Annual report of local school district; contents
18A:7A-11e improvement of basic skills
18A:17-46 Act of violence; report by school employee; notice of action taken; annual report
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:30-7 Power of boards of education to pay salaries
18A:31-2 Attendance at conventions of New Jersey Education Association
18A:40A-3 Initial inservice training programs; curriculum
34:5A-10 Retention of workplace surveys
34:5A-13 Employee education and training program; certification of instructors

NJAC 6A:7-1.6 Professional development
6A:14-1.2(b)13 District eligibility for assistance under IDEA Part B
6A:15-1.8 Inservice training
6A:9-15.1 et seq. Required Professional Development for Teachers
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:16-1.1et seq. Programs to Support Student Development
6A:16-11.1et seq. Reporting Allegations of Child Abuse and Neglect
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1 Employment of teaching staff
6A:32-4.4 Evaluation of tenured teaching staff members
6A:32-4.5 Evaluation of nontenured teaching staff members

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

Possible Cross References

4115, 4116, 4133, 4231/4231.1, 5131.6, 5141, 6142.2, 6171.3, 6171.4

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Research Projects by Staff Members

Policy 4132

Date Adopted: February 25, 2010

Date Revised:

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The Board of Education encourages the participation of teaching staff members in research projects that are soundly designed and professionally conducted.

Teaching staff members may seek funding from local, state and federal sources, public and private for locally conducted research projects. Any research project involving pupils must be approved by the Board; all other research projects involving district personnel, facilities and/or resources may be approved by the Superintendent of Schools.

An application for approval of a proposed research project must set forth the purpose of the project, a detailed description of the project, the degree to which, if any, the project will interrupt or displace the regular instructional program; a projection of the number of pupils, if any, and staff members who will be involved, the period of time that will be devoted to the project, the means by which the project will be evaluated, and an assessment of the contribution the project will make to the educational program of the district.

A written report must be made to the Superintendent of Schools when a research project is terminated, either complete or incomplete. The Superintendent of Schools may also require progress reports during the course of any research project and may notify appropriate administrators of the conduct of any research project.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

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Job Expenses

Policy 4133

Date Adopted: December 16, 1992

Date Revised: February 25, 2010

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The Board of Education may provide for the reimbursement of the actual and necessary expenses, including travel expenses incurred by an employee in the course of the performance of his or her duties for the district, with the prior approval of the Superintendent of Schools and in accordance with Policy 3335 – Travel Expenses.

Each request for the reimbursement of expenses shall detail the reasons for the expenditure, including a full itemization of expenses. The request should also include any and all receipts for such expenditures.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

Possible Cross References

3335

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Work Stoppages

Policy 4135.16

Date Adopted: February 25, 2010

Date Revised:

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In the event of an emergency brought about by a job action, including a strike, by any employee group, it shall be the policy of the Board of Education to make every effort to keep schools open and to carry out its obligation under New Jersey state law; Title 18A, to educate the children of the community.

Since there is no authorization in law for job actions, and since actions are constitutionally prohibited, including strikes, by public employees, it shall be the policy of the Board, in the event of any job action, including a strike or any other act that withholds employee services from the Board, to take appropriate legal action to deal with such a matter.

In emergency situations under this policy, all usual policy adoption procedures shall be suspended for the duration of the emergency, and the Board may adopt policies on first reading to enable the Board to maintain operation of the schools and the safety and welfare of the community, pupils and employees.

The Superintendent of Schools or his/her designee shall have the authority to take such immediate emergency steps as he/she deems necessary to ensure the safety and well being of pupils and employees and to protect the property of the district.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

Possible Cross References

6144

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Meetings / Committees

Policy 4136

Date Adopted: February 25, 2010

Date Revised:

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The Board considers it part of a teacher's professional responsibilities to attend such staff meetings as may be required for the proper functioning of a school, to serve on committees involved in curriculum development and textbook selection, and to participate in parent-teacher organizations and functions.

School administrators shall seek to give sufficient notice of staff meetings, hold them with reasonable frequency and length, and make committee assignments equitably, taking into account provisions of current negotiated agreements.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

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Soliciting & Selling

Policy 4137

Date Adopted: February 25, 2010

Date Revised:

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No employee of the Board of Education may solicit or sell products for personal gain within the school while under active contract.

No employee of the Board of Education may distribute or solicit for the sale of any product or service for any commercial enterprise except for fund raisers that have been approved in advance by the Board of Education.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

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Non-School Employment

Policy 4138

Date Adopted: October 30, 1997

Date Revised: February 25, 2010

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School employees shall not engage in outside activities or perform any services other than those assigned or allowed by the district during the contractual hours of the prescribed school day.

No outside work by a staff member shall prevent him/her from properly performing assigned functions during duty hours or be prejudicial to his/her work effectiveness.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:12-24 et seq Prohibited acts
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

NJAC 6A:28-1.1 et seq School Ethics Commission

Possible Cross References

3514, 4119.21, 4138.2

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Private Tutoring

Policy 4138.2

Date Adopted: February 25, 2010

Date Revised:

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The Board of Education recognizes that the discharge of its responsibility to provide a thorough and efficient system of education for each child in the district may require special help for some pupils beyond the regular classroom program. Tutorial instruction shall be interpreted to mean individualized instruction additional to, and in support of, regular classroom instruction.

Wherever possible within the working day, each teaching staff member shall assist assigned pupils in the remediation of individual learning difficulties.

In certain cases where extra help is desirable and the parents/guardians request such assistance, a teacher or administrator may recommend that the parents/guardians secure tutorial services for the pupil.

To avoid placing a teacher in a position where he/she may have a conflict of interest, teachers shall not tutor, for a fee, pupils enrolled in their classes or upon whose evaluation or assignment they may be called upon to pass without the specific approval of the Superintendent of Schools. Nor shall any employee of the Board make a commitment to perform services for extra pay when he/she has been instrumental in recommending the need for those services without the specific approval of the Superintendent of Schools.

Teachers shall not tutor any pupil for pay during regular working hours.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:12-24 et seq Prohibited acts
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

NJAC 6A:28-1.1 et seq School Ethics Commission

Possible Cross References

4119.21, 4138, 4119.21, 4138, 6164.6, 6173

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Series 4000

Exclusion of Employees for Reasons of Illness

Policy 4141.2

Date Adopted: February 25, 2010

Date Revised:

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Communicable Diseases-Exclusion from School (Pupils and Employees)

It is sometimes necessary to exclude from school individuals who are ill or who have been exposed to a communicable disease or whose presence is detrimental to the health or cleanliness of others. The Board of Education therefore, implements this policy.

The school nurse shall instruct the teachers at the beginning of the school year, or when designated by the Board of Education about the methods employed to detect the first signs of communicable diseases and the recognized measures for the promotion of health and prevention of disease. In addition, the school nurse will instruct those teachers from whose classrooms a pupil has been excluded about the symptoms of the disease for which the pupil was excluded.

No teacher shall attempt to diagnose any illness of a pupil but shall refer suspected cases to the nurse.

Any staff member who appears to be ill or who is suspected of having a communicable disease shall be excluded from school or isolated at school to await instructions from the school physician, and/or the school nurse.

Where there is evidence of departure from the normal health of any staff member, or if the staff member has been exposed to a communicable disease, or if the presence of the staff member in the school is detrimental to the health or cleanliness of the pupils or staff members in the school:

- A. The Superintendent of Schools or administrative designee, upon the recommendation of the school nurse or school physician, may exclude the staff member from the school.
- B. In the absence of the school nurse or school physician, the Superintendent of Schools/ designee may exclude the staff member from the school. In that event, the person making the exclusion must immediately notify the Superintendent of Schools.

A staff member retained at home or excluded from school shall not be readmitted to school until written evidence is presented of being free of the reason for the exclusion. Such evidence may be by a qualified physician, or school physician who has examined the staff member.

The rules of the local Board of Health or State Department of Health, New Jersey State Board of Education, or in the absence of these, the rules of the school physician pertaining to communicable disease shall apply in determining periods of incubation, communicability, quarantine, and reporting.

No staff member who is a member of a household in which a person is suffering from or has been exposed to smallpox, diphtheria, scarlet fever, whooping cough, yellow fever, typhus fever, cholera, or measles, shall attend any public school during such illness, or until the attending physician, Board of Health, or school physician has certified that all danger of communicating the disease by the staff member has passed.

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Exclusion of Employees for Reasons of Illness

Policy 4141.2

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The school physician, and/or the school nurse, shall report all cases of communicable diseases to the local, county, or state Board of Health. The Superintendent of Schools will also inform the County Superintendent of Schools.

Legal References

NJSA 18A:16-2 Physical examinations; requirement
18A:16-4 Sick leave; dismissal
18A:16-4 Records of examinations
18A:40-6 et seq Health measures in general
26:4-6 Prohibiting attendance
26:4-15 Reporting of communicable diseases

NJAC 6A:16-2.2 Required health services
6A:16-2.3 Health services personnel
8:57 Reportable communicable diseases
8:61-1.1 Attendance at school by pupils or adults infected by Human Immuno-deficiency Virus (HIV)

Possible Cross References

1410, 4112.4, 4131/4131.1, 4212.4, 5113, 5131.6, 5141, 5141.1, 5141.4

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Employee Safety

Policy 4147

Date Adopted: October 30, 1997

Date Revised: February 25, 2010

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Through its overall safety program and various policies pertaining to school personnel, the Board shall seek to ensure the safety of employees during working hours.

The Board shall be vigorous in maintaining safe working conditions for employees. It shall expect employees to follow all established safety rules and regulations, such as those pertaining to the use of safety equipment, the wearing of safety clothing and protective eye devices where appropriate, and the lifting and shifting of heavy weights.

Accidents must be reported immediately to the nurse or the supervisor if the nurse is not available. An accident investigation report must be submitted in detail to the Superintendent of Schools' office by the following working day.

Legal References

- NJSA 2C:7-1 et seq. Registration of sex offenders; definition; requirements
18A:16-2 Physical examinations; requirement
18A:40-12.1 Protective eye devices required for teachers, pupils and visitors in certain cases
18A:40-12.2 Rules prescribing kinds, types and quality of devices
34:5A-1 et seq. Worker and Community Right to Know Act
34:6A-25 et seq. New Jersey Public Employees' Occupational Safety and Health Act
34:19-1 et seq. Conscientious Employee Protection Act
- NJAC 6A:26-12.5 Eye protection in schools
6A:32-12.1(a) Reporting requirements
12:100-4.2 Safety and Health Standards for Public Employees (Adoption by reference)
- 29 CFR 1910.1030 - Bloodborne Pathogen Standard
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3510, 3516, 4111.1, 4112.4, 5142

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Series 4000

**Exposure Control HIV / HBV /
Bloodborne Pathogens**

Policy 4147.1

Date Adopted: February 25, 2010

Date Revised:

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The Board of Education recognizes that exposure to Human Immunodeficiency Virus (HIV), Hepatitis B Virus (HBV) and other bloodborne diseases warrant serious concern for employees, at risk, for exposure to human blood and other body fluids that contain bloodborne pathogens.

The Board is committed to providing a safe and healthful school environment for our entire staff and student body. In pursuit of this goal, the Board directs the Superintendent of Schools to develop an Exposure Control Plan (ECP) to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with OSHA Bloodborne Pathogens Standard, Title 29 Code of Federal Regulations 1910.1030 and N.J.A.C. 12:100-4.2.

The Exposure Control Plan ensuring compliance with the standard shall include:

- A. Employee exposure determination
- B. The procedure for evaluation of circumstances surrounding an exposure incident
- C. The schedule and method for implementing the specifications of the standard, including:
 - 1) Methods of Compliance
 - 2) Hepatitis B Vaccination and post-exposure follow-up
 - 3) Training and communication of hazards to employees
 - 4) Record keeping

The Superintendent of Schools is responsible for the implementation of the ECP. The Superintendent of Schools will maintain and update the written ECP at least annually and whenever necessary include new or modified tasks and procedures.

Those employees who are reasonably anticipated to have contact with or exposure to blood or other potentially infected materials are required to comply with the procedures and work practices outlined in this ECP.

The Superintendent of Schools will have the responsibility for written housekeeping protocols and will ensure that effective disinfectants are purchased.

The Superintendent of Schools will be responsible for ensuring that all medical actions required are performed and that appropriate medical records are maintained.

The Superintendent of Schools will be responsible for training, documentation of training and making the written ECP available to employees, OSHA and NIOSH representatives.

The Superintendent of Schools will maintain and provide all necessary personal protective equipment (PPE), engineering controls (i.e., sharps containers, etc.) labels, and red bags as required by the standard.

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**Exposure Control HIV / HBV /
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The Superintendent of Schools will ensure that adequate supplies of the aforementioned equipment are available.

During implementation of the Exposure Control Plan, the Board will handle all information regarding HIV infected individuals in compliance with the State's HIV/AIDS Confidentiality Law, N.J.A.C. 26:5c-5

Legal References

NJSA 18A:16-2 Physical examinations; requirement
18A:16-4 Sick leave; dismissal
18A:16-4 Records of examinations
18A:40-6 et seq Health measures in general
26:4-6 Prohibiting attendance
26:4-15 Reporting of communicable diseases

NJAC 6A:16-2.2 Required health services
6A:16-2.3 Health services personnel
8:57 Reportable communicable diseases
8:61-1.1 Attendance at school by pupils or adults infected by. Human Immuno-deficiency Virus (HIV)

29 CFR Part 1910.1030 "Bloodborne Pathogens Standards

Possible Cross References

3510, 3516

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Employee Protection

Policy 4148

Date Adopted: October 30, 1997

Date Revised: February 25, 2010

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The Board of Education directs the Superintendent of Schools to develop rules and procedures to protect its employees in the performance of their duties. Such procedures shall include, but not be limited to:

- A. Official channels for parent/guardian or student grievances or complaints;
- B. Disciplinary regulations that reduce the possibility of student violence;
- C. Reporting techniques that bring potentially problem situations to the immediate attention of the Superintendent of Schools.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

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Series 4000

Leaves of Absence & Vacations

Policy 4150

Date Adopted: October 30, 1997

Date Revised: February 25, 2010

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The Board of Education recognizes that certain absences are justifiable and will provide for employee absences authorized by law and consistent with current negotiated agreement.

Verification of Absence

The Superintendent of Schools may require a physician's or other verification as to an employee's claimed reason for absence in any situation. Such verification shall be made within five days of absence.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:30-1 through -6 Sick leave
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

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Instructional Personnel
Anticipated Disability

Series 4000
Policy 4150.2

Date Adopted: April 12, 2018

Date Revised:

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The Board of Education shall provide for leaves of absence, in accordance with law and the policies of this Board, for any employee of this district whose absence from duties will be required for a foreseeable event of disability, such as, but not limited to childbirth or surgery.

An employee who anticipates disability shall so notify the Superintendent/Principal as soon as the employee is under medical supervision for the condition and a date is projected for the anticipated disability. Because of the potentially disabling nature of pregnancy and the certainty of temporary disability at birth, the Board will presume that a pregnant employee is disabled for work thirty days before the anticipated date of childbirth and continues to be disabled for thirty days after birth, except that any such employee who presents medical certification of her fitness may continue to work until she is actually disabled and may return to work as soon as she is able.

The Board reserves the right to require an employee who requests an extended leave of absence that includes anticipated disability to commence and/or terminate the leave of absence at times that ensure continuity in the educational program. No person who is required to take leave at a time other than that requested will be denied the use of sick leave for the anticipated disability that occurs or is presumed to occur during the leave.

An employee who anticipates a disability may request a leave of absence to commence before disability and to extend beyond the period of disability. Any such request shall be subject to Board discretion and the Board's policy on leave of absence. An employee on voluntary leave of absence is not eligible for sick leave pay for disability occurring during the period of that absence.

Legal References

- NJSA 18A:16-2 through -5 Health examinations
- 18A:11-1 General mandatory powers and duties
- 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
- 18A:30-1, -2 Sick leave
- 18A:30-16 Prolonged absence beyond sick leave
- 34:11B-1 et seq. Federal Family Medical Leave Act

- 29 USCA 2601 et. seq. (Family Medical Leave Act)
- Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

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Military Leave

Policy 4150.5

Date Adopted: November 19, 1997

Date Revised: February 25, 2010

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An employee with tenure and any employee having one year or more of continuous service, who is required to undergo military field training or attendance at service schools for a prescribed period during any fiscal year, shall be granted leave of absence in accordance with pertinent laws and regulations.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:29-11 Credit for military service
38:23-1 et seq Military leave of absence
38A:1-1 Definitions
38A:4-4 Paid military leave of absence
52:13H-2.1 Military leave of absence benefits
47:1A-1 et seq. Examination and copies of public records ("Open Public Records Act")
- NJAC 5A:2-2.1. Uniformed Services Employment and reemployment Rights Act
- Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 USC Section 4301 et seq

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Attendance Patterns

Series 4000
Policy 4151

Date Adopted: September 27, 2001

Date Revised: February 25, 2010

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The regular and prompt attendance of all professional staff members is an essential element in the efficient operation of the school district and the effective conduct of the educational program. Because absenteeism exacts a high cost in the depletion of district resources and in the disruption of the educational program, the Fairfield Township Board of Education is vitally interested in the attendance of each employee and considers conscientious attendance an important criterion of satisfactory job performance.

The Superintendent of Schools shall encourage all staff to strive for excellent attendance and punctuality records. Staff members are required to request all leave at the earliest possible time. When a staff member has notified the attendance secretary that he/she will be absent due to illness, no additional contact will be made on the day of absence. Instead, in accordance with NJSA 18A:30-4, if the Superintendent of School has determined that the absence was not for personal disability due to illness or injury, a physician's certificate will be required to obtain sick leave.

The Superintendent of Schools shall report on staff attendance at every regular monthly Board meeting.

Provisions shall be made to acknowledge outstanding staff attendance records.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:29-14 Withholding increments; causes; notice of appeals
18A:30-1 et seq. Sick Leave
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions

Montville Education Ass'n v. Montville Bd. of Ed., 1984 S.L.D. 550, rev'd St. Bd. 1984 S.L.D. 559, rev'd App. Div., unreported decision (docket no. A-1178-84T7, decided December 6, 1985)

1985 S.L.D. 1972, decision on remand, St. Bd., 1986 S.L.D. 3113

Burlington Educational Ass'n v. Burlington Bd. of Ed., 1985 S.L.D. 889, aff'd St. Bd. 1985 S.L.D. 912

Scotch Plains-Fanwood Board of Education v. Scotch Plains-Fanwood Education Association, 270 NJ Super 444 (App. Div. 1994); rev'd. 139 NJ 141 (1995)

Possible Cross References

4150, 4151, 4151.1, 4151.6, 4151.7

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Instructional Personnel

Series 4000

Personnel Illness & Injury / Health & Hardship

Policy 4151.1

Date Adopted: February 25, 2010

Date Revised: September 3, 2014, December 14, 2023

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It is the policy of the Board of Education to provide sick leave and personal leave to school district personnel. The purpose of such sick leave is to provide income protection to school personnel in the event of illness. The purpose of personal leave is to allow, for absence from work, with pay, to take care of personal matters that must be done during the school day.

School personnel are expected to use sick leave and personal leave for the purpose that these benefits are provided.

Excessive absence from work for illness or other reasons may constitute good cause for withholding a salary increment or for dismissal proceedings under New Jersey statutes.

The Superintendent of Schools and administrative staff shall develop appropriate guidelines and plans for the implementation of this policy. Such guidelines and plans shall include, but not be limited to, the following:

- A. Plans to communicate to school district personnel the intent of sick leave and personal leave and the importance of regular attendance.
- B. A system of record keeping to account for sick leave and personal days to include monthly and annual reports.
- C. A system for monitoring absence for sick leave and personal leave to prevent abuses.
- D. When appropriate to the circumstances, requesting school district staff to submit information concerning the cause of the absence.
- E. When appropriate to the circumstances following an illness, to request a statement from a physician that the employee may return to work.

The board will consider requests for extension of sick leave benefits on a case-by-case basis.

Sick leave is defined as the absence from an employee's post of duty, for any of the following reasons:

- A. The employee is personally ill or injured;
- B. For diagnosis, care, or treatment of, or recovery from, an employee's mental or physical illness, injury or other adverse health condition, or for preventive medical care for the employee;
- C. For the employee to aid or care for a family member of the employee during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury or other adverse health condition, or during preventive medical care for the family member;

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Personnel Illness & Injury / Health & Hardship

Policy 4151.1

Date Adopted: February 25, 2010

Date Revised: September 3, 2014, December 14, 2023

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- D. Absence necessary due to circumstances resulting from the employee, or a family member of the employee, being a victim of domestic or sexual violence, if the leave is to allow the employee to obtain for the employee or the family member:
1. Medical attention needed to recover from physical or psychological injury or disability caused by a domestic or sexual violence;
 2. Services from a designated domestic violence agency or other victim services organization;
 3. Psychological or other counseling;
 4. Relocation; or
 5. Legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal legal proceeding related to the domestic or sexual violence;
- E. The death of a family member for up to seven days;
- F. To attend a child's school-related conference, meeting, function or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability;
- G. The school or place of care of a child of the employee is closed by order of a public official or because of a state of emergency declared by the Governor, due to an epidemic or other public health emergency;
- H. The employee has been exposed to a contagious disease or is quarantined for the disease in the employee's immediate household.
1. The provisions of this section, and any regulations promulgated to implement or enforce this section, shall not supersede any law providing collective bargaining rights for school district employees, and shall not reduce, diminish, or adversely affect an employee's collective bargaining rights.
 2. As used in this section, "Child" means a biological, adopted, or foster child, stepchild or legal ward of an employee, child of a domestic partner or civil union partner of the employee. "Designated domestic violence agency" means a county-wide organization whose primary purpose is to provide services to victims of domestic violence, and which provides services that conform to the core domestic violence services profile as defined by the Division of Child Protection and Permanency in the Department of Children and Families and is under contract with the division for the express purpose of providing the services. "Domestic or sexual violence" means stalking, any sexually violent offense, as defined in section 3 of P.L.1998, c.71 (C.30:4-27.26), or domestic violence as defined in section 3 of P.L.1991, 25 c.261 (C.2C:25-19) and section 1 of P.L.2003, c.41 (C.17:29B-16). "Family member" means a child, grandchild, sibling, spouse, domestic partner, civil union partner, parent, or grandparent of an employee, or a spouse, domestic partner, or civil union partner of a parent or grandparent of the employee, or a sibling of a spouse, domestic partner, or civil union partner of the employee, or any other individual related by blood to the employee or whose close association with the employee is the equivalent of a family relationship. (cf:N.J.S.18A:30-1)

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Instructional Personnel

Series 4000

Personnel Illness & Injury / Health & Hardship

Policy 4151.1

Date Adopted: February 25, 2010

Date Revised: September 3, 2014, December 14, 2023

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In case of sick leave claimed due to personal illness or injury, a board of education may require a physician's certificate after three (3) days to be filed with the secretary of the board of education in order to obtain sick leave.

- A. If an employee's need to use sick leave as defined pursuant to N.J.S.18A:30-1 is foreseeable, a board of education may require advance notice, not to exceed seven calendar days prior to the date the leave is to begin, of the intention to use the leave and its expected duration, and the employee shall make a reasonable effort to schedule the use of sick leave in a manner that does not unduly disrupt the operations of the board of education.
- B. If the reason for the leave is not foreseeable, a board of education may require an employee to give notice of the intention as soon as practicable, if the board of education has notified the employee of this requirement.
- C. A board of education may prohibit employees from using foreseeable sick leave on certain dates and require reasonable documentation if sick leave that is not foreseeable is used during those dates.
- D. In case of sick leave claimed for three or more consecutive days, a board of education may require reasonable documentation that the leave is being taken for a purpose permitted pursuant to subsection a. of N.J.S.18A:30-1.
- E. If the leave is permitted under paragraph (2) or (3) of subsection a. of N.J.S.18A:30-1, documentation signed by a health care professional who is treating the employee or the family member of the employee indicating the need for the leave and, if possible, number of days of leave, shall be considered reasonable documentation.
- F. If the leave is permitted under paragraph (4) of subsection a. of N.J.S.18A:30-1 because of domestic or sexual violence, any of the following shall be considered reasonable documentation of the domestic or sexual violence:
 - 1. Medical documentation;
 - 2. A law enforcement agency record or report;
 - 3. A court order;
 - 4. Documentation that the perpetrator of the domestic or sexual violence has been convicted of a domestic or sexual violence offense;
 - 5. Certification from a certified Domestic Violence Specialist or a representative of a designated domestic violence agency or other victim services organization; or other documentation or certification provided by a social worker, counselor, member of the clergy, shelter worker, health care professional, attorney, or

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other professional who has assisted the employee or family member in dealing with the domestic or sexual violence.

- G. If the leave is permitted under paragraph (7) of subsection a. of N.J.S.18A:30-1, a copy of the order of the public official or the determination by the health authority shall be considered reasonable documentation.
- H. As used in this section, "Certified Domestic Violence Specialist" means a person who has fulfilled the requirements of certification as a Domestic Violence Specialist established by the New Jersey Association of Domestic Violence Professionals. "Designated domestic violence agency" means a county-wide organization

whose primary purpose is to provide services to victims of domestic violence, and which provides services that conform to the core domestic violence services profile as defined by the Division of Child Protection and Permanency in the Department of Children and Families and is under contract with the division for the express purpose of providing these services. "Health care professional" means any person licensed under federal, State, or local law, or the laws of a foreign nation, to provide health care services, or any other person who has been authorized to provide health care by a licensed health care professional including, but not limited to, doctors, nurses and emergency room personnel. (cf:N.J.S.18A:30-4)

Key Words

Leaves, Sick Leave, Attendance, Attendance Patterns, Employee Attendance

<u>Legal References:</u> <u>N.J.S.A.</u> 18A:6-6	No sex discrimination
<u>N.J.S.A.</u> 18A:6-66	Rights and benefits of personnel (educational services commission)
<u>N.J.S.A.</u> 18A:16-2 through -5	Physical examinations; requirement ...
<u>N.J.S.A.</u> 18A:27-4	Power of boards of education to make rules governing employment of teacher, etc.
<u>N.J.S.A.</u> 18A:30-1	Definition of sick leave
<u>N.J.S.A.</u> 18A:30-2	Sick leave allowable
<u>N.J.S.A.</u> 18A:30-6	Prolonged absence beyond sick leave period
<u>N.J.A.C.</u> 6A:32-6.1 <u>et seq.</u>	School Employee Physical Examinations

Ramsey Teachers Ass'n v. Ramsey Bd. of Ed., 1979 S.L.D. 862, St. Bd. rev'g 1978 S.L.D. 518, aff'd App. Div., 1980 S.L.D. 1528

Cole v. Essex County Vocational School District Bd. of Ed., 1986 S.L.D. 1855

Possible

Cross References: 4150/4150 Leaves
*4151/4151 Attendance patterns

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**Instructional Personnel
Absenteeism**

**Series 4000
Policy 4151.2**

Date Adopted: May 22, 2014

Date Revised:

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The regular and prompt attendance of teaching staff members is an essential element in the efficient operation of the school district and the effective conduct of the educational program. Because absenteeism exacts a high cost in the depletion of district resources and in the disruption of the educational program, the Board of Education is vitally interested in the attendance of each employee and considers conscientious attendance an important criterion of satisfactory job performance.

The privilege of district employment imposes on each teaching staff member the responsibility to be on the job on time every scheduled working day. This responsibility requires that the employee maintain good health standards, take intelligent precautions against accidents, both on and off the job, and manage his or her personal affairs to avoid conflict with district responsibilities.

A teaching staff member who fails to give prompt notice of an absence, misuses sick leave, fails to verify an absence in accordance with Board policy, falsifies the reason for an absence, is absent without authorization, is repeatedly tardy, or accumulates an excessive number of absences without good cause may be subject to discipline, which may include the withholding of one or both salary increments and/or certification of tenure charges.

No teaching staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for in the contract negotiated with the member's majority representative or provided in the policies of the Board of Education.

Job Abandonment

Pursuant to the provisions of NJAC 12:17-9.11(b), an employee who has not returned to work following an approved leave of absence of any kind, and who without good cause has not notified the designated administrator of the reasons for failing to return to work within five (5) consecutive work days shall be considered to have abandoned his/her employment. Such job abandonment shall subject the employee to disqualification for benefits for voluntarily leaving work without good cause attributable to such work and may subject the employee to any or all of the following:

- Progressive disciplinary measures;
- Letter of reprimand filed in the employee's personnel file;
- Suspension from employment without pay;
- Withholding of an increment;
- Filing of tenure charges;
- Termination of employment.

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In cases of job abandonment, the Superintendent of Schools may, at his/her discretion, schedule a meeting with the employee and his/her representative and the Board's Attorney to discuss the situation and/or assess disciplinary measures.

Continued Absences

Employees who display a pattern of excessive absences (absences beyond those permitted by contract), may also be subject to the following:

- Progressive disciplinary measures;
- Letter of reprimand filed in the employee's personnel file;
- Suspension from employment without pay;
- Withholding of an increment;
- Filing of tenure charges;
- Termination of employment.

Upon the recommendation of the Superintendent of Schools, a staff member who has exhibited excessive absenteeism, shall appear before the Board of Education to address and/or explain his/her issues/situation.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:30-1 through -6 Sick leave
18A:30-6 Prolonged absence beyond sick leave period
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
- Espina v. Board of Review, unpublished, (App. Div. August 1, 2008).

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Punctuality

Policy 4152

Date Adopted: February 25, 2010

Date Revised:

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The Board affirms that punctuality is a trait that students should aspire to and the Board recognizes that employees set examples for students. It shall be the policy of the Board of Education that all employees of the district are expected to be at their assigned area of responsibility and be ready to perform their required duties on time. Failure to do so may subject the employees to progressive disciplinary action by the Board of Education.

The Board directs the Superintendent of Schools to establish a reasonable procedure for determining those employees who fail to report to their established work location on time.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

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Accidents / Injuries

Policy 4152.2

Date Adopted: February 25, 2010

Date Revised:

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The Board directs that any incident of accident or injury to any employee that occurs during working hours shall be reported immediately to the School Nurse.

All injuries requiring first aid or other medical care shall be documented on the School Accident/Injury Form and it shall be the responsibility of the School Nurse to advise the Superintendent of Schools of the nature and extent of the injury as well as any first aid applied by the Nurse. Additionally, the School Nurse shall provide the Superintendent of Schools with a completed copy of the School Accident/Injury Form.

The School Nurse and/or Superintendent of Schools shall be responsible for arranging for emergency transportation or treatment of the injured employee if that action is necessary. It shall be the responsibility of the School Nurse to make the determination as to whether transportation to a hospital or the School Doctor is necessary.

The School Nurse shall also be responsible for preparing and dispatching any claim forms or other forms to the appropriate insurance company or health service group.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

NJAC 6A:16-2.1 et seq Health services policy and procedural requirements

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Family Leave

Policy 4152.3

Date Adopted: May 21, 1997

Date Revised: February 25, 2010, December 21, 2010,
February 16, 2017

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In accordance with the New Jersey Family Leave Act (FLA) and the Federal Family and Medical Leave Act (FMLA), the Board of Education will grant staff members up to twelve weeks leave of absence in any twenty-four month period upon advance notice to the district so that the staff member may provide care made necessary by the birth of a child of the staff member, the placement of a child with the staff member in connection with adoption of such child by the staff member, and the serious health condition of a spouse, parent, or child.

A staff member shall not be discriminated against for having exercised his/her rights under the FLA or the FMLA, nor shall the staff member be discouraged from the use of family leave.

Definitions

For the purposes of this policy the following definitions shall apply:

- A. "Child" means a biological, adopted or foster child, stepchild, legal ward, child of a parent who is under eighteen years of age or a child eighteen years of age or older but is incapable of self-care because of a mental or physical condition.
- B. "Parent" means a biological, adoptive or foster parent, stepparent, parent-in-law, legal guardian having a "parent-child relationship" with a child as defined by law, or any person who has sole or joint legal or physical custody, care, guardianship or visitation with a child.
- C. "Serious health condition" is an illness, injury, impairment, or physical or mental condition that requires inpatient care in a hospital, hospice, or residential medical facility or continuing medical treatment or continuing supervision by a health care provider.
- D. "Week" is the number of days an employee normally works each calendar week.
- E. "Family leave" is taken pursuant to the New Jersey Family Leave Act (FLA) and the Federal Family and Medical Leave Act (FMLA).
- F. "Staff member" is an employee eligible for family leave in accordance with the New Jersey Family Leave Act (FLA) and the Federal Family and Medical Leave Act (FMLA).
- G. "Reduced leave" means leave scheduled for fewer than the staff member's usual number of hours worked per workweek, but not fewer than the staff member's usual number of hours worked per workday.

Eligibility

A staff member shall become eligible for family under FLA after he/she has been employed at least twelve months in this district for not less than 1,000 base hours, excluding overtime, during the immediate preceding twelve-month period. A staff member shall become eligible for family leave under FMLA after he /she has been employed in this district for not less than

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1,250 hours, excluding overtime, during the immediate preceding twelve-month period. The calculation of the twelve-month period to determine eligibility shall commence with the commencement of the family leave. Leave taken for the birth or adoption of a healthy child may commence at any time within a year after the date of the birth or placement for adoption.

Family leave shall run concurrently under the FLA and the FLMA. When family leave is requested under the FMLA or the FLA, for the individual staff member's personal illness or injury, all up to 14 days of the employee's accumulated sick and personal days must be utilized first. Thereafter, said days will be deducted from the maximum twelve-week entitlement under the FMLA and/or the FLA. In all such cases, the maximum Family Leave Insurance allowance may be reduced by up to 14 days.

During any period of the leave, the staff member is prohibited from performing any services on a full-time basis for any person for whom the staff member did not provide services immediately prior to the commencement of the leave. A staff member on family leave may commence part-time employment that shall not exceed half the regularly scheduled hours normally worked for the district. The staff member may continue the part-time employment that commenced prior to the family leave at the same number of hours that the staff member was regularly scheduled prior to such leave.

Types of Leave

A staff member may take family leave in consecutive weeks, as intermittent leave, or as reduced leave. A staff member who requests intermittent or reduced leave shall make a reasonable effort to schedule such leave so as not to unduly disrupt the instructional/educational program.

In the case of a family member who has a serious health condition, leave may be taken intermittently when medically necessary if the total time within which the leave is taken does not exceed a twelve-month period for each serious health condition episode, the staff member will provide the district with prior notice of the leave in a manner that is reasonable and practicable, and the staff member makes a reasonable effort to schedule the leave so as not to unduly disrupt the operations of the instructional/educational program. In the case of the birth or adoption of a healthy child, the leave may be taken intermittently only if agreed to by the staff member and the Superintendent of Schools/designee.

A staff member is entitled, at the option of the staff member, to take leave on a reduced leave schedule except the staff member is not entitled to a reduced leave schedule for a period exceeding twenty-four consecutive weeks. The staff member is not entitled to take the leave or a reduced leave without an agreement between the staff member and the Superintendent of Schools/designee if leave is taken upon the birth or adoption of a healthy child.

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The staff member shall make a reasonable effort to schedule reduced leave so as not to unduly disrupt the operations of the instructional/educational program. The staff member shall provide the district prior notice of the care, medical treatment or continuing supervision by a health care provider necessary due to a serious health condition of a family member in a manner that is reasonable and practicable. Leave taken on a reduced leave schedule shall not result in a reduction of the total amount of leave to which a staff member is entitled.

The fact that a holiday or vacation period may occur within the week taken by a staff member as family leave has no effect and the week is counted as a week of family leave.

Any time remaining after a staff member has exhausted his/her entitlement to intermittent leave in any twelve-month period may be taken as consecutive leave or reduced leave, and any leave time remaining after a staff member has exhausted his/her entitlement to reduced leave in any twelve-month period may be taken as consecutive leave or intermittent leave.

Notice

A staff member eligible for family leave must give at least a thirty day advance written notice to the Superintendent of Schools/designee of the need to take family leave, except where the need to take family leave is not foreseeable. When the need is not foreseeable, the staff member must provide notice as soon as practicable which shall be at least verbal notice to the Superintendent of Schools/designee within one or two working days of the staff member learning of the need to take family leave. Whenever emergent circumstances make written notice impracticable, the staff member may give verbal notice to the Superintendent of Schools/designee, but any verbal notice must be followed by written notice delivered within three working days.

Notice for leave to be taken for the birth or placement of the child for adoption shall be given at least thirty days prior to the commencement of the leave except that if the date of the birth or adoption requires leave to begin in less than thirty days, the staff member shall provide such notice that is reasonable and practicable.

Notice for leave to be taken for the serious health condition of a family member shall be given at least fifteen days prior to the commencement of the leave except that if the date of the treatment or supervision requires leave to begin in less than fifteen days, the staff member shall provide such notice that is reasonable and practicable.

When the Superintendent of Schools/designee is not made aware that a staff member was absent for family leave reasons and the staff member wants to request the leave be counted as family leave, the staff member must provide written notice within two working days of returning to work to have the time considered family leave in accordance with the FLA and FMLA.

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Benefits

Family leave shall be unpaid leave as per the FLA and the FMLA.

In accordance with law, the Board of Education will maintain coverage under any group health insurance policy, group subscriber contract, or health care plan at the level and under the conditions coverage would have been provided if the staff member had continued in employment continuously from the date the staff member commenced leave until the date the staff member returned to work or the date on which the staff member's coverage would have expired had the staff member not been on leave, whichever is sooner. A staff member who receives benefits while on family leave must return to the district for a minimum of one year or, at the discretion of the Board of Education, until the end of the fiscal year, whichever is deemed to be in the best interest of the district. Staff members who do not comply with this provision shall be required to reimburse the district for the full cost of all medical, prescription and dental benefits provided during the family leave.

A staff member returning from family leave shall be entitled to the position he/she held when leave commenced or to an equivalent position of like seniority, status, employment benefits, pay and other conditions of employment. If the district experiences a reduction in force or layoff and the staff member would have lost his/her position had the staff member not been on family leave as a result of the reduction in force or pursuant to the good faith bargaining agreement, the staff member shall not be entitled to reinstatement to the former or an equivalent position in accordance with applicable statutes, codes and laws. The staff member's tenure and seniority rights, if any, and other benefits shall be preserved, but the staff member shall accrue no additional time toward tenure or seniority for the period of the leave except as may be provided by law.

The return of a staff member prior to the expiration of the requested family leave may be permitted by the Board provided that the requested early date of return is not the day before any date school is scheduled to be closed or a day in which school is closed for vacation, holidays or other reasons. In addition the early return of the employee shall not unduly disrupt the instructional program or require the Board to incur the cost of continuing the employment of a substitute under contract or unduly disrupt the educational program for pupils.

Family leave granted to a nontenured staff member cannot extend the employee's employment beyond the expiration of his/her employment contract.

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The district may deny family leave to the staff member if the staff member is a salaried employee who is among the highest paid five percent of the school district staff or one of the seven highest paid employees of the district, whichever is greater. This denial is necessary to prevent substantial and grievous economic injury to the school district's operations. The Board of Education shall notify the staff member of the intent to deny the leave at the time determination is made that the denial is necessary. If the leave has already commenced at the time of the district's notification of denial, the staff member shall return to work within ten working days of the date of notification.

Verification of Leave

The Board of Education shall require the certification of a duly licensed health care provider verifying the purpose of requested family leave. Certification of a serious health condition of a family member of the staff member shall be sufficient if it states the date on which the condition commenced, the probable duration of the condition, and the medical facts within the provider's knowledge regarding the condition. Certification for the birth or placement of a child need only state the date of birth or date of placement, whichever is appropriate.

In the event the Superintendent of Schools doubts the validity of the certification for the serious health condition of a family member of the staff member, the district may require, at the district's expense, the staff member to obtain an opinion regarding the serious health condition from a second health care provider designated or approved, but not employed on a regular basis, by the Board of Education. If the second opinion differs from the certification, the Board of Education may require at the district's expense, that the staff member obtain an opinion of a third health care provider designated or approved jointly by both the staff member and the Board of Education. The opinion of the third health care provider shall be final and binding on the Board of Education and the staff member.

In order that a staff member's entitlement to family leave can be properly determined, the Superintendent of Schools shall ensure the keeping of accurate attendance records that distinguish family leave from other kinds of leave.

Legal References

NJSA 18A:16-2 through -5 Health examinations
18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:30-1, -2 Sick leave
18A:30-16 Prolonged absence beyond sick leave
34:11B-1 et seq. Federal Family Medical Leave Act
29 USCA 2601 et. seq. (Family Medical Leave Act)
Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

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Home of the Jaguars

Support Personnel

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Support Personnel

Series 4000

Code of Ethics

Policy 4210.22

Date Adopted: February 25, 2010

Date Revised:

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All support staff employees will:

- A. Represent themselves honestly in the application and selection procedure;
- B. Report to work as scheduled;
- C. Discuss complaints with their immediate supervisor or through approved channels;
- D. Not advise or counsel pupils except in special cases with the knowledge and consent of the Superintendent of Schools;
- E. Complete thoroughly their assigned tasks;
- F. Endeavor to establish good working relationships with other employees, professional as well as non- professional;
- G. Commit themselves to providing the best possible services for pupils;
- H. Uphold all rules and regulations as set by the Board of Education, the Superintendent of Schools and other administrators;
- I. Keep the trust under which confidential information may be given;
- J. Adhere to all conditions of a contract;
- K. Give prompt notice of any change in availability for continued employment; and,
- L. Protect and care for district property.

Legal References

- NJSA 18A:6-75 through -78 Establishment and operation; teacher performance evaluation project
18A:16-1 Officers and employees in general
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder
18A:27-5 Written contracts of employment required

Possible Cross References

4212.8, 4217.5, 4218.2, 4219.22, 4238, 4238.2

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Morality Policy

Policy 4210.3

Date Adopted: Sept. 14, 2023

Date Revised:

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Employees of the District serve in a position of public trust, are compensated with public funds, and are entrusted with public property. Employee actions and behavior must be honest and above reproach at all times. This work rule requires complete honesty in the discharge of an employee's duties, and, unless otherwise prohibited by law, it applies to all conduct whether the employee is on duty or off duty.

The conduct which is prohibited by this work rule includes, but is not limited to, the following:

12. Making statements to representatives of the District which the employee knows or has reason to believe are untrue, inaccurate, or incomplete.
13. Stealing cash, funds, or property of any kind belonging to the District, belonging to a fellow employee, or belonging to other persons who are on District property.
14. Failing to report or to transfer to the District any funds or property belonging to the District.
15. Unauthorized use, possession or removal of vehicles, property or equipment belonging to the District, belonging to a fellow employee, or belonging to others persons who are on District property.
16. Falsification of employment applications or any District records, including, but not limited to, work records and time records. Time record violations include, but are not limited to, claiming time for work which was not performed by the employee and reporting/signing another employee in or out.
17. Performing official duties in an unauthorized manner.
18. Charging items for personal use to a District credit card or account, or making unauthorized withdrawals from a District account using a debit card.
19. Misuse or unauthorized use of accounts or allowance (clothing, mileage, meals, etc.)
20. Converting surplus District property to personal use without authorization, or declaring property to be surplus or junk and then converting it to personal use.
21. Making improper claims for overtime when no overtime was worked, or working slowly to create the need for overtime work.
22. Using sick leave, or any other leave of absence, for any purpose which is not authorized.

Employees who violate this policy are subject to disciplinary action, including termination.

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Absences for Jury Duty

Policy 4210.5

Date Adopted: February 25, 2010

Date Revised:

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Any full time school employee who is summoned for jury duty or subpoenaed as a witness must, apply through the office of the Superintendent of Schools to be granted leave for such purpose. The Superintendent of Schools may, at his/her discretion and as circumstances warrant, rearrange the employee's work schedule and/or grant leave with pay, minus any remuneration received for such court duty that coincides with the hours for which the employee is being paid by the Board.

Legal References

NJSA 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

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Creating & Abolishing Positions

Policy 4210.7

Date Adopted: February 25, 2010

Date Revised:

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Creating Positions

The Board of Education recognizes its authority to create and fill staff member positions to implement a thorough and efficient system of free public education.

The Board shall create new positions as they are required, approve job titles, and specify the number of positions required to staff adequately each employment category. On a careful review of the position, the Board shall establish the background experiences and personal qualities, if any to be required of candidates or preferred among applicants for a particular position. Any such local qualifications shall be flexibly applied.

The Superintendent of Schools shall recommend to the Board, such new positions or additions to existing employment categories as may be required by the specific instructional needs of pupils of the district and each school within the district.

Positions shall, to the maximum extent possible, conform with certification regulations of the New Jersey State Board of Education. When district organization requires the creation of a nonconforming, unrecognized position, the approval of the County Superintendent of Schools shall be sought before the position is filled.

Abolishing Positions

The Board of Education will provide the professional staff necessary for the economical and efficient implementation of the educational program of the district. The Board reserves the right to abolish positions and reduce district staff commensurately whenever reasons of economy, reorganization of the school district, reduction in the number of pupils, or other good cause so warrant. The Superintendent of Schools shall continually review the efficiency and effectiveness of the district organization and recommend to the Board the abolishment of positions and reallocation of duties and positions.

Legal References

- NJSA 18A:16 Employment in general
- 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
- 18A:28-9 Reduction in force

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Support Personnel

Series 4000

Recruitment, Selection & Hiring

Policy 4211

Date Adopted: January 28, 1998

Date Revised: February 25, 2010, May 22, 2014, October 11, 2018

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The Board believes that the quality of the support staff in large part determines the quality of the education offered district pupils. Therefore, the Superintendent of Schools shall have the responsibility of locating and recruiting the best-qualified candidates to provide for the identified needs of district pupils.

It shall be the duty of the Superintendent of Schools to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the initiation of a criminal history check, proof of citizenship or eligible alien status, and certification for the type of position for which nomination is made.

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

The Superintendent of Schools shall prepare and maintain job descriptions that define the duties, responsibilities and qualifications required for each position. The Board shall adopt those job descriptions required by law or code and others as appropriate.

The Superintendent of Schools, in determining the candidates to be nominated shall seek information from the candidate's prior employers.

The Board shall affirm employment and initial placement on the salary guide by a majority vote of the full membership of the Board.

The Board may appoint employees only by the recommendation of the Superintendent of Schools. Should a nominee be rejected, it shall be the duty of the Superintendent of Schools to make another recommendation.

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In accordance with the provisions of PL 2018 c5, as of June 1, 2018, all applicants for a position involving regular contact with students must provide:

- a contact list of their current and former employers within the last 20 years that were schools or involved direct contact with children;
- a written authorization allowing the former employers to release requested information;
- a written statement as to whether the applicant has ever been the subject of, or disciplined for, any child abuse or sexual misconduct concerning any student; and,
- a written statement as to whether the applicant ever had a license or certificate suspended or revoked in connection with child abuse or sexual misconduct with a student.

Former employers are indemnified for providing this information.

In addition, the law stipulates that the district is required to contact the references to verify the applicant's employment history, and previous employers have 20 days to disclose requested information. The applicant may receive a provisional contract of up to 90 days while the investigation is proceeding. Any information provided is not considered a public record and not subject to an OPRA request. The district will not be subject to liability for claims brought by an applicant who is not offered employment or whose employment is terminated because required information could not be verified.

The law further stipulates that beginning on June 1, 2018, all applications for positions involving regular contact with students must include a notification of the penalties for willfully providing false information regarding this information.

Violation of this law by the applicant may result in discipline, including termination and/or a civil penalty of not more than \$500.00.

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Legal References

NJSA 10:5-1 et seq. Law Against Discrimination
18A:3-15.2 Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation
18A:6-5 Inquiry as to religion and religious tests prohibited
18A:6-6 No sex discrimination
18A:6-7.1, -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
18A:6-76.1 Deadline for notification to students of requirements of provisional certificate and induction program
18A:16-1 Officers and employees in general
18A:26-1, -1.1, -2 Citizenship of teachers, etc.
18A:27-1 et seq. Employment and Contracts
26:8A-1 et seq. Domestic Partnership Act

NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:9-6.1 et seq. Types of Certificates
6A:9-8.1 et seq. Requirements for Instructional Certification
6A:9-11.1 et seq. Exceptions for the Requirements for the Instructional Certificate
6A:9-12.1 et seq. Requirements for Administrative Certification
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1 Employment of teaching staff
6A:32-4.8 Support residencies for regularly certified, inexperienced first-year principals
6A:32-5.1 Standards for determining seniority

42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972

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

8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986

42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)

Old Bridge Education Association v. Old Bridge Township Bd. of Ed., 1986 S.L.D. 1917

Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1547 (3d Cir. 1996)

The Comprehensive Equity Plan, New Jersey Department of Education

Possible Cross References

2130, 2131, 3000/3010, 4000, 4211.1, 4212.2, 4212.4, 4212.5, 4212.6, 4212.8, 4221, 4223, 5120, 6010, 9123, 9124

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Support Personnel

Series 4000

**Nondiscrimination / Affirmative
Action / Sexual Harassment**

Policy 4211.1

Date Adopted: June 25, 1997

Date Revised: February 25, 2010, May 22, 2014, May 7, 2020

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The Board of Education guarantees to all persons equal access to all categories of employment, retention and advancement in this district, regardless of any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes.

An affirmative action/equity program shall be a part of every aspect of employment not limited to but including upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation including fringe benefits; employment selection or selection for training and apprenticeships; promotion; or tenure.

The Board-designated affirmative action officer shall identify and recommend correction of any existing inequities, and any that occur in the future.

Harassment and Favoritism

The Board of Education is an affirmative action employer and holds all its employees responsible for maintaining a working environment that is free from all discriminatory practices. Harassment or favoritism on any basis included in the Board's statement of equal access to employment, retention and advancement is prohibited.

Administrators and supervisors shall be familiarized with the actions that constitute harassment and favoritism. This material shall be included in the legally mandated affirmative action in-service training for all employees, and shall be clear and specific (see policy 2224). When harassment has been determined to have taken place, disciplinary action will follow.

Sexual Harassment

The Board of Education shall maintain a working environment that is free from sexual harassment.

- A. Sexual harassment shall consist of unwelcomed sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when made by any member of the school staff to a student, when made by any member of the school staff to another staff member, when made by any student to another student, or when made by a student to a staff member, when:

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1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, or when
 2. Submission to or rejection of such conduct by an individual is used as the basis of academic or employment decisions affecting that individual, or when
 3. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment or educational environment.
- B. Sexual harassment, as set forth in Section A, may include, but is not limited to the following:
1. verbal harassment or abuse
 2. pressure for sexual activity
 3. repeated remarks to a person with sexually demeaning implications
 4. unwelcomed touching suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, job, etc.

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

Administrators and supervisors will make it clear to all staff that sexual harassment is prohibited. No supervisory employee shall threaten or insinuate, either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation, compensation, assignment or advancement. No supervisory employee shall promise or suggest, either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any term or condition of employment of an employee. Sexually harassing conduct committed by non-supervisory personnel is also prohibited.

Staff may file a formal grievance related to sexual harassment. The Affirmative Action Officer will receive all complaints and carry out a prompt and thorough investigation and will protect the rights of both the person making the complaint and the alleged harasser.

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Students may also file formal grievances related to sexual harassment (refer to Parent Handbook – grievance policy).

A substantiated charge against a staff member in the school district shall subject such staff member to disciplinary action, such as a letter of reprimand, withholding of an increment or possible discharge.

A substantiated charge against a student in the school district shall subject that student to student disciplinary action, including suspension or expulsion, consistent with the student disciplinary code.

Notice of this policy will be circulated to the school and departments of the school district on an annual basis and incorporated in teacher and parent handbooks. It will also be distributed to all originations in the community having cooperative agreements with the public schools. Failure to comply with this policy may result in termination of the cooperative agreement. Training sessions on this policy and the prevention of sexual harassment shall be held for teachers and students in the school on an annual basis.

Findings of discrimination in the form of sexual harassment will result in appropriate disciplinary action.

“Whistleblower” Protection

The Board prohibits discrimination or retaliation against any school employee who does any of the following:

- A. Disclose or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the Board that the employee reasonably believes is in violation of a law, or a rule or regulation established pursuant to law;
- B. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, rule or regulation established pursuant to law by the Board; or
- C. Objects to, or refuses to participate in any activity, policy, or practice which the employee reasonable believes is in violation of law, rule or regulation; is fraudulent or criminal; or is incompatible with public health, safety or welfare.

The Board shall ensure that notices are posted conspicuously in each school, informing employees that they are protected under the “Conscientious Employee Protection Act”.

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Report on Implementation

The Superintendent of Schools shall devise regulations, including grievance forms and procedures to implement this policy. He/she shall be responsible for informing staff annually of the identity and location of the affirmative action officer and the implementing procedures.

Lactation Provisions

Employees hired or returning to work following a pregnancy leave who choose to continue providing their milk for their infants shall receive the accommodations required by law that support their choice to breast feed. Accommodations shall include but shall not be limited to:

D. Milk expression breaks for breastfeeding

The employees shall be allowed to breastfeed or express milk during work hours using their normal breaks and meal times. For time that may be needed beyond the usual break times, employees may use personal leave or may make up the time as negotiated with their supervisors.

E. A place to express milk

A private room (not a toilet stall or restroom) shall be made available for the employee(s) to breastfeed or express milk. The room will be private and sanitary, located near a sink with running water for washing hands and rinsing out breast pump parts, and have an electrical outlet. If employees prefer, they may also breastfeed or express milk in their own private offices, or in other comfortable locations agreed upon in consultation with the principal. Expressed milk can be stored in general refrigerators; in designated refrigerators provided in the lactation room or other location; or in employee's personal cooler.

F. Staff Support

The principal shall notify pregnant and breastfeeding employees about the district's worksite lactation support policies and procedures. The principal shall be responsible for negotiating policies and practices that will help facilitate each employee's infant feeding goals. It is expected that all employees will assist in providing a positive atmosphere of support for breastfeeding employees.

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The building principal shall ensure that the New Jersey Department of Education signage shall be displayed in a clear and conspicuous manner in the school's waiting area, as well as in any lactation room that is made available. The New Jersey Department of Education signage shall contain information about breast feeding; affirm a mother's right to nurse in public; and indicate that lactation rooms are being made available for the privacy and comfort of nursing mothers.

The building principal shall ensure board policy and regulations on provisions for milk expression breaks, for breastfeeding and the designated lactation room(s) are distributed to staff and students who are pregnant and nursing mothers returning from maternity leave.

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Legal References

NJSA 10:5-1 et seq. Law Against Discrimination
18A:6-5 Inquiry as to religion and religious tests prohibited
18A:6-6 No sex discrimination
18A:18A-17 Facilities for handicapped persons
18A:26-1 Citizenship of teachers, etc.
18A:26-1.1 Residence requirements prohibited
18A:29-2 Equality of compensation for male and female teachers
26:8A-1 et seq. Domestic Partnership Act
34:19-1 et seq. Conscientious Employee Protection Act

NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

Executive Order 11246 as amended
29 U.S.C.A. 201 - Equal Pay Act of 1963 as amended
20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended
by the Equal Employment Opportunities Act of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986)
School Board of Nassau County v. Arline, 480 U.S. 273 (1987)
Vinson v. Superior Court of Alameda County, 740 P.2d 404

Cal. Sup. Ct. 1987) Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1547 (3d Cir.
1996)
Saxe v. State College Area School Dist., 240 F. 3d 200 (3d Cir. 2001)
The Comprehensive Equity Plan, New Jersey State Department of Education
Manual for the Evaluation of Local School Districts New Jersey Quality
Single Accountability Continuum (NJQSAC)

Possible Cross References

2130, 2131, 2224, 3320, 4211, 4212.2, 4212.4, 4212.5, 4212.6, 4212.8, 4221, 4247,
5120, 5145.4, 6121

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Domestic Violence

Policy 4211.3

Date Adopted: January 10, 2019

Date Revised:

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The Board of Education is committed to ensuring that all staff are supported in the event that they experience domestic violence as defined by law (N.J.S.A. 2C:25-19). Victims of domestic violence can suffer devastating physical, emotional and psychological effects and economic disruption. The Board encourages employees who are victims of domestic violence to contact the appropriate administrator or employee responsible for orienting, training, counseling and appraising staff. Employees disclosing their experiences with domestic violence shall be supported in the work environment to an extent that is feasible and practical for the employee to maintain and perform their job and for the effective operation of the educational program.

Reporting Domestic Violence

Any disclosure of domestic violence by an employee shall be taken seriously and according to the following guidelines:

- Employees are encouraged to meet with the appropriate administrator in person. Requests to meet maybe made by cell phone or telephone. Email may not be confidential and should not be used when private information is being discussed or disclosed unless this is the only safe method of communication available;
- The appropriate administrator shall ensure that an employee's disclosure of domestic violence be kept confidential unless there exists an emergent danger to the employee or other staff;
- The appropriate administrator shall ensure that such conversations are held in a room or office that can be closed off from the hearing range of other staff members to the extent possible;
- The appropriate administrator officer shall ensure that any sharing of confidential information is only done with the written authorization of the employee. This excludes reported incidents of violence or abuse against children;
- The appropriate administrator shall ensure that any records pertaining to domestic violence be kept separate from the personnel record and in strict confidentiality. Only the employee, the appropriate administrator and the Superintendent of Schools shall have access to an employee's confidential file; and
- The appropriate administrator will assemble a list of resources available to victims of domestic violence.

These resources shall include but may not be limited to information on domestic violence (books, web resources, etc.), legal resources available such as advocacy and law enforcement options, medical and psychological treatment and counseling referral sources, food and housing options and local support groups.

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Work Support

In order to help prevent occupational disruption, loss of employment and financial hardship that may occur when an employee experiences domestic violence the appropriate administrator may investigate the following options to support the employee's continued performance of their job responsibilities, including but not limited to:

- Adjusting work assignments;
- Temporary or permanent job restructuring;
- Temporary adjustment to the employee's work schedule;
- Work from home options;
- Flexible approval of paid sick leave, personal time and vacation time;
- Other reasonable options.

The employee shall work with the appropriate administrator and the supervisor when requesting employment changes that affect the normal schedule. The Superintendent of Schools or, as necessary and required by law, the Board shall approve such support measures. Notice to the appropriate collective bargaining unit covering the employee may be necessary where required by the contract or State law. Approval may be granted when reasonable and practical.

Approval shall not be granted when such request places a hardship on the Board and/or the educational program. Approval of requested employment modifications shall include the following considerations:

- The overall size of the school district's program with respect to the number of employees, number and type of facilities and the size of the budget;
- The type of employment responsibilities and the effect on the educational program; and
- The nature and expected duration of the request and cost to the district.

Leave

In accordance with the New Jersey Security and Financial Empowerment Act (SAFE Act) an employee of this district shall be entitled to up to 20 days of unpaid leave in a 12-month period when the employee or his or her child, parent, spouse, domestic or civil union partner has been the victim of a domestic violence incident or a sexually violent offense. This entitlement applies to any employee that has been employed by the district for at least 12 months and has worked 1,000 hours during the 12-month period immediately preceding the leave.

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Leave may be taken under the SAFE Act to:

- Seek medical attention or recover from physical or psychological injuries resulting from a domestic violence or a sexually violent offense for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Obtain services from a victim services organization for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Obtain psychological or other counseling for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Participate in safety planning, relocating or other actions to increase the safety of the employee or to ensure economic security of the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Seek legal assistance or remedies to ensure the health and safety of the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence or sexual violence; or
- Attend, participate in or prepare for a civil or criminal court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, was a victim.

Employees eligible to take leave under the NJ SAFE Act must, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave. The employee must provide the district written notice as far in advance as reasonable and practicable under the circumstances.

The district may require the employee to provide documentation of the domestic violence or sexually violent offense that is the basis for the leave. Documentation may include a restraining order, a letter from the prosecutor's office, documentation regarding the conviction of the abuser, medical documentation, a certification from a domestic violence specialist or rape crisis center, or documentation from a religious or social services professional who has assisted the employee or the employee's family member.

Any documentation required by the district and provided by the employee shall be maintained in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is authorized by a federal or State law, rule or regulation.

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The SAFE Act prohibits the district from discharging, harassing or otherwise discriminating or retaliating or threatening to discharge, harass or otherwise discriminate against an employee with respect to the compensation, terms, conditions or privileges of employment on the basis that the employee took or requested any leave that the employee was entitled to under the NJ SAFE Act, or on the basis that the employee refused to authorize the release of information deemed confidential under the NJ SAFE Act.

Employees may take leave under the SAFE Act for each incident of domestic violence or sexually violent offense, so long as the employee has not exhausted the maximum permissible leave time of 40 days within the 12-month period. Leave may be taken in blocks of time or intermittently in minimum intervals of one day.

If the employee requests leave for a reason covered by both the NJ SAFE Act and the Family Leave Act, N.J.S.A. 34:11B-1 et seq., or the federal Family and Medical Leave Act, 20 U.S.C. 2601 et seq., the leave shall count simultaneously against the employee's entitlement under each respective law.

Violations of the SAFE Act

Any employee alleging a violation of the NJ SAFE Act must file a private cause of action in the Superior Court within one year of the date of the alleged violation (N.J.S.A. 34:11C-1 et seq.).

NJSA	2C:25-19 Definition of Domestic Violence and Victim of Domestic 18A:16-2 through -5 Health examinations 18A:11-1 General mandatory powers and duties 11A:2-6a Civil Service, domestic violence policies 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder 18A:30-1, -2 Sick leave 18A:30-16 Prolonged absence beyond sick leave 34:11B-1 et seq. Federal Family Medical Leave Act 34:11C-1 et seq. New Jersey Security and Financial Empowerment Act 34:19-1 et seq. Conscientious Employee Protection Act
NJAC	6A:7-1.1 et seq. Managing for Equality and Equity in Education 6A:16-11.1 District policies and procedures; reporting potentially missing or abused children
	29 USCA 2601 et. seq. (Family Medical Leave Act) 29 C.F.R. 825.200 et seq. P.L. 2008, c. 17, Family Temporary Disability Leave Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

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Residency Requirements

Policy 4211.4

Date Adopted: August 23, 2012

Date Revised:

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

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

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

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

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

Current Employees

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

New Employees and/or Employment Candidates

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

Exemptions

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

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

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

Legal References

- NJSA** 10:5-1 et seq. Law Against Discrimination
18A:3-15.2 Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation
18A:6-6 No sex discrimination
18A:6-7.1, -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
18A:13-40 General powers and duties of board of newly created regional districts 18A:16-1 Officers and employees in general
18A:26-1, -1.1, -2 Citizenship of teachers, etc.
18A:27-1 et seq. Employment and Contracts
52:14-7 New Jersey First Act
52:14-7a Exemptions
- NJAC** 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:9-8.1 et seq. Requirements for Instructional Certification
6A:9-11.1 et seq. Exceptions for the Requirements for the Instructional Certificate
6A:9-12.1 et seq. Requirements for Administrative Certification
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1 Employment of teaching staff
6A:32-4.8 Support residencies for regularly certified, inexperienced first-year principals
6A:32-5.1 Standards for determining seniority

Possible Cross References

2111.4, 4111.4

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Contract

Policy 4212

Date Adopted: February 25, 2010

Date Revised:

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In accordance with law and for the mutual protection of the district and the employee, every staff member who has not achieved tenure shall be required annually to sign an employment contract. The contract shall be executed by the President of the Board of Education on behalf of the Board and shall contain a termination clause of 30 days' notice.

Each employment contract shall include:

- A. The term of employment, including beginning and ending dates;
- B. The salary at which the person is employed;
- C. The intervals at which the person is employed;
- D. A provision for termination of contract on notice duly given;
- E. Such other matters as may be necessary to a full and complete understanding of the contract.

Should an employee be offered in error a contract for a salary which differs from that approved by the Board, the salary approved by the Board shall be the salary paid.

The Superintendent of Schools shall issue salary notification to all non-tenured personnel indicating the name of the employee and giving a concise explanation of their contractual salary for the coming year. All salary notification statements shall be signed by the Board Secretary/Business Administrator and the Board of Education.

All terms and conditions of the contract shall conform with requirements of state law and the State Board of Education.

Legal References

- NJSA 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc; employment thereunder
18A:27-5 Written contracts of employment required
18A:27-6 Contents of contracts
18A:27-7 Contract forms
18A:27-8 Filing of contracts
18A:28-8 Notice of intention to resign required

Camden Board of Education v. Nelson Alexander, et als. (A-34/35-02)
Cresskill Bd. Of Ed. v. Cresskill Ed. Assn., 362 NJ Super. 7 (App.Div. 2003)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Appointment & Conditions of Employment

Policy 4212.1

Date Adopted: February 25, 2010

Date Revised:

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Application

Application for staff services shall be made through the office of the Superintendent of Schools. Those applying should be interviewed by the person directly over them in the organization and the Superintendent of Schools. Their recommendations shall be submitted to the Board of Education.

Eligibility

Those employed in any capacity of the school system must be trustworthy, of good moral character and willing to assume responsibility for his/her assigned duties.

Legal References

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

18A:27-4 Power of boards of education to make rules governing employment

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Tax Shelter Annuities

Policy 4212.3

Date Adopted: February 25, 2010

Date Revised:

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The Board of Education recognizes the importance of providing the opportunity for employees to participate in a tax shelter annuity through the district's payroll process.

The guidelines for tax shelter annuities in the district shall be as follows:

1. The approved agency or agencies shall be designated by the Board.
2. The Board shall direct the Board Secretary to make payroll deductions and transmit such to the agency.
3. Any questions or clarifications of these programs shall be addressed by employees to the Board Secretary/Business Administrator. Any enrollment or information sessions relative to the programs shall be conducted after regular school hours.
4. The Board accepts no liabilities for the performance of either the funds or the agencies.

Legal References

- NJSA 17B:17-5 Annuity defined
18A:66-127 Employees of board of education, agreement to reduce salary for purchase of annuity
18A:66-128 Reduction of salary for obtaining certain benefits

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Credit Union

Policy 4212.35

Date Adopted: February 25, 2010

Date Revised: January 26, 2012

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The Board of Education recognizes the importance of providing the opportunity for employees to participate in a personal savings plan through the districts payroll deduction process.

The guidelines for Credit Union payroll deductions in this district shall be as follows:

- A. The approved agency shall be designated by the Board of Education in accordance with pertinent negotiated contracts.
6. The Board shall direct the Board Secretary to make payroll deductions and transmit such to the designated credit union each payroll period.
7. All enrollments for the program shall be accomplished in September or February of each school year.
8. Any questions or clarifications of these programs shall be directed to the credit union by employees. Any enrollment or information sessions relative to the programs shall be conducted after regular school hours.
9. The Board accepts no liabilities or responsibility for the performance of the designated credit union.

Legal References

- NJSA 18A:66-128 Reduction of salary for obtaining certain benefits
18A:16-9 Responsibility of board
18A:19-9 et seq Compensation of teachers; payroll
18A:66-19 Payroll deductions
18A:66-127 Employees agreement to reduce salary for purchase of annuity
18A:66-128 Reduction of salary for obtaining certain benefits
43:3C-9 Payroll deductions
52:18A:107 et seq, Payroll deductions

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Employee Health

Policy 4212.4

Date Adopted: August 28, 2003

Date Revised: February 25, 2010

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Health Examinations

When a candidate has been given a conditional offer of employment, he/she shall be required to submit to a medical evaluation and a physical examination. This physical examination may include testing for controlled dangerous substances as they are defined in the criminal code. Elements of the examination of newly employed staff shall include but not be limited to those physical exam elements listed in administrative code.

Employees may be required to undergo an annual physical examination.

The results of all required employee medical examinations shall be made known to the Superintendent of Schools on a confidential basis, discussed with the employee, and made a part of his/her confidential medical record. Records and reports of examinations shall be filed with the district medical inspector as confidential information but shall be available to and reported to appropriate health agencies as required by law.

In the event an employee of the Board has been determined to have a mental abnormality or communicable disease or exhibits symptoms of substance abuse and, if in the opinion of the district medical inspector such condition makes the employee unfit for continued employment, the Board may remove the employee from further service as provided by law or grant leave as provided by law during the period of unfitness. An employee determined to be unfit must provide the Board with satisfactory proof of recovery before reinstatement will be allowed.

In order to protect the pupils and staff in the district schools, all regulations of the State Department of Education, the State Department of Health and the Local Board of Health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases. Staff members who have been identified as having a communicable disease shall not be permitted continued employment unless they qualify under the above agencies' rules pertaining to periods of incubation, communicability, quarantine and reporting.

When required examinations are performed by a physician designated by the Board, the Board shall bear the expense. Should an employee prefer to see his/her own physician, with Board approval, the employee shall bear the expense.

In the event that the prospective employee in question had, as a condition of employment in another NJ school district during the same school year, undergone an identical physical examination and can provide the Superintendent of Schools a copy of a certificate to verify this, then, in that case, the Superintendent of Schools, at his/her discretion, may excuse the prospective from obtaining a new physical examination.

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Each school employee shall submit an updated health history with an assurance statement presented within a time frame established by the Board of Education.

An employee who refuses to submit an updated health history with an assurance statement shall undergo a physical examination pursuant to applicable state laws and regulations.

Confidentiality of employee medical records including computerized records shall be assured. The school district shall regulate access, compilation and maintenance of employee health records in compliance with federal and state statutes governing the collection, maintenance, disclosure and security of employee medical records. It shall be the responsibility of the Superintendent of Schools to establish procedures to ensure the security of employee health records maintained in this school district.

The section of the medical record which contains the health history, e.g. medications or current health status to assure ready access in a medical emergency, may be shared with the Superintendent of Schools/designee and school nurse with the consent of the employee.

When an employee is requested to submit to a physical examination, except in the verification of sick leave, he/she shall be provided with:

- A. A written statement of reasons for the request;
- B. An opportunity for a Board hearing, if so requested (said hearing shall be in private and confidential unless the employee requests otherwise);
- C. Adequate prior notice of the date of the hearing;
- D. Copies of statements or affidavits relied on by the Board prior to the hearing;
- E. An opportunity to be represented at the hearing by counsel or other persons of the employee's choice;
- F. An opportunity to present witnesses on his/her behalf.

Reports of these examinations shall include a statement by the examining physician as to any physical or mental condition noted likely to prevent the person examined from performing all duties and responsibilities of the position sought or occupied, or creating a risk to the health or welfare of pupils or other employees, or a statement that no such condition exists.

All records and report of such examinations shall be filed with the district medical inspector as confidential information but shall be available to and reported to appropriate health agencies as required by law.

Occupational Containment of Bloodborne Pathogens

The Board is committed to provide a safe and healthful work environment for staff. In pursuit of this endeavor, an Exposure Control Plan (ECP) shall be provided to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with federal regulations.

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The ECP is a key document to assist the district in implementing and ensuring compliance with the OSHA bloodborne pathogens standard, thereby protecting employees. This ECP includes:

- A. Identification of tasks, procedures and job classifications where occupational exposure to blood occurs;
- B. Procedures for evaluating the circumstances surrounding an exposure incident; and,
- C. The schedule and method for implementing the specific sections of the standard, including:
 - Methods of compliance;
 - Hepatitis B vaccination;
 - Post-exposure evaluation and follow-up;
 - Hazard communication requirements;
 - Effective employee training;
 - Recordkeeping.

The ECP shall be reviewed annually to ensure that it reflects use of the most current medical technology.

Implementation and Dissemination

The Superintendent of Schools in consultation with the district medical inspector shall prepare regulations to implement this policy in compliance with law and code. All employees shall receive this policy and be made aware of all requirements for health

examinations.

Legal References

- NJSA 2C:35-1 et seq. Comprehensive Drug Reform Act of 1987
18A:16-2 Physical examinations; requirement
18A:16-4 Sick leave; dismissal
18A:16-5 Records of examinations
18A:40-10 Exclusion of teachers and pupils exposed to disease
26:4-1 "Communicable disease" defined
26:4-6 Prohibiting attendance of teachers or pupils
26:4-15 Reporting of communicable diseases by physicians
26:5c-1 et seq. AIDS Assistance Act
- NJAC 6A:16-1.4 et seq. District policies and procedures
6A:16-2.1 Health services policy and procedure requirements
6A:32-6.1 et seq. School Employee Physical Examinations
8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV Infection
12:100-4.2 Safety and Health Standards for Public Employees (Adoption by reference)
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
29 CFR 1910.1030 - Bloodborne Pathogen Standard
School Board of Nassau County v. Arline, 480 U.S. 273 (1987)
Warren v. Warren Fire Officers Association, 10 NJPER 15022

HIV Policy and Practice: Regulatory Requirements for New Jersey Public Schools, SDOE Division of Student Services, Sept. 1996, Doc. #P101400-31

Possible Cross References

4211, 4212.6, 4217.50, 4217.52, 4219.23, 4250

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Vaccination and Testing

Policy 4212.4.1

Date Adopted: October 14, 2021

Date Revised:

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VACCINATION AND TESTING

The board believes that preventing the transmission of COVID-19 is critical to keeping schools open for in-person instruction. The board requires that all eligible teachers, educational staff, contracted employees, vendors, volunteers, providers and any other individuals working in the schools where regular visits to the schools are part of the individual's job duties, be fully vaccinated. Unvaccinated eligible teachers, educational staff, contracted employees, vendors, volunteers, providers and any other individuals working in the schools shall be subject to routine COVID-19 testing.

Executive Order 253 declares that "the State has experienced significant upticks in critical COVID-19 metrics over the past few months, including COVID-19 positive cases, the rate of transmission, spot positivity, and new hospitalizations, that warrant additional precautions in certain settings, especially those with a substantial number of unvaccinated individuals. The Centers for Disease Control (CDC) has emphasized that vaccination is a critical means to prevent spread of COVID-19 and to avoid infection of those individuals that cannot be vaccinated because their age precludes them from receiving one... The majority of the student population remains ineligible for vaccination at this time." Therefore, the CDC has strongly recommended vaccination of all eligible teachers and educational staff.

Executive Order 253 also declares that as of October 18, 2021, all staff members who are eligible to be vaccinated against COVID-19 must receive the vaccine or be subject to routine COVID-19 testing. Executive Order 253 also applies to contracted employees, vendors, providers and any other individuals working in the schools where regular visits to the schools are part of the individual's job duties, including volunteers.

According to N.J.S.A. 26:13-3, the Governor of the State has the authority to declare a public health emergency. According to N.J.S.A. App.A:9-33, the purpose of the Civilian Defense and Disaster Control Act is to "provide for the health, safety and welfare of the people of the State of New Jersey and to aid in the prevention of damage to and the destruction of property during any emergency ... by prescribing a course of conduct for the civilian population...." According to N.J.S.A. App.A:9-40, public officials are required to fully cooperate with the Governor in all matters affecting any declared emergency. Furthermore, Executive Order 253 expressly forbids state entities from taking any action that conflicts with or impedes its implementation.

Definitions

"Covered settings" are all public, private, and parochial preschool programs, and elementary and secondary schools, including charter and renaissance schools.

"Covered workers" shall include all individuals employed by the covered setting, both full and part-time, including, but not limited to, administrators, teachers, educational support professionals, individuals providing food, custodial, and administrative support services, substitute teachers, whether employed directly by a covered setting or otherwise contracted, contractors, providers, and any other individuals performing work in covered settings whose job duties require them to make regular visits to such covered settings, including volunteers. Covered workers do not include individuals who visit the covered setting only to provide one-time or limited duration repairs, services, or construction.

"Fully vaccinated" for COVID-19 is two weeks or more after an individual has received the second dose in a two-dose series or two weeks or more after they have received a single-dose vaccine. Individuals will only be considered fully vaccinated where they have received a COVID-19 vaccine that is currently authorized for emergency use by the Food and Drug Administration (FDA) or the World Health Organization (WHO), or that are approved for use by the same. Workers who are not fully vaccinated, or for whom vaccination status is unknown or who have not provided sufficient proof of documentation, shall be considered unvaccinated.

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Date Adopted: October 14, 2021

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Vaccination and Testing

The board requires all covered workers to either provide adequate proof that they have been fully vaccinated or submit to COVID-19 testing at minimum one to two times weekly. This requirement shall take effect on October 18, 2021, at which time any covered workers that have not provided adequate proof that they are fully vaccinated must submit to a minimum of weekly or twice weekly testing on an ongoing basis until fully vaccinated.

Covered workers may demonstrate proof of full vaccination status by presenting the following documents if they list COVID-19 vaccines currently authorized by the Food and Drug Administration (FDA) Emergency Use Authorization (EUA) in the United States and/or the World Health Organization (WHO), along with an administration date for each dose:

- A. The CDC COVID-19 Vaccination Card issued to the vaccine recipient by the vaccination site, or an electronic or physical copy of the same;
- B. Official record from the New Jersey Immunization Information System (NJIS) or other State immunization registry;
- C. A record from a health care provider's portal/medical record system on official letterhead signed by a licensed physician, nurse practitioner, physician's assistant, registered nurse or pharmacist;
- D. A military immunization or health record from the United States Armed Forces; or
- E. Docket mobile phone application record or any state specific application that produces a digital health record.

Covered settings collecting vaccination information from covered workers must comport with all federal and State laws, including but not limited to the Americans with Disabilities Act, that regulate the collection and storage of that information.

Testing

The covered worker shall undergo screening testing at a minimum of one to two times each week.

The unvaccinated covered worker shall submit proof of a COVID-19 test to the chief school administrator or his or her designee.

(Select Option 1: The worker may choose either antigen or molecular tests that have EUA by the U.S. Food and Drug Administration (FDA) or are operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services. **OR** **Option 2** The district shall provide the unvaccinated covered worker with on-site access to an antigen or molecular COVID-19 test.)

If the covered worker is not working on-site during a week where testing would otherwise be required, the worker is still required to submit to testing for that week. This testing requirement is in addition to any other diagnostic testing of symptomatic workers or screening testing of vaccinated workers.

Tracking and Records

The chief school administrator shall assign a staff member who is responsible for tracking test results and reporting such results to local public health departments.

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The collection of and storage of test results, examination results and proof of vaccination documentation shall comport with board policies and all federal and State laws, including but not limited to the Americans with Disabilities Act, that regulate the collection and storage of that information. Employee records and documentation shall be kept in the employee's confidential health record that shall be maintained separately from other personnel files (see board policy 4112.6/4212.6 Personnel Records). The custodian of records shall maintain test results, examination results and proof of vaccination records and documentation for all other covered workers in a locked and secure location to ensure confidentiality (see board policy 3570 District Records and Reports).

Adopted:

NJSBA Review/Update:

Readopted:

Key Words

Proof of Vaccination, Vaccination, COVID-19, Coronavirus, Examination, Test

Resources:

The CDC recently issued updated guidance regarding considerations for wearing face coverings and how it can help slow the spread of COVID-19. Schools should refer to this guidance as it includes details regarding who should and should not wear a face covering:

[Guidance for COVID-19 Prevention in K-12 Schools | CDC](#)

Centers for Disease Control and Prevention "Your Guide to Masks" at: [Your Guide to Masks | CDC](#)

NJDOE School Reopening Frequently Asked Questions at: <https://www.nj.gov/education/reopening/faqs/#sd>

NJDOE Update to Conditions of Learning, Health and Safety, "Critical Area of Operation #5: Screening, PPE, and Response to Students and Staff Presenting Symptoms" and "Critical Area of Operation #3: Transportation" <https://nj.gov/education/reopening/updates/docs/RestartUpdateFacecoverings080320.pdf>

"Physical Distancing, face coverings, and eye protection to prevent person-to-person transmission of SARS-CoV-2 and COVID-19: a systematic review and meta-analysis;" September 21, 2020. D.K. Chu, S. Duda, K. Solo, S. Yaacoub, and H. Schunemann.

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7503118/>

Legal References:

N.J.S.A. 18A:35-4.6
through -4.8

N.J.S.A. 18A:40-4

N.J.S.A. 18A:40-4.4

N.J.S.A. 18A:40-4.5

N.J.S.A. 18A:40-5

N.J.S.A. 18A:40-6

N.J.S.A. 18A:40-7, -8,
-10, -11

N.J.S.A. 18A:40-12.37

Parents Right to Conscience Act of 1979

Examination for physical defects and screening of hearing of pupils; health records

Exemption

Immunity from action of any kind due to provisions of act

Method of examination; notice to parent or guardian

In general

Exclusion of pupils who are ill

Release to share medical information

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N.J.S.A. 18A:40-20

Immunization at public expense

N.J.S.A. 26:1A-9.1

Exemption of pupils from mandatory immunizations

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

Prohibiting attendance of teachers or pupils

N.J.A.C. 6A:14-3.4

Evaluation

N.J.A.C. 6A:16-1.1 et seq.

Programs to Support Student Development

See particularly:

N.J.A.C. 6A:16-1.1, -1.3,

-2.1, -2.2, -2.3, -2.4

N.J.A.C. 8:57-4.3

Medical exemptions

N.J.A.C. 8:57-4.4

Religious exemptions

N.J.A.C. 8:57-4.5

Provisional admission

N.J.A.C. 8:57-4.7

Records required

N.J.A.C. 8:57-4.8

Reports to be sent to the State Department of Health

N.J.A.C. 8:57-4.9

Records available for inspection

N.J.A.C. 8:57-4.22

Emergency power of the Commissioner, Department of Health and Senior Services

20 U.S.C.A. 1232h

Protection of Pupil Rights Amendment

Executive Order No. 251, Governor Philip D. Murphy, August 6, 2021.

Executive Order No. 253, Governor Philip D. Murphy, August 23, 2021.

The NJDOE Guidance: *The Road Back: Restart and Recovery* at:

<https://www.nj.gov/education/reopening/>

The NJDOE Guidance: *The Road Forward: Health and Safety Guidance for the 2021-*

2022 School Year at: [The Road Forward \(nj.gov\)](https://www.nj.gov/education/reopening/)

Possible

Cross References:

*1410

Local units

*4123

Classroom aides

*5111

Admission

*5113

Absences and excuses

*5131.6

Drugs, alcohol, tobacco (substance abuse)

*5141

Health

*5141.21

Administering medication

*5200

Nonpublic school pupils

*Indicates policy is included in the Critical Policy Reference Manual.

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Face Coverings

Policy 4212.4.2

Date Adopted: May 12, 2022

Date Revised:

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FACE COVERINGS

Due to the circulating and highly contagious Delta variant of the coronavirus, the CDC recommends universal indoor masking by all students (age 2 and older), staff, teachers, and visitors to K-12 schools, regardless of vaccination status ([Guidance for COVID-19 Prevention in K-12 Schools | CDC](#)).

According to the American Academy of Pediatrics (AAP), it is possible to have COVID-19 but not have any symptoms. AAP asserts that wearing face coverings is vitally important, especially for unvaccinated children. Masks reduce the chance of spreading SARS-CoV-2, the virus that causes COVID-19. Until a child is fully vaccinated against COVID-19, they should continue to wear a face covering and keep a safe physical distance indoors around people they don't live with or who may have the virus. Anyone unvaccinated should also wear face coverings outdoors in large group settings or when physical distancing isn't possible ([Guidance for COVID-19 Prevention in K-12 Schools | CDC](#)).

Executive Order 253 has declared that as of October 18, 2021, all staff members who are eligible to be vaccinated against COVID-19 must receive the vaccine or be subject to routine COVID-19 testing. Executive Order 253 also applies to contracted employees, vendors, providers, and any other individuals working in the schools where regular visits to the schools are part of the individual's job duties, including volunteers.

According to N.J.S.A. 26:13-3, the Governor of the State has the authority to declare a public health emergency. According to N.J.S.A. App.A:9-33, the purpose of the Civilian Defense and Disaster Control Act is to "provide for the health, safety, and welfare of the people of the State of New Jersey and to aid in the prevention of damage to and the destruction of property during any emergency ... by prescribing a course of conduct for the civilian population...." According to N.J.S.A. App.A:9-40, public officials are required to fully cooperate with the Governor in all matters affecting any declared emergency and may not take any action that conflicts with or impedes Executive Order 253.

Therefore, in accordance with [Executive Order No. 251](#), and [Executive Order 253](#), the recommendations made by the Centers for Disease Control and Prevention (CDC), and the American Academy of Pediatrics (AAP), the district shall require that all staff, students, and visitors use face coverings in the indoor portion of the school district premises.

Face Coverings

A. Staff, students, and visitors are required to wear face coverings unless doing so would inhibit the person's health. It is necessary to acknowledge that enforcing the use of face coverings may be impractical for young children or individuals with disabilities. Exceptions to the requirement:

1. When doing so would inhibit the individual's health, such as when the individual is exposed to extreme heat indoors;
2. When the individual has trouble breathing, is unconscious, incapacitated, or otherwise unable to remove a face covering without assistance;
3. When a student's documented medical condition or disability, as reflected in an individualized education program (IEP) or Educational Plan pursuant to Section 504 of the Rehabilitation Act of 1973, precludes use of a face covering;
4. When a student's documented medical condition, as reflected in an individualized health care plan (IHP) precludes use of a face covering;
5. When the individual is under two (2) years of age;

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6. When the individual is engaged in activity that cannot physically be performed while wearing a mask, such as eating or drinking, or playing a musical instrument that would be obstructed by a face covering;
7. When the individual is engaged in high-intensity aerobic or anaerobic activity;
8. When a student is participating in high-intensity physical activities during a physical education class in a well-ventilated location and able to maintain a physical distance of six feet from all other individuals; or
9. When wearing a face-covering creates an unsafe condition in which to operate equipment or execute a task;
10. Students and staff being transported in connection with school-related activities shall continue to adhere to current CDC guidelines for public transportation.

As specified in Executive Order 253, individuals seeking a medical exemption from mask-wearing shall produce written documentation from a medical professional (e.g. licensed physician, nurse practitioner, physician's assistant, or registered nurse) to support the exemption. Self-attestations and parental attestations are not sufficient for this purpose.

- B. Individuals shall be frequently reminded not to touch the face covering and to wash their hands frequently;
- C. Information shall be provided to staff, students, and students' families on proper mask hygiene, including use, removal, storage/maintenance, and washing of face coverings;
- D. Currently, the CDC does not recommend the use of face shields as a substitute for face coverings. Therefore, they may not be used to satisfy the face-covering requirement detailed above. However, they may be an option for students with medical or other challenges that preclude the use of face coverings. If face shields are used without a mask, they should wrap around the sides of the wearer's face and extend to below the chin;
- E. Students and educators that rely on facial cues may consider the use of clear face coverings where available. This might include students who are deaf or hard of hearing, students receiving speech/language services, young students in early education programs, and English-language learners;
- F. Researchers have identified "frequent discomfort" as a potential challenge associated with implementing the use of face-covering requirements. Students and staff shall be provided face-covering breaks throughout the day. Face covering breaks should only occur when social distancing can be maintained and ideally outside or with windows open ("Physical Distancing, face coverings, and eye protection to prevent person-to-person transmission of SARS-CoV-2 and COVID-19: a systematic review and meta-analysis");
- G. Face coverings shall be provided by the student's family/guardian and may be included as part of the back to school supplies list provided to families/guardians prior to the start of the school year. The district shall strive to provide extra disposable face coverings for students who need them, and shall provide face coverings for students that are experiencing financial hardship and are unable to afford them to the greatest extent possible.

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Social Distancing During a Pandemic

In addition to the requirement that all staff, students, and visitors wear face coverings, the district shall ensure that social distancing within the schools and classrooms is maintained to the maximum extent practicable. This will be achieved by ensuring students are seated at least three feet apart. When conditions such as space in the classroom or other areas of the school make a physical distance of three feet difficult or impossible to maintain, additional modifications shall be implemented. These include but are not limited to using physical barriers between desks and turning desks to face the same direction (rather than facing each other) or having students sit on only one side of the table, spaced apart. During times of higher community transmission of the COVID-19 virus and the Delta Variant, the district may increase the physical distance up to six feet.

Any modifications that are made to school district facilities shall be in coordination with local code officials and Department county offices to ensure that alterations adhere to school safety requirements.

Social distancing practices shall be maintained on school buses (at least three feet of distance between riders) to the maximum extent practicable (see board policy 3541.33 Transportation Safety).

A. Screening and Personal Protective Equipment (PPE):

1. Adequate amount of personal protective equipment (PPE) shall be available, accessible, and provided for use by staff and students. Staff and students shall be required to wear masks when being admitted to the school and screened for entry;
2. The principal or his or her designee shall develop a school entry plan that includes:
 - a. Staff assigned to do the screening;
 - b. Designated entrances that will be used to admit students;
 - c. The assignment of classes and grades to designated entrances and/or designated entrance times;
3. Staff must visually check students for symptoms upon arrival (which may include temperature checks) and/or confirm with families that students are free of COVID-19 symptoms;
4. Health checks must be conducted safely and respectfully and in accordance with any applicable privacy laws and regulations;
5. Results must be documented when signs/symptoms of COVID-19 are observed;
6. Screening procedures shall take into account students with disabilities and accommodations that may be needed in the screening process for those students;

B. Procedures for symptomatic staff and students:

1. The school principal shall establish an isolation space;
2. Students and staff with symptoms related to COVID-19 shall be safely and respectfully isolated from others. Students should remain in isolation with continued supervision and care until picked up by an authorized adult;

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3. The [current Communicable Disease Service](#) guidance for illness reporting shall be followed;
4. If a staff member becomes aware that an individual who has spent time in a district facility tests positive for COVID-19, the staff members shall notify the principal and the school nurse. The school nurse shall immediately notify local health officials, staff, and families of a confirmed case while maintaining confidentiality;

C. Preparations for when someone tests positive for COVID-19:

1. The school principal shall establish an isolation space;
2. Students and staff with symptoms related to COVID-19 shall be safely and respectfully taken to the designated isolation space and isolated from others. Students should remain in isolation with continued supervision and care until picked up by an authorized adult;
3. The [current Communicable Disease Service](#) guidance for illness reporting shall be followed;
4. Remittance to school shall be consistent with [Department of Health guidance and information for schools](#) and Department of Health/Communicable Disease Service's [Quick Reference Guidance on Discontinuation of Transmission-Based Precautions and Home Isolation for Persons Diagnosed with COVID-19](#);
5. Contact tracing shall be initiated including records of groups/cohorts, assigned staff, and daily attendance.

D. Protocols to address a positive case:

Students and employees may be asked to leave or not come into school if they test positive for COVID-19 or exhibit one or more of the symptoms of COVID-19, based on CDC guidance, that is not otherwise explained:

1. A fever of 100° F or greater;
2. Cough;
3. Shortness of breath or difficulty breathing;
4. Chills;
5. Repeated shaking with chills;
6. Muscle pain;
7. Headache;
8. Sore throat;
9. New loss of taste or smell;
10. Fatigue;
11. Congestion or runny nose;
12. Nausea or vomiting;
13. Diarrhea.

Adopted:

NJSBA Review/Update:

Readopted:

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Policy 4212.4.2

Date Adopted:

Date Revised:

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Key Words

Immunizations, Inoculations, Examinations, Pupil Physical Examinations, Student Physical Examinations, Health

Resources:

The CDC recently issued updated guidance regarding considerations for wearing face coverings and how it can help slow the spread of COVID-19. Schools should refer to this guidance as it includes details regarding who should and should not wear a face covering:

[Guidance for COVID-19 Prevention in K-12 Schools | CDC](#)

Centers for Disease Control and Prevention “Your Guide to Masks” at: [Your Guide to Masks | CDC](#)

NJDOE School Reopening Frequently Asked Questions at: <https://www.nj.gov/education/reopening/faqs/#sd>

NJDOE Update to Conditions of Learning, Health and Safety, “Critical Area of Operation #5: Screening, PPE, and Response to Students and Staff Presenting Symptoms” and “Critical Area of Operation #3: Transportation” <https://nj.gov/education/reopening/updates/docs/RestartUpdateFacecoverings080320.pdf>

“Physical Distancing, face coverings, and eye protection to prevent person-to-person transmission of SARS-CoV-2 and COVID-19: a systematic review and meta-analysis,” September 21, 2020. D.K. Chu, S. Duda, K. Solo, S. Yaacoub, and H. Schunemann. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7503118/>

Legal References:

N.J.S.A. 18A:35-4.6

through -4.8

N.J.S.A. 18A:40-4

N.J.S.A. 18A:40-4.4

N.J.S.A. 18A:40-4.5

N.J.S.A. 18A:40-5

N.J.S.A. 18A:40-6

N.J.S.A. 18A:40-7, -8,

-10, -11

N.J.S.A. 18A:40-12.37

N.J.S.A. 18A:40-20

N.J.S.A. 26:1A-9.1

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

N.J.A.C. 6A:14-3.4

N.J.A.C. 6A:16-1.1et seq.

See particularly:

Parents Right to Conscience Act of 1979

Examination for physical defects and screening of hearing of pupils;
health records

Exemption

Immunity from action of any kind due to provisions of act

Method of examination; notice to parent or guardian

In general

Exclusion of pupils who are ill

Release to share medical information

Immunization at public expense

Exemption of pupils from mandatory immunizations

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N.J.A.C. 6A:16-1.1, -1.3,

-2.1, -2.2, -2.3, -2.4

N.J.A.C. 8:57-4.3

N.J.A.C. 8:57-4.4

N.J.A.C. 8:57-4.5

N.J.A.C. 8:57-4.7

N.J.A.C. 8:57-4.8

N.J.A.C. 8:57-4.9

N.J.A.C. 8:57-4.22

Medical exemptions

Religious exemptions

Provisional admission

Records required

Reports to be sent to the State Department of Health

Records available for inspection

Emergency power of the Commissioner, Department of Health and Senior

20 U.S.C.A. 1232h

Protection of Pupil Rights Amendment

Executive Order No. 251, Governor Philip D. Murphy, August 6, 2021.

Executive Order No. 253, Governor Philip D. Murphy, August 23, 2021.

The NJDOE Guidance: *The Road Back: Restart and Recovery* at:

<https://www.nj.gov/education/reopening/>

The NJDOE Guidance: *The Road Forward: Health and Safety Guidance for the 2021-2022 School Year* at: [The Road Forward \(nj.gov\)](https://www.nj.gov/education/reopening/)

Possible

Cross References:

*1410	Local units
*4123	Classroom aides
*5111	Admission
*5113	Absences and excuses
*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5141	Health
*5141.21	Administering medication
*5200	Nonpublic school pupils
*6142.4	Physical education and health
*6145.1/6145.2	Intramural competition; interscholastic competition
*6162.5	Research
*6164.4	Child study team
*6171.4	Special education

*Indicates policy is included in the Critical Policy Reference Manual.

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Criminal History Verifications

Policy 4212.5

Date Adopted: February 25, 2010

Date Revised:

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Pursuant to N.J.S.A. 18A:6-7.1 et. seq. and N.J.S.A. 18A:39-19.1, all employees of a public school district under the supervision of the State Department of Education who hire or contract for the services of any employees having regular pupil contact must submit a criminal background check. This mandate shall apply to all employees hired or contracted by the school district after October 8, 1986.

In order to provide for the proper security of the children of this district by prohibiting employment of unfit persons in the schools, the Board of Education directs the Superintendent of Schools to establish procedures necessary for the implementation of the school employee criminal history review consistent with statute and code.

Further, the Board directs that all employees subject to the criminal history check successfully clear this process prior to appointment unless the Superintendent of Schools determines that the circumstances and/or needs of the district warrant an exception.

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Legal References

NJSA 18A:6-7.1 et seq Criminal history record checks for final candidates for school employee positions
18A:39-19.1 Criminal records of school bus drivers; effect

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Personnel Records

Policy 4212.6

Date Adopted: June 25, 1997

Date Revised: February 25, 2010

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Orderly administration of the school district and compliance with state and federal law require the compilation of information about all employees of the district. The Board of Education recognizes that there is a distinction between those personnel records which are clearly a matter of public concern, and those which must be considered privileged until such time as they are opened to the public by the NJ Commissioner of Education or the courts.

The Superintendent of Schools may consult with the Board Attorney regarding which personnel records are mandated to be kept by law, and those to be kept for administrative purposes. The Superintendent of Schools and the Board Attorney shall be responsible for limiting administrative records to those that are consistent with New Jersey and federal law.

In accordance with federal law, the Superintendent of Schools shall establish procedures to release information upon request regarding the professional qualifications and degrees of teachers and the qualifications of paraprofessionals to parents/guardians for any teacher or paraprofessional who is employed by a school receiving Title I funds and who provides instruction to their children.

The Superintendent of Schools shall establish the necessary regulations for maintaining both public and confidential employee records.

- B. The public file shall consist of an alphabetic index of all those presently employed by the district in whatever capacity. The information in this file shall be limited to name, title, position, salary, payroll record, length of service, and, if applicable, date of separation and rehire. The Superintendent of Schools shall devise procedures for making this file available to the public in accordance with the Open Public Records Act.
- C. The confidential file shall consist of an individual personnel folder for each current employee. The information in this file shall include all records mandated by state and federal law; evaluation of performance; record of attendance; original application filed by the employee; transcript of certification; original salary and increments; date of tenure; notations of commendation and disciplinary actions consistent with law. This file is available for examination:
 - 1. At any time, by the Superintendent of Schools or the supervisory personnel he/she designates;
 - 2. During regular business hours, by the employee or his personally authorized representative, in accordance with regulations and in the presence of the Superintendent of Schools;
 - 3. During regular business hours, or at any meeting of the Board or any committee thereof, by any member of the Board in connection with any assigned Board responsibility or duty.

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- D. Employee health records shall be maintained separately from other personnel files and in strict confidentiality. Only the employee, the chief medical inspector and the Superintendent of Schools shall have access to an employee's medical file. To assure ready access in a medical emergency, the section of the medical record that contains the health history may also be shared with the building principal and the school nurse with the consent of the employee.
- E. Staff emergency contact cards for all employees shall be maintained by the Superintendent of Schools/designee and updated annually.

Legal References

- NJSA** 18A:6-7a Removal from personnel files of reference to complaint of child abuse or neglect determined to be unfounded
18A:6-11 Written charges; written statement of evidence; filing; statement of position by employee; certification of determination; notice
18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)
47:1A et seq. Examination and copies of public records ("Open Public Records Act")
47:3-15 et seq. Destruction of Public Records Law
- NJAC** 6A:32-6.1 et seq. School Employee Physical Examinations
12:100-4.2 Safety and health standards for public employees occupational exposure to bloodborne pathogens (Adoption by reference)
29 CFR 1910.1030 - Bloodborne Pathogen Standard
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Executive Order No. 9, September 30, 1963; modified by Executive Order No. 11, November 15, 1974
Citizens for Better Education v. Camden Bd. of Ed., 124 N.J. Super. 523 (App. Div. 1973)
Trenton Times Corp. v. Trenton Bd. of Ed., 138 N.J. Super. 357 (App. Div. 1976)
Nero v. Hyland, 76 N.J. 213 (1978), rev'd 146 N.J. Super. 46 (App. Div. 1977), 136 N.J. Super. 537 (Law Div. 1975)
Brick Township Education Association v. Brick Township Bd. of Ed., 1974 S.L.D. 111
Sayreville Education Association v. Sayreville Bd. of Ed., S.L.D. 197
White v. Galloway Township Bd. of Ed., 1977 S.L.D. 900, aff'd St. Bd. 1977 S.L.D. 903
Witchel v. Cannici and the Passaic Bd. of Ed., 1966 S.L.D. 159
Mendell v. Cimmino and the Kinnelon Bd. of Ed., 1970 S.L.D. 185
Cordano v. Weehawken Bd. of Ed., 1974 S.L.D. 316, appeal dismissed St. Bd. 1974 S.L.D. 323
Horner v. Kingsway Regional Board of Education, 1990 S.L.D. 752
Lacey Township Board of Education v. Lacey Township Education Association, 130 N.J. 312 (1992) *Beatty v. Chester* 1999 S.L.D. August 31 *Ciambrone v. Bloomingdale* 2000 S.L.D. May 7
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3570, 4211, 4212.4/, 4215/4216, 5141.4

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Nepotism

Policy 4212.8

Date Adopted: June 25, 1997

Date Revised: February 25, 2010, January 12, 2017, April 12, 2018

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In order to avoid the reality and the appearance of conflict of interest in its employment, and in accordance with NJAC 6A:23A-6.2, the Board of Education will not appoint a relative of a Board Member or of an Administrator, as defined by statute, to any employment position in this district, and directs that no person who is a relative of a Board Member or administrator shall be placed in nomination for any vacant position. Nor shall any person be considered for employment in any position in which he/she would come under the direct or indirect supervision of any relative.

Definitions

For the purpose of this policy “nepotism” shall be defined as the showing of favoritism to an employee or candidate for employment based on the existence of a relationship as a relative or immediate family member of a Board Member or Superintendent / Principal.

Definitions

For the purpose of this policy the following definitions shall apply:

“Nepotism” shall be defined as the showing of favoritism to an employee or candidate for employment based on the existence of a “conflicted relationship” with a Board Member or Superintendent / Principal.

“Conflicted relationship” includes but is not limited to an immediate family member, a relative, and any other relationship that create a justifiable impression that the public trust may be violated.

“Conflicted Board Member/administrator” shall mean any Board Member or administrator with a conflict of interest, regardless of the source of conflict as identified in the definitions below.

“Relative” shall be defined as an individual’s spouse, civil union partner, domestic partner, or the parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, of the individual or of the individual’s spouse, civil union partner or domestic partner, whether the relative is related to the individual or the individual’s spouse, civil union partner or domestic partner, by blood, marriage or adoption.

“Immediate family” shall be defined as Board Member or school administrator, their spouse, civil union partner, domestic partner, child, parent or sibling residing in the same household, whether related by blood, marriage or adoption.

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“Other” when describing relationships between individuals and Board Members or the Superintendent / Principal includes but is not limited to in-law, cousin, cohabitating partner, and step daughter-in-law and any other personal or professional relationship that creates the justifiable impression that the public trust is being violated.

In accordance with the provisions of NJSA 18A:12-24(b), Board Members may not provide any unwarranted privilege, advantage or employment in the district. However, there shall be no presumption of a conflict simply because a Board Member a Board Member’s family member works in the district. Should a Board Member and his/her family member, as described herein, enter into a business arrangement or if the family member were to be granted unwarranted privilege, advantage or employment in the district, a conflict would then be apparent and the Board Member would be required to comply with all pertinent sections of this policy.

Employment and Supervision of a Relative

The Board of Education, in order to avoid both the reality and the appearance of conflict of interest in employment, will not initially appoint a relative of a Board Member or of the Superintendent / Principal to any employment position in this district.

No Board Member or administrator of this district, shall use or attempt to use his/her official position to secure unwarranted privileges, advantages or employment for himself, members of his/her immediate family or others.

The Superintendent / Principal shall not recommend to the Board for initial hire any relative of a Board Member or of the Superintendent / Principal, unless the person is subject to the exception below. Nor shall any person be considered for employment in any position in which he/she would come under the direct or indirect supervision of any relative. Where it is not feasible to eliminate such a direct or indirect supervisory relationship, appropriate screens and/or alternate supervision/reporting mechanisms shall be put in place.

No conflicted administrator shall supervise, or exercise authority over personnel matters in which the administrator has a conflict. No Board Member shall deliberate or vote on a matter involving the member’s conflicted relationship. Nor should the Board Member be present for any confidential discussion of employment matters in which they have a conflict. Neither should the Board Member receive confidential information pertaining to a matter in which they have a conflict.

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Exceptions

Persons who are employees of the Board of the date that this policy becomes effective or the date a relative becomes a Board Member or Superintendent / Principal shall not be prohibited from continuing to be employed in the district. This includes employees who must be renewed annually by the Board. The Superintendent / Principal may recommend those employees for reemployment, transfer, promotion or removal.

A relative of a Board Member or Superintendent / Principal may be initially employed by the district provided that the district has obtained the approval from the Executive County Superintendent. Such approval shall be granted only upon demonstration by the school district that it conducted a thorough search for candidates and that the proposed candidate is the only qualified and available person for the position. Per diem substitutes and student employees may be excluded from the initial hiring aspects of this nepotism policy.

Participation in Employment Related Matters

Conflicted Board Members may not participate in employment matters concerning the Superintendent / Principal, principal or any administrator or supervisor(s) in the chain of command between the employee and Superintendent / Principal.

Prohibited activities for conflicted Board Members include hiring of the selection agency, criteria, job description, voting to advertise for applicants, search committee, vote to hire and any evaluation and contract discussion post-hire.

Conflicted Board Members may not be present in closed session when discussions regarding the administrators take place and should not be privy to executive session materials until such time as the minutes are made available to the general public.

Board Member/Superintendent / Principal Participation in Negotiations

In-District Bargaining Units

When a Board Member or school administrator is in a conflicted relationship that prohibits participation in collective negotiations, that Board Member or school administrator shall not participate in any way in negotiations. This includes, but is not limited to, setting negotiation parameters, being a member of the negotiating team, receiving negotiations updates, voting on the proposed agreement and post-contract participation in grievances. Nor shall that Board Member or school administrator be present with the Board in closed session when negotiation strategies are being discussed. A school administrator may provide technical information that is necessary to the collective bargaining process when no one else can provide that information.

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Board Members or the Superintendent / Principal are similarly precluded from participation in negotiations with any bargaining unit whose members have supervisory authority over a family member or other conflicted connection.

Out-of-District Similar Statewide Bargaining Units

When a Board Member or school administrator is in a conflicted relationship with an individual who is a member of an out-of-district similar statewide union with which the Board is negotiating, that Board Member or school administrator shall not participate in any way in negotiations. This includes, but is not limited to:

- Developing negotiation parameters;
- Being a member of the negotiating team;
- Receiving confidential negotiations information updates prior;
- Voting on the contract; and
- Grievance participation.

A school administrator may, however provide technical information that is necessary to the collective bargaining process when no one else in the district can provide that information.

When a Board Member or school administrator is in a conflicted relationship involving a relative who is a member of an out-of-district similar statewide union with which the Board is negotiating, there is no conflict unless the relative has a union leadership position in the state-wide union or local union that has the ability to affect negotiations. Union leadership positions in the state-wide union or local union that have the ability to affect negotiations include but are not limited to:

- Officer;
- Grievance chairperson;
- Building representative;
- Negotiation committee member.

A school official who has a conflicted relationship with any employee of the district or an employee in another out-of-district similar statewide union as of the effective date of this policy shall declare such relationship to the Board immediately.

Doctrine of Necessity

When a quorum of the Board has conflicted interests, the doctrine of necessity may be invoked in order to allow conflicted Board Members to participate in the negotiation process and vote. The doctrine of necessity may be invoked for the negotiation team or superintendent search committee only when the Board of Education has fewer non-conflicted Board Members than are required, pursuant to statute, to take action. The Board shall only invoke the doctrine of necessity after consultation with the Board attorney.

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When invoking the Doctrine of Necessity, the Board shall state publically that it is invoking the Doctrine of Necessity with the reasons for doing so and the specific nature of the conflicts of interest. The Board shall read the resolution invoking the doctrine of necessity at a regularly scheduled public meeting, post the notice of the resolution for 30 days and provide the School Ethics Commission with a copy of the resolution

Implementation

The connections and relationships that create a conflict of interest for an individual Board Member's participation in Board decisions are subject to changes that result from commissioner rulings or changes in law. Therefore, the Board shall consult with the Board attorney as necessary and appropriate for guidance and clarification related to the implementation of this policy.

A school official who has such relationship with any employee of the district as of the effective date of this policy shall declare such relationship immediately.

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Legal References

- NJSA** 18A:12-2 Inconsistent interests or office prohibited
18A:12-21 et seq. School Ethics Act
18A:16-1 Officers and employees in general
18A:27-4.1 Appointment, transfer, removal or renewal of officers and employees;
- NJAC** 6A:4-1.1 et seq. Appealable decisions
6A:23A-1.2 et seq. Fiscal accountability; definitions
6A:23A-6.2 et seq. Fiscal accountability; nepotism
6A:28-1.1 et seq. School Ethics Commission
In the Matter of the Election of Dorothy Bayless to the Board of Education of the Lawrence Township School District, 1974 S.L.D. 603, reversing 1974 S.L.D. 595
Shirley Smiecinski v. Board of Education of the Township of Hanover, Morris Cnty
Scola v. Ringwood Bd. of Ed., 1978 S.L.D. 413
Salerno v. Old Bridge Board of Ed., 1984 S.L.D. (April 28)
Larsen v. Woodbridge Board of Ed., 1985 S.L.D. (March 18)
Scannella v. Scudillo, School Ethics Decision, Complaint No. C-14-93,
In the Matter of Frank Pannucci, 2000 S.L.D. March 1, State Board Rev'g
Commissioner 97 NJAR 2d (EDU) 339
School Ethics Commission, Advisory Opinion
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)
School Ethics Commission, Advisory Opinion, A01-93
School Ethics Commission, Advisory Opinion, A021-93
School Ethics Commission, Advisory Opinion, A10-93
School Ethics Commission, Advisory Opinion, A107-94
School Ethics Commission, Advisory Opinion, A33-95
School Ethics Commission, Advisory Opinion, A03-95
School Ethics Commission, Advisory Opinion, A01-98
School Ethics Commission, Advisory Opinion, A14-00
School Ethics Commission, Advisory Opinion, A01-93
School Ethics Commission, Advisory Opinion, A03-13
School Ethics Commission, Advisory Opinion, A01-13
School Ethics Commission, Advisory Opinion, A15-93
School Ethics Commission, Advisory Opinion, A22-13
School Ethics Commission, Advisory Opinion, A10-14
School Ethics Commission, Advisory Opinion, A11-14
School Ethics Commission, Advisory Opinion, A43-14
School Ethics Commission, Advisory Opinion, A03-15
School Ethics Commission, Advisory Opinion, A05-15
School Ethics Commission, Advisory Opinion, A24-17
School Ethics Commission, Advisory Opinion, A35-17

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Sick Leave Accrued in Another District

Policy 4212.9

Date Adopted: February 2, 2000

Date Revised: February 25, 2010

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The Board of Education, at its discretion, may elect to allow a newly hired employee to apply for up to 24 sick days earned in another accredited public school district to be applied as sick leave only in the Fairfield Township Public Schools.

Application to carry in sick days from another district must be made in writing to the Superintendent of Schools at least 7 days prior to the Board's approval of the staff member's initial hiring.

A letter from the prospective employee's former school district must be supplied with the written request. The letter must be on school letterhead, signed by the Building Principal or Personnel Director and state the employee's name, length of employment and number of sick and personal days accrued during his/her time of employment.

Application to carry in sick days from another district may not be made after the Board has approved the hiring of a staff member.

Sick days carried in from another district may not be counted toward any sick leave buy-back to which an employee is eligible when leaving or retiring from the Fairfield Township Public School District.

Sick leave days "carried into" the district may not be converted to vacation, personal or bereavement days.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

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Assignment / Transfer

Policy 4213/4214

Date Adopted: December 17, 1997

Date Revised: February 25, 2010

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The Superintendent of Schools shall make certified staff assignments in the manner best calculated, in his/her judgment, to enhance the educational program.

Support personnel are subject to assignment and transfer after recommendation of the Superintendent of Schools and approved by the Board of Education. Procedures for such transfers shall comply with provisions of current negotiated agreements and state and federal law.

The Superintendent of Schools may use his/her discretion to make temporary assignments of existing employees to cover long-term absences of other staff members. It is the policy of the Board that these temporary assignments will be in the best interest of the school district and its pupils.

It is the policy of the Board that twelve-month employees are expected to work a full school day on such days as school is in session less than full time due to a scheduled non-emergency activity (workshop, in-service, staff meeting, etc.). The Superintendent of Schools may dismiss twelve-month employees after less than a full school day's work in any situation where he/she deems their continued attendance to be of little or no value to the educational program being considered at that time.

Part-time employees shall be scheduled by the Superintendent of Schools and in the case of emergency school closings, part-time employees may be scheduled to work on alternate days than those on which they would have been scheduled in order to affect no loss of instructional time due to school closing.

Any staff member appointed to an extra duty position is expected to serve unless excused for extenuating circumstances. A refusal to serve or resignation from extra duty service without permission may constitute an act of insubordination and subject the employee to disciplinary procedures.

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Policy 4213/4214**

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Legal References

NJSA 18A:25-1 Transfer of teaching staff members
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions
18A:59-1 through -3 Apportionment and distribution of federal funds; exceptions
34:13A-1 et seq. New Jersey Employer-Employee Relations Act

NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

42 U.S.C.A. 2000d - 2000d4 - Title VI of the Civil Rights Act of 1964
20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act
Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100-297)
34 CFR 200.1 to 200.89 - Part 200
34 CFR Part 204
Ridgefield Park Education Association v. Ridgefield Park Board of Education, 78 N.J. 144 (1978)
The Comprehensive Equity Plan, New Jersey State Department of Education Division
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2224, 4211, 4211.1, 5145.4, 6160

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Supervision & Evaluation – Support Staff

Policy 4215/4216

Date Adopted: December 17, 1997

Date Revised: February 25, 2010

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Supervision

The Superintendent of Schools shall ensure development of procedures for observation and supervision of all employees so the optimum support is provided for the educational program.

Such observation and supervision shall not be limited to that which is required for effective performance evaluation.

Evaluation

The Superintendent of Schools shall maintain factual personnel records on all support employees and shall direct evaluation procedures.

Before increments for support staff members are approved for succeeding years, administrative and supervisory personnel in the schools shall submit to the Superintendent of Schools a report on the work and attitude of each employee under their jurisdiction.

The employee's supervisor has the responsibility for seeing that each employee knows the basis upon which he is to be evaluated in advance of the evaluation. It shall be the policy of the Board of Education that all newly employed staff, in the classifications listed below, be employed for a probationary period of 90 calendar days, or less, at the discretion of the Board:

- A. Secretaries
- B. Clerks
- C. Aides
- D. Maintenance and grounds personnel
- E. Custodians
- F. Such other classifications as the Board may establish

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Supervision & Evaluation – Support Staff**

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Policy 4215/4216**

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Legal References

NJSA 18A:4-15 General rule-making power
18A:4-16 Incidental powers conferred
18A:6-10 et seq. Dismissal and reduction in compensation of persons under tenure in public school system
18A:11-1 General mandatory powers and duties
18A:27-3.1 through -3.3 Non-tenured teaching staff; observation and evaluation; conference; purpose
18A:27-10 et seq. Nontenured teaching staff member; offer of employment for next succeeding year or notice of termination before May 31
18A:28-5 Tenure of teaching staff members
18A:29-14 Withholding increments; causes; notice of appeals

NJAC 6:30-2.1(a)8 Purpose and program descriptions
6A:32-4.1(e) (f) Employment of teaching staff
6A:32-4.4 Evaluation of tenured teaching staff members
6A:32-4.6 Procedure for appearance of nontenured teaching staff members before a district board of education upon receipt of a notice of nonreemployment
6A:32-5.1 et seq. Standards for determining seniority
6A:9-15.1 et seq. Required Professional Development for Teachers
6A:32-4.4 Evaluation of tenured teaching staff member
6A:32-4.5 Supervision of instruction: observation and evaluation of nontenured teaching staff members

Lacey Township Bd. of Ed. v. Lacey Township Education Association, 130 N.J. 312 (1992),
aff'g 259 N.J. Super. 397 (App. Div. 1991)

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2130, 2131, 4000, 4010, 4112.6, 4117.41, 4131/4131.1, 4215/4216, 6143.1, 6200

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Separation**

**Series 4000
Policy 4217**

Date Adopted: February 25, 2010

Date Revised:

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Notice as per employee contracts shall be given in cases of dismissal by the Board of Education or resignation by the employee.

At the discretion of the Superintendent of Schools, employees retiring from the district may be required to participate in an “exit interview,” the purpose of which is to ascertain pertinent information from the employee that will be useful in recruitment and retention of employees.

Legal References

NJSA 18A:27-3.1 Non-tenured teaching staff; observation and evaluation; conference; purpose
18A:27-3.2 Teaching staff member; notice of termination; statement of reasons; request; written answer
18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions
18A:27-9 Teaching after notice of termination of contract
18A:27-10 et seq. Nontenure teaching staff member; offer of employment for next succeeding year or notice of termination before May 31
18A:28-8 Notice of intention to resign required
18A:66-43 Retirement of service age limits
18A:66-44 Service retirement allowances

NJAC 6A:32-4.1 et seq. Employment of teaching staff
6A:32-4.6 Procedure for appearance of nontenured teaching staff members before a district board of education upon receipt of notice of nonreemployment

Donaldson v. North Wildwood Bd. of Ed., 65 N.J. 236 (1974)

Hicks v. Pemberton Township Board of Education, 1975 S.L.D. 332

Velasquez v. Brielle Board of Education, 97 N.J.A.R. 2d (EDU) (August 6), aff'g on different grounds Comm'r 96 N.J.A.R. 2d (EDU) (April 4)

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Retirement

Policy 4217.1

Date Adopted: February 25, 2010

Date Revised:

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Retirement shall be at the option of the employee in accordance with the rules and regulations of the Teachers Pension and Annuity Fund or P.E.R.S. The Board will abide by state law in the matter of retirement agreements. In the event that the Board has any jurisdiction, it will decide on a case-by-case basis.

At the discretion of the Superintendent of Schools, employees retiring from the district may be required to participate in an “exit interview,” the purpose of which is to ascertain pertinent information from the employee that will be useful in recruitment and retention of employees.

Each year, paid employees who are retiring may be recognized by the Board at the conclusion of the school year.

Legal References

- NJSA 18A:27-9 Teaching after notice of termination of contract
- 18A:28-8 Notice of intention to resign required
- 18A:66-43 Retirement of service age limits
- 18A:66-44 Service retirement allowances

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Withholding an Increment

Policy 4217.26

Date Adopted: December 17, 1997 | Date Revised: February 25, 2010

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All advancements on the salary guide, including all annual increments, shall not be considered to be automatically granted and must be earned by satisfactory performance. Advancements require favorable evaluations of the employee's performance of assigned duties, a satisfactory attendance record, and adherence to the rules of this district and high standards of professional conduct.

The Board of Education may determine, by recorded roll call majority vote of the full membership and at any time prior to the commencement of the school year or contract year in which the employee's salary will vest, to withhold any or all of the increments indicated by the salary guide or by Board policy. In no case will the Board withhold a portion of an increment. The Board shall, within ten days of its formal action to withhold an increment, give written notice to the affected employee of both the action and the reason or reasons for which it was taken.

It is the intent of the Board that the withholding increments be a measure employed for the improvement of the educational program of this district and for the encouragement of the highest possible professional performance of its employees. Accordingly, the Board directs that efforts be made to inform employees of any deficiencies that may result in the withholding of an increment and to assist them in the correction of those deficiencies.

Nothing in this policy shall limit the right of a successor Board to restore an employee from whom an increment or increments have been withheld to that place on the salary guide he or she would have achieved had the increment or increments not been withheld.

Legal References

- NJSA** 18A:25-7 Appearance of teaching staff member before board or member when written notice required
18A:29-14 Withholding increments; causes; notice of appeal
- NJAC** 6A:32-4.1 et seq. Withholding salary increment
6A:32-4.6 Procedure for appearance of nontenured teaching staff members before a district board of education upon receipt of notice of nonreemployment

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Support Personnel

Series 4000

**Arrest Reporting Requirements
for Certificated Staff Members**

Policy 4217.27

Date Adopted: February 25, 2010

Date Revised: February 16, 2017

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In accordance with 6A:9B-4.3, all certificated staff members who are indicted or arrested for a crime or offense shall submit a report of such occurrences to the Superintendent/Principal within fourteen (14) calendar days of said indictment or arrest.

The report shall include the date of the arrest or indictment and charge(s) lodged against said staff member. The staff member shall also report the disposition of any charges to the Superintendent/Principal within seven (7) calendar days of the disposition.

Failure to comply with these reporting requirements may be deemed “just cause” pursuant to NJAC 6A:9B-4.5.

The district shall make these requirements known to all new employees and to all employees on an annual basis.

For the purposes of this policy, Driving Under the Influence (DUI) and reckless driving charges are not considered to be “criminal offenses” for the purpose of notifying the Board of Examiners.

Legal References

- | | |
|------|---|
| NJSA | 18A:6-7.1 Criminal history record checks for final candidates for school employee positions |
| | 18A:39-19.1 Criminal records of school bus drivers |
| NJAC | 6A:9B-4.3 Arrest reporting requirements |
| | 6A:9B-4.5 Grounds for revocation and suspension of certification |

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Resignation

Policy 4217.3

Date Adopted: February 25, 2010

Date Revised:

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An employee shall submit his resignation in writing to the Superintendent of Schools at least 60 days prior to the effective date of resignation. This date shall be approved unless the Board of Education desires to accept the resignation sooner.

The resignation becomes effective upon its formal approval by the Board of Education, and may be withdrawn by the employee at any time prior to Board action.

Any employee of the school district who terminates his employment of his own volition with exception of retirees or if released by the Board will forfeit Board granted benefits accrued during his employment.

At the discretion of the Superintendent of Schools, employees retiring from the district may be required to participate in an "exit interview," the purpose of which is to ascertain pertinent information from the employee that will be useful in recruitment and retention of employees.

If an employee returns to the employ of the Board of Education after having had prior service, said employee will begin with the same benefits as any other new employee, except as covered by New Jersey State law, and/or the contracted agreement between the employee and the Board of Education.

Legal References

- NJSA 18A:27-9 Teaching after notice of termination of contract
18A:27-10 et seq. Nontenure teaching staff member; offer of employment for next succeeding year or notice of termination before May 31
18A:28-8 Notice of intention to resign required
18A:66-43 Retirement of service age limits
18A:66-44 Service retirement allowances
- NJAC 6A:32-4.1 et seq. Employment of teaching staff

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Layoff / Rehire

Policy 4217.4

Date Adopted: February 25, 2010

Date Revised:

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The Board of Education has the right under state law to abolish unilaterally any existing position in whole or in part and to reduce the number of employees in any category for reasons of economy, reduction in the number of pupils, change in the administrative or supervisory organization, change in the educational program or other good cause.

Should it become necessary to reduce the number of employees in the district, the laws and regulations of the state shall be the controlling guides. If, in the case of such reduction, candidates for termination are non-tenured personnel only, the primary basis for selection for termination or reduction shall be the needs of the district's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

If, in the case of such reduction, candidates for termination or reduction in grade are tenured in this district, the state regulations regarding seniority shall be the primary basis for the decision. In the event that there should be equal applicable seniority among staff members, the decision for reduction or termination shall be based on the needs of the district's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

In no case shall any choice be based on arbitrary, capricious or discriminatory reasons. The Superintendent of Schools shall prepare guidelines for restructuring positions and for determining objectively which employees are to be dismissed as a result, and shall present his recommendations to the Board for action.

Legal References

- NJSA 18A:28-5 Tenure of teaching staff members
18A:28-9 Reduction of force; power to reduce and reasons for reduction
18A:28-10 Reasons for dismissals of persons under tenure on account of reduction
18A:28-11 Seniority; board to determine; notice and advisory opinion
18A:28-12 Dismissal of persons having tenure on reduction; reemployment
- NJAC 6A:9-5.5 Assignment of titles
6A:32-5.1 Standards for determining seniority

Possible Cross References

2131, 4215/4216

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Dismissal / Suspension

Policy 4217.52

Date Adopted: February 25, 2010

Date Revised:

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The Fairfield Township Board of Education shall challenge the continued employment of any tenured employee who:

1. Demonstrates inefficiency in the performance of his/her duties;
2. Is incapable of performing those duties;
3. Violates by unbecoming conduct, the public trust placed upon employees of this district;
4. Fails to exhibit the good behavior necessary to sustain tenure.

When charges are filed against a tenured employee by any person, the Board shall determine their gravity and probity in accordance with statute.

Legal References

- NJSA 18A:28-5 Tenure of teaching staff members
18A:28-9 Reduction of force; power to reduce and reasons for reduction
18A:28-10 Reasons for dismissals of persons under tenure on account of reduction
18A:28-11 Seniority; board to determine; notice and advisory opinion
18A:28-12 Dismissal of persons having tenure on reduction; reemployment
- NJAC 6A:9-5.5 Assignment of titles
6A:32-5.1 Standards for determining seniority

Possible Cross References

2131, 4215/4216

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Unauthorized Absence

Policy 4217.53

Date Adopted: October 30, 1997

Date Revised: February 25, 2010

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The Board of Education expects all employees to adhere to the policy of the Board regarding unauthorized absence from school property during work hours. Employees violating this policy by leaving school early or during periods other than lunchtime, without authorization by an administrator, shall be subject to disciplinary action.

Legal References

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

18A:27-4 Power of boards of education to make rules governing employment

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Grievance Procedure – Title IX

Policy 4218.1

Date Adopted: August 18, 1997

Date Revised: February 25, 2010

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Complaints regarding alleged discrimination on the basis of race, color, creed, national origin, affectional or sexual orientation, atypical hereditary cellular or blood trait, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability or because of genetic information or refusal to submit to or make available the results of a genetic test, or other conditions not related to the duties and responsibilities of the job must be made in writing. Forms are available from the Affirmative Action Officer.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment

Possible Cross References

2224, 3320, 5145.4, 6121

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Conflict of Interest

Policy 4219.21

Date Adopted: August 18, 1997

Date Revised: February 25, 2010

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An employee of the Board shall not have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity that is in conflict with the proper discharge of his/her duties.

An employee of the Board shall not use or attempt to use his/her position to secure unwarranted privileges or advantages for himself/herself or others.

An employee of the Board shall not act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest such as selection or purchase of any textbook or other materials on which he/she receives a royalty.

An employee of the Board shall not accept any gift, favor, service or other item of value under circumstances from which it might be reasonably inferred that such gift, service or other item of value was given or offered for the purpose of influencing him/her in the discharge of his/her duties.

Legal References

NJSA 2C:27-1 et seq. Bribery and Corrupt Influence
18A:6-8 Interest of school officers, etc., in sale of textbooks or supplies; royalties
18A:6-8.4 Right to hold elective or appointive state, county or municipal office
18A:11-1 General mandatory powers and duties
18A:12-21 et seq. School Ethics Act
18A:54-20 Powers of board (county vocational schools)
19:34-15 Electioneering within or about polling place; misdemeanor

NJAC 6A:4-1.1 et seq. Appeals
6A:28-1.1 et seq. School Ethics Commission

Green Township Education Association v. Rowe, et al., 328 N.J. Super 525 (App. Div. 2000)

Possible Cross References

1140, 1313, 4212.8, 4217.5, 4218.2, 4219.22, 4219.23, 9270

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Support Personnel

Series 4000

Grooming, Appearance, Dress & Conduct

Policy 4219.22

Date Adopted: January 24, 2002

Date Revised: February 25, 2010,
Aug. 11, 2022

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The Fairfield Township Board of Education expects all staff members to be neatly groomed and dressed in clothing suitable for the subject or instruction of work being performed.

Staff Dress Code Guidelines

Grooming and attire shall meet the following criteria during school hours:

1. Female staff members may wear dresses, suits, skirts or slacks with blouses or sweaters, slack ensembles or slack suits.
2. Male staff members may wear suits or slacks (collared shirts with or without ties); a turtleneck shirt or turtleneck sweater with or without a jacket is acceptable.
3. The clothing and appearance of all staff members must be clean and neat.
4. Physical Education, Science and Art teachers may wear clothing deemed appropriate for their instructional assignment and in their classrooms. All staff members may wear appropriate for special occasions such as, but not limited to the following:
 - Picnics
 - Nature Walks
 - Field Trips
 - Halloween Parties
 - Track Meets
5. All staff members are role models for students and therefore, hats and caps must be removed when entering our school buildings and offices. No clothing shall be worn by staff members that constitutes a danger to the health and/or safety to himself/herself or others, and no clothing may be worn that distracts and/or disrupts the instructional program. (Example: mini-skirts, see-through clothing)
6. The Building Principal and/or the staff member's supervisor shall determine whether a violation of this dress code has occurred and shall discuss in private, the violation with the staff member. Where a single violation so warrants or violations reoccur, the Principal or supervisor may enter a reprimand in the staff member's file. Upon the third letter of reprimand, the Building Principal or immediate supervisor may recommend more stringent disciplinary action such as, but limited to, the following:
 - Withholding of increment
 - Insubordination charges
7. A staff member may appeal the denial of a waiver of this dress code or the entry of a reprimand through the grievance procedure.
8. These guidelines shall be reviewed with various union and/or staff members at intervals of not less than three (3) years.

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Support Personnel Grooming, Appearance, Dress & Conduct

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Examples of Unacceptable Attire During School Hours

1. Torn and/or dirty clothing
2. Sneakers (except for medical reasons)
3. See-through clothing
4. Excessively tight/form-fitting clothing including leggings and stretch pants
5. Shirt or blouse buttons opened beyond the mid-point of the chest
6. Midriff, halter or tube tops
7. Painters pants or overalls
8. T-shirts or undershirts as outerwear
9. Clothing with obscene language/gestures
10. Sweatshirts, sweatpants and sweatsuits (exception – Physical Education)
11. Caps or hats in the building
12. Dark eyeglasses (except for medical reasons)
13. Distracting attire – mini-skirts or shorts that do not reach the knee
14. Dungarees, jeans (except during casual dress day, field trips, and other school-sponsored activities as permitted per the discretion of the Board and/or the Superintendent)

If a staff member feels that an exception to this policy would enable him/her to carry out assigned duties more effectively, a request shall be made to the Superintendent of Schools.

Conduct

The Board of Education expects that staff conduct to be that of appropriate role models for pupils.

When an employee, either within the schools or outside normal duties, creates conditions under which the proper operation of the schools is affected, the Board, upon recommendation of the Superintendent of Schools and in accordance with statutes shall determine whether such acts or act of actions constitute conduct unbecoming a school employee, and if so, will proceed against the employee in accordance with law.

Unbecoming conduct sufficient to warrant Board review may result from a single flagrant incident or from a series of incidents.

Legal References

- NJSA 18A:6-10 Dismissal and reduction in compensation of persons under tenure in public school system
18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc., employment thereunder
18A:54-20 Powers of board (county vocational schools)
Hicks v. Pemberton Bd. of Ed., 1975 S.L.D. 332
Quiroli v. Linwood Bd. of Ed., 1974 S.L.D. 1035
Carlstadt Teachers Ass'n v. Carlstadt Bd. of Ed., App. Div., unreported decision (docket no. A-1469-80-T4, decided March 26, 1982), 1982 S.L.D. 1448

Possible Cross References

4217.5, 4219.2, 4219.21, 4219.22, 4219.23, 4238, 6144

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Student/Staff Interaction

Policy 4219.221

Date Adopted: September 14, 2023

Date Revised:

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FTSD recognizes its responsibility to make and enforce all rules and regulations governing student and employee behavior to bring about the safest and most learning-conducive environment possible.

The District expects its staff to act in a manner that reflects professional, moral, and ethical practices within established boundaries. District staff members are expected to maintain an atmosphere conducive to learning, and interactions with students must be consistent with the educational mission of the District and legitimate educational purpose within the scope of the staff member's employment duties.

This administrative regulation addresses a range of behaviors that constitute improper interactions with students, including boundary blurring and grooming behavior that undermine the professional adult/student relationship that can lead to misconduct or the appearance of impropriety.

Therefore, all employees shall:

4. Communicate and interact with students in a manner that respects student rights to a safe and secure environment.
5. Maintain appropriate boundaries with students that are consistent with their role, duties, responsibilities, within accepted norms of behavior for the educational setting, and in a manner that a reasonable person would not interpret as inappropriate. Examples of boundary violations include but are not limited to the following:
 - a. Singling or seeking out a specific student which may create excessive emotional attachment for all parties or may be perceived as a "special relationship" or as acting in a "parental" role;
 - b. Entering into or attempting to form a flirtatious, romantic or sexual relationship with any student, regardless of the student's age;
 - c. Inappropriate physical contact with a student without a legitimate educational purpose, including grabbing, touching, tickling, stroking hair, cuddling, sitting on lap, etc. and or prolonged hugging; Note that legitimate purposes could include, but are not limited to, the following: assisting an injured student; assisting a student with special needs with toileting or other physical assistance; appropriate coaching instruction; appropriate performing arts instruction; or to protect the safety of students or staff;
 - d. Kissing of any kind;
 - e. Showing inappropriate images, photographs, videos or other content to a student;
 - f. Taking photographs or videos of students outside of district sponsored events or activities, or that do not have a specific educational purpose;
 - g. Telling sexual jokes or commenting about the physical attractiveness of students in a sexualized manner;
 - h. Giving or exchanging personal gifts, cards, and letters with an individual student for which it is directly or implicitly suggested that a student is to say or do something in return that does not have a legitimate educational purpose; and
 - i. Using student bathrooms.

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6. Understand that staff should not be alone with a single student and may only be alone with a single student on school premises during the normal school day when:
 - a. It is a requirement of the employee's position, role, duties, or responsibilities;
 - b. The employee's supervisor has deemed it educationally necessary and has authorized it in advance; and
 - c. The employee takes reasonable precautions to make sure that the interaction with the student is visible and/or audible to others.

6. Employees must obtain written approval in advance from their supervisor and the student's parent/guardian to engage in the following conduct:
 1. Participate in non-school-related extracurricular activities outside of school premises;
 2. Meet with students outside of the normal school day;
 3. Visit a student's home;
 4. Invite students to social events or activities off school premises;
 5. Transport a student alone in the employee's personal vehicle; and
 6. Conduct instruction outside of the normal school day or outside of school premises.

7. Employees must refrain from unauthorized and inappropriate communications, and avoid appearances of impropriety in communications with students. This restriction applies to all means of communication, including electronic mail, texting and online interactions.

Factors that may be considered in determining whether communication is inappropriate include but are not limited to:

1. Use of the employee's personal social media or communication platforms to communicate with students, including "friending" or "following" IUSD students, even if they are adult students;
2. The subject, content, purpose, authorization, timing, and frequency of communications;
3. If the content of communication is sexual in nature or sexually explicit;
4. Use of a platform that automatically erases communications or provides features that are intended to hide or alter communication history;
5. Actions taken by the employee intended to delete or alter records of the interaction(s) with the student; and
6. If the communication is not related to homework, school work, or some other legitimate school business.

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Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student.

For purposes of this policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff, or other persons or to prevent damage to property.

For clarification purposes, the following examples are offered for direction and guidance of school personnel:

C. Examples of PERMITTED actions (NOT corporal punishment)

1. Stopping a student from fighting with another student;
2. Preventing a pupil from committing an act of vandalism;
3. Defending yourself from physical injury or assault by a student;
4. Forcing a pupil to give up a weapon or dangerous object;
5. Requiring an athletic team to participate in strenuous physical training activities designed to strengthen or condition team members or improve their coordination, agility, or physical skills;
6. Engaging in group calisthenics, team drills, or other physical education or voluntary recreational activities.

D. Examples of PROHIBITED actions (corporal punishment)

1. Hitting, shoving, pushing, or physically restraining a student as a means of control;
2. Making unruly students do push-ups, run laps, or perform other physical acts that cause pain or discomfort as a form of punishment;
3. Paddling, swatting, slapping, grabbing, pinching, kicking, or otherwise causing physical pain.

Acceptable and Unacceptable Staff/Student Behavior

This policy is intended to guide all School faculty and staff in conducting themselves in a way that reflects the high standards of behavior and professionalism required of school employees and to specify the boundaries between students and staff.

Although this policy gives specific, clear direction, it is each staff member's obligation to avoid situations that could prompt suspicion by parents, students, colleagues, or school leaders. One viable standard that can be quickly applied, when you are unsure if certain conduct is acceptable, is to ask yourself, "Would I be engaged in this conduct if my family or colleagues were standing next to me?"

For the purposes of this policy, the term "boundaries" is defined as acceptable professional behavior by staff members while interacting with a student. Trespassing the boundaries of a student/teacher relationship is deemed an abuse of power and a betrayal of public trust.

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Some activities may seem innocent from a staff member's perspective, but can be perceived as flirtation or sexual insinuation from a student or parent's point of view. The objective of the following lists of acceptable and unacceptable behaviors is not to restrain innocent, positive relationships between staff and students, but to prevent relationships that could lead to, or may be perceived as sexual misconduct.

Staff must understand their own responsibility for ensuring that they do not cross the boundaries as written in this policy. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes. Thus, it is crucial that all employees learn this policy thoroughly and apply the lists of acceptable and unacceptable behaviors to their daily activities. Although sincere, competent interaction with students certainly fosters learning, student/staff interactions must have boundaries surrounding potential activities, locations and intentions.

Duty to Report Suspected Misconduct

When any employee becomes aware of another staff member having crossed the boundaries specified in this policy, he or she must speak to this staff member if the violation appears minor, or report the matter to school administrators. If the observed behavior appears significant, it is the duty of every staff member to immediately report it to an administrator. All reports shall be confidential. It is the duty of the designated administrator and/or Superintendent to investigate and thoroughly report the situation. Employees must also report to the administration any awareness or concern of student behavior that crosses boundaries or where a student appears to be at risk for sexual abuse.

Unacceptable Staff/Student Behaviors (Violations of this Policy)

- Kissing of ANY kind.
- Any type of unnecessary physical contact with a student in a private situation.
- Intentionally being alone with a student away from the school.
- Making or participating in sexually inappropriate comments.
- Listening to or telling sexual jokes or jokes and/or comments with sexual double-entendre.
- Seeking or offering emotional involvement (which can include intimate attachment) with a student beyond the normative care and concern required of an educator.
- Listening to or telling sexually-oriented stories.
- Discussing staff's personal troubles or intimate issues with a student, especially in an attempt to gain their support and understanding.
- Becoming involved with a student so that a reasonable person may suspect inappropriate behavior.
- Remarks about the physical attributes or physiological development of anyone outside of an academic discussion that is part of a course curriculum.
- Sending electronic communications, such as chats, e-mails, text messages, pictures, social media instant or direct messages or responses, or letters to students if the content is not about school activities.
- Being alone in a room with a student at school and with the door closed, unless otherwise required as part of a state-mandated privileged conversation (such as a school counselor, school psychologist, school nurse, mental health professional).
- Involving students in non-educational or non-school related issues, including, but not limited to, the employee's employment issues.

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- Using profanity with or to a student.
- Being “friends” with a student on any personal or non-School social media website.
- Allowing students in your home without signed parent permission for a pre-planned and pre-communicated educational activity which must include another educator, parent, or other responsible adults.
- Giving students a ride to/from school or school activities without parent permission, or outside of a legally mandated purpose.

Acceptable and Recommended Staff/Student Behaviors

- Obtaining parents’ written consent for any after-school activities on or off campus.
- Obtaining formal written approval (from school site and parents) to take students off of school property for activities such as field trips or competitions.
- Engaging in communication with students that is professional, pertains to school activities or classes, and is easily accessible to the minor student’s parent or legal guardian.
- Keeping the door open when alone with a student.
- Keeping a reasonable space between you and your students.
- Stopping and correcting students if they cross your own personal boundaries.
- Refer students to the appropriate staff person that is trained to address their particular concerns.
- Be aware of the legally protected confidentiality rights of students and parents.
- Keeping staff supervisor and student’s parents informed when a significant issue develops about a student.
- Keeping after-class discussions with a student professional and brief.
- Asking for advice from senior staff or administrators if you find yourself in a difficult situation related to Boundaries.
- Involving your supervisor if a conflict arises with a student.
- Informing your supervisor about situations that have the potential to become more severe.
- Making detailed notes about an incident that could evolve into a more serious situation later.
- Recognizing the responsibility to stop unacceptable behavior of students and/or co-workers.
- Asking another staff member to be present if you will be alone with any student.
- Asking another staff member to be present, or within close supervisory distance, when you must be alone with a student after regular school hours.
- Giving students praise and recognition without touching them.
- Keeping your professional conduct a high priority during all moments of student contact.
- Asking yourself if any of your actions, which go contrary to these provisions, are worth sacrificing your job and career.

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District employees should use appropriate discretion when using social networks and communication platforms for personal communications and should limit this activity to off-duty hours and the use of their personal electronic communication devices. Information posted online, despite privacy protections, can be exposed to unintended recipients. To avoid jeopardizing their professional effectiveness, employees are encouraged to familiarize themselves with the privacy policies, settings, and protections on any social networking websites or communication platforms to which they choose to subscribe.

Exceptions

There may be an occasion when an emergency or unforeseen circumstance may result in a deviation from professional boundaries set out in this policy. In such an event, the adult shall be prepared to provide support and justification for any deviation from the requirements of the Board Policy and this Administrative Regulation and must demonstrate that he/she has maintained an appropriate relationship with the student.

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Substance Abuse: Drugs, Steroids & Alcohol

Policy 4219.23

Date Adopted: May 21, 1997

Date Revised: August 18, 1997, February 25, 2010

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The Board of Education recognizes that the misuse of drugs, steroids, and alcohol is a serious problem with enormous impact upon the welfare of the entire school community. The Board is committed to the prevention of drug, steroid, and alcohol abuse and rehabilitation of drug, steroid, and alcohol abusers and implementation of an effective drug, steroid, and alcohol awareness program for staff members, as well as providing special assistance for addicted staff. The Board desires to utilize positive approaches in dealing with these problems but will resort to necessary and appropriate steps to protect the school community from harm caused by exposure to drugs, steroids, and alcohol abuse.

Adoption of Policies and Procedures

- B. The Board hereby adopts these policies and procedures for the discipline, evaluation and treatment of staff members who possess, consume or who, on reasonable grounds, are suspected of being under the influence of the following substances in the work site.
 - 1. All controlled dangerous substances as identified and prohibited in N.J.S.A. 24:21-1
 - 2. All chemicals and/or chemical compounds which release toxic vapors as defined in N.J.S.A. 27A:170-25.9 and N.J.S.A. 2C:98-3
 - 3. All alcoholic beverages.
 - 4. Anabolic steroids
- C. Guidelines – All Employees
 - 1. For the purpose of this policy “worksite” shall include any school building, or any school premises, or any school-approved vehicle used to transport students to and from school or school activities. Worksite also includes off school property during any school sponsored or school approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the school district.
 - 2. The unlawful manufacture, distribution, dispensing, possession of, use of or sale of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, steroid, or any other controlled substance on or in school worksites is prohibited. Any violation may subject an employee to participation in a drug rehabilitation program and disciplinary action including but not limited to non-renewal, suspension, or termination at the discretion of the Board of Education.
 - 3. The use of alcoholic beverages in school worksites is prohibited. Violations of this prohibition may subject an employee to disciplinary action that may include but is not limited to non-renewal, suspension, or termination at the discretion of the Board.
 - 4. The Board of Education, as a result of criminal convictions of any criminal drug statute violation by an employee occurring outside of the worksite, may discipline

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- said employee. Disciplinary action may include, but not be limited to non-renewal, suspension, or termination at the discretion of the Board.
5. The Superintendent of Schools shall establish a drug-free awareness program that includes notice of the dangers of drug abuse in the workplace and available drug counseling programs and shall distribute this information to all employees annually. New employees shall be provided with a copy of this information prior to beginning work assignments.
 6. The Superintendent of Schools with the Board shall establish standards of staff conduct to include disciplinary sanctions required when staff members violate Board policies related to drug, steroid, and alcohol abuse. All disciplinary sanctions shall be implemented within the framework of the employees' contractual rights and due process. All employees shall be provided with a copy of this information annually.
 7. Nothing in this policy shall be construed in any way to authorize or require the transmittal of any information or records that are in the possession of a substance-abuse counseling or treatment program include, but not limited to, the school districts own substance-abuse programs.
 8. All information concerning a staff member's involvement in a school intervention or treatment program shall be kept strictly confidential. See 42 C.F.R. 2 and N.J.A.C. 6:3-6.6.
 9. The Superintendent of Schools will ensure that all district employees receive annual in-service training to make them aware of their responsibilities in accordance with Board policies and N.J.A.C. 6:3-6.3 et seq.
 10. The Board will review annually the effectiveness of these policies and the Memorandum of Agreement entered into with the appropriate law enforcement agency. As part of this review, the Board will consult with the County Superintendent of Schools, local community members, and the County Prosecutor's office.
 11. The policies and procedures contained herein shall be made available to all staff on an annual basis.

D. Work Performance in Connection with a Federal Grant

In order for the school district to qualify for any direct federal grant, the district must certify that it will provide a drug-free workplace and maintain a good faith effort to continue to maintain a drug-free workplace. To this end, employees engaged in school worksites as a result of federal grant monies shall in addition to complying with requirements of the programs shall be in strict compliance with this policy.

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Substance Abuse: Drugs, Steroids & Alcohol

Series 4000

Policy 4219.23

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The Superintendent of Schools shall notify all employees that they are to notify their respective supervisors of convictions of any criminal drug statute violation occurring in the workplace. Employees must notify their supervisors no later than five days after such conviction. To be in compliance, the district must notify the federal grant program of such conviction within 10 days of receipt of said conviction.

Legal References

- NJSA** 2C:33-16 Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
2C:35-1 et seq. Comprehensive Drug Reform Act of 1987
18A:11-1 General mandatory powers and duties
18A:16-2 Physical examinations; requirement
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:36-32 Cigarette coin-operated vending machines; operation, installation or maintenance on property used for school purposes; fine
18A:54-20 Powers of board (county vocational schools)
26:3D-55 et seq. New Jersey Smoke-Free Air Act
- NJAC** 6A:16-6.3 Reporting students or staff members to law enforcement authorities
6A:16-6.5 Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs
6A:26-12.2(a)4 Policies and procedures for school facility operation
- New Jersey Constitution, Art. IV, § VII, par. 2 Anti-Drug Abuse Act of 1988
Drug-Free Workplace Act of 1988
A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Bayonne Teachers' Assoc v BOE, City of Bayonne Office Admin Law
Fairlawn Education Assoc v Fairlawn BOE 79 NJ 574 (1979)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1330, 1410, 3515, 4117.5

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Drug-Free Workplace

Policy 4219.232

Date Adopted: February 25, 2010

Date Revised:

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The Board of Education prohibits the unlawful manufacture, distribution, dispensing, possession or use of any controlled dangerous substance by any person in any school building, on school grounds, or during any activity or event sponsored by the Board.

Every employee of this district must, as a condition of employment, agree to be bound by this policy. An employee who violates the prohibitions or reporting requirements of this policy will be subject to discipline, which may include dismissal, or certification of tenure charges, as appropriate. An employee whose involvement with drugs results in a conviction for a crime of the third degree or above or for an offense touching his/her position will be deemed to have forfeited his/her public employment, pursuant to N.J.S.A. 2C:51-2.

An employee who is convicted of a drug-related offense must report the conviction to the Superintendent of Schools within five days of its occurrence. The Superintendent of Schools will report the conviction, within ten days of the date on which notice of the conviction is received, to any federal agency from which the district has received funds through a grant.

The Board directs the Superintendent of Schools to establish and maintain a program to:

1. Alert employees as to the dangers of drug abuse in the workplace;
2. Inform employees of the prohibitions against drugs set forth in this policy;
3. Inform employees of available drug counseling, rehabilitation, and assistance programs;
and,
4. Warn employees of the penalties that may be imposed for violations of prohibitions set forth in this policy.

The Board will report to law enforcement officials and prosecute as appropriate any employee or visitor who violates the prohibitions of this policy. A pupil who violates this policy will be treated in accordance with law.

This policy will be distributed to each district employee, including all those engaged in the performance of services under a federal grant, and will be prominently posted in the district.

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Policy 4219.232**

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Legal References

- NJSA** 2C:33-16 Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
2C:35-1 et seq. Comprehensive Drug Reform Act of 1987
18A:11-1 General mandatory powers and duties
18A:16-2 Physical examinations; requirement
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:36-32 Cigarette coin-operated vending machines; operation, installation or maintenance on property used for school purposes; fine
18A:54-20 Powers of board (county vocational schools)
26:3D-55 et seq. New Jersey Smoke-Free Air Act
- NJAC** 6A:16-6.3 Reporting students or staff members to law enforcement authorities
6A:16-6.5 Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs
6A:26-12.2(a)4 Policies and procedures for school facility operation
- New Jersey Constitution, Art. IV, § VII, par. 2 Anti-Drug Abuse Act of 1988
Drug-Free Workplace Act of 1988
A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Bayonne Teachers' Assoc v BOE, City of Bayonne Office Admin Law
Fairlawn Education Assoc v Fairlawn BOE 79 NJ 574 (1979)
Drug-Free Workplace Act of 1988, P.L. 100-690
34 CRF 85.600 et seq.
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1330, 1410, 3515, 4117.5

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Political Activities

Policy 4219.24

Date Adopted: February 25, 2010

Date Revised:

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

- A. A staff member shall not engage in political activity on school premises.
- B. A staff member shall not post political circulars or petitions on school premises nor distribute such circulars or petitions to pupils nor solicit campaign funds or campaign workers on school premises.
- C. A staff member shall not display any material that would tend to promote any candidate for office on an election day in a school facility that is used as a polling place.

A staff member who is a member of the State Legislature or the County Board of Chosen Freeholders is entitled by law to time off from school district duties, without loss of pay, during the time the member attends meetings of the Legislature or Board of Chosen Freeholders or any committee of those bodies. No other staff member who holds elective or appointive office is so entitled, except as such time off may be provided for by the Board policy or negotiated agreement.

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

Legal References

- NJSA 18A:6-8.1 Leave of certain employees to serve in legislature
18A:6-8.1 Leave of certain employees to serve on board of chosen freeholders
18A:6-8.4 Right to hold elective or appointive state, county or municipal office

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**Acceptable Use of Computer Network(s) / Computers,
E-mail, Social Networks & Other Forms of Electronic
Communications by Support Staff Members**

Policy 4219.26

Date Adopted: September 25, 2008

Date Revised: February 25, 2010, October 23, 2014

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The Board of Education recognizes that as telecommunications and other new technologies shift the manner in which information is accessed, communicated and transferred that those changes will alter the nature of teaching and learning. Access to telecommunications will allow staff members to explore databases, libraries, Internet sites, bulletin boards and the like while exchanging information with individuals throughout the world. The Board supports access by staff members to information sources but reserves the right to limit in-school use to materials appropriate to educational purposes. Then Board directs the Superintendent of Schools to provide training of staff members in skills appropriate to analyzing and evaluating such resources as to appropriateness for educational purposes.

The Board also recognizes that telecommunications will allow staff members access to information sources that have not been pre-screened using Board-approved standards. The Board therefore adopts the following standards of conduct for the use of computer network(s) and declares unethical, unacceptable, inappropriate or illegal behavior as just cause for taking disciplinary action, limiting or revoking network access privileges, instituting legal action or taking other appropriate action as deemed necessary.

The Board provides access to network(s)/computers for educational purposes only. The Board retains the right to restrict or terminate staff members' access to the computer network(s)/ computers at any time, for any reason. The Board retains the right to have the Superintendent of Schools/designee monitor network activity in any form necessary to maintain the integrity of the network(s) and ensure its proper use.

Standards for Computer Network(s)

Any individual engaging in the following actions declared unethical, unacceptable or illegal when using computer network(s)/computers shall be subject to discipline or legal action:

1. Using the computer network(s)/computers for illegal, inappropriate or obscene purposes, or in support of such activities. Illegal activities are defined as activities that violate federal, state or local laws and regulations. Inappropriate activities are defined as those that violate the intended use of the network(s). Obscene activities shall be defined as violation of generally accepted social standards for use of publicly owned and operated communication vehicles.
2. Using the computer network(s)/computers to violate copyrights, institutional or third-party copyrights, license agreements or other contracts.

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3. Using the computer network(s) in a manner that:
 - Intentionally disrupts network traffic or crashes the network(s);
 - Degrades or disrupts equipment performance;
 - Uses the computing resources of the school district for commercial purposes, financial gain or fraud;
 - Steals data of other intellectual property;
 - Gains or seeks unauthorized access to the files of others or vandalizes the data of another user;
 - Gains or seeks unauthorized access to resources or entities;
 - Forges electronic mail messages or uses an account owned by others;
 - Invades the privacy of others;
 - Posts anonymous messages;
 - Possesses any data that is a violation of this policy; and/or,
 - Engages in other activities that do not advance the educational purposes for which computer network(s)/computers are provided.

District computers, computer networks, email resources, etc. are to be used for educational purposes only. Specifically prohibited are online shopping, blogging, fantasy sports, social networks and other non-educational uses.

Electronic Communication

School district personnel shall adhere to the following guidelines when sending or receiving messages via district owned or issued devices and the district network:

- A. All messages shall pertain to legitimate school business;
- B. Personnel shall not reveal district issued passwords to others. If a staff member believes that a password has been lost or stolen, or that email has been accessed by someone without authorization, he/she must contact the supervisor for technology or the principal;
- C. District administrators shall have access to the employee's password or passwords for all district owned or issued devices and the use of the district network;
- D. Electronic messages on school owned or issued electronic devices and the district network shall be retained for the period of time specified by the Destruction of Public Records Law and Board policy;
- E. Federal copyright laws shall be observed;
- F. Staff shall not send messages that contain material that:

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- May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
 - Violates the district's affirmative action policies;
 - Is personal in nature and not related to the business of the district;
 - Can be interpreted as provocative, flirtatious or sexual in nature;
 - Is confidential and not authorized for distribution;
 - Violates Board Policy on Harassment, Intimidation and Bullying.
- G. Personnel shall become familiar with the district's policies and regulation on staff and student access to networked information resources and acceptable use of technology before initiating email use;
- H. Employees learning of any misuse of the email systems shall notify the supervisor for technology, principal or Superintendent of Schools immediately.

Online Education

An online classroom is still a classroom. Though courses and/or assigned programs of home instruction may be online, appropriate classroom behavior is still mandatory. Respect for the participants is essential for learning and student achievement.

Staff communications with students during online education will be limited to legitimate school business as set forth under cell phones, text messages and electronic communication, above. Professional standards and etiquette shall be observed at all times.

Social Networking Websites

The Superintendent of Schools/designee will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the on-line, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process. The orientation and reminders will give special emphasis to:

1. Improper fraternization with students using social networking websites on the internet:
 - Staff members may not list current students as "friends" on networking sites;
 - Staff members are not to engage in "friending" or otherwise communicating with students on social networking sites such as Facebook, MySpace and other social networking sites;

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- All e-contacts with students should be through the district's computer and telephone system;
 - All contact by coaches with team members shall be sent to all team members;
 - Staff members will not give out their private cell phone or home phone numbers without prior approval of the district;
 - Inappropriate contact via e-mail or phone is prohibited;
2. Inappropriateness of posting items with sexual content;
 3. Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol;
 4. Examples of inappropriate behavior from other districts, as behavior to avoid;
 5. Monitoring and penalties for improper use of district computers and technology;
 6. The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct.
 7. Conduct violations include but are not limited to: discussing or posting statements in a negative or detrimental context regarding the district, the school, other staff members, students, parents, relations between the school and the community, etc.

The Superintendent of Schools/designee will periodically conduct Internet searches to see if staff members have posted inappropriate materials on-line. When inappropriate use of computers and websites is discovered, the Superintendent of Schools/designee will download the offensive material and promptly bring that misconduct to the attention of the board's personnel committee for review.

Cell Phones

As a general rule, school staff shall not contact students' cell phones unless directed to do so by the parent/guardian or student. School district personnel shall limit cell phone interaction with students to contact that pertains to legitimate school business.

Legitimate school business includes (but is not limited to):

- A. Answering academic inquiries regarding homework, other classroom work or assignments;
- B. Scheduling appointments for school related conferences and/or extra help;
- C. Clarifying classroom expectations and/or assignments;
- D. Notifications related to classroom, club or sports schedules, events, trips, assignments, and deadlines.

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Cell phone contact with students shall be as brief and direct as possible. When brief contact is not sufficient and/or feasible to resolve the matter, where appropriate, staff members shall schedule face-to-face conferences during regular classroom and extra-help periods to confer with the student. No cell phone contact shall exceed three replies.

Text Messages

Any text messages by staff members, coaches and volunteers shall, as a general rule, be sent to the entire class, team, club or organization and not to any student individually. Exceptions may include situations involving confidential medical issues, emergencies or individual issues not involving the entire group. Staff shall not send messages containing material that:

- A. May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
- B. Violates the district's affirmative action policies;
- C. Is personal in nature and not related to the business of the district;
- D. Can be interpreted as provocative, flirtatious or sexual in nature;
- E. Is confidential information and not authorized for distribution;
- F. Violates Board Policy on Harassment, Intimidation and Bullying.

Implementation

This policy shall be made available electronically or otherwise disseminated to all staff members, annually or as needed.

Violations

Individuals violating this policy shall be subject to appropriate disciplinary actions as defined by Board Policy and the district disciplinary code(s) that includes but is not limited to:

1. Use of network(s)/computers only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;
5. Revocation of computer privileges;
6. Suspension;
7. Dismissal;
8. Legal action and prosecution by the authorities; and/or,
9. Any appropriate action that may be deemed necessary by the Superintendent of Schools and approved by the Board of Education.

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Implementation

This policy shall be distributed annually to all staff members.

NJSA 2A:38A-1 et seq Computer system
2C:20-25 Computer-related theft
18A:7A-11 Reports by school districts
18A:6-10 Dismissal and reduction in compensation of persons under tenure
18A:11-1 General mandatory powers and duties
18A 27-4 Power of boards of education to make rules governing employment of
teacher, etc.; employment thereunder
18A:36-35 School Internet web sites; disclosure of certain student information
prohibited

Hicks v. Pemberton Bd of Ed 1975 SLD 332

Quiroli v. Linwood Bd of Ed 1974 SLD 1035

Carlstadt Teachers Ass'n v. Carlstadt Bd of Ed App. Div. unreported decision
(Docket no. A-1469-80-T4, decided March 26, 1982) 1982 SLD 1448

N.J. v. T.L.O. 469 U.S. 325 (1985)

O'Connor v. Ortega 480 U.S. 709 (1987)

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

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1111, 3514, 4117.50, 4118.2, 4119.2, 4119.21, 4119.22, 4119.23, 4119.24, 4138,
4138.2, 5114, 5124, 5131, 5131.5, 5142, 6142.10, 6144, 6145.3, 6161

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Cell Phones & Other Electronic Devices

Policy 4219.27

Date Adopted: February 25, 2010

Date Revised: September 3, 2014,
September 14, 2023, January 8, 2024

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Staff members are not permitted to use personal cell phones or other portable electronic communications devices while performing their assigned duties (class time, duty periods) and during school related.

During school meetings, personal cell phones are to be turned off and not used.

At no time are personal cell phones permitted to be used while operating district owned, leased or contracted vehicles.

Personal cell phones may be used during planning periods, staff lunches, emergency situations and /or before and after the regular workday.

Legal References

- NJSA 2C:33-19 Possession of remotely activated paging devices on school property, disorderly persons offense
- 18A:11-1 General mandatory powers and duties

- NJAC 6A:16-5.8 Remotely activating paging devices

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Temporary & Part-Time Personnel

Policy 4220

Date Adopted: February 25, 2010

Date Revised:

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The Fairfield Township Board of Education has the responsibility to employ such persons as may be needed to conduct the business of the school district. Such employment requires the official action of the Board.

The Board recognizes that there are times when extraordinary conditions warrant that the Superintendent of Schools hire temporary personnel in advance of official action by the Board in order to ensure the continuity of the district's functions and programs.

Legal References

NJSA 18A:16-1.1. May appoint temporary officers and employees
18A:11-1 General mandatory powers and duties

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Probationary Period for New Employees

Policy 4221

Date Adopted: February 25, 2010

Date Revised:

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All newly employed staff in the following classifications shall be employed for a probationary period of 60 calendar days, or less, at the discretion of the Board:

- A. Secretaries and clerks
- B. Aides
- C. Maintenance and grounds personnel
- D. Custodians
- E. Such other classifications as the Board may establish

During the probationary period such employees shall be considered “temporary”.

The “date of hire” of any employee shall be the first day the employee reports to work for the probationary period.

Legal References

NJSA 18A:6-7.1 through -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
18A:16-1.1 May appoint temporary officers and employees
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:27-4.1 Appointment, transfer, removal, or renewal of officers and employees; exceptions
18A:29-16 Emergency certificates; day-by-day basis substitute

NJAC 6A:9-6.5 County substitute credential
6A:32-6.1 et seq. School Employee Physical Examinations

8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986
Sayreville Education Ass'n v. Sayreville Bd. of Ed., App. Div., unreported decision (docket no. A-4899-82T2, decided April 12, 1984)
Lammers v. Bd. of Ed. of Borough of Point Pleasant, Ocean County, S/B (June 5, 1991)
Manual for the Evaluation of Local School Districts New Jersey Quality Single
Accountability Continuum (NJQSAC)

Possible Cross References

4211, 4212.2, 4212.4

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Instructional / Non-Instructional Aides

Policy 4223

Date Adopted: February 25, 2010

Date Revised:

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The Board, within its financial means, may hire aides as recommended by the Superintendent of Schools.

It is the responsibility of the classroom teacher to plan for any teacher aide's constructive involvement with the class. The primary benefit must be to the pupils. Classroom aides shall be under the supervision of the classroom teacher. Non-instructional aides shall be under the supervision of appropriate personnel as assigned by the Superintendent of Schools.

All aides shall be required to comply with the provisions of the law regarding health and security checks.

In accordance with federal law, the Superintendent of Schools shall establish procedures to release information, upon request, regarding the qualifications of classroom aides to parents/guardians for any classroom aide who is employed by any school receiving Title I funds and who provides instructional assistance to their children.

Qualification of Classroom Aides in Title I Schools

All classroom aides hired in schools that receive Title I funds shall be qualified in accord with federal law. All such classroom aides must have a high school diploma or its equivalent. All such classroom aides hired after January 8, 2002, except those working as translators or solely in conducting parent involvement activities, also must meet at least one of the following criteria:

- C. Completed at least 60 credits at an institution of higher education and
- D. Be eligible for and obtain a certificate as a county substitute teacher.

Legal References

- NJSA 18A:6-7.1 through -7.5 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
- 18A:11-1 General mandatory powers and duties
- 18A:16-2 through -5 Physical examinations; requirement
- 18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:32-6.1 et seq. School Employee Physical Examinations
- 6A:32-4.7 Approval of paraprofessional staff
- 8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986
- No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible Cross References

3541.1, 3542, 4212.4, 4215, 4216, 4221, 5131, 6162.4

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Series 4000

**Staff Development; In-service
Education / Visitations, Conferences**

Policy 4231/4231.1

Date Adopted: February 25, 2010

Date Revised:

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The Board of Education recognizes its legal obligation to provide in-service activities to further the ability of the staff to progress toward achievement of district goals and objectives.

The Superintendent of Schools shall develop a comprehensive management system for staff improvement and shall assist staff members in the area of professional improvement by providing relevant information regarding workshops, professional meetings and course offerings.

Staff participation that may require release time and/or financial reimbursement will be decided by the Superintendent of Schools.

Upon return from the meeting, conference, clinic, etc., the staff member will be asked to present a written report to the Superintendent of Schools of the activity and any other information that might be used in the District, or shared with other staff members.

Mandated In-service Programs

The Superintendent of Schools shall arrange development of appropriate in-service presentations, seminars and/or workshops on equity issues, special education, child abuse and neglect, drug/alcohol abuse awareness, handling blood and body fluids, possible hazardous substances in the workplace, crisis response, school violence and other topics specifically required by federal or New Jersey law.

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**Staff Development: In-service
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Legal References

- NJSA** 18A:7A-11 Annual report of local school district; contents
18A:7A-11e improvement of basic skills
18A:17-46 Act of violence; report by school employee; notice of action taken; annual report
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder
18A:30-7 Power of boards of education to pay salaries
18A:31-2 Attendance at conventions of New Jersey Education Association
18A:40A-3 Initial inservice training programs; curriculum
34:5A-10 Retention of workplace surveys
34:5A-13 Employee education and training program; certification of instructors
- NJAC** 6A:7-1.6 Professional development
6A:14-1.2(b)13 District eligibility for assistance under IDEA Part B
6A:15-1.8 Inservice training
6A:9-15.1 et seq. Required Professional Development for Teachers
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing
Efficiency in Abbott School Districts
6A:16-1.1et seq. Programs to Support Student Development
6A:16-11.1et seq. Reporting Allegations of Child Abuse and Neglect
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-4.1 Employment of teaching staff
6A:32-4.4 Evaluation of tenured teaching staff members
6A:32-4.5 Evaluation of nontenured teaching staff members
- No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
The Comprehensive Equity Plan, New Jersey State Department of Education
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

4215, 4216, 4233, 4231/4231.1, 5131.6, 5141, 6142.2, 6171.3, 6171.4

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Job Expenses

Policy 4233

Date Adopted: February 25, 2010

Date Revised:

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The Board of Education may provide for the reimbursement of the actual and necessary expenses, including travel expenses incurred by an employee in the course of the performance of his or her duties for the district, with the prior approval of the Superintendent of Schools and in accordance with Policy 3335 – Travel Expenses.

Each request for the reimbursement of expenses shall detail the reasons for the expenditure, including a full itemization of expenses. The request should also include any and all receipts for such expenditures.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

Possible Cross References

3335

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Work Stoppages

Policy 4235.16

Date Adopted: February 25, 2010

Date Revised:

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In the event of an emergency brought about by a job action, including a strike, by any employee group, it shall be the policy of the Board of Education to make every effort to keep schools open and to carry out its obligation under New Jersey state law; Title 18A, to educate the children of the community.

Since there is no authorization in law for job actions, and since actions are constitutionally prohibited, including strikes, by public employees, it shall be the policy of the Board, in the event of any job action, including a strike or any other act that withholds employee services from the Board, to take appropriate legal action to deal with such a matter.

In emergency situations under this policy, all usual policy adoption procedures shall be suspended for the duration of the emergency, and the Board may adopt policies on first reading to enable the Board to maintain operation of the schools and the safety and welfare of the community, pupils and employees.

The Superintendent of Schools or his designee shall have the authority to take such immediate emergency steps as he deems necessary to ensure the safety and well being of pupils and employees and to protect the property of the district.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

Possible Cross References

6144

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Soliciting & Selling

Policy 4237

Date Adopted: February 25, 2010

Date Revised:

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No employee of the Board of Education may solicit or sell products for personal gain within the school while under active contract.

No employee of the Board of Education may distribute or solicit for the sale of any product or service for any commercial enterprise except for fund raisers that have been approved in advance by the Board of Education.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

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Non-School Employment

Policy 4238

Date Adopted: October 30, 1997

Date Revised: February 25, 2010

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School employees shall not engage in outside activities or perform any services other than those assigned or allowed by the district during the contractual hours of the prescribed school day.

No outside work by a staff member shall prevent him/her from properly performing assigned functions during duty hours or be prejudicial to his/her work effectiveness.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:12-24 et seq Prohibited acts
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

NJAC 6A:28-1.1 et seq School Ethics Commission

Possible Cross References

3514, 4219.21, 4238.2

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Support Personnel

Series 4000

Exclusion of Employees for Reasons of Illness

Policy 4241.2

Date Adopted: February 25, 2010

Date Revised:

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Communicable Diseases-Exclusion from School (Pupils and Employees)

It is sometimes necessary to exclude from school individuals who are ill or who have been exposed to a communicable disease or whose presence is detrimental to the health or cleanliness of others. The Board of Education therefore, implements this policy.

The school nurse shall instruct the teachers at the beginning of the school year, or when designated by the Board of Education about the methods employed to detect the first signs of communicable diseases and the recognized measures for the promotion of health and prevention of disease. In addition, the school nurse will instruct those teachers from whose classrooms a pupil has been excluded about the symptoms of the disease for which the pupil was excluded.

No teacher shall attempt to diagnose any illness of a pupil but shall refer suspected cases to the nurse.

Any staff member who appears to be ill or who is suspected of having a communicable disease shall be excluded from school or isolated at school to await instructions from the school physician, and/or the school nurse.

Where there is evidence of departure from the normal health of any staff member, or if the staff member has been exposed to a communicable disease, or if the presence of the staff member in the school is detrimental to the health or cleanliness of the pupils or staff members in the school:

- A. The Superintendent of Schools or administrative designee, upon the recommendation of the school nurse or school physician, may exclude the staff member from the school.
- B. In the absence of the school nurse or school physician, the Superintendent of Schools/designee designee may exclude the staff member from the school. In that event, the person making the exclusion must immediately notify the Superintendent of Schools.

A staff member retained at home or excluded from school shall not be readmitted to school until written evidence is presented of being free of the reason for the exclusion. Such evidence may be by a qualified physician, or school physician who has examined the staff member.

The rules of the local Board of Health or State Department of Health, New Jersey State Board of Education, or in the absence of these, the rules of the school physician pertaining to communicable disease shall apply in determining periods of incubation, communicability, quarantine, and reporting.

No staff member who is a member of a household in which a person is suffering from or has been exposed to smallpox, diphtheria, scarlet fever, whooping cough, yellow fever, typhus fever, cholera, or measles, shall attend any public school during such illness, or until the attending physician, Board of Health, or school physician has certified that all danger of communicating the disease by the staff member has passed.

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Exclusion of Employees for Reasons of Illness

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The school physician, and/or the school nurse, shall report all cases of communicable diseases to the local, county, or state Board of Health. The Superintendent of Schools will also inform the County Superintendent of Schools.

Legal References

NJSA 18A:16-2 Physical examinations; requirement
18A:16-4 Sick leave; dismissal
18A:16-4 Records of examinations
18A:40-6 et seq Health measures in general
26:4-6 Prohibiting attendance
26:4-15 Reporting of communicable diseases

NJAC 6A:16-2.2 Required health services
6A:16-2.3 Health services personnel
8:57 Reportable communicable diseases
8:61-1.1 Attendance at school by pupils or adults infected by Human Immuno-deficiency Virus (HIV)

Possible Cross References

1410, 4112.4, 4131/4131.1, 4212.4, 5113, 5131.6, 5141, 5141.1, 5141.4

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Employee Safety

Policy 4247

Date Adopted: October 30, 1997

Date Revised: February 25, 2010

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Through its overall safety program and various policies pertaining to school personnel the Board shall seek to ensure the safety of employees during working hours.

The Board shall be vigorous in maintaining safe working conditions for employees. It shall expect employees to follow all established safety rules and regulations, such as those pertaining to the use of safety equipment, the wearing of safety clothing and protective eye devices where appropriate, and the lifting and shifting of heavy weights.

Accidents must be reported immediately to the nurse or the supervisor if the nurse is not available. An accident investigation report must be submitted in detail to the Superintendent of Schools' office by the following working day.

Legal References

NJSA 2C:7-1 et seq. Registration of sex offenders; definition; requirements
18A:16-2 Physical examinations; requirement
18A:40-12.1 Protective eye devices required for teachers, pupils and visitors in certain cases
18A:40-12.2 Rules prescribing kinds, types and quality of devices
34:5A-1 et seq. Worker and Community Right to Know Act
34:6A-25 et seq. New Jersey Public Employees' Occupational Safety and Health Act
34:19-1 et seq. Conscientious Employee Protection Act

NJAC 6A:26-12.5 Eye protection in schools
6A:32-12.1(a) Reporting requirements
12:100-4.2 Safety and Health Standards for Public Employees (Adoption by reference)

29 CFR 1910.1030 - Bloodborne Pathogen Standard
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3510, 3516, 4211.1, 4212.4, 5142

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**Exposure Control HIV / HBV /
Bloodborne Pathogens**

Policy 4247.1

Date Adopted: February 25, 2010

Date Revised:

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The Board of Education recognizes that exposure to Human Immunodeficiency Virus (HIV), Hepatitis B Virus (HBV) and other bloodborne diseases warrant serious concern for employees, at risk, for exposure to human blood and other body fluids that contain bloodborne pathogens.

The Board is committed to providing a safe and healthful school environment for our entire staff and student body. In pursuit of this goal, the Board directs the Superintendent of Schools to develop an Exposure Control Plan (ECP) to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with OSHA Bloodborne Pathogens Standard, Title 29 Code of Federal Regulations 1910.1030 and N.J.A.C. 12:100-4.2.

The Exposure Control Plan ensuring compliance with the standard shall include:

- A. Employee exposure determination
- B. The procedure for evaluation of circumstances surrounding an exposure incident
- C. The schedule and method for implementing the specifications of the standard, including:
 - 1) Methods of Compliance
 - 2) Hepatitis B Vaccination and post-exposure follow-up
 - 3) Training and communication of hazards to employees
 - 4) Record keeping

The Superintendent of Schools is responsible for the implementation of the ECP. The Superintendent of Schools will maintain and update the written ECP at least annually and whenever necessary include new or modified tasks and procedures.

Those employees who are reasonably anticipated to have contact with or exposure to blood or other potentially infected materials are required to comply with the procedures and work practices outlined in this ECP.

The Superintendent of Schools will have the responsibility for written housekeeping protocols and will ensure that effective disinfectants are purchased.

The Superintendent of Schools will be responsible for ensuring that all medical actions required are performed and that appropriate medical records are maintained.

The Superintendent of Schools will be responsible for training, documentation of training and making the written ECP available to employees, OSHA and NIOSH representatives.

The Superintendent of Schools will maintain and provide all necessary personal protective equipment (PPE), engineering controls (i.e., sharps containers, etc.) labels, and red bags as required by the standard.

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Exposure Control HIV / HBV /
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The Superintendent of Schools will ensure that adequate supplies of the aforementioned equipment are available.

During implementation of the Exposure Control Plan, the Board will handle all information regarding HIV infected individuals in compliance with the States HIV/AIDS Confidentiality Law, N.J.A.C. 26:5c-5

Legal References

NJSA 18A:16-2 Physical examinations; requirement
18A:16-4 Sick leave; dismissal
18A:16-4 Records of examinations
18A:40-6 et seq Health measures in general
26:4-6 Prohibiting attendance
26:4-15 Reporting of communicable diseases

NJAC 6A:16-2.2 Required health services
6A;16-2.3 Health services personnel
8:57 Reportable communicable diseases
8:61-1.1 Attendance at school by pupils or adults infected by. Human Immuno-deficiency Virus (HIV)

29 CFR Part 1910.1030 "Bloodborne Pathogens Standards

Possible Cross References

3510, 3516

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Employee Protection

Policy 4248

Date Adopted: October 30, 1997

Date Revised: February 25, 2010

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The Board of Education directs the Superintendent of Schools to develop rules and procedures to protect its employees in the performance of their duties. Such procedures shall include, but not be limited to:

- A. Official channels for parent/guardian or student grievances or complaints;
- B. Disciplinary regulations that reduce the possibility of student violence;
- C. Reporting techniques that bring potentially problem situations to the immediate attention of the Superintendent of Schools.

Legal References

NJSA 18A:16-1.1. May appoint temporary officers and employees
18A:11-1 General mandatory powers and duties

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Support Personnel

Series 4000

Leaves of Absence

Policy 4250

Date Adopted: February 25, 2010

Date Revised:

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The Fairfield Township Board of Education shall grant leaves of absence to non-certificated employees for reasons of:

- Personal illness;
- Bereavement;
- Religious observance;
- Maternity/child care;
- Emergency; and,
- Personal business.

For the purposes of definition, a full-time employee shall be one who is employed thirty (30) hours or more a week. A part-time employee is one who is employed less than thirty (30) hours per week. This applies to both ten and twelve month non-certificated employees.

Part-time non-certificated employees shall be entitled to leaves of absence on a pro-rated basis.

Verification of Absence

The Superintendent of Schools may require a physician's or other verification as to an employee's claimed reason for absence in any situation. Such verification shall be made within five days of absence.

Employees who take unauthorized leaves of absence will be subject to disciplinary measures.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:30-1 through -6 Sick leave
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

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Support Personnel

Series 4000

Non-Certificated Personal Illness & Injury Leave

Policy 4250.15

Date Adopted: February 25, 2010

Date Revised:

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All full-time employees of the Fairfield Township Board of Education shall be allowed personal sick leave with pay in accordance with their individual contracts or agreements in any school year. Any unused days shall accumulate.

All full-time twelve-month employees of the Board shall be allowed personal sick leave with pay for ten scheduled working days in any year. Any unused days shall accumulate.

The employee absence record shall be completed the first day of the employee's return to work.

Any employee absent due to sickness may be asked to attach a physician's certificate to the absence record.

Sick leave accumulated under previous policies is valid.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:30-1 through -6 Sick leave
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

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Series 4000

Anticipated Disability

Policy 4250.2

Date Adopted: April 12, 2018

Date Revised:

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The Board of Education shall provide for leaves of absence, in accordance with law and the policies of this Board, for any employee of this district whose absence from duties will be required for a foreseeable event of disability, such as, but not limited to childbirth or surgery.

An employee who anticipates disability shall so notify the Superintendent/Principal as soon as the employee is under medical supervision for the condition and a date is projected for the anticipated disability. Because of the potentially disabling nature of pregnancy and the certainty of temporary disability at birth, the Board will presume that a pregnant employee is disabled for work thirty days before the anticipated date of childbirth and continues to be disabled for thirty days after birth, except that any such employee who presents medical certification of her fitness may continue to work until she is actually disabled and may return to work as soon as she is able.

The Board reserves the right to require an employee who requests an extended leave of absence that includes anticipated disability to commence and/or terminate the leave of absence at times that ensure continuity in the educational program. No person who is required to take leave at a time other than that requested will be denied the use of sick leave for the anticipated disability that occurs or is presumed to occur during the leave.

An employee who anticipates a disability may request a leave of absence to commence before disability and to extend beyond the period of disability. Any such request shall be subject to Board discretion and the Board's policy on leave of absence. An employee on voluntary leave of absence is not eligible for sick leave pay for disability occurring during the period of that absence.

Legal References

- NJSA 18A:16-2 through -5 Health examinations
- 18A:11-1 General mandatory powers and duties
- 18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
- 18A:30-1, -2 Sick leave
- 18A:30-16 Prolonged absence beyond sick leave
- 34:11B-1 et seq. Federal Family Medical Leave Act

- 29 USCA 2601 et. seq. (Family Medical Leave Act)
- Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

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Military Leave

Policy 4250.5

Date Adopted: November 19, 1997

Date Revised: February 25, 2010

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An employee with tenure and any employee having one year or more of continuous service, who is required to undergo military field training or attendance at service schools for a prescribed period during any fiscal year, shall be granted leave of absence in accordance with pertinent laws and regulations.

Legal References

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

18A:29-11 Credit for military service

38:23-1 et seq Military leave of absence

38A:1-1 Definitions

38A:4-4 Paid military leave of absence

52:13H-2.1 Military leave of absence benefits

47:1A-1 et seq_ Examination and copies of public records ("Open Public Records Act")

NJAC 5A:2-2.1. Uniformed Services Employment and reemployment Rights Act

Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 USC Section 4301 et seq

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Support Personnel

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Attendance Patterns

Policy 4251

Date Adopted: November 27, 2001

Date Revised: February 25, 2010

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The Board of Education believes that the regular presence of assigned personnel is vital to the success of the district's educational program. Consistent absenteeism or tardiness is unacceptable and subject to disciplinary action.

The Superintendent of Schools shall develop and the Board shall adopt a plan to encourage all staff to strive for excellent attendance and punctuality records. These procedures should include a requirement that the staff member personally report all illness and request all leave at the earliest possible time. Procedures shall be in accordance with New Jersey statutes and district negotiated contracts.

A doctor's certificate may be required for all illnesses and injuries for those employees who are absent for one or more days.

If it has been determined that an employee has utilized sick leave benefits without just cause, he/she shall be subject to disciplinary action.

If an employee has exhausted all accumulated sick leave, all unused personal days may be utilized as sick leave.

Provisions shall be made for public acknowledgment of exceptional staff attendance records.

Legal References

- NJSA** 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder
18A:29-14 Withholding increments; causes; notice of appeals
18A:30-1 et seq. Sick Leave
18A:54-20 Powers of board (county vocational schools)
- NJAC** 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
Montville Education Ass'n v. Montville Bd. of Ed., 1984 S.L.D. 550, rev'd St. Bd. 1984 S.L.D. 559, rev'd App. Div., unreported decision (docket no. A-1178-84T7, decided December 6, 1985)
1985 S.L.D. 1972, decision on remand, St. Bd., 1986 S.L.D. 3113
Burlington Educational Ass'n v. Burlington Bd. of Ed., 1985 S.L.D. 889, aff'd St. Bd. 1985 S.L.D. 912
Scotch Plains-Fanwood Board of Education v. Scotch Plains-Fanwood Education Association, 270 NJ Super 444 (App. Div. 1994); rev'd. 139 NJ 141 (1995)

Possible Cross References

4250, 4251, 4251.1, 4251.6, 4251.7

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Support Personnel

Series 4000

Personal Illness & Injury / Health & Hardship

Policy 4251.1

Date Adopted: February 25, 2010

Date Revised: September 3, 2014, December 14, 2023

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It is the policy of the Board of Education to provide sick leave and personal leave to school district personnel. The purpose of such sick leave is to provide income protection to school personnel in the event of illness. The purpose of personal leave is to allow, for absence from work, with pay, to take care of personal matters that must be done during the school day.

School personnel are expected to use sick leave and personal leave for the purpose that these benefits are provided.

Excessive absence from work for illness or other reasons may constitute good cause for withholding a salary increment or for dismissal proceedings under New Jersey statutes.

The Superintendent of Schools and administrative staff shall develop appropriate guidelines and plans for the implementation of this policy. Such guidelines and plans shall include, but not be limited to, the following:

- A. Plans to communicate to school district personnel the intent of sick leave and personal leave and the importance of regular attendance.
- B. A system of record keeping to account for sick leave and personal days to include monthly and annual reports.
- C. A system for monitoring absence for sick leave and personal leave to prevent abuses.
- D. When appropriate to the circumstances, requesting school district staff to submit information concerning the cause of the absence.
- E. When appropriate to the circumstances following an illness, to request a statement from a physician that the employee may return to work.

The board will consider requests for extension of sick leave benefits on a case-by-case basis.

Sick leave is defined as the absence from an employee's post of duty, for any of the following reasons:

- A. The employee is personally ill or injured;
- B. For diagnosis, care, or treatment of, or recovery from, an employee's mental or physical illness, injury or other adverse health condition, or for preventive medical care for the employee;
- C. For the employee to aid or care for a family member of the employee during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury or other adverse health condition, or during preventive medical care for the family member;

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- D. Absence necessary due to circumstances resulting from the employee, or a family member of the employee, being a victim of domestic or sexual violence, if the leave is to allow the employee to obtain for the employee or the family member:
1. Medical attention needed to recover from physical or psychological injury or disability caused by a domestic or sexual violence;
 2. Services from a designated domestic violence agency or other victim services organization;
 3. Psychological or other counseling;
 4. Relocation; or
 5. Legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal legal proceeding related to the domestic or sexual violence;
- E. The death of a family member for up to seven days;
- F. To attend a child's school-related conference, meeting, function or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability;
- G. The school or place of care of a child of the employee is closed by order of a public official or because of a state of emergency declared by the Governor, due to an epidemic or other public health emergency;
- H. The employee has been exposed to a contagious disease or is quarantined for the disease in the employee's immediate household.
1. The provisions of this section, and any regulations promulgated to implement or enforce this section, shall not supersede any law providing collective bargaining rights for school district employees, and shall not reduce, diminish, or adversely affect an employee's collective bargaining rights.
 2. As used in this section, "Child" means a biological, adopted, or foster child, stepchild or legal ward of an employee, child of a domestic partner or civil union partner of the employee. "Designated domestic violence agency" means a county-wide organization whose primary purpose is to provide services to victims of domestic violence, and which provides services that conform to the core domestic violence services profile as defined by the Division of Child Protection and Permanency in the Department of Children and Families and is under contract with the division for the express purpose of providing the services. "Domestic or sexual violence" means stalking, any sexually violent offense, as defined in section 3 of P.L.1998, c.71 (C.30:4-27.26), or domestic violence as defined in section 3 of P.L.1991, 25 c.261 (C.2C:25-19) and section 1 of P.L.2003, c.41 (C.17:29B-16). "Family member" means a child, grandchild, sibling, spouse, domestic partner, civil union partner, parent, or grandparent of an employee, or a spouse, domestic partner, or civil union partner of a parent or grandparent of the employee, or a sibling of a spouse, domestic partner, or civil union partner of the employee, or any other individual related by blood to the employee or whose close association with the employee is the equivalent of a family relationship. (cf:N.J.S.18A:30-1)

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Personnel Illness & Injury / Health & Hardship

Policy 4251.1

Date Adopted: February 25, 2010

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In case of sick leave claimed due to personal illness or injury, a board of education may require a physician's certificate after three (3) days to be filed with the secretary of the board of education in order to obtain sick leave.

- A. If an employee's need to use sick leave as defined pursuant to N.J.S.18A:30-1 is foreseeable, a board of education may require advance notice, not to exceed seven calendar days prior to the date the leave is to begin, of the intention to use the leave and its expected duration, and the employee shall make a reasonable effort to schedule the use of sick leave in a manner that does not unduly disrupt the operations of the board of education.
- B. If the reason for the leave is not foreseeable, a board of education may require an employee to give notice of the intention as soon as practicable, if the board of education has notified the employee of this requirement.
- C. A board of education may prohibit employees from using foreseeable sick leave on certain dates and require reasonable documentation if sick leave that is not foreseeable is used during those dates.
- D. In case of sick leave claimed for three or more consecutive days, a board of education may require reasonable documentation that the leave is being taken for a purpose permitted pursuant to subsection a. of N.J.S.18A:30-1.
- E. If the leave is permitted under paragraph (2) or (3) of subsection a. of N.J.S.18A:30-1, documentation signed by a health care professional who is treating the employee or the family member of the employee indicating the need for the leave and, if possible, number of days of leave, shall be considered reasonable documentation.
- F. If the leave is permitted under paragraph (4) of subsection a. of N.J.S.18A:30-1 because of domestic or sexual violence, any of the following shall be considered reasonable documentation of the domestic or sexual violence:
 - 1. Medical documentation;
 - 2. A law enforcement agency record or report;
 - 3. A court order;
 - 4. Documentation that the perpetrator of the domestic or sexual violence has been convicted of a domestic or sexual violence offense;
 - 5. Certification from a certified Domestic Violence Specialist or a representative of a designated domestic violence agency or other victim services organization; or other documentation or certification provided by a social worker, counselor, member of the clergy, shelter worker, health care professional, attorney, or

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other professional who has assisted the employee or family member in dealing with the domestic or sexual violence.

- G. If the leave is permitted under paragraph (7) of subsection a. of N.J.S.18A:30-1, a copy of the order of the public official or the determination by the health authority shall be considered reasonable documentation.
- H. As used in this section, "Certified Domestic Violence Specialist" means a person who has fulfilled the requirements of certification as a Domestic Violence Specialist established by the New Jersey Association of Domestic Violence Professionals. "Designated domestic violence agency" means a county-wide organization

whose primary purpose is to provide services to victims of domestic violence, and which provides services that conform to the core domestic violence services profile as defined by the Division of Child Protection and Permanency in the Department of Children and Families and is under contract with the division for the express purpose of providing these services. "Health care professional" means any person licensed under federal, State, or local law, or the laws of a foreign nation, to provide health care services, or any other person who has been authorized to provide health care by a licensed health care professional including, but not limited to, doctors, nurses and emergency room personnel. (cf:N.J.S.18A:30-4)

Key Words

Leaves, Sick Leave, Attendance, Attendance Patterns, Employee Attendance

<u>Legal References:</u> <u>N.J.S.A.</u> 18A:6-6	No sex discrimination
<u>N.J.S.A.</u> 18A:6-66	Rights and benefits of personnel (educational services commission)
<u>N.J.S.A.</u> 18A:16-2 through -5	Physical examinations; requirement ...
<u>N.J.S.A.</u> 18A:27-4	Power of boards of education to make rules governing employment of teacher, etc.
<u>N.J.S.A.</u> 18A:30-1	Definition of sick leave
<u>N.J.S.A.</u> 18A:30-2	Sick leave allowable
<u>N.J.S.A.</u> 18A:30-6	Prolonged absence beyond sick leave period
<u>N.J.A.C.</u> 6A:32-6.1 <u>et seq.</u>	School Employee Physical Examinations

Ramsey Teachers Ass'n v. Ramsey Bd. of Ed., 1979 S.L.D. 862, St. Bd. rev'g 1978 S.L.D. 518, aff'd App. Div., 1980 S.L.D. 1528

Cole v. Essex County Vocational School District Bd. of Ed., 1986 S.L.D. 1855

Possible

Cross References: 4150/4150 Leaves
*4151/4151 Attendance patterns

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**Support Personnel
Absenteeism**

**Series 4000
Policy 4251.2**

Date Adopted: May 22, 2014

Date Revised:

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Employee attendance is an important factor in the successful operation of any school district and in the maintenance of the continuity of the educational program. The Board of Education is vitally and continually interested in the attendance of each employee and considers satisfactory attendance an important criterion of satisfactory job performance.

The privilege of district employment imposes on each employee the responsibility to be on the job on time every scheduled working day. This responsibility requires that the employee maintain good health standards, take intelligent precautions against accidents both on and off the job, and manage personal affairs in order to satisfy district attendance requirements.

The Board is required by the high costs of absences and disrupted work schedules to give continuing attention to the maintenance of regular attendance by employees. Chronic absenteeism and tardiness are subject to discipline and may be cause for dismissal.

A teaching staff member who fails to give prompt notice of an absence, misuses sick leave, fails to verify an absence in accordance with Board policy, falsifies the reason for an absence, is absent without authorization, is repeatedly tardy, or accumulates an excessive number of absences without good cause may be subject to discipline, which may include the withholding of one or both salary increments and/or certification of tenure charges.

No teaching staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for in the contract negotiated with the member's majority representative or provided in the policies of the Board of Education.

Job Abandonment

Pursuant to the provisions of NJAC 12:17-9.11(b), an employee who has not returned to work following an approved leave of absence of any kind, and who without good cause has not notified the designated administrator of the reasons for failing to return to work within five (5) consecutive work days shall be considered to have abandoned his/her employment. Such job abandonment shall subject the employee to disqualification for benefits for voluntarily leaving work without good cause attributable to such work and may subject the employee to any or all of the following:

- Progressive disciplinary measures;
- Letter of reprimand filed in the employee's personnel file;
- Suspension from employment without pay;
- Withholding of an increment;
- Termination of employment.

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In cases of job abandonment, the Superintendent of Schools may, at his/her discretion, schedule a meeting with the employee and his/her representative and the Board's Attorney to discuss the situation and/or assess disciplinary measures.

Continued Absences

Employees who display a pattern of excessive absences (absences beyond those permitted by contract), may also be subject to the following:

- Progressive disciplinary measures;
- Letter of reprimand filed in the employee's personnel file;
- Suspension from employment without pay;
- Withholding of an increment;
- Termination of employment.

Upon the recommendation of the Superintendent of Schools, a staff member who has exhibited excessive absenteeism, shall appear before the Board of Education to address and/or explain his/her issues/situation.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:30-1 through -6 Sick leave
18A:30-6 Prolonged absence beyond sick leave period
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.; employment thereunder

Espina v. Board of Review, unpublished, (App. Div. August 1, 2008).

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Support Personnel

Series 4000

Punctuality

Policy 4252

Date Adopted: February 25, 2010

Date Revised:

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The Board affirms that punctuality is a trait that students should aspire to and the Board recognizes that employees set examples for students. It shall be the policy of the Board of Education that all employees of the district are expected to be at their assigned area of responsibility and be ready to perform their required duties on time. Failure to do so may subject the employee to progressive disciplinary action by the Board of Education.

The Board directs the Superintendent of Schools to establish a reasonable procedure for determining those employees who fail to report to their established work location on time.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

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Support Personnel

Series 4000

Holidays / Vacations

Policy 4252.1

Date Adopted: February 25, 2010

Date Revised:

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The Fairfield Township Board of Education grants a total of thirteen (13) paid holidays for full-time twelve-month employees. They shall be:

1. New Year's Day
2. Martin Luther King Day
3. Good Friday
4. Easter Monday
5. Memorial Day
6. Independence Day
7. Labor Day
8. Columbus Day
9. Veterans Day
10. Thanksgiving Day
11. Christmas Eve
12. Christmas Day
13. Day after Christmas

If school is in session, or if an in-service day is planned on one of the above days, another day shall be determined by the Superintendent of Schools.

If a holiday falls on a scheduled day off, the preceding or following scheduled day shall be granted as a holiday. The preceding or following day for the observance of the holiday shall be determined by the Superintendent of Schools.

When school is closed for students, all certificated and non-certificated employees' work schedule shall be determined by the Superintendent of Schools.

Vacations

Every non-certificated twelve-month employee of the Fairfield Township Board of Education shall be granted annual leave with pay for vacation purposes in and for each fiscal year. Vacation days may be used in advance of being earned, upon approval of the Superintendent of Schools, based on the following entitlements:

- Zero vacation days during the two months of the probational work period;
- One (1) vacation day per month for the balance of the first year of employment;
- One to Three Full years of employment (as of June 30), ten (10) vacation days
- 4th to 7th Full years of employment (as of June 30), 15 vacation days
- 8th Full years and over (as of June 30), twenty (20) vacation days.

All vacation time must be taken during the summer or during Christmas or Spring vacation unless otherwise approved by the Superintendent.

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Holidays / Vacations**

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Policy 4252.1**

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Every certificated twelve-month employee of the Fairfield Township Board of Education shall be granted annual leave with pay for vacation purposes in accordance with their individual negotiated contract.

Accumulation

It is the intent of the Board that vacation days will be used annually in accordance with the schedule approved by the Superintendent of Schools. All twelve-month employees are encouraged to use their vacation entitlements during July and the first three weeks of August. No more than five accumulated days may be carried over into the next school year and any remaining days above five will be forfeited.

When in any fiscal year the vacation, or any part thereof, is not granted by reason of pressure of school district business, such vacation period or parts thereof not granted, shall accumulate and shall be granted during the next succeeding fiscal year only. If granted, the vacation must be taken or any unused leave would be forfeited. If not granted, the employee would be paid for that equal time.

The Superintendent of School shall be responsible for scheduling all vacation requests to allow for adequate coverage. All vacation requests are to be made to the Superintendent in writing no less than two weeks in advance.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder
36:1-1 - Holidays

Fairfield Township Board of Education District Policy Manual

Support Personnel

Series 4000

Accidents / Injuries

Policy 4252.2

Date Adopted: February 25, 2010

Date Revised:

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The Board directs that any incident of accident or injury to any employee that occurs during working hours shall be reported immediately to the School Nurse.

All injuries requiring first aid or other medical care shall be documented on the School Injury Form and it shall be the responsibility of the School Nurse to advise the Superintendent of Schools of the nature and extent of the injury as well as any first aid applied by the Nurse. Additionally, the School Nurse shall provide the Superintendent of Schools with a completed copy of the School Injury Form.

The School Nurse and/or Superintendent of Schools shall be responsible for arranging for emergency transportation or treatment of the injured employee if that action is necessary. It shall be the responsibility of the School Nurse to make the determination as to whether transportation to a hospital or the School Doctor is necessary.

The School Nurse shall also be responsible for preparing and dispatching any claim forms or other forms to the appropriate insurance company or health service group.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder

NJAC 6A:16-2.1 et seq Health services policy and procedural requirements

Fairfield Township Board of Education District Policy Manual

Support Personnel

Series 4000

Family Leave

Policy 4252.3

Date Adopted: May 21, 1997

Date Revised: February 25, 2010, December 21, 2010,
February 16, 2017

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In accordance with the New Jersey Family Leave Act (FLA) and the Federal Family and Medical Leave Act (FMLA), the Board of Education will grant staff members up to twelve weeks leave of absence in any twenty-four month period upon advance notice to the district so that the staff member may provide care made necessary by the birth of a child of the staff member, the placement of a child with the staff member in connection with adoption of such child by the staff member, and the serious health condition of a spouse, parent, or child.

A staff member shall not be discriminated against for having exercised his/her rights under the FLA or the FMLA, nor shall the staff member be discouraged from the use of family leave.

Definitions

For the purposes of this policy the following definitions shall apply:

- A. "Child" means a biological, adopted or foster child, stepchild, legal ward, child of a parent who is under eighteen years of age or a child eighteen years of age or older but is incapable of self-care because of a mental or physical condition.
- B. "Parent" means a biological, adoptive or foster parent, stepparent, parent-in-law, legal guardian having a "parent-child relationship" with a child as defined by law, or any person who has sole or joint legal or physical custody, care, guardianship or visitation with a child.
- C. "Serious health condition" is an illness, injury, impairment, or physical or mental condition that requires inpatient care in a hospital, hospice, or residential medical facility or continuing medical treatment or continuing supervision by a health care provider.
- D. "Week" is the number of days an employee normally works each calendar week.
- E. "Family leave" is taken pursuant to the New Jersey Family Leave Act (FLA) and the Federal Family and Medical Leave Act (FMLA).
- F. "Staff member" is an employee eligible for family leave in accordance with the New Jersey Family Leave Act (FLA) and the Federal Family and Medical Leave Act (FMLA).
- G. "Reduced leave" means leave scheduled for fewer than the staff member's usual number of hours worked per workweek, but not fewer than the staff member's usual number of hours worked per workday.

Eligibility

A staff member shall become eligible for family under FLA after he/she has been employed at least twelve months in this district for not less than 1,000 base hours, excluding overtime, during the immediate preceding twelve month period. A staff member shall become eligible for family leave under FMLA after he /she has been employed in this district for not less than 1,250 hours, excluding overtime, during the immediate preceding twelve-month period. The calculation of the twelve-month period to determine eligibility shall commence with the commencement of the family leave. Leave taken for the birth or adoption of a healthy child may commence at any time within a year after the date of the birth or placement for adoption.

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Family Leave**

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Family leave shall run concurrently under the FLA and the FLMA. When family leave is requested under the FMLA or the FLA, for the individual staff member's personal illness or injury, all up to 14 days of the employee's accumulated sick and personal days must be utilized first. Thereafter, said days will be deducted from the maximum twelve-week entitlement under the FMLA and/or the FLA. In all such cases, the maximum Family Leave Insurance allowance may be reduced by up to 14 days.

During any period of the leave, the staff member is prohibited from performing any services on a full-time basis for any person for whom the staff member did not provide services immediately prior to the commencement of the leave. A staff member on family leave may commence part-time employment that shall not exceed half the regularly scheduled hours normally worked for the district. The staff member may continue the part-time employment that commenced prior to the family leave at the same number of hours that the staff member was regularly scheduled prior to such leave.

Types of Leave

A staff member may take family leave in consecutive weeks, as intermittent leave, or as reduced leave. A staff member who requests intermittent or reduced leave shall make a reasonable effort to schedule such leave so as not to unduly disrupt the instructional/educational program.

In the case of a family member who has a serious health condition, leave may be taken intermittently when medically necessary if the total time within which the leave is taken does not exceed a twelve-month period for each serious health condition episode, the staff member will provide the district with prior notice of the leave in a manner that is reasonable and practicable, and the staff member makes a reasonable effort to schedule the leave so as not to unduly disrupt the operations of the instructional/educational program. In the case of the birth or adoption of a healthy child, the leave may be taken intermittently only if agreed to by the staff member and the Superintendent of Schools/designee.

A staff member is entitled, at the option of the staff member, to take leave on a reduced leave schedule except the staff member is not entitled to a reduced leave schedule for a period exceeding twenty-four consecutive weeks. The staff member is not entitled to take the leave or a reduced leave without an agreement between the staff member and the Superintendent of Schools/designee if leave is taken upon the birth or adoption of a healthy child. The staff member shall make a reasonable effort to schedule reduced leave so as not to unduly disrupt the operations of the instructional/educational program. The staff member shall provide the district prior notice of the care, medical treatment or continuing supervision by a health care provider necessary due to a serious health condition of a family member in a manner that is reasonable and practicable. Leave taken on a reduced leave schedule shall not result in a reduction of the total amount of leave to which a staff member is entitled.

The fact that a holiday or vacation period may occur within the week taken by a staff member as family leave has no effect and the week is counted as a week of family leave.

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Any time remaining after a staff member has exhausted his/her entitlement to intermittent leave in any twelve-month period may be taken as consecutive leave or reduced leave, and any leave time remaining after a staff member has exhausted his/her entitlement to reduced leave in any twelve-month period may be taken as consecutive leave or intermittent leave.

Notice

A staff member eligible for family leave must give at least a thirty day advance written notice to the Superintendent of Schools/designee of the need to take family leave, except where the need to take family leave is not foreseeable. When the need is not foreseeable, the staff member must provide notice as soon as practicable which shall be at least verbal notice to the Superintendent of Schools/designee within one or two working days of the staff member learning of the need to take family leave. Whenever emergent circumstances make written notice impracticable, the staff member may give verbal notice to the Superintendent of Schools/designee, but any verbal notice must be followed by written notice delivered within three working days.

Notice for leave to be taken for the birth or placement of the child for adoption shall be given at least thirty days prior to the commencement of the leave except that if the date of the birth or adoption requires leave to begin in less than thirty days, the staff member shall provide such notice that is reasonable and practicable.

Notice for leave to be taken for the serious health condition of a family member shall be given at least fifteen days prior to the commencement of the leave except that if the date of the treatment or supervision requires leave to begin in less than fifteen days, the staff member shall provide such notice that is reasonable and practicable.

When the Superintendent of Schools/designee is not made aware that a staff member was absent for family leave reasons and the staff member wants to request the leave be counted as family leave, the staff member must provide written notice within two working days of returning to work to have the time considered family leave in accordance with the FLA and FMLA.

Benefits

Family leave shall be unpaid leave as per the FLA and the FMLA.

In accordance with law, the Board of Education will maintain coverage under any group health insurance policy, group subscriber contract, or health care plan at the level and under the conditions coverage would have been provided if the staff member had continued in employment continuously from the date the staff member commenced leave until the date the staff member returned to work or the date on which the staff member's coverage would have expired had the staff member not been on leave, whichever is sooner. A staff member who receives benefits while on family leave must return to the district for a minimum of one year or, at the discretion of the

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Board of Education, until the end of the fiscal year, whichever is deemed to be in the best interest of the district. Staff members who do not comply with this provision shall be required to reimburse the district for the full cost of all medical, prescription and dental benefits provided during the family leave.

A staff member returning from family leave shall be entitled to the position he/she held when leave commenced or to an equivalent position of like seniority, status, employment benefits, pay and other conditions of employment. If the district experiences a reduction in force or layoff and the staff member would have lost his/her position had the staff member not been on family leave as a result of the reduction in force or pursuant to the good faith bargaining agreement, the staff member shall not be entitled to reinstatement to the former or an equivalent position in accordance with applicable statutes, codes and laws. The staff member's tenure and seniority rights, if any, and other benefits shall be preserved, but the staff member shall accrue no additional time toward tenure or seniority for the period of the leave except as may be provided by law.

The return of a staff member prior to the expiration of the requested family leave may be permitted by the Board provided that the requested early date of return is not the day before any date school is scheduled to be closed or a day in which school is closed for vacation, holidays or other reasons. In addition, the early return of the employee shall not unduly disrupt the instructional program or require the Board to incur the cost of continuing the employment of a substitute under contract or unduly disrupt the educational program for pupils.

Family leave granted to a nontenured staff member cannot extend the employee's employment beyond the expiration of his/her employment contract.

The district may deny family leave to the staff member if the staff member is a salaried employee who is among the highest paid five percent of the school district staff or one of the seven highest paid employees of the district, whichever is greater. This denial is necessary to prevent substantial and grievous economic injury to the school district's operations. The Board of Education shall notify the staff member of the intent to deny the leave at the time determination is made that the denial is necessary. If the leave has already commenced at the time of the district's notification of denial, the staff member shall return to work within ten working days of the date of notification.

Verification of Leave

The Board of Education shall require the certification of a duly licensed health care provider verifying the purpose of requested family leave. Certification of a serious health condition of a family member of the staff member shall be sufficient if it states the date on which the condition commenced, the probable duration of the condition, and the medical facts within the provider's knowledge regarding the condition. Certification for the birth or placement of a child need only state the date of birth or date of placement, whichever is appropriate.

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In the event the Superintendent of Schools doubts the validity of the certification for the serious health condition of a family member of the staff member, the district may require, at the district's expense, the staff member to obtain an opinion regarding the serious health condition from a second health care provider designated or approved, but not employed on a regular basis, by the Board of Education. If the second opinion differs for the certification, the Board of Education may require at the district's expense, that the staff member obtain an opinion of a third health care provider designated or approved jointly by both the staff member and the Board of Education. The opinion of the third health care provider shall be final and binding on the Board of Education and the staff member.

In order that a staff member's entitlement to family leave can be properly determined, the Superintendent of Schools shall ensure the keeping of accurate attendance records that distinguish family leave from other kinds of leave.

Legal References

NJSA 18A:16-2 through -5 Health examinations
18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder
18A:30-1, -2 Sick leave
18A:30-16 Prolonged absence beyond sick leave
34:11B-1 et seq. Federal Family Medical Leave Act

29 USCA 2601 et. seq. (Family Medical Leave Act)
Nevada Dept. Human Resources, et. al v. William Hibbs, et. al, 538 US 721

Fairfield Township Board of Education

District Policy Manual



Home of the Jaguars

Students Series 5000



Home of the Jaguars

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Students

Series 5000

Concepts & Roles in Students - Personnel

Policy 5000

Date Adopted: March 22, 2010

Date Revised:

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Role of the Board of Education

The Board of Education:

- A. Establishes policies to provide the best attainable program of education for the district's students;
- B. Authorizes the establishment of special classes or other facilities for students who are in need of special education;
- C. Provides for physical and mental well-being of students;
- D. Determines policies regarding student behavior and attendance within the limits of law.

Role of the Superintendent of Schools

The Superintendent of Schools:

- A. Administers all schools and classes established by the Board of Education;
- B. Directs the instruction, guidance and discipline of all students;
- C. Provides leadership and guidance to establish the pattern of education to be offered to students;
- D. Has general charge of the enforcement of the compulsory attendance law;
- E. Has immediate authority for the closing of school in case of emergencies involving the health and safety of students.

Working Relationship Between the Board of Education & the Superintendent of Schools

Student welfare and guidance is primarily the responsibility of the Superintendent of Schools, with the exception of the expulsion of students, which the Board of Education may not delegate.

Legal References

NJSA 18A:11-1 General Mandatory Powers and Duties

Possible Cross References

2000, 2210, 5110, 5113, 5131, 5141, 5144, 6114, 6171.4, 9000, 9311

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Students

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Goals & Objectives – Students / Personnel

Policy 5010

Date Adopted: March 22, 2010

Date Revised:

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The Fairfield Township Board of Education believes the district's educational program can be most profitably experienced by healthy self-disciplined students attending school regularly.

The Board will direct the Superintendent of Schools to:

1. Develop fair and constructive procedures for encouraging mature patterns of conduct;
2. Initiate adequate and meaningful procedures to ensure regular student attendance;
3. Provide necessary health, guidance and services.

Legal References

NJSA 18A:11-1 General Mandatory Powers and Duties

Possible Cross References

5113, 5131, 5141, 5144

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Role of Parents / Guardians

Policy 5020

Date Adopted: October 24, 1983

Date Revised: June 12, 1985, March 22, 2010

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The Board believes that the education of children is a joint responsibility, one it shares with the parents/guardians and the school community. To ensure that the best interests of the child are served in this process, a strong program of communication between home and school must be maintained and parental involvement in district concerns encouraged.

The Board recognizes the vital role of the parents/guardians in the welfare and education of their children and the pivotal part they play in shaping character and values. Because parents/guardians are familiar with the needs, problems, gifts and abilities of their children, staff should seek to involve parents/guardians as much as possible in the planning of the individual program. Parents/guardians must, by law, be included in the development of certain educational programs for their children.

Parents/guardians are requested to keep the school apprised of changes in factors in the home situation that may affect pupil conduct or performance. Parents/guardians are specifically requested to inform the school of any changes in legal custody of the child.

Parents/guardians are responsible for their child's punctuality, attendance, cleanliness and propriety of dress.

The Superintendent of Schools shall develop procedures and regulations to implement this policy. These regulations may include use of the parent/guardian's native language when necessary.

Legal References

NJSA 18A:35-4.9 Pupil promotion and remediation; policies and procedures
18A:35-22 Notice to parents that child identified as eligible for enrollment; option of declining enrollment; involvement of parents in program

NJAC 6A:8-4.3 Accountability
6A:14-1.1 et seq. Special Education
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
6A:32-12.2 School-level planning

Possible Cross References

1230, 1250, 5113, 5114, 5120, 4124, 5125, 5131.5, 5131.6, 6142.2, 6146, 6146.2, 6147.1, 6162.4, 6171.1, 6171.3, 6171.4

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Students

Series 5000

Student Attendance

Policy 5110

Date Adopted: June 23, 1999

Date Revised: March 22, 2010

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The Fairfield Township Board of Education provides a thorough and efficient educational program for every student in the district. Therefore, the Board of Education believes it to be important that every student regularly attend school.

Parents/guardians have the primary responsibility for ensuring that those students between the ages of 6 and 16 within their custody attend school regularly.

The Board of Education directs that each student enrolled shall attend the entirety of each day's program at his/her grade level in order to:

1. Participate in classroom activities;
2. Have contact with other students;
3. Have the tutelage of a competent teacher;
4. Minimize disturbance of the classroom routine;
5. Avoid needless repetition of subject matter by teachers;
6. Benefit from regular continuity of instruction.

A student will be considered to be in attendance in school if present where any school-sanctioned/sponsored activity is being conducted. Students will not be penalized in any way for attending school-sanction activities that take place during school hours.

Students who miss class for any reason must complete assignments missed because of any absence. Exceptions to the previous statement will be made only at the discretion of the Principal.

Attendance shall be required of all students enrolled in the school during the days and hours that the school is in session unless an acceptable cause exists and is presented to the Principal justifying the student's absence. In accordance with statutes, the Board shall require from the parent/guardian of each child who has been absent, a written statement of the reason for such absence. The Board reserves the right to verify such statements and to investigate the cause of each absence or tardiness.

Therefore, every effort shall be made to identify the habitually truant student, investigate the cause(s) of his/her behavior and consider modification of his/her educational program to meet his/her particular needs and interests.

The Superintendent of School is directed to consult with the Child Study Team to consider the appropriateness of the educational program being offered to each student who is habitually and repeatedly absent from that program.

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Student Attendance

Policy 5110

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The Superintendent of Schools shall develop procedures that ensure a school session that:

1. Is in conformity with the requirements of the rules of the New Jersey State Board of Education;
2. Govern the keeping of attendance records with the rules of the New Jersey State Board of Education;
3. Impose on truant students disciplinary measures appropriate for the infractions of school regulations.

Regulation / Procedures

1. The Principal will ensure that children who are listed as absent on the official school register may be accounted for by designating a staff member to call each absent child's home prior to 11:00 AM each day.
2. Attendance letters, informing parents/guardians of their child's attendance will be sent home by the Principal following the 5th, 10th and 20th absences in each calendar year. Absences that have been verified by a note from a physician, as well as those absences due to the observance of a religious holiday will not count toward these totals. The attendance letters issued with the 5th and 10th absences will contain reference to the parent's/guardian's legal obligation to ensure that children attend school. Attendance letters are to be developed by the Principal and approved by the Superintendent of Schools each September. The Principal will forward a copy of all attendance letters sent to parents/guardians to the Superintendent of Schools.
3. The Principal will convene a meeting of the child's parent/guardian, counselor and teacher following a student's 10th day of absence in any calendar year. The purpose of the meeting will be to devise and implement a written plan to improve the student's attendance record. Any such plan must not incur any expense to the Board of Education.
4. If a child accumulates 10 absences in any calendar year for reasons other than a verified medical circumstance or observance of a religious holiday, the Principal will inform the parents/guardians in writing that a truancy complaint may be filed in Municipal Court.
5. A child who is absent for 30 or more consecutive days must be dropped from the school rolls or placed on homebound instruction.
6. The scheduling of family vacations during regular school time is discouraged. It is expected that parents/guardians will endeavor to schedule family vacations at times when school is not in session. In the event that a parent/guardian decides to remove his/her child from school for a family vacation, the child's teacher is to be notified at least 10 school days in advance. Make-up work will be assigned upon a student's return to school.
7. Students who are placed on homebound instruction due to illness will not have this time counted toward excessive absences.
8. A child in grades 1-4 who accumulates more than 30 unexcused absences in a calendar year may be considered for retention.
9. A child in grades 5-8 who accumulates more than 25 unexcused absences in a calendar year may be considered for retention.

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Students
Student Attendance

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Policy 5110

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10. A special education pupil, classified as chronically ill will be exempt from this policy and regulation.
11. Every effort shall be made to see that pertinent portions of these regulations are explained to every student. Excerpts from this regulation and from Policy 5115 – Attendance Records/Registers will be published and distributed to parents annually.

Legal References

- NJSA** 18A:11-1 General mandatory powers and duties
18A:35-4.9 Pupil promotion and remediation; policies and procedures
18A:36-14, -15, -16 Religious holidays; absence of pupils on; effect ...
18A:36-19a Newly enrolled students; records and identification
18A:36-24 through -26 Missing children; legislative findings and declarations ...
18A:38-25 Attendance required of children between six and 16; exceptions
18A:38-26 Days when attendance required; exceptions
18A:38-27 Truancy and juvenile delinquency defined
18A:38-31 Violations of article by parents or guardians; penalties
18A:38-32 District and county vocational school attendance officers
18A:40-7 Exclusion of pupils who are ill
18A:40-8 Exclusion of pupils whose presence is detrimental to health and cleanliness
18A:40-9 Failure of parent to remove cause for exclusion; penalty
18A:40-10 Exclusion of teachers and pupils exposed to disease
18A:40-11 Exclusion of pupils having communicable tuberculosis
18A:40-12 Closing schools during epidemic
18A:54-20 Powers of board (county vocational schools)
52:17B-9.8a through -9.8c Marking of missing child's school record
- NJAC** 6A:8-5.1 Graduation requirements
6A:16-1 et seq. Programs to support student development.
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-8.1 et seq. Student Attendance and Accounting
6A:32-8.3 Student attendance
- Wetherell v. Board of Education of Township of Burlington, 1978 S.L.D. 794
Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851
C.R., on behalf of J.R., v. Board of Education of the Scotch Plains-Fanwood Regional School District, 1988 S.L.D. (June 22)

Possible Cross References

5020, 5111, 5114, 5115, 5124, 5141.2, 5141.4, 5142, 6146, 6147, 6147.1, 6154, 6171.4, 6173

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Policy 5111

Date Adopted: September 27, 2001

Date Revised: March 22, 2010, September 3, 2014, May 7, 2020

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Eligibility

The Board of Education shall admit to its schools free of charge the following persons over five and under 20 years of age:

- A. Any student domiciled within the district;
- B. Any student kept in the home of a person other than the student's parent/guardian, where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his/her own child if family or economic hardship has been documented;
- C. Any student kept in the home of a person domiciled in the district, other than the parent/guardian, where the parent/guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency;
- D. Any student whose parent/guardian temporarily resides within the district, notwithstanding the existence of a domicile elsewhere;
- E. Any student whose parent/guardian moves to another district as the result of being homeless, subject to the provisions of administrative code;
- F. Any student placed in the home of a district resident by court order pursuant to statute;
- G. Any student previously residing in the district if the parent/guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency pursuant to statute; and,
- H. Any student residing on federal property within the state pursuant to statute.

Proof of Eligibility

The Board shall accept any combination of the forms of documentation that are listed in the New Jersey Administrative Code (NJAC 6A:22-3.4) when they are presented by persons attempting to demonstrate a student's eligibility for enrollment in the district, and as deemed appropriate, valid, and acceptable by the Superintendent of Schools, including:

- Property tax bills; deeds; contracts of sale; leases; mortgages; signed letters from landlords; and other evidence of property ownership, tenancy, or residency;
- Voter registrations; licenses; permits; financial account information; utility bills, delivery receipts; and other evidence of personal attachment to a particular location;

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- Court orders; State agency agreements; and other evidence of court or agency placements or directives;
- Receipts; bills; cancelled checks; insurance claims or payments; and other evidence of expenditures demonstrating personal attachment to a particular location or to support the student;
- Medical reports; counselor or social worker assessments; employment documents; unemployment claims; benefit statements; and other evidence of circumstances demonstrating family or economic hardship, or temporary residency;
- Affidavits, certifications, and sworn attestations pertaining to statutory criteria for school attendance from the parent, guardian, person keeping an "affidavit student," adult student, person(s) with whom a family is living, or others, as appropriate;
- Documents pertaining to military status and assignment; and
- Any other business record or document issued by a governmental entity.

The Board of Education may accept forms of documentation not listed above and shall not exclude from consideration any documentation or information presented by an applicant.

The Board shall consider the totality of information and documentation offered by an applicant and may accept other forms of documentation or information presented by a person seeking to enroll a student.

The Board shall not require or request any information or document protected from disclosure by law or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school, including, but not limited to:

- Income tax returns;
- Documentation or information relating to citizenship or immigration/visa status, except as set forth in NJAC 6A:22-3.3(b);
- Documentation or information relating to compliance with local housing ordinances or conditions of tenancy; and
- Social Security numbers.

Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials.

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Enrollment shall take place immediately when an applicant has provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to NJAC 6A:22-4.2.

When a student appears to be ineligible based on information provided in the initial application, the district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the school district's determination and an intent to appeal to the Commissioner of Education. An applicant whose student is enrolled pursuant to this paragraph shall be notified that the student will be removed without a hearing before the Board of Education if no appeal is filed within the 21-day period established by NJSA 18A:38-1.

Minimum Immunization Requirements

All children enrolling in the district shall provide proof of the required vaccinations and immunizations as established by the laws of the State of New Jersey for students entering public schools.

Pre-Kindergarten & Kindergarten

Any child residing in the district shall be admitted to the kindergarten provided:

- A. The child will have attained the age of four years for pre-kindergarten and five years for kindergarten on or before October 1st of that school year;
- B. Proof shall be furnished of immunization against the communicable diseases at the time of enrollment or such immunization shall be completed within 30 days from date of entry into the school;
- C. The child shall have been examined by either the school or a private physician, and the results shall be furnished to the school on the form provided.

Grade One

Any child residing in the district shall be admitted to grade one provided:

- A. The child will have attained the age of six years on or before October 1 of that school year;
- B. Proof has been furnished of immunization against communicable diseases.

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Transfers into Grades Two through Eight

Pupils transferring into the district are expected to present copies of records from the previously attended school (or district) to aid in placement. Also required are proof of immunizations and proof of identity.

Within the time prescribed by law, the Superintendent of Schools shall request in writing from the school or district of previous attendance, the pupil's records.

Initial placement shall be made on the basis of the records, but adjustment may be made at the discretion of the administration when the academic assessments indicate that such adjustments would be beneficial to the child. Parents/guardians shall be informed of this policy on registration.

Joint Custody

When divorced parents/guardians have joint custody of (a) minor child(ren), admission shall be based on the present address of the parent/guardian with whom the child(ren) resided as of the date required by administrative code.

Affidavit Pupils

When there is any doubt as to whether a child is entitled to free public education in the district schools, all procedures of law and code shall be followed.

Nonresidents

The district is obliged to educate children of appropriate age residing in the district. The mere owning of any property whatsoever does not qualify a parent/guardian to send children to school in this school district. See policy 5118 Nonresidents.

Foreign Exchange Students (J-1 Visas)

To receive a J-1 student visa from the United States Department of State, a foreign exchange student must demonstrate acceptance to a designated exchange visitor program as evidenced by presentation of Form IAP-66, sufficient funds, or adequate arrangements, to cover expenses; sufficient knowledge of English to undertake the proposed program; compliance with the requirements of Section 212(j)INA.

Foreign exchange students who hold appropriate visas and who are domiciled within a district residence may be admitted to this district after complying with this policy.

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Students who are domiciled within a residence of one of the sending districts must obtain documentation to show acceptance by the sending district. Foreign exchange students will not be enrolled in High School without acceptance by both this district and the sending district.

Foreign Students (F-2 visas - dependents of F-1 students)

To receive an F-2 visa from the United States Department of State, a student must be a dependent of F-1 status visa holders.

Foreign Students (F-1 visas)

To receive an F-1 student visa from the United States Department of State, a foreign exchange student must demonstrate that he/she has a residence abroad and intends to return; has been accepted to pursue a full course of study at an INS-approved institution as evidenced by presentation of Form 1-20A-B; has sufficient academic preparation to pursue the intended course of study; has sufficient knowledge of English to pursue the intended study and has sufficient funds to cover the first year of study and access to sufficient funds to cover subsequent years.

Foreign exchange students who hold F-1 visas may not be admitted to an elementary school (K-8) and/or an adult education program in this district.

F-1 visa foreign students, who were in a public school before November 30, 1996 and obtained F-1 status before November 30, 1996 may continue in the public school. However if these students travel outside the United States, they will need to conform to the requirements above (12 month maximum and reimbursement for cost) to be readmitted.

The cost of education to be reimbursed to the Board may be calculated by dividing the sum of all public expenditures of the school or district by the number of students or by using the rate certified by the Board.

Foreign exchange students or their representative(s) must notify the Board of Education no later than May 31st of the school year prior to the requested enrollment year of their desired to be enrolled in the district school. The Board of Education reserves the right to determine if a particular foreign exchange student or group of exchange students may be enrolled in the district school, based on space available and/or the educational needs of the particular student or group of students seeking enrollment. The Board of Education shall render its decision and inform the prospective student or his/her representative(s) of such decision no later than June 30th of that same year. At its sole discretion, the Board of Education may alter these dates.

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Students Returning from County Detention

The district shall accept all days of attendance and courses studied by a student at a county juvenile detention center and apply them toward district requirements for promotion or middle school graduation.

Homeless Pupils

The district will determine the educational placement of homeless students in each child's best interest and respond to appeals concerning them made by parents/guardians or other parties in accordance with New Jersey statutes and administrative code, as well as, pertinent federal law.

Out of Country Travel

If a new or current student has been out of the United States, before they are permitted to attend and/or return to Fairfield Township School, the student will be required to show proof or be self-quarantined for fourteen (14) days before entering school. The student is not exempt from completing school assignments during the self-quarantine.

The Board shall make this policy available to parents/guardians and the public.

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Legal References

NJSA 18A:7B-12 District of residence; determination
18A:7B-12.1 Homeless child; responsibility for education; determination of placement; payment of costs
18A:7C High School Graduation Standards
18A:36-19a Newly enrolled students; records and identification
18A:36-25.1 Proof of child's identity required for enrollment; transfer of record 18A:38-1
Attendance at school free of charge
18A:38-2 Free attendance at school by nonresidents placed under court order 18A:38-3
Attendance at school by nonresidents
18A:38-4 Free attendance to persons over age
18A:38-5 Admission of pupils under age
18A:38-5.1 No child to be excluded from school because of race, etc. 18A:38-6
Time of admission of pupils; first school year
18A:38-7.7 Legislative findings and declarations 18A:38-8
Duty to receive pupils from other districts
18A:38-25 Attendance required of children between six and 16; exceptions 18A:40-20
Immunization at public expense
18A:44-1 Establishment of nursery schools or departments; eligibility for admission 18A:44-2
Establishment of kindergarten; eligibility for admission
26:1A-9.1 Exemption of pupils from mandatory immunization

N.J. School Leader (July-August 2002).

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Evaluation & Placement Upon Entrance

Policy 5111.5

Date Adopted: March 22, 2010

Date Revised:

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Students transferring into the school will be placed in the appropriate classroom by the administration on the basis of records available at the time of enrollment.

Following a review of the student records by the Principal, the student will be placed as soon as possible, but no later than 30 days following enrollment, in the basic skills program if he/she is eligible.

If a student exhibits continued academic and/or behavioral difficulties, the teacher may refer the student to the Fairfield Action Committee Team (FACT) or the Preschool Intervention Referral Team (PIRT) for the development of an intervention plan. Students may not be referred to the FACT or PIRT until there is documentation that the student has not made progress with the effective implementation of a FACT or PIRT Intervention Plan.

If a student transferring into the School has previously been classified and found eligible for Special Education Services, such student's case shall be referred to the FACT or PIRT. The FACT or PIRT will review all Pertinent reports and data concerning the individual student and, in compliance with the regulation set forth in administrative code, recommend to the administration the most appropriate educational classification and placement for the student.

In the case of pre-kindergarten and kindergarten enrollment, an appropriate screening instrument(s) may be used as an evaluative instrument.

Legal References

- NJSA 18A:36-19a Record requests for newly enrolled students
- 18A:44-1 Establishment of nursery schools; eligibility for admission
- 18A:44-1 Establishment of kindergarten; eligibility for admission

Possible Cross References

5120

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Absences & Excuses

Policy 5113

Date Adopted: March 22, 2010

Date Revised:

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In order for the Board of Education to fulfill its responsibility for providing a thorough and efficient education for each pupil, the complete cooperation of parents/guardians and pupils is required to maintain a high level of school attendance.

The frequent absence of pupils from classroom learning experiences disrupts the continuity of the instructional process and limits the ability of pupils to complete the prescribed curriculum requirements successfully.

A waiver of these attendance requirements may be granted for good cause by the Superintendent of Schools.

Documentation of the nature and causes of these absences shall be the responsibility of the pupil and parent/guardian.

Parents/guardians are responsible for notifying the school early in the day when a child will be absent and for informing the school of the reason for the absence. The Superintendent of Schools/designee shall develop procedures for the attendance of pupils which:

- A. Ensure a school session which is in conformity with requirements of the rules of the New Jersey State Board of Education;
- B. Identify potentially missing and/or abused pupils;
- C. Govern the keeping of attendance records in accordance with rules of the New Jersey State Board of Education (NJAC 6A:16-1.1 et seq) including pupils serving in- or out-of-school suspensions, or excluded for health and cleanliness reasons;

Lateness

The Board expects students to arrive at school and in classrooms on time. Students who arrive late to school or in their assigned classroom(s) shall be subject to disciplinary action in accordance with the district's Code of Student Conduct.

Truancy

The Board will report to appropriate authorities infractions of the law regarding the attendance of pupils below the age of 16. Repeated infractions by enrolled pupils over the age of 16 may result in the suspension or expulsion of the pupil.

It shall be the policy of the Board to consider the effectiveness and appropriateness to his/her needs of the educational program that is offered each pupil who is habitually and repeatedly absent from his/her assigned program and to consult with the child study team for its recommendations.

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Unexcused Absences

For the purposes of this policy and pursuant to NJAC 6A:32-8.3, the definition of a school day is that a school day shall be such that a school day shall consist of not less than four hours of actual instruction, except that in an approved kindergarten a full school day may consist of one continuous session of 2 ½ hours.

For the purposes of this policy an unexcused absence shall be defined as absence of a student from school, a class or classroom or his/her assigned program for a school day without proper notification by the student's parent/guardian or for reasons other than those listed in this policy under Excused Absences, below.

Excused Absences

The Board considers the following as cause for excused absence:

- A. Disabling illness
- B. Recovery from accident
- C. Required court attendance
- D. Family illness (serious illness of a family member, residing in the household of the student or the quarantine of the family member, family or student in accordance with the directives of health officials);
- E. Death in the family (death of a family member of the student, including but not limited to parent/guardian, sibling, grandparent, aunt, uncle, etc.);
- F. Religious observance--In accordance with statute, no pupil absent for religious observance of a day recognized by the commissioner of education or this Board of Education shall be charged with an unexcused absence, deprived of an award or eligibility/opportunity to compete for an award, or of the right to take an alternate to a test or examination missed through such absence.
- G. Such good cause as may be acceptable to the Superintendent of Schools.

Attendance need not always be within the school facilities. A pupil will be considered to be in attendance if he/she is present at any place where school is in session by authority of the Board. The Board shall consider each pupil assigned to a program of independent study, with parent/guardian permission, to be in regular attendance for that program, provided that he/she is under the guidance of a staff member so assigned, reports daily or weekly, as prescribed, to such staff member the place in which he/she is conducting his/her study, and regularly demonstrates progress toward the objectives of his/her course of study.

Students with Disabilities

For students with disabilities, attendance plans and punitive and remedial measures shall be established in accordance with the students':

- A. Individualized Education Programs, pursuant to USC § 1400 et. seq., the Individuals with Disabilities Education Improvement Act;
- B. Procedural safeguards as set forth in NJAC 6A:14;

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- C. Accommodation plans under 29 USC § 794 and 705(20);
- D. Individualized health care plans, pursuant to NJAC 6A:16-2.3(b)2ix.

Cases of Up to Four Unexcused Absences

The Superintendent of Schools shall assign a district employee to attempt to notify parents/guardians of any unexcused absences of their children prior to the beginning of the school day following said unexcused absence.

District personnel shall be assigned the task of conducting an investigation to determine the cause(s) of each unexcused absence. This investigation shall include contacting the parents/guardians of the student.

Appropriate district personnel shall develop an action plan to address patterns of habitual unexcused absences of students in order to have said students maintain regular attendance. This action plan shall be developed in consultation with the student's parents/guardians.

Cases of Five to Nine Cumulative Unexcused Absences

The Superintendent of Schools shall assign a district employee to attempt to notify parents/guardians of any unexcused absences of their children prior to the beginning of the school day following said unexcused absence.

District personnel shall be assigned the task of conducting an investigation to determine the cause(s) of each unexcused absence. This investigation shall include contacting the parents/guardians of the student.

Appropriate district personnel shall develop an action plan to address patterns of habitual unexcused absences of students in order to have said students maintain regular attendance. This action plan shall be developed in consultation with the student's parents/guardians. In addition, the assigned staff member(s) shall evaluate the appropriateness of the action plan pursuant to NJAC 6A:16-7.8(a)41(3) and revise the action plan, as needed to identify patterns of unexcused absences and establish outcomes based on the student's needs and specify the interventions for achieving the outcomes supporting the student's return to school and regular attendance that may include any or all of the following:

- A. Refer or consult with the Intervention and Referral Services team, pursuant to NJAC 6A:16-8;
- B. Conduct testing, assessments or evaluations of the student's academic, behavioral and health needs;
- C. Consider an alternate educational placement;
- D. Make a referral to a community-based social and health provider agency or other community resource;

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- E. Refer to the court program designated by the New Jersey Administrative Office of the Courts;
- F. Proceed in accordance with the provisions of NJSA 9:6-1 et seq. and NJAC 6A:16-11, if a potentially missing or abused child situation is detected; and/or,
- G. Cooperate with law enforcement and other authorities as appropriate.

Cases of Ten or More Cumulative Unexcused Absences

In cases of 10 or more cumulative unexcused absences, the student between the ages of 6 and 16 shall be considered to be truant pursuant to NJSA 18A:38-27. In such cases, the following actions shall be instituted:

- A. A mandatory referral to the court program designated and required by the New Jersey Administrative Office of the Courts;
- B. A reasonable attempt to notify the student's parents/guardians of said mandatory referral;
- C. Continuation of consultations with the parents/guardians and the involved agencies to support the student's return to school and regular attendance;
- D. Cooperation with law enforcement and other authorities and agencies, as appropriate;
- E. Proceed in accordance with the provisions of NJSA 18A:38-28 through 31, Article 3B, Compelling Attendance at School and other applicable state and federal statutes, as required.

Regular Release of Pupils Before the End of the Normal School Day

There are varying situations which may justify release of certain pupils from school before the normal time for closing. Such situations are justifiable only if the release does not jeopardize the pupil's educational program and the reasons for such release can be shown to have positive benefits for the pupil.

Late Arrival and Early Dismissal

The Board recognizes that from time to time compelling circumstances will require that a pupil be late to school or dismissed before the end of the school day.

As agent responsible for the education of the children of this district, the Board shall require that the school be notified in advance of such absences by written request of the pupil's parent/guardian, which shall state the reason for the tardiness or early dismissal. Justifiable reasons may include:

- A. Medical or dental appointments which cannot be scheduled outside of school hours;
- B. Medical disability;
- C. Motor vehicle driver's test;
- D. Interview for college entrance or employment;

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- E. Family emergency;
- F. Court appearance;
- G. Such good cause as may be acceptable to the administration.

No pupil in grades pre-kindergarten through eight shall be permitted to leave the school before the close of the school day unless he/she is met in the school office by his/her parent/guardian or a person authorized by the parent/guardian to act in his/her behalf.

Tardiness not covered by the causes listed shall be cumulative, and may affect course credit.

Legal Custody

A record shall be kept indicating the legal custodian of each pupil. Such custodian shall be responsible for informing the Board of any change in the pupil's custodian. The principal may take such steps as seem necessary to ensure that the child is released only to the proper legal custodian.

Class Cutting and Truancy (Unauthorized Absence)

Penalties for students who cut classes shall include detention and in-school suspension. Parents/guardians who fail to comply with the compulsory attendance laws are subject to the penalties prescribed by law.

Make-Up Work

Students shall be provided the opportunity to make up all work and examinations missed because of absence. Failure to make up such work or take such examinations shall result in appropriate academic penalty.

Exclusions

When a student has been excluded from school in accordance with statute, he/she shall have the same opportunity to make up missed work as a student absent for any other reason. Such days of non-attendance shall be recorded as excused absences.

Potentially Missing Children

- A. If daily attendance records indicate a child is absent, and the parent/guardian has not called, a designated person shall attempt to contact them.
- B. If no telephone contact can be made, the attendance officer shall investigate.
- C. If the attendance officer cannot locate the child, he/she shall inform the principal, who shall inform the appropriate local authorities.
- D. If a child who was present in the morning is absent after lunch, the same procedure shall be followed.

In accordance with Board Policies 5141.4 – Child Abuse & Neglect and 5141.5 Early Detection of Missing Children, and pursuant to NJSA 9:6-1 et. seq. and NJAC 6A:16-11, any case in which it appears that the student who is absent is potentially missing

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or the victim of child abuse and/or neglect, the Superintendent/designee shall conduct an investigation of the circumstances and proceed in accordance with law and in cooperation with law enforcement officials where appropriate.

Marking Missing Child's School Record

Whenever the Superintendent of Schools receives notice from the Missing Persons Unit that a child has been reported missing, he/she shall mark the child's records in such a way that whenever a copy of or information regarding the record is requested, district personnel will be aware that the record is that of a missing child. If a copy of a marked school record is requested, the Superintendent of Schools shall supply the record to the requestor without alerting him/her to the fact that the record has been marked, according to provisions in code and statute on accessing pupil records (see Policy 5125 Pupil Records). After the Superintendent of Schools has complied with the request for copies of records or information, he/she shall immediately report the inquiry or any knowledge as to the whereabouts of the missing child to the Missing Persons Unit.

Regulations

The Superintendent of Schools shall develop procedures for the attendance of pupils which:

- A. Ensure a school session which is in conformity with requirements of the rules of the New Jersey State Board of Education;
- B. Identify potentially missing and/or abused pupils;
- C. Govern the keeping of attendance records in accordance with rules of the New Jersey State Board of Education, including pupils serving in- or out-of-school suspensions, or excluded for health and cleanliness reasons;
- D. Impose on truant pupils such disciplinary measures as may be appropriate for infractions of school regulations, but no such penalty may have an irredeemable negative effect on the pupil's record of achievement beyond that which naturally follows his/her absence from school activities;
- E. Identify the habitual truant, investigate the causes of his/her behavior, and consider modification of his/her educational program to meet his/her particular needs and interests;
- F. Address tardiness and class cutting in terms of the intent of this policy;
- G. Ensure that pupils absent for any reason have an opportunity to make up work they missed;
- H. Recognize exemplary attendance.

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Legal References

- NJSA** 18A:11-1 General mandatory powers and duties
18A:35-4.9 Pupil promotion and remediation; policies and procedures
18A:36-14, -15, -16 Religious holidays; absence of pupils on; effect ...
18A:36-19a Newly enrolled students; records and identification
18A:36-24 through -26 Missing children; legislative findings and declarations ...
18A:38-25 Attendance required of children between six and 16; exceptions
18A:38-26 Days when attendance required; exceptions
18A:38-27 Truancy and juvenile delinquency defined
18A:38-31 Violations of article by parents or guardians; penalties
18A:38-32 District and county vocational school attendance officers
18A:40-7 Exclusion of pupils who are ill
18A:40-8 Exclusion of pupils whose presence is detrimental to health and cleanliness
18A:40-9 Failure of parent to remove cause for exclusion; penalty
18A:40-10 Exclusion of teachers and pupils exposed to disease
18A:40-11 Exclusion of pupils having communicable tuberculosis
18A:40-12 Closing schools during epidemic
18A:54-20 Powers of board (county vocational schools)
52:17B-9.8a through -9.8c Marking of missing child's school record
- NJAC** 6A:8-5.1 Graduation requirements
6A:16-1 et seq. Programs to support student development.
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-8.1 et seq. Student Attendance and Accounting
6A:32-8.3 Student attendance

Wetherell v. Board of Education of Township of Burlington, 1978 S.L.D. 794
Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851
C.R., on behalf of J.R., v. Board of Education of the Scotch Plains-Fanwood
Regional School District, 1988 S.L.D. (June 22)

Possible Cross References

5020, 5111, 5114, 5115, 5124, 5141.2, 5141.4, 5142, 6146, 6147, 6147.1, 6154, 6171.4,
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Early Childhood (Pre-K & Kindergarten) Attendance

Policy 5113.5

Date Adopted: December 19, 2013

Date Revised:

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In order for the Board of Education to fulfill its responsibility for providing a thorough and efficient education for each pupil, the complete cooperation of parents/guardians and pupils is required to maintain a high level of school attendance.

The frequent absence of pupils from classroom learning experiences disrupts the continuity of the instructional process and limits the ability of pupils to complete the prescribed curriculum successfully.

Parents/guardians have the primary responsibility for ensuring that those students between the ages of 3-6 in the pre Kindergarten and Kindergarten Early Childhood Program within their custody attend school regularly.

The Board of Education directs that each student enrolled shall attend the entirety of each day's program at his/her grade level in order to:

1. Participate in classroom activities;
2. Have contact with other students;
3. Have the tutelage of a competent teacher;
4. Minimize disturbance of the classroom routine;
5. avoid needless repetition of subject matter by teachers;
6. Benefit from regular continuity of instruction.

A student will be considered to be in attendance in school if present where any school-sanctioned/sponsored activity is being conducted. Students will not be penalized in any way for attending school-sanction activities that take place during school hours.

Students who miss class for any reason must complete assignments missed because of any absence. Exceptions to the previous statement will be made only at the discretion of the Principal.

Attendance shall be required of all students enrolled in the school during the days and hours that school is in session unless an acceptable cause exists and is presented to the Principal justifying the student's absence. In accordance with statutes, the Board shall require from the parent/guardian of each child who has been absent, a written statement of the reason for such absence. The board reserves the right to verify such statements and to investigate the cause of each absence and tardiness.

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Early Childhood (Pre K & Kindergarten) Attendance

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Therefore, every effort shall be made to identify the habitual truant student, investigate the cause(s) of his/her behavior and consider modification of his/her educational program to meet his/her particular needs and interests.

The Superintendent of Schools is directed to meet with the Child Study Team to consider the appropriateness of the educational program being offered to each student who is habitually and repeatedly absent from that program.

The Superintendent of Schools shall develop procedures that ensure a school session that:

1. Is in conformity with the requirements of the rules of the New Jersey Board of Education;
2. Govern the keeping of attendance records with the rules of the New Jersey State Board of Education;
3. Impose on truant students disciplinary measures appropriate for the infractions of school regulations.

A waiver of these attendance requirements may be granted for good cause by the Superintendent of Schools.

Documentation of the nature and causes of these absences shall be the responsibility of the parent/guardian.

Regulation/Procedures

1. The Principal will ensure that children who are listed as absent on the official school register may be accounted for by designating a staff member to call each absent child's home prior to 11:00 AM each day.
2. Attendance letters, informing parents/guardians of their child's attendance will be sent home by the Principal following the 5th, 7th and 10th consecutive absences in each calendar year. Absences that have been verified by a note from a physician, as well as those absences due to observations of religious holiday will not count toward these totals. The attendance letters issued with the 5th, 7th and 10th consecutive absences will contain reference to the parents/guardians responsibility to ensure that the children attend school. Upon the 10th consecutive absence the Pre-Kindergarten student will be removed from the Pre-School program. The parents/guardians must re-register and if applicable be placed on a waiting list to re-enroll into the Pre-Kindergarten program. Attendance letters are to be developed by the Principal and approved by the Superintendent of Schools each September. The Principal will forward a copy of all attendance letter sent to parents/guardians to the Superintendent of Schools.

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3. Attendance letter, informing parents/guardians of their child's attendance will be sent home by the Principal following the 5th, 10th, and 20th absences in each calendar year. Absences that have been verified by a note from a physician, as well as those absences due to observations of religious holiday will not count toward these totals. The attendance letters issued with the 5th and 10th absences will contain reference to the parent/guardians legal obligation to ensure that children attend school. Attendance letters are to be developed by the Principal and approved by the Superintendent of Schools each September. The principal will forward a copy of all attendance letters sent to parents/guardians to the Superintendent of Schools.
4. The Principal will convene a meeting with the child's parent/guardian, counselor, and teacher following the 5th consecutive absence in any calendar year. The purpose of the meeting will be to devise and implement a written plan to improve the student's attendance record. Any such plan must not incur any expense to the Board of Education.
5. A child who is absent for 10 or more consecutive days must be dropped from the school rolls.
6. The scheduling of family vacations during regular school time is discouraged. It is expected that parents/guardians will endeavor to schedule family vacations at times when school is not in session.
7. A special education pupil, classified as chronically ill is exempt from this policy and regulation.
8. A child in the Early Childhood program or Pre Kindergarten program who accumulates more than 25 unexcused absences in a calendar year will be removed from the Pre K program.
9. A child in the Early Childhood program or grade kindergarten who accumulates more than 30 unexcused absences in a calendar year may be considered for retention.
10. Every effort shall be made to see that pertinent portions of these regulations are existent to every parent via the Early Childhood and Parent handbook. Excerpts from this regulation and from Policy 5115-Attendance Records/Registers will be published and distributed to parents annually.

Excused Absences

The Board considers the following as cause for excused absence:

- A. Disabling illness
- B. Recovery from accident
- C. Required court attendance

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- D. Family illness (serious illness of a family member, residing in the household of the student or the quarantine of the family member, family or student in accordance with the directives of health officials);
- E. Death in the family (death of a family member of the student, including but not limited to parent/guardian, sibling, grandparent, aunt, uncle, etc.)
- F. Religious observance-In accordance with statute, no pupil absent for religious observance of a day recognized by the Commissioner of Education or this Board of Education shall be charged with an unexcused absence, deprived of an award or eligibility/opportunity to compete for an award, or the right to take an alternate to a test or examination missed through such absence.
- G. Such good cause as may be acceptable to the Superintendent of Schools.

Attendance need not always be within school facilities. A pupil will be considered to be in attendance if he/she is present at any place where school is in session by authority of the Board. The Board shall consider each pupil assigned to a program of independent study, with parent/guardian permission, to be in regular attendance for that program, provided that he/she is under the guidance of a staff member so assigned, reported daily or weekly, as prescribed, to such staff member that place in which he/she is conducting his/her study, and regularly demonstrates progress toward the objectives of his/her course of study.

Students with Disabilities

For students with disabilities, attendance plans and punitive and remedial measures shall be established in accordance with the student's:

- A. Individualized Education Programs, pursuant to USC & 1400 et. Seq., the Individuals with Disabilities Education Improvement act;
- B. Procedural safeguards as set forth in NJAC 6A:14;
- C. Accommodation plans under 29 USC & 794 and 750(20)
- D. Individualized health care plans, pursuant to NJAC 6A:16-2.3(b) 2ix.

Cases of Up to Four Unexcused Absences

The Superintendent of Schools shall assign a district employee to attempt to notify parents/guardians of any unexcused absences of their children prior to the beginning of the school day following said unexcused absence.

District personnel shall be assigned the task of conducting investigation to determine that cause(s) of each unexcused absence. This investigation shall include contacting parents/guardians of the student.

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Appropriate district personnel shall develop an action plan to address patterns of habitual unexcused absences of students in order to have said students maintain regular attendance. This action plan shall be developed in consultation with parents/guardians.

Cases of Up to Five to Nine Unexcused Absences

The Superintendent of Schools shall assign a district employee to attempt to notify parents/guardians of any unexcused absences of their children prior to the beginning of the school day following said unexcused absence.

District personnel shall be assigned the task of conducting investigation to determine that cause(s) of each unexcused absence. This investigation shall include contacting parents/guardians of the student.

Appropriate district personnel shall develop an action plan to address patterns of habitual unexcused absences of students in order to have said students maintain regular attendance. This action plan shall be developed in consultation with parents/guardians. In addition, the assigned staff member(s) shall evaluate the appropriateness of the action plan pursuant to NJAC 6A:16-7.8(a) 41(3) and revise the action plan, as needed to identify patterns of unexcused absences and establish outcomes based on the student's needs and specify the interventions for achieving the outcomes supporting the student's return to school and regular attendance that may include any or all of the following:

- A. Refer or consult with the Intervention and Referral Services team, pursuant to NJAC 6A:16-8;
- B. Conduct testing, assessments, or evaluations of the student's academic, behavioral and health needs;
- C. Consider an alternate educational placement;
- D. Make a referral to a community-based social and health provider agency or other community resources;
- E. Refer to the court program (Grade K/Age 6 to 16) designated by the New Jersey Administrative Office of the Courts;
- F. Proceed in accordance with the provisions of NJSA 9:6-1 et seq. and NJAC 6A:16-11, if potentially missing or abused child situation is detected; and/or,
- G. Cooperate with law enforcement and other authorities as appropriate

Cases of Ten or More Cumulative Unexcused absences

In cases of 10 or more cumulative unexcused absences, the student between the ages of 6 and 16 shall be considered to be truant pursuant to NJSA 18A:38-37. In such cases, the following shall be instituted:

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- A. A mandatory referral to court to the court program designated and required by the New Jersey Administrative Office of the Courts;
- B. A reasonable attempt to notify the student's parents/guardians of said mandatory referral;
- C. Continuation of consultations with the parents/guardians and the involved agencies to support the student's return to school and regular attendance;
- D. Cooperation with law enforcement and other authorities and agencies, as appropriate;
- E. Proceed in accordance with the provisions of NJSA 18A: 38-28 through 31, Article 3B, Compelling Attendance at School and other applicable state and federal statutes, as required.

Regular Release of Pupils before the End of the Normal School Day

There are varying situations which may justify release of certain pupils from school before the normal time for closing. Such situations are justifiable only if the release does not jeopardize the pupil's educational program and the reasons for such release can be shown to have positive benefits for the pupil.

Late Arrival and Early Dismissal

The Board recognizes that from time to time compelling circumstances will require that a pupil be late to school or dismissed before the end of the school day.

As agent responsible for the education of the children of this district, the Board shall require that the school be notified in advance of such absences by written request of the pupil's parents/guardians, which shall state the reason for the tardiness or early dismissal. Justifiable reasons may include:

- A. Medical or dental appointments which cannot be scheduled outside of school hours;
- B. Medical disability;
- C. Motor vehicle driver's test;
- D. Family emergency;
- E. Court appearance;
- F. Such good cause as may be acceptable to the administration.

No pupil in grades pre-Kindergarten or Kindergarten shall be permitted to leave the school before the close of the school day unless he/she are met in the school office by his/her parent/guardian or a person authorized by the parent/guardian to act his/her behalf.

Legal Custody

A record shall be kept indicating the legal custodian of each pupil. Such custodian shall be responsible for informing the Board of any change in the pupil's custodian. The principal may take such steps as seem necessary to ensure that the child is released only to the proper legal custodian.

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Class Cutting and Truancy (Unauthorized absence)

Parents/Guardians who fail to comply with the compulsory attendance laws are subject to the penalties prescribed by law.

Make-Up Work

Students shall be provided the opportunity to make up all work and examinations missed because of absence. Failure to make up such work or take such examinations shall result in appropriate academic penalty.

Exclusions

When a student has been excluded from school in accordance with statute, he/she shall have the same opportunity to make up missed work as a student absent for any other reason. Such days of non-attendance shall be recorded as excused absences.

Potentially Missing Children

- A. If daily attendance records indicate a child is absent, and the parent/guardian has not called, a designated person shall attempt to contact them.
- B. If no telephone contact can be made, the attendance officer shall investigate.
- C. If the attendance officer cannot locate the child, he/she shall inform the principal, who shall inform the local authorities.
- D. If a child who was present in the morning is absent after lunch, the same procedure shall be followed.

In accordance with Board Policies 5141.4_Child Abuse & neglect and 5141.5 Early Detection of Missing Children, and pursuant to NJSA 9:6-1 et. Seq. and NJAC 6A:16-11, any case in which it appears that the student who is absent is potentially missing or the victim of child abuse and/or neglect, the Superintendent/designee shall conduct an investigation of the circumstances and proceed in accordance with law and in cooperation with law enforcement official were appropriate.

Marking Missing Child's School Record

Whenever the Superintendent of Schools receives notice from the Missing Persons Unit that a child has been reported missing, he/she shall mark the child's records in such a way that whenever a copy of or information regarding the record is requested, district personnel will be aware that the record is that of a missing child. If a copy of a marked school record is requested, the Superintendent of schools shall supply the record to the requestor without alerting him/her to the fact that the record has been marked, according to provisions in code and statute on accessing pupil records (see Policy 5125 Pupil Records). After the Superintendent of Schools has complied with the request for copies of records or information, he/she shall immediately report the inquiry or any knowledge as to the whereabouts of the missing child to the Missing Persons Unit.

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Regulations

The Superintendent of Schools shall develop procedures for the attendance of pupils which:

- A. Ensure a school session which is in conformity with requirements of the rules of the New Jersey State Board of Education;
- B. Identify potentially missing and/or abused pupils;
- C. Govern the keeping of attendance records in accordance with rules of the New Jersey State Board of Education, including pupils serving in or out of school suspensions, or excluded for health and cleanliness reasons;
- D. Impose truant pupils such disciplinary measures as may be appropriate for infractions of school regulations, but no such penalty may have an irredeemable negative effect on the pupil's record of achievement beyond that which naturally follows his/her absence from school activities;
- E. Identify the habitual truant, investigate the causes of his/her behavior, and consider modification of his/her educational program to meet his/her particular needs and interests;
- F. Address tardiness in terms of the intent of this policy;
- G. Ensure that pupils absent for any reason have an opportunity to make up work they missed;
- H. Recognize exemplary attendance.

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Legal References

- NJSA** 18A:11-1 General mandatory powers and duties
18A:35-4.9 Pupil promotion and remediation; policies and procedures
18A:36-14, -15, -16 Religious holidays; absence of pupils on; effect ...
18A:36-19a Newly enrolled students; records and identification
18A:36-24 through -26 Missing children; legislative findings and declarations ...
18A:38-25 Attendance required of children between six and 16; exceptions
18A:38-26 Days when attendance required; exceptions
18A:38-27 Truancy and juvenile delinquency defined
18A:38-31 Violations of article by parents or guardians; penalties
18A:38-32 District and county vocational school attendance officers
18A:40-7 Exclusion of pupils who are ill
18A:40-8 Exclusion of pupils whose presence is detrimental to health and cleanliness
18A:40-9 Failure of parent to remove cause for exclusion; penalty
18A:40-10 Exclusion of teachers and pupils exposed to disease
18A:40-11 Exclusion of pupils having communicable tuberculosis
18A:40-12 Closing schools during epidemic
18A:54-20 Powers of board (county vocational schools)
52:17B-9.8a through -9.8c Marking of missing child's school record
- NJAC** 6A:8-5.1 Graduation requirements
6A:16-1 et seq. Programs to support student development.
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-8.1 et seq. Student Attendance and Accounting
6A:32-8.3 Student attendance
- Wetherell v. Board of Education of Township of Burlington, 1978 S.L.D. 794
Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851
C.R., on behalf of J.R., v. Board of Education of the Scotch Plains-Fanwood Regional School District, 1988 S.L.D. (June 22)

Possible Cross References

5020, 5111, 5114, 5115, 5124, 5141.2, 5141.4, 5142, 6146, 6147, 6147.1, 6154, 6171.4, 6173

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Date Adopted: March 22, 2010

Date Revised: January 12, 2017

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While the Board believes that positive approaches to acceptable behavior are usually more effective, it is sometimes necessary to penalize pupils for violations of school regulations to ensure the good order of the school and to teach pupils the consequences of disruptive behavior.

Pupils who indulge in disruptive behavior may be suspended or expelled. Disruptive behavior includes, but is not limited to:

- A. Continued and willful disobedience;
- B. Open defiance of the authority of any teacher or person having authority over a pupil;
- C. Actions that constitute a continuing danger to the physical well-being of other pupils;
- D. Physical assault upon another pupil, a teacher, or any school employee with or without a firearm or other weapon;
- E. Taking, or attempting to take, personal property or money from another pupil whether by force or fear;
- F. Willfully causing, or attempting to cause, substantial damage to school property;
- G. Taking part in any unauthorized occupancy of a district facility and refusing to leave promptly when directed to do so by a person in authority;
- H. Inciting others to take part in an unauthorized occupancy;
- I. Inciting other pupils to truancy;
- J. Truancy and class cutting; leaving school property without permission;
- K. Poor attendance and lateness;
- L. Use or possession of unsafe or illegal articles;
- M. Use of any tobacco product on school property;
- N. Use, possession or sale of a controlled dangerous substance, drug paraphernalia, anabolic steroids or alcohol;
- O. Use of profanity or abusive language;
- P. Turning in a false alarm;
- Q. Tampering with or damaging property of other pupils or staff members;
- R. Selling or buying lottery tickets or any other gambling paraphernalia on school property.

Any pupil who commits an “assault” (as defined by N.J.S.A. 2C:12-1) with or without a weapon upon a Board Member, teacher, administrator or other employee of the Board of Education shall be suspended from school immediately according to procedural due process, and suspension or expulsion proceedings shall begin no later than 30 calendar days from the date of the pupil's suspension.

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Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property or on a school bus or at a school-sponsored function shall be immediately removed from the school's regular education program for a period of not less than one calendar year. The Superintendent/Principal may modify this suspension on a case-by-case basis. Each pupil so removed shall be placed in an alternative educational program or on home instruction and shall be entitled to a hearing before the Board. The hearing shall take place no later than 30 days following the day the pupil is removed from the regular education program and shall be closed to the public.

The Superintendent / Principal shall have the authority to suspend pupils for improper conduct in or on school property in grades 3 through 8, which in his/her judgment is deemed sufficient cause for such action. Students in preschool through second grade will be subject to early detection and prevention programs for behavioral issues incorporated in their daily program to include remediation of problem behaviors, positive reinforcements, supportive interventions, and referral services. Students in grades 3 through 8 shall also be considered for remediation and referral in the event their behaviors warrant such action given their circumstances for suspension.

The Principal shall be responsible for the removal of such students and shall immediately report them to the Superintendent/Principal. The Superintendent/Principal shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

The Superintendent/Principal shall determine at the end of the year whether the student is prepared to return to the regular education program, in accordance with procedures established by the Commissioner of Education.

In-school Suspension

The Board directs the administration to arrange facilities for in-school suspension whenever possible. Pupils will be required to occupy themselves with school-related work during such suspensions. No socializing shall be permitted. Pupils shall be counted as present in school but absent (excused) from individual classes.

General

Pupils on home suspension shall be counted absent (excused) unless the duration of the suspension requires home instruction.

Except when special considerations warrant (at the discretion of the administration), every pupil will be given a written warning in the form of a disciplinary notice that subsequent violation of school regulations may result in his/her exclusion or suspension.

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Pupils under suspension are prohibited from participating in or attending any school-regulated activity during the period of their suspension and as delineated in the Fairfield Township School Discipline Code. They may not enter the school buildings or grounds of this district without the permission of the Superintendent/Principal. Any pupil under suspension who enters the school buildings or grounds without the permission of the Superintendent/Principal may have the period of his/her suspension extended. The right to continue the suspension or to expel is reserved to the Board of Education, acting upon the recommendation of the administration.

Serious violations of school regulations which create a dangerous or unsafe condition for other pupils shall cause a pupil to be suspended upon the first offense.

Making Up Missed Work

Pupils who are under suspension will be required to make up all assignments missed during the period of their suspension and will be given adequate opportunity to make up this work.

Upon their readmission, failure to complete the makeup assignments will result in a meeting with the parents/guardians. The Principal will notify parents/guardians by telephone and send a letter regarding the telephone conversation immediately.

- A. Informing the pupil of the charges against him/her;
- B. Giving the pupil a chance to reply to them.

These regulations shall also include safeguards for the dismissal of pupils suspended from school, procedures for calling an immediate conference with parents/guardians, limitations on the length of suspensions, and specifics for the reinstatement of pupils.

Every effort shall be made to adjust each suspension promptly so that the pupil can be returned to school with a minimum loss of school time and school work.

When the principal suspends a student, he/she must immediately report this action to the Superintendent/Principal, who will then report it to the Board of Education. When the Superintendent/Principal imposes a suspension, he/she must report it to the Board. No suspension for reasons other than assault upon a teacher, administrator, Board Member or other Board employee may continue beyond the second regular meeting of the Board following the suspension without Board action. No suspension for assault upon a teacher, administrator, Board Member or other Board employee may be continued beyond 30 days without Board action. A suspended pupil may be reinstated by the Superintendent/Principal before Board action.

Each pupil shall be afforded an informal hearing before the suspension or, if circumstances prohibit, as soon as possible after the suspension except that, when extraordinary circumstances involving the health and safety of the pupil or others in the school require immediate exclusion, the hearing may be delayed to such time as circumstances permit.

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Pupils suspended for a period of time longer than a short-term suspension shall be afforded a formal hearing before the Board which shall take place not later than the second regular meeting of the Board following the suspension. If the offense involves a weapon or assault with or without the weapon (as described above), the hearing shall take place not later than 30 days after the suspension occurs.

The Board shall make a decision within five days of the close of the hearing. Any appeal of the Board's decision shall be made to the Commissioner of Education within 90 days of the Board's decision.

The Board requires that such hearings shall be closed to the public, but should all parties thereto agree, the hearing may be publicly held. Each suspended pupil who has requested a

formal hearing shall be restored to the regular educational program pending the outcome of the hearing, except when, in the opinion of the Superintendent/Principal, the presence of the pupil in school poses such a danger to himself/herself or others as to warrant continued absence.

Each such pupil suspended from the schools of this district shall receive individual instruction commencing not later than the fifth working day after the suspension occurs, except that the Board may, on the recommendation of the Superintendent/Principal assign the pupil to an alternate educational program to meet his/her particular needs (see Policy #6172).

Procedures

The administration shall establish, and the Board shall approve, specific procedures for dealing with suspension cases. Regulations ensuring due process to all pupils before a suspension is imposed shall be developed with the advice of the Board attorney and shall include at least:

- A. Informing the pupil of the charges against him/her;
- B. Giving the pupil a chance to reply to them.

These regulations shall also include safeguards for the dismissal of pupils suspended from school, procedures for calling an immediate conference with parents/guardians, limitations on the length of suspensions, and specifics for the reinstatement of pupils.

Every effort shall be made to adjust each suspension promptly so that the pupil can be returned to school with a minimum loss of school time and school work.

When the Superintendent/Principal imposes a suspension, he/she must report it to the Board of Education. No suspension for reasons other than assault upon a teacher, administrator, Board Member or other Board employee may continue beyond the second regular meeting of the Board of Education following the suspension without Board action. A suspended pupil may be reinstated by the Superintendent/Principal before Board action.

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Each pupil shall be afforded an informal hearing before the suspension or, if circumstances prohibit, as soon as possible after the suspension except that, when extraordinary circumstances involving the health and safety of the pupil or others in the school require immediate exclusion, the hearing may be delayed to such time as circumstances permit.

Pupils suspended for a period of time longer than a short-term suspension shall be afforded a formal hearing before the Board of Education which shall take place not later than the second regular meeting of the Board of Education following the suspension. If the offense involves a weapon or assault with or without the weapon (as described above), the hearing shall take place not later than 30 days after the suspension occurs.

The Board of Education shall make a decision within five days of the close of the hearing. Any appeal of the Board's decision shall be made to the Commissioner of Education within 90 days of the Board's decision.

The Board of Education requires that such hearings shall be closed to the public, but should all parties thereto agree, the hearing may be publicly held. Each suspended pupil who has requested a formal hearing shall be restored to the regular educational program pending the outcome of the hearing, except when, in the opinion of the Superintendent/Principal, the presence of the pupil in school poses such a danger to himself/herself or others as to warrant continued absence.

Expulsion

The Board will consider expulsion only if:

- A. The Superintendent/Principal with his/her staff have exhausted all means of bringing about a correction of repeated misconduct; or
- B. The nature of a single act presents such a clear possibility of danger to others that immediate definitive action is indicated.

The parents/guardians of the pupil shall be interviewed, if possible, and advised of the reasons why expulsion is being considered, of the rights of the pupil to a full hearing which will afford him/her procedural due process, and the right of parents/guardians to appeal to the Superintendent/Principal.

The child shall remain out of school until either:

- A. An appeal made to the Superintendent/Principal is decided in the child's favor;
or
- B. The appeal (if made) has been denied and the Board has met to hear the recommendation of the Superintendent/Principal.

If the Board determines that the charges, if true, may warrant expulsion, the Board will set a date for the hearing. The Board attorney will arrange for the giving of legal notice to all parties concerned for the preparation and presentation of evidence in support of the charges at the hearing.

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The pupil must receive:

- A. Notification of the charges against him/her;
- B. The names of the adverse witnesses;
- C. Copies of the statements and affidavits of those adverse witnesses;
- D. The opportunity to be heard in his/her own defense;
- E. The opportunity to present witnesses and evidence in his/her own defense;
- F. The opportunity to cross-examine adverse witnesses; and
- G. The opportunity to be represented by counsel.

Juvenile authorities and law enforcement agencies shall be notified or consulted if necessary.

Prior to expulsion, prevention programs for behavioral issues incorporated in their daily program to include remediation of problem behaviors, positive reinforcements, supportive interventions, and referral services will be afforded all students. In addition, the student shall be referred to the Child Study Team for evaluation.

If a pupil younger than 18 years of age is expelled, the Board shall continue to supply an educational program for him/her.

Implementation

The Superintendent/Principal develop such written procedures as necessary to implement this policy.

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Legal References

- NJSA 2C:12-1 Definition of assault
18A:11-1 General mandatory powers and duties
18A:37-1 et seq. Discipline of pupils
18A:40A-1 et seq. Substance abuse
- NJAC 6A:14-2.8 Discipline/suspension/expulsions
6A:16-1.1 et seq. Programs to Support Student Development
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
6A:32-12.2 School-level planning
- 20 U.S.C.A. 1400 et seq. - Section 504 of the Rehabilitation Act of 1973
P.L. 103-382, Improving America's Schools Act of 1994
Goss v. Lopez, 419 U.S. 565, 581 (1975)
Tibbs v. Franklin Township Board of Education, 114 N.J. Super. 287 (App. Div.) aff'd 59 NJ 506 (1971)
R.R. v. Shore Reg. Board of Education, 109 N.J. Super. 337 (Ch. Div. 1970)
H.A. v. Board of Education Warren Hills Regional, 1976 S.L.D. 336
82: July 28, C.F. v. Board of Education of the Upper Freehold Regional School District
Honig v. Doe, 484 U.S. 305 (1988)
Somerset County Educational Services Commission v. North Warren Board of Education
1999 S.L.D. September 7
State in re G.S. 330 N.J. Super. 383 (Ch. Div. 2000)
See also Commissioners' Decisions indexed under "Pupils-Punishment of" in Index to N.J. School Law Decisions
A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

Possible Cross References

5113, 5124, 5131.5, 5131.7, 6154, 6164.2, 6164.4, 6171.4, 6172, 6173

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Student Storage Areas

Policy 5114.6

Date Adopted: March 22, 2010

Date Revised:

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The Board of Education recognizes that the 4th Amendment Right to Privacy applies to students and that they are therefore entitled to be free from unreasonable searches and seizures by school officials. The Board furthermore recognizes that the Legislature has specifically charged school officials with the duty of maintaining order, safety and discipline.

School officials shall have reasonable grounds to believe that a student possesses evidence of illegal activity or of an activity that would interfere with school discipline and order before a reasonable search shall be conducted.

Desks, lockers and other storage areas assigned to students are school property and these shall be subject to regular and periodic inspection by the administration in order to insure proper health and safety standards. Areas may be inspected at any other time when reasonable grounds for such an inspection exist.

Whenever reasonable grounds to conduct a specific area search exists, the administration shall consider the source of the information, the reliability of the source, the actions of the student, the age and history of the student, the seriousness of the problem to the school, the need for immediacy as compared to parental knowledge or notification and the relationship of the search to the alleged wrong doing. After due consideration of these items, the administration shall decide if a search is warranted. If so, there shall be present at all times at least two administrators during the search whenever possible.

If criminal activity is involved or suspected, law enforcement officers shall be contacted for their assistance. The Superintendent of Schools shall protect the student's individual rights at all times.

The administration shall be responsible for the custody, control and disposition of any object seized (unless superseded by a law enforcement officer) and shall be responsible for the prompt recording in writing of all reasons for the search, persons present, items found and seized and disposition of them.

Legal References

NJSA 18A:36-19.2 Inspection of student lockers

18A:25-2 Authority over pupils

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No Smoking

Policy 5114.13

Date Adopted: March 22, 2010

Date Revised: September 3, 2014

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The Board of Education recognizes the medical danger associated with the use of tobacco and is cognizant of its statutory duty pursuant to NJSA 26:3D-15 regarding smoking in school facilities. Additionally, the Board of Education believes that the right of persons to smoke must be balanced against the right of those who do not smoke to breathe air untainted by tobacco smoke. In order to protect pupils and employees who choose not to smoke from an environment noxious to them and potentially damaging to their health, the Board prohibits smoking in all buildings and school grounds belonging to the District and in all school vehicles.

Definition of Smoking, Tobacco Products & Tobacco Use

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

Prohibition of Smoking by Pupils

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

A student holding a cigarette or other form of tobacco will be considered smoking.

Signs and Reminders

Appropriate “No Smoking in This Building” signs will be posted at every entrance to each building and in appropriate other locations on the school grounds.

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No Smoking

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Legal References

NJSA 2C:33-13 Smoking in public
30:5B-5.3 Smoking – child care centers

NJAC 6A:16-3.1(a)7 Tobacco abuse
PL 103-227, Goals 2000: Educate America Act (Pro Children Act of 1994)
PL 2001, Chapter 226
No Child Left Behind Act of 2001, Pub. L. 107-110

Possible Cross References

1250, 1330, 3515, 4119.23, 4219.23, 5131.6

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No Smoking

Policy 5114.13

Date Adopted: March 22, 2010

Date Revised:

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Definition

Smoking shall mean the inhalation or burning of a lighted cigar, cigarette, pipe or any other matter or substance including tobacco.

Prohibition of Smoking by Pupils

- D. Pupils are not permitted to smoke at any time in school buildings, or anywhere within school boundaries, or on school buses, or when on a school-sponsored trip or activity off school premises.
- E. Pupils are not permitted to possess tobacco products or smoking paraphernalia while on school property.
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NJSA 2C:33-13 Smoking in public
30:5B-5.3 Smoking – child care centers

NJAC 6A:16-3.1(a)7 Tobacco abuse
PL 103-227, Goals 2000: Educate America Act (Pro Children Act of 1994)
PL 2001, Chapter 226
No Child Left Behind Act of 2001, Pub. L. 107-110

Possible Cross References

1250, 1330, 3515, 4119.23, 4219.23, 5131.6

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Attendance Records / Registers

Policy 5115

Date Adopted: March 22, 2010

Date Revised:

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In accordance with law, the school register shall be kept in connection with the operation of every public school or public school class in New Jersey.

The school register is a permanent legal document that must be kept carefully and accurately from day-to-day, according to the rules prescribed. All entries on the register will be recorded in ink.

Attendance records and registers shall contain the following information:

1. The entry status for all students;
2. Dates of birth of all students and age as of September 1st;
3. List of all transported students;
4. The resident district for all students;
5. The names of parents/guardians of all students;
6. The correct mailing address;
7. The date a student leaves the district;
8. Complete information concerning a student who enters the district and shows from where he/she came, and the date this information was received;
9. The date a student is transferred and where he/she went.

The Principal shall submit monthly attendance reports to the Superintendent of Schools.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:38-25 Parental requirements to send children to school
18A:38-26 Attendance required

NJAC 8-4.2(d)2 Pupil attendance

Possible Cross References

5110, 5111, 5113, 5125

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Nonresident Students

Policy 5118

Date Adopted: March 24, 1997

Date Revised: March 22, 2010, May 22, 2014, August 27, 2015,
February 16, 2017

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The Board of Education will admit children of school age who reside in this district and will admit other children in accordance with Title 18A, New Jersey Administrative Code, and this policy. The Board reserves the right to establish procedures to verify the residency or anticipated residency of any pupil and the validity of any affidavit of guardianship.

Any person who knowingly violates these statutes may be found guilty of a disorderly person's offense and subject to prosecution by legal authorities.

Nonresident students are defined as those students whose parents or legal guardians are domiciled outside the school district. Domicile means a person's true and permanent home. The school district is only obligated to educate residents and those nonresidents who fall within certain narrow categories that are listed below. Nonresident students shall not be permitted to attend public school unless they fall into one of the following categories:

Nonresident Students

Nonresident students may be admitted to this district upon payment of tuition or if a sending - receiving contract has been signed by another Board of Education, subject to class size, availability of program, and other unforeseen circumstances as determined by the Board.

This shall not include attendance that is justified on the basis of living full time with district residents because of temporary, personal or financial hardship in their own family. In these cases, legal affidavits must be signed, and acceptance will be at the discretion of the Superintendent/Principal.

Family Crisis

Notwithstanding the provisions of NJSA18A:38-1 or any other law, rule, or regulation to the contrary, a child and his/her parent(s)/guardian(s) who moves out of the school district as a result of domestic violence, sexual abuse or other family crises in accordance with the provisions of the Administrative Procedure Act, (P.L. 1968, c410 (C.52:14B-1 et seq.)), shall be permitted to remain enrolled in the school district for the remainder of the school year. Parents/guardians are required to inform the Superintendent/Principal immediately, in writing, in all such cases. This notification must include any and all documentation of the family crises, and include pertinent documents on file with the courts, legal authorities and/or the New Jersey Division of Child Protection & Permanency (DCP&P).

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If the child remains enrolled in the district for the remainder of the school year, the school district shall provide transportation services to the child, provided the child lives remote from school, and the State of New Jersey shall reimburse the school district for the cost of the transportation services.

Nothing in this policy shall be construed to affect the rights of homeless students pursuant to section 19 of P.L.1979, c.207 (C.18A:7B-12), section 3 of P.L.1989, c.290 (C.18A:7B-12.1), or any other applicable State or federal law.

The Superintendent/Principal shall develop procedures for the enrollment of nonresident children whose admittance will be made after proper application by the parent/guardian. The Superintendent/Principal has the Board's delegation of authority to accept or reject requests for admission. The Board of Education will establish the non-resident tuition rate yearly, by May 1st.

Tuition Guidelines

1. The parent/guardian of the student shall make written application the Superintendent/Principal requesting admission to the school.
2. The parent/guardian shall agree to pay the tuition established by the Board of Education. Such tuition shall be payable in two equal installments due September 1st and February 1st. Requests for monthly payments will be honored if approved by the Superintendent/Principal. No student will be enrolled until the first tuition payment has been received. If a payment is not received within 10 days of the due date, the student will immediately cease attending the Fairfield Township School.
3. The student shall present a satisfactory scholastic, discipline and attendance records from his/her previous school district that is acceptable to the administration.
4. The student shall maintain a satisfactory scholastic record, as well as a satisfactory discipline and attendance record. Students who do not comply with this requirement may not continue as tuition students in the district.
5. Non-resident tuition students shall be subject to all policies and regulations governing the conduct and behavior of resident students.
6. Non-resident tuition student shall be entitled to the benefits of all district activities and instructional programs available to resident students.
7. Parents/guardians of non-resident tuition students that establish residency in Fairfield Township during the period of tuition payment shall receive a prorated reimbursement. Documentation of residency shall be required.
8. Non-resident tuition students shall be accepted and enrolled on a space available basis, subject to class size and as recommended by the Superintendent/Principal.

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Tuition Student Application Procedures

The following procedures clarify the steps to be taken for the admission and continuation of tuition paying students:

1. Parents/guardians submit a written request to the Superintendent/Principal to enroll the student on a tuition basis.
 - Sending districts make all arrangements via the Child Study Team
2. The Superintendent/Principal schedules an interview, does a telephone check to the Principal of the previous school to determine if the student has a satisfactory academic and conduct record. In addition, the Superintendent/Principal determines if there will be appropriate programs and available space for the student.
3. The Superintendent/Principal either accepts or rejects the student for tuition status.
 - If the student is rejected, the Superintendent/Principal notifies the parent/guardian.
 - If the student is accepted, the Superintendent/Principal notifies the parents/guardians stipulating the amount of tuition, the effective date of enrollment and instructing the parents/guardians to complete the registration process.
4. The Business Administrator submits a bill to the parents/guardians for tuition, indicating the amount and dates of required payments. The bill will include the stipulation that if payments are not made on the dates required, the student will be excluded from school.
5. In the event that a parent/guardian fails to make payment as required, the Business Administrator will send a letter advising the parent that tuition enrollment will run out on a certain date and that he/she has recommended to the Superintendent/Principal that the student be excluded from school unless payment is made within 10 days.
6. If payment is not received within the 10-day limit, the Superintendent will send a letter informing the parent/guardian that the student will be excluded from school listing the effective date for the exclusion.
7. Once a student has been admitted on a tuition basis, it is assumed that he/she has permission to continue in the district as long as tuition payments remain current and the Superintendent/Principal determines that a satisfactory academic and conduct record is being maintained.

Under no circumstances will the Board provide transportation to or from the district or any other educational facility.

Children of District Teachers and Administrative Staff

It shall be the policy of the Board of Education of the Fairfield Township School District to accept non-resident children of Teachers and administrative staff under the legal requirements established by State Law.

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The following guidelines will apply:

1. Teachers and administrative staff who wish to enroll their children in the Fairfield Township School District need to complete an application by July 1st of each year (with the exception of new hires). Any teachers or administrative staff hired June 16th through October 1st who wish to enroll their children in the Fairfield Township School District need to submit an application to the Superintendent/Principal within two weeks of their appointment but in no event will an application be accepted after October 15th.
2. All applications will be submitted by the Superintendent/Principal to the Board of Education for approval by the Board. The Board of Education will not approve the application of any non-resident pupil if the acceptance of said pupil would necessitate the addition of staff or additional non-budgeted expenses to the district.
3. No additional services beyond the estimated cost per pupil for regular education in the grade level that the pupil attends will be provided by the Board of Education.
4. Any pupil accepted under these guidelines who is deemed to be disruptive to the educational program by the Superintendent/Principal will be subject to the disciplinary measures set forth under district policies.
5. Transportation for these non-resident pupils shall not be provided by the Fairfield Township School District, nor shall the Board of Education be required to pay any reimbursement for the pupil's transportation. It shall be the responsibility of the parent(s) to transport the child to the Fairfield Township School, at the expense of the parent(s).

Every Student Succeeds Act (ESSA) and Foster Care

In accordance with the provisions of the Every Student Succeeds Act (ESSA), which reauthorized the Elementary and Secondary Education Act (ESEA), the district shall work with child welfare agencies to ensure the educational stability of children who are in foster care.

Definitions

For the purposes of this policy and procedures within it, "foster care" means 24-hour substitute care for children placed away from their parents or guardians and for whom the appropriate child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes.

Background

Amendments to NJSA 18A and NJSA 30 established requirements to support and implement federal legislation require child welfare agencies and school districts to collaborate, and to keep children in foster care in the same school, even if their living placements change, provided that

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remaining in that school is in the best interest of the child. As a part of the legislation, the educational stability of children in foster care is the joint responsibility of both the education and child welfare systems.

The New Jersey Departments of Children and Families (DCF) and Education (DOE) have collaborated with local school districts to successfully implement those amendments, and will continue to collaborate to support the implementation of the new requirements under ESSA.

Procedure/Regulation

The district shall implement the Title I educational stability requirements for children in foster care, by ensuring that:

- A child in foster care remains in his/her school of origin unless it is determined that remaining in the school of origin is not in that child's best interest;
- To the extent feasible and appropriate, the child remains in his/her school of origin while this determination is being made by DCF;
- If it is not in the child's best interest to stay in his/her school of origin, the child must be immediately enrolled in the new school even if the child is unable to produce records typically required for enrollment;
- The new or enrolling school must immediately contact the school of origin to obtain relevant academic and other records; and,
- Upon notification from DCF of their designated Point of Contacts (POCs), the district shall designate a corresponding (district) POC.

The district shall update information such as, but not limited to, the designated district POC.

Additionally, the district shall establish and maintain procedures regarding, but not limited to, the following:

- Collaboration and communication with the appropriate state or local child welfare agency to ensure children in foster care have transportation to and from school; and
- Tuition reimbursement to avoid barriers to immediate enrollment.

The Division of Child Protection and Permanency (DCP&P) Local Offices serves the district in matter. Such as this, and once the district POC information is provided, the appropriate DCP&P offices will be provided with their name(s) and contact information.

POC Roles & Responsibilities

Once the district has assigned an individual or individuals as POC, the roles and responsibilities of the POC(s) may include, but are not limited to:

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- Gathering school related information in order to assist with the best interest determination;
- Facilitating the transfer of records and ensuring that children in foster care are enrolled in and regularly attending school;
- Facilitating data sharing with DCP&P, consistent with FERPA and other privacy protocols;
- Assisting with referrals for Child Study Team services;
- Assisting with school transportation; and
- Providing professional development and training to school staff on the Title I provisions and educational needs of children in foster care, as needed.

Annually, the POC(s) shall be assigned by the appropriate administrative personnel and updates provided to the DCP&P. In addition, any authorized changes to the roles and responsibilities of the POC(s) shall be provided to the POC(s).

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Legal References

NJSA 18A:7F-3 Definitions
18A:11-1 General mandatory powers and duties
18A:36B-1 et seq. Interdistrict Public School Choice Program Act of 1999
18A:38-1 et seq. Attendance at school free of charge
18A:46-20 Receiving pupils from outside district; establishment of facilities
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:12-1.3 et seq. Interdistrict Public School Choice
6A:17-1.1 et seq. Students at Risk of Not Receiving a Public Education
6A:22 Student residency
6A:22-3 Eligibility to attend school
6A:22-3.1 Students domiciled within the school district
6A:23A-19.2 et seq Method of determining the district of residence
6A:23A-19.3 Address submission for determining the district of residence

Illegal Immigrant and Immigration Responsibility Act of 1997, 8 U.S.C. § 1101
Board of Education of the Borough of Englewood Cliffs v. Board of Education of the City of Englewood, 132 NJ 327; cert. denied, 510 U.S. 991 (1993); subsequent listing 333 N.J. Super. (App. Div. 2000)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
J.A. v. Board of Education of South Orange/Maplewood, 318 N.J. Super. 512 (App.Div 1999)

Possible Cross References

3240, 5111

Attachments to this Policy

Fairfield Township School District Application for Non-Resident Children of Teachers

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Illegal Admissions

Policy 5118.1

Date Adopted: March 22, 2010

Date Revised:

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Any person, residing outside of this school district, who intentionally and illegally enrolls a child or children in the district school, or in a case where a student over the age of eighteen and who is responsible for illegally enrolling himself/herself, is perpetrating a fraud upon the school system and the taxpayers of the community.

If and when this fraud is discovered, not only will the student or students be immediately dropped from the school rolls, but the parents/guardians or the student himself/herself, if he/she is over the age of eighteen, will be assessed a tuition charged for the number of days in which the student or students have attended the district school. The assessment shall be based upon a per diem rate.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:38-3 Attendance by non residents
18A:38-8 Duty to receive pupils from other districts
18A:46-20 Receiving from outside district
47:1A-1 et seq. Examination and copies of public records ("Open Public Records Act")

NJAC 6A:17-1.1 et seq Students at risk for not receiving education
6A:23-3.1 Tuition
6A:23-5.2 Determining district of residence
6A:23-5.2 Address submission for determining district of residence

Illegal Immigrant and Immigration Responsibility Act of 1997

Board of Education of the Borough of Englewood Cliffs v. Board of Education of the City of Englewood, 132 NJ 327; cert. denied, 510 U.S. 991 (1993); subsequent listing 333 N.J. Super. (App. Div. 2000)

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

Possible Cross References

3240, 5111, 5112, 5118, 5118.2

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Transfers / Withdrawals

Policy 5119

Date Adopted: March 22, 2010

Date Revised:

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Transfers

All transfers of resident pupils from non-public schools shall be honored provided all requirements set forth in the policies of the Board of Education relating to pupil admissions are met.

All pupils entering the district school shall be under the jurisdiction of the district attendance policy. Absences allowed will be prorated on a monthly basis from the date the pupil enrolls in the district.

All parents/guardians of pupils or adult pupils transferring from the district must notify the administration. Records shall be transferred only after verification from the school to which the pupil is transferring.

Grade Placement of Transferred Pupils

In order to ensure assignment to the grade best suited to a pupil's needs and readiness, placement is left to the judgment of the administration, working in cooperation with teachers and the pupil's parents/guardians. Such placements are to be governed by the following considerations:

1. Age, health and maturity of the pupil
2. Quality and extent of previous courses of study
3. Record from previous school
4. Results of standardized and state tests

Withdrawals

Students identified by the staff as a potential or immediate drop-out due to turning sixteen years of age and still enrolled will be requested to attend school for an assessment period of three days after they have indicated their intention of leaving school. During this three day period the following procedure is to be implemented:

1. The student and the school psychologist will meet for the purpose of discussing the reason for leaving school and the student's plans for the future.
2. The student and the school psychologist will meet to discuss the student's present scholastic standing.
3. The student, the parent/guardians, the school psychologist and the Superintendent of Schools will meet to review all pertinent information and render their recommendations.

If, after the above procedure has been followed and the student remains firm on his/her intention to leave school, a final meeting will be scheduled between the student and the school psychologist to discuss the education and occupational alternatives that are available to them, such as:

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1. Graduate equivalency diploma
2. Additional educational classes
3. Training programs
4. Work-study programs

All efforts will be extended in an attempt to retain the student in school and assist him/her in obtaining a diploma.

Legal References

NJSA 18A:7B-12 District of residence; determination
18A:36-19a Newly enrolled students; records and identification
18A:36-25.1 Proof of child's identity required for enrollment; transfer of record between districts
18A:36B-1 et seq. Interdistrict Public School Choice Program
18A:38-8 Duty to receive pupils from other districts

NJAC 6A:12-3.2 Criteria to guide the Commissioner's approval of choice program applications
6A:23-5.2 Method of determining the district of Residence
6A:32-8.2 School enrollment

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Unsafe School Choice Option Policy, New Jersey Department of Education, June 30, 2003

Possible Cross References

511, 5125, 5131, 5131.5

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Transfers (Unsafe School Choice Option)

Policy 5119.3

Date Adopted: March 22, 2010

Date Revised:

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General

All transfers into the district shall be in accord with file code 5111 Admission. Students transferring into the district are expected to present copies of records from the previously attended school (or district) to aid in placement. Also required are proof of immunizations and proof of identity.

Parents/guardians of pupils or adult pupils transferring from the district shall notify the Superintendent of Schools in a timely manner of their intention to leave the district.

Student records shall be transferred between Superintendent of Schools within the time frame prescribed by law.

Unsafe School Choice Option

If the school is identified as "persistently dangerous" by the New Jersey State Department of Education, and the Board cannot offer a safe school alternative within the district to students choosing to transfer out of a "persistently dangerous" school or to a student who has been a victim of a violent criminal offense, the Superintendent of Schools shall attempt to establish an agreement with a neighboring district. The Board shall review and approve any agreement prior to its application. Transportation shall not be provided to students transferring out of a "persistently dangerous" schools and student victims of violent criminal offenses.

The Superintendent of Schools shall ensure that the district complies with all requirements of federal law and the New Jersey State Department of Education. He/she shall prepare regulations to implement this policy.

Legal References

NJSA 18A:7B-12 District of residence; determination
18A:36-19a Newly enrolled students; records and identification
18A:36-25.1 Proof of child's identity required for enrollment; transfer of record between districts
18A:36B-1 et seq. Interdistrict Public School Choice Program
18A:38-8 Duty to receive pupils from other districts

NJAC 6A:12-3.2 Criteria to guide the Commissioner's approval of choice program applications
6A:23-5.2 Method of determining the district of Residence
6A:32-8.2 School enrollment

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Unsafe School Choice Option Policy, New Jersey Department of Education, June 30, 2003

Possible Cross References

511, 5125, 5131, 5131.5

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Needs Assessment of Individual Pupils

Policy 5120

Date Adopted: March 22, 2010

Date Revised: October 23, 2014

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Each pupil shall be assessed upon entrance into the district's schools and beginning in grade three shall be assessed annually thereafter to identify pupils not meeting district proficiency levels.

The Superintendent/designee shall develop procedures to implement a program of individual pupil needs assessment that shall include but not be limited to:

- A. Identifying district needs as the basis for development of mandated goals; development of staff in-service programs; selecting and approving instructional materials; staffing;
- B. Identifying and determining the needs of:
 - Gifted and talented pupils;
 - Disruptive pupils;
 - Disaffected pupils;
 - Potential dropouts;
 - Pupils who require basic skills improvement programs;
 - Pupils with limited English proficiency;
 - Pupils who may require formal referral to the Child Study Team for classification;
 - Pupils who exhibit one or more potential indicators of dyslexia or other reading disabilities.
- C. Disseminating results of such assessments to parents/guardians and to appropriate staff, state and federal agencies as required without invading the privacy of the individual pupil.

The Superintendent of Schools shall review all individual assessment procedures annually to ensure that they serve the purposes for which they are intended. At all times, these procedures shall be in full conformity with New Jersey law.

Dyslexia Assessment

Dyslexia is a specific learning disability that is neurological in origin and is characterized by difficulties with accurate or fluent word recognition and by poor spelling and decoding abilities. The difficulties that typically result from dyslexia result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction.

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Indicators of Dyslexia

Potential indicators of dyslexia and/or other reading disabilities include, but are not be limited to:

- A. Difficulty in acquiring language skills;
- B. Inability to comprehend oral or written language;
- C. Difficulty in rhyming words;
- D. Difficulty in naming letters, recognizing letters, matching letters to sounds, and blending sounds when speaking and reading words;
- E. Difficulty recognizing and remembering sight words; consistent transposition of number sequences, letter reversals, inversions, and substitutions; and/or.
- F. Trouble in replication of content.

In accordance with the provisions of NJSA 18A:40-5.3, the Board of Education shall ensure that each student enrolled in the school district who has exhibited one or more potential indicators of dyslexia or other reading disabilities is screened for dyslexia and other reading disabilities using a screening instrument selected by the Board of Education no later than the student's completion of the first semester of the second grade.

Students enrolling or transferring into the district in kindergarten or grades one through six who exhibit potential indicators of dyslexia or other reading disabilities and who have not been previously assessed, shall be assessed using the Board-selected age-appropriate screening instrument(s). Students shall be assessed at the same time as other students enrolled in the student's grade if possible. If other students enrolled in the student's grade have previously been screened, the assessment shall be conducted within 90 calendar days of the date the student is enrolled in the district.

The screening shall be administered by a teacher or other teaching staff member properly trained in the screening process for dyslexia and other reading disabilities.

If the results of the assessment substantiate that the student possesses one or more potential indicators of dyslexia or other reading disabilities, the student shall receive a comprehensive assessment for the learning disorder.

If the diagnosis of dyslexia or other reading disability is confirmed by the comprehensive assessment, appropriate evidence-based intervention strategies shall be provided to the student, including intense instruction on phonemic awareness, phonics and fluency, vocabulary, and reading comprehension.

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Legal References

- NJSA 18A:7A-10 Evaluation of performance of each school
18A:40-5.1 Definitions
18A:40-5.2 Distribution of information on screening instruments
18A:40-5.3 Dyslexia screening
18A:40-5.4 Assessment for learning disorders
- NJAC 6A:8-3.1 et seq. Implementation of the Statewide Assessment System
6A:8-4.1 et seq. Implementation of the Statewide Assessment System
6A:8-5.1 Graduation requirements
6A:14-1.1 et seq. Special Education
6A:15-1.1 et seq. Bilingual Education
6A:16-8.1 Establishment of intervention and referral services
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
6A:32-14.1 Review of mandated programs and services

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

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Series 5000

Maintaining Records of Student Grades

Policy 5122.2

Date Adopted: March 22, 2010

Date Revised:

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The Board of Education recognizes that the grades earned by students as they fulfill the curricular requirements of our school system are irreplaceable pieces of information of inestimable value to the student as well as to the school system. Therefore all student academic grading and attendance information shall be kept by the teacher in an orderly, timely, and specified fashion as permanent documentation, the form and content of which must be reviewed and approved by the Superintendent of Schools who shall collect these documents at the end of the school year and be responsible for their safety and confidentiality.

Legal References

- NJSA** 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
18A:36-19 Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
18A:36-19a Newly enrolled students; records and identification
18A:36-35 Disclosure of certain student information on Internet prohibited without parental consent
47:1A-1 et seq. Examination and copies of public records ("Open Public Records Act")
47:3-15 et seq. Destruction of Public Records Law
52:17B-9.8a through -9.8c Marking of missing child's school record
- NJAC** 6A:8-4.2 Documentation of student achievement
6A:14-1.1 et seq. Special Education
6A:16-1.1 et seq. Programs to Support Student Development
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-7.1 et seq. Student records
6A:32-8.1 School register
- 20 U.S.C.A. 1232g - Family Educational and Privacy Rights Act
42 U.S.C.A. 4541 et seq. - Comprehensive Alcohol Abuse and Alcoholism Prevention Treatment and Rehabilitation Act of 1980
42 CFR Part II
Owasso Independent School District No. I-001 v. Falvo, 534 U.S. (2002)
Warren Board of Education v. Cooperman, 105 NJ 587 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

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Students

Series 5000

Promotion & Retention

Policy 5123

Date Adopted: March 22, 2010

Date Revised: June 9, 2022

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In general, pupils shall be placed at the grade level to which they are best adjusted academically, socially and emotionally. The education program shall provide for the continuous progress of pupils from grade to grade. Generally pupils will be expected to spend one year in each grade. A small number of pupils, however, may benefit from staying another year in the same grade.

Guidelines for Retention

Retention shall be considered when:

- A. Retention would have a reasonable chance of benefiting the child.
- B. The pupil is achieving one or more grade levels below expected performance in reading and/or language and/or mathematics.
- C. Retention would not cause an undue social and emotional adjustment.

Procedures to Be Followed

- A. Review and evaluation of the social, physical, and emotional characteristics by the classroom teacher, basic skills teacher(s), Superintendent of Schools/designee, and Child Study Team when appropriate.

The following aspects should be considered:

1. Attendance record
 2. Attention span
 3. Completion of classroom assignments
 4. Completion of homework
 5. Relationship with peers
 6. Significant changes in academics and/or behavior
 7. Serious personal/family conditions or relationships
 8. Health records
- B. Identification of those pupils who are one or more grade levels below expected performance in the areas of reading/language arts and mathematics.
 - C. Review all academic records that would include the following:
 1. Literacy folder
 2. Standardized and state test scores
 3. Report card grades
 4. Any other appropriate records (i.e. basic skills records, Child Study Team records, etc.)
 - D. Notification of parents
 1. If it appears that retention is possible, the parent shall be notified by the classroom teacher at the completion of the second marking period.
 2. Relevant records shall be reviewed with the parent during a parent/teacher conference.

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3. At the end of the second quarter, if retention of the pupil is likely, the pupil must be referred to the Fairfield I&RS Team or Preschool Intervention & Referral Team (PIRT).
4. At the end of each marking period, an analysis of each possible retaineer's needs will be conducted by the Principal, staff and support staff and a program of improvement may be developed, such as:
 - a. Additional reading instruction
 - b. Additional math instruction
 - c. Provision of reinforcement materials for the parents to assist the child
 - d. Referral to FACT or PIRT
 - e. Referral to Child Study Team, if necessary
 - f. Periodic checks with parent by teacher to determine progress being made by the child
5. The child's subsequent progress shall be reviewed by the teacher at the end of the third marking period and a conference may be held..
6. Prior to the end of the school year, the Superintendent of Schools shall meet with any parents who do not agree with the decision and/or need further explanations of why the child should be retained. The child's total record will be reviewed with them before making a final determination.
7. Parents shall be notified prior to the end of the school year by the Superintendent of Schools in writing, of the decision to retain.
8. No pupil will be retained unless he/she has been referred to the Fairfield Action Committee Team at the end of the second marking period.

Legal References

NJSA 18A:4-24 Determining efficiency of schools; report to state board
18A:7C-2 Boards of education; establishment of standards
18A:35-4.9 Pupil promotion and remediation; policies and procedures

NJAC 6A:8-4.1 Statewide assessment system
6A:8-4.2 Documentation of student achievement
6A:8-5.1 Graduation requirements
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Reporting to Parents / Guardians

Policy 5124

Date Adopted: March 22, 2010

Date Revised:

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The Board believes that the cooperation of school and home is vital to the growth and education of the whole child. It recognizes its responsibility to keep parents informed of pupil welfare and progress in school.

The Board directs the establishment of a system of reporting pupil progress which shall include written reports, pupil-teacher conferences, and parent-teacher conferences. If the parent's primary language is other than English, translation shall be provided whenever possible.

The Superintendent of Schools shall develop procedures for reporting pupil progress which:

- A. Are appropriate to the grade level and curriculum content.
- B. Ensure that both the pupil and parent receive ample warning of a pending grade of "failure" or one that would adversely affect the pupil's status.
- C. Enable the scheduling of parent/teacher conferences in such places and at such times as will ensure the greatest degree of participation by parents.
- D. Specify the issuance of report cards at intervals of not less than four times during the school year and issuance of deficiency notices as required during the school year.
- E. Ensure the continual review and improvement of methods of reporting pupil progress to parents and involve pupils, staff and parents in that review.

The district shall keep parents informed of both negative and positive behavior demonstrated in school activities.

A record shall be kept indicating the legal custodian of each pupil, so that reports can be made and conferences arranged with the proper person.

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Legal References

NJSA 18A:7E-2 through -5 School report card program
18A:11-1 General mandatory powers and duties
18A:35-4.9 Pupil promotion and remediation; policies and procedures
18A:40A-12 Reporting of pupils under influence or believed to be using anabolic steroids; examination report, return home; treatment; evaluation of possible need and referral
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:8-4.3 Accountability
6A:8-4.5 Public reporting
6A:8-5.1 Graduation requirements
6A:14-1.1 et seq. Special Education
6A:15-1.1 et seq. Bilingual Education
6A:16-1.4 District policies and procedures
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:10A-2.2, -5.1(a)3, -5.3
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-7.1(d, k) General considerations
6A:32-12.1 Reporting requirements

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

Possible Cross References

1000/1010, 1120, 1250, 2224, 3542.31, 5020, 5113, 5114, 5120, 5125, 5126, 5141, 5141.3, 5142, 5200, 6010, 6142.1, 6142.2, 6145, 6146, 6164.2, 6171.1, 6171.3, 6171.4, 6173, 6174, 6178

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Pupil Records

Policy 5125

Date Adopted: March 22, 2010

Date Revised:

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The Board of Education shall conform in all respects to the requirements of state and federal law regarding gathering, maintaining, securing, disclosing, allowing access to and destruction of student records.

The Superintendent of Schools shall be responsible for the security of student records maintained in the school district. He/she shall formulate and the Board shall review administrative procedures to guarantee the safety and security of all student records, and to provide authorized persons and organizations access to these records at a convenient place and time within the limits stipulated by law, i.e., within 10 days of the request but prior to any review or hearing conducted in accordance with state Board of Education regulations.

Student records shall include all those mandated by the New Jersey administrative code or state statutes, or authorized by administrative directives, and such permitted records as the Board of Education shall authorize by resolution at a regular public meeting in order to promote the educational welfare of the student. Records so authorized must comply with code standards as to relevance and objectivity.

The Board of Education shall report annually at a public meeting a description of the types of student records it has authorized certified school personnel to collect and maintain.

Student records shall contain only such information as is relevant to the education of the student, and is objectively based on the personal observations or knowledge of the originator of the record.

All anecdotal information and assessment reports collected on a student shall be dated and signed by the individual who originated the data.

Parents/guardians and adult students shall be notified annually in writing of their rights in regard to student records. Such rights include:

- A. Notification of rights in writing, in dominant language of parent/adult student, if possible. When the parent or adult student's dominant language is not English, or the parent/adult student is deaf, the district shall provide interpretation of the record in the dominant spoken or sign language;
- B. Copies of applicable state and federal laws and local policies made available on request;
- C. Should the parental rights of one or the other parent/guardian be terminated by a court of appropriate jurisdiction, it is the responsibility of the person/agency having legal custody to notify the district that the right to review student records should be denied the person whose rights have been terminated;
- D. Parents/guardians or adult students have the right to seek to include in the records

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material they think pertinent or to seek exclusion from the records of material that is untrue, irrelevant to the student's present educational situation or otherwise improperly contained in the student's record. Parents/adult students have the right to request an immediate stay of disclosure pending final determination of the challenge procedure. They also have the right to challenge the district's granting or denial of access to the student's records;

The Superintendent of Schools shall devise procedures to review such requests. These procedures shall include an appeal process as required by New Jersey administrative code.

District Review of Student Records

The Superintendent of Schools shall require all permitted student records of students currently enrolled in the regular educational program to be reviewed annually by certified school personnel to determine the educational relevance of the material contained therein. The reviewer shall cause to be deleted from the records data no longer descriptive of the student or educational situation.

Such information shall be destroyed and shall not be recorded elsewhere nor shall a record of such deletion be made.

Such data may not be removed from the record of a disabled student without prior parental notice.

Records of Classified Students

All records of disabled students shall be maintained in accordance with administrative code and established procedures that will ensure proper accessibility and confidentiality.

A special confidential file shall be maintained listing the code numbers assigned to disabled students on whose behalf the Board of Education must take public action. Motions concerning disabled students shall be anonymous and refer to this confidential file. This shall be maintained in accordance with NJAC 6A:32-7.

Parents/adult students or designees shall be permitted to inspect and review the contents of the student's record maintained by the district without unnecessary delay and before any meeting regarding the student's IEP. Any consent required for disabled students under NJAC 6A:32-7 shall be obtained according to NJAC 6A:14-1.3 "Consent" and NJAC 6A:14-2.3.

Transfer of Student Records

- A. The Superintendent of Schools shall request records of a newly enrolled student from the district of previous attendance as soon as possible after enrollment, but in any case within the time limit prescribed by the administrative code.

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- B. The Superintendent of Schools shall forward mandated student records as soon as possible upon receipt of the request from the Superintendent of Schools of the district to which the student has transferred, but in any case within the time limit prescribed by the administrative code. Permitted records shall be forwarded in the same manner at the same time if parental permission was given at the time the student's parents/guardians informed the district of the transfer.
- C. All records of district students moving into the school system shall be transferred in a secure and orderly fashion at the mutual convenience of the two districts.

Permitted Access to Student Records

A non-adult student may assert rights of access only through his/her parent/guardian. However, certified school personnel may, in their discretion, disclose 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.

A parent/guardian or adult student shall either have access to or be specifically informed about only that portion of another student's record that contains information about his/her own child or himself/herself.

A student record may be withheld from a parent of a student under 18 or from an adult student only when the district obtains a court order or is provided with evidence that there is a court order revoking the right to access. Only that portion of the record designated by the court may be withheld.

The Board shall limit access to, disclosure of and communication regarding student records and health records to authorized organizations, agencies or persons as defined by code.

Particular attention shall be paid to the development of procedures whereby student records are made accessible to assigned secretarial and clerical staff in the performance of their duties, and to compliance with requirements for the security of computerized student records that will limit access to authorized persons. Limited access shall be granted to secretarial and clerical personnel under the direct supervision of certified school personnel to those portions of the record and to the extent necessary to record data and conduct routine clerical tasks.

The district may make a charge for copies. The Board realizes and accepts the fact that any charges assessed shall not prevent parents/guardians from exercising their rights.

School personnel are not prohibited from disclosing information in the student health record to students or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the student or other persons.

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In complying with this policy all individuals shall adhere to NJSA 47:1A-10, the Open Public Records Act (OPRA) and 20 U.S.C. 1232g; 34 CFR Part 99, the Family Educational Rights and Privacy Act (FERPA).

Conditions of Access

No student record shall be altered or destroyed during the time period between a request to review the record and the actual review of the record. Those from outside the school whose access requires consent of parents/adult students must submit the request in writing, together with any required authorization, to the Superintendent of Schools/designee. District regulations shall be developed in accordance with code to ensure that records are not altered, damaged or lost during inspection, and that records of access granted are complete.

Retention & Destruction of Records

The Superintendent of Schools shall develop regulations in accordance with the administrative code concerning retention and destruction of student records. No additions may be made to the record after the graduation or permanent departure of a student without the prior written consent of the parent/adult student.

New Jersey district of last enrollment must keep in perpetuity: name, date of birth, gender, citizenship, address, phone number, health history and immunization, standardized assessment and test answer sheet (protocol), grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

Liability

Liability shall not be attached to any member, officer or employee of the Board of Education permitting access or furnishing student records in accordance with these rules and regulations. It shall be the responsibility of the Superintendent of Schools to keep abreast of all changes in state and federal law and regulation concerning student records.

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Legal References

- NJSA** 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
18A:36-19 Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
18A:36-19a Newly enrolled students; records and identification
18A:36-19.1 Military recruiters; access to schools and student information directories
18A:36-35 Disclosure of certain student information on Internet prohibited without parental consent
18A:40-4 Examination for physical defects and screening of hearing of students; health records
18A:40-19 Records and reports of tuberculosis testing; disposition; inspection
26:5C-7 through -14 Acquired Immune Deficiency Syndrome
47:1A-1 et seq. Examination and copies of public records ("Open Public Records Act")
47:3-15 et seq. Destruction of Public Records Law
52:17B-9.8a through -9.8c Marking of missing child's school record
- NJAC** 6A:8-4.2 Documentation of student achievement
6A:14-1.1 et seq. Special Education
6A:16-1.1 et seq. Programs to Support Student Development
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
6A:32-7.1 et seq. Student records
6A:32-8.1 School register
6A:32-14.1 Review of mandated programs and services
8:61-1.1 Attendance at school by students or adults infected by Human Immunodeficiency Virus (HIV)
15:3-2 State records manual
- 20 U.S.C.A. 1232g - Family Educational and Privacy Rights Act
42 U.S.C.A. 4541 et seq. - Comprehensive Alcohol Abuse and Alcoholism Prevention Treatment and Rehabilitation Act of 1980
42 CFR Part II
Owasso Independent School District No. I-001 v. Falvo, 534 U.S. (2002)
Warren Board of Education v. Cooperman, 105 NJ 587 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

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Students

Series 5000

**Pupils' Records Policy for Students
with Educational Disabilities**

Policy 5125.1

Date Adopted: June 25, 1997

Date Revised: March 22, 2010

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The Board of Education shall regulate access, compilation and maintenance of pupil records in compliance with federal and state statutes and regulations governing the collection, maintenance, disclosure and security of pupil records. It shall be the responsibility of the Superintendent of Schools to ensure the security of pupil records maintained in the district's official files.

Pupil records shall contain only such information as is relevant to the education of the pupil and is objectively based on the personal observations of knowledge of the certified school personnel who originates the record.

It shall be the policy of this Board to guarantee access of pupil records only to persons authorized according to NJAC 6:3-2.5, within 10 working days of the request but prior to any review or hearing conducted in accordance with State Board of Education regulations. Access shall be granted only to authorized organizations, agencies or persons in accordance with specifications and conditions prescribed by regulations.

Confidentiality of pupil records shall be assured. Limited access shall be granted to secretarial and clerical personnel under direct supervision of certified school personnel to those portions of the records and to the extent necessary to record data and conduct routine clerical tasks. Access to computerized records shall be regulated and safeguards established to ensure security of these records. Access to the records of another pupil which is granted to a parent or adult pupil, shall be limited to that portion of the pupils record that pertains to his/her own child, or himself/herself.

A non-adult pupil may assert rights of access only through his/her parent(s) with the exception of emergency situations when it is determined by certified school personnel that disclosure of the pupil record to the pupil or to appropriate persons connected with the emergency will protect the health or safety of the pupil or other persons.

Annually, the permitted pupil records of currently enrolled students will be reviewed by certified school personnel, and data which is considered to be no longer educationally relevant or descriptive of the pupil will be deleted.

All anecdotal information and assessment reports collected on a pupil shall be dated and signed by the person originating the data.

Parents/guardians shall be notified annually in writing of their rights in regard to pupil records and pupil participation in educational programs pursuant to NJSA 18A:36-19.1. Provisions shall be made for the inclusion of educationally relevant information in the pupil records by the parent/guardian.

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**Pupils' Records Policy for Students
with Educational Disabilities**

Policy 5125.1

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Furthermore, the rights of appeal for impermissible disclosure, inclusion of improper information or denial of access to organizations, agencies and persons shall be adhered to.

When the parent's/guardian's dominant language is not English, or the parent of is deaf, every effort shall be made to provide for interpretation of the pupil record in the dominant language of the parent or adult pupil.

Student directory information shall be compiled, released and publicized consistent with regulations.

No liability shall be attached to any member, officer or employee of this Board granting access to or furnishing pupil records in accordance with the specifications of the code. The Superintendent of Schools shall direct the development of administrative procedures for the implementation of this pupil records policy and procedures for requesting a transfer student's records from the school district of previous attendance within two weeks of the transfer students' official enrollment in this school district.

The pupil records collected and maintained by the district are enumerated and described in the district's Pupil Records Policy 5125.

Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
18A:36-19 Pupil records; creation, maintenance and retention, security and access;
regulations; nonliability
18A:36-19a Newly enrolled students; records and identification
18A:36-35 Disclosure of certain student information on Internet prohibited without parental
consent
18A:40-19 Records and reports of tuberculosis testing; disposition; inspection
- NJAC 6A:8-4.2 Documentation of student achievement
6A:14-1.1 et seq. Special Education
6A:16-1.1 et seq. Programs to Support Student Development
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
6A:32-7.1 et seq. Student records
6A:32-8.1 School register
6A:32-14.1 Review of mandated programs and services
15:3-2 State records manual
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

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Pupil Anonymity

Policy 5125.2

Date Adopted: March 22, 2010

Date Revised:

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The Board of Education will do all in its power to prevent the use of an educationally handicapped pupil's name when discussing or acting upon a recommendation in which the use of the pupil's name could be considered detrimental to the child and a breach of confidentiality.

The Board directs that the names and other personally identifiable data concerning educationally handicapped children shall be kept confidential and shall not be included in the public acts and records of the district, except upon the written request of the parent or adult pupil, to the Superintendent of Schools. Such names and data shall be coded for inclusion in the public record. A special confidential file shall be maintained listing the names of educationally handicapped pupils on whose behalf the Board of Education must take public action. Motions concerning handicapped pupils made at public meetings shall be anonymous and referred to this confidential file. Access to this file, as to all other records of handicapped pupils, shall be given only to authorized school employees and officials of the state department of education. Any further access to this information will be governed by law.

To ensure proper accessibility and confidentiality, the records of educationally handicapped pupils shall be gathered, updated, maintained, stored, transferred, made accessible and finally disposed of in accordance with the provisions of New Jersey Administrative Code on Pupil Records.

It shall be the policy of the Board of Education that all employees of the district shall be directed to utilize procedures to avoid the needless public labeling of educationally handicapped students. These procedures include but are not limited to the following:

Avoidance of any educationally handicapped labeling in public address announcements, classroom signs, open circulation of documents designating an individual or class as educationally disabled, and open circulation of photographs and audio or video tapes without prior written parental/guardian approval to photograph and/or tape.

Legal References

NJSA 18A:36-35 Disclosure of certain student information on Internet prohibited without parental consent

Possible Cross References

1100, 1110, 1120, 5125, 5141.4, 6145.3, 6171.4

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Awards for Achievement

Policy 5126

Date Adopted: March 22, 2010

Date Revised:

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The Board of Education believes that pupil achievement should be recognized at all levels in a manner appropriate to the pupil's accomplishment.

The Board directs the Superintendent of Schools to develop criteria and procedures for presenting awards to pupils for scholarship and outstanding accomplishments in the arts, athletics, community service, technology, attendance, citizenship, and other areas appropriate for special recognition. The Board directs the Superintendent of Schools to make certain that awards and scholarships are presented to as many deserving students as possible.

The Superintendent of Schools shall review and advise the Board on acceptance of proposed trophies, prizes, scholarships or other awards from non-school donors. Any such proposed award shall be free from bias as outlined in the district's affirmative action program.

It is the policy of the Board that areas of recognition be unique and distinctive. Other academic awards may be established and awarded for academic achievement in specific subject fields, such as mathematics, science, etc. In addition, the Superintendent or his/her designee shall review the awards to be presented each year to ensure the Board that no duplications exist and that the awards to be presented will recognize achievement in as many areas as possible.

Academic Recognition

The Board directs the Superintendent of Schools to establish criteria and procedures for placing pupils in grades or on academic honor rolls.

Service Participation

School service groups shall be recognized for participation in order to emphasize the importance of good citizenship in school life as outlined in the course of study.

Legal References

NJSA 18A:36-20 Discrimination; prohibition
18A:71-27 Higher education; scholarship funds; establishment; administration

Possible Cross References

1322, 3280, 5120, 5125, 5127, 5131, 6145.1/6145.2, 6147

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Commencement Activities

Policy 5127

Date Adopted: March 22, 2010

Date Revised:

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Graduation from the Fairfield Township Schools implies that students have satisfactorily completed the prescribed courses of study for the grade levels in accordance with their respective abilities to achieve.

The Fairfield Township Board of Education endorses the annual eighth grade graduation program and directs the Superintendent of Schools to ensure that no student is barred from participation for arbitrary or discriminatory reasons.

The Board reserves the right to deny participation in graduation activities when discipline or behavior circumstances warrant it. Such denial shall be treated in the same manner as a suspension and the pupil so affected shall be afforded the rights of review provided in policies of this Board.

The Board shall not prevent, or otherwise deny participation in, constitutionally protected prayer in any district school, consistent with guidance issued by the United States Department of Education and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution.

Legal References

NJSA 18A:7C-5.1 Boards of education prohibited from excluding students from graduation ceremony or from obtaining yearbook for inability to pay fees
18A:11-1 General mandatory powers and duties
18A:36-18 Books containing organic laws at graduation
18A:37-2 Causes for suspension or expulsion of pupils
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:8-5.1 et seq. Implementation of Graduation Requirements
6A:16-7.1 et seq. Student Conduct

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

Lee v. Weisman, 112 S.Ct. 2649 (1992)

R.L. v. Kingsway Regional Board of Education, 95 NJAR2d (EDU) 296

D.C. v. Parsippany Troy Hills Board of Education, 96 NJAR2d (EDU) 697

DO'G v. Ridgefield Park Board of Education, 96 NJAR2d (EDU) 820

R.F. v. Park Ridge Board of Education, 97 NJAR2d (EDU) 1

American Civil Liberties Union v. Blackhorse Pike Regional Board of Education, 84 F.3d 1471 (3d Cir. 1996)

Possible Cross References

5113, 5114, 5126, 5131, 6111, 6141.2, 6146

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School Activities

Policy 5127.1

Date Adopted: March 22, 2010

Date Revised:

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The school program shall also include provisions for a balanced program of student activities in keeping with the various age levels and needs of the children served. Such activities are recognized by the Board of Education as vital needs in a well-rounded program of education when they are clearly defined and their function is primarily directed toward the growth of children. Planned extra-curricular activities should be reviewed by the Superintendent of Schools who in turn should report it to the Board of Education.

All student activities must be sanctioned by the Administration and be under the specific and direct supervision of the Administration and/or faculty. Parent assistance may be requested and utilized.

Every teacher who sponsors an activity shall remain at school until every child has been picked up by his/her parents.

Parents/guardians shall provide transportation to and from extra-curricular activities that they consent for their child to attend. Parents/guardians are to be punctual in arrival and departure. Students may be excluded from extracurricular activities if parents/guardians are consistently late when picking up their child. In extreme cases, a student may be excluded from any activity at the discretion of the faculty in charge. Eligibility for student activities may be based on the academic and conduct records of the student. Students are under school supervision at all school sponsored activities.

Legal References

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

Possible Cross References

1210, 1322, 5113, 5114.3, 5114.4, 5114.5, 5126, 6145

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Students Driving to School

Policy 5128

Date Adopted: March 22, 2010

Date Revised:

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No student shall be permitted to drive an automobile, or motorcycle or any other motorized vehicle to school at any time.

Legal References

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

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Cell Phones

Policy 5129.7

Date Adopted: March 22, 2010

Date Revised: January 8, 2024

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The Board of Education is cognizant of the safety factor afforded by the use of cell phones after school hours, Therefore, students may bring a cell phone to school however, students are not permitted to activate cell phones during the school day, at any school-sponsored activity (on or off school property) or while en-route to or from any school function in a district owned, leased or contracted school vehicle.

Students in grades 6-8 (or students in any grade that have lockers) are to place their cell phones in their lockers immediately upon entering school and not remove them until dismissal. For students in grades 5 and below, unless they have a locker, cell phones must be placed in book bags.

Use of cell phones during school hours is strictly prohibited. Cell phones are not to be seen during school hours. At extra-curricular after-school activities, student cell phones may be activated and used at the end of the activity to notify parents/guardians of the need for transportation. Cell phones are not to be used during after-school activities.

Failure to comply with this policy will subject students to sanctions as described in the student discipline code of the district. In all cases of violation of this policy, the cell phone shall be confiscated by the administration and must be picked up by the parent/guardian. Cell phones may be checked by Administration in the event there is suspicion of inappropriate acts or behavior that violate the law or school policy.

In no case will the school district be responsible for the loss, theft or damage of a student's cell phone. Just as a parent/guardian would not send a child to school with a large amount of cash, parents/guardians who elect to allow their child to bring a cell phone to school are asked to refrain from supplying them with an expensive cell phone, but instead to supply them with only an inexpensive, utilitarian model.

Legal References

- NJSA 2C:33-19 Prohibition of possession of remotely activated paging device
- 18A:11-1 General mandatory powers and duties
- 18A:36-19.2 Search of student lockers
- 18A:37-1 Authority over students
- 18A:37-2 Suspension and expulsion

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Series 5000

**Acceptable Use of Computer Network(s) / Computers,
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Communications by Students**

Policy 5129.8

Date Adopted: Sept. 14, 2023

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The Board of Education recognizes that as telecommunications and other new technologies shift the manner in which information is accessed, communicated and transferred that those changes will alter the nature of teaching and learning. Access to telecommunications will allow students to explore databases, libraries, Internet sites, bulletin boards and the like while exchanging information with individuals throughout the world. The Board supports access by students to information sources but reserves the right to limit in-school use to materials appropriate to educational or district related purposes.

The Board also recognizes that telecommunications will allow students access to information sources that have not been pre-screened using Board-approved standards. The Board therefore adopts the following standards of conduct for the use of computer network(s) and declares unethical, unacceptable, inappropriate or illegal behavior as just cause for taking disciplinary action, limiting or revoking network access privileges, instituting legal action or taking other appropriate action as deemed necessary.

The Board provides access to network(s)/computers for educational purposes only. The Board retains the right to restrict or terminate students access to the computer network(s)/ computers at any time, for any reason. The Board retains the right to have the Superintendent of Schools/designee monitor network activity in any form necessary to maintain the integrity of the network(s) and ensure its proper use.

Standards for Computer Network(s)

Any individual engaging in the following actions declared unethical, unacceptable or illegal when using computer network(s)/computers shall be subject to discipline or legal action:

1. Using the computer network(s)/computers for illegal, inappropriate or obscene purposes, or in support of such activities. Illegal activities are defined as activities that violate federal, state or local laws and regulations. Inappropriate activities are defined as those that violate the intended use of the network(s). Obscene activities shall be defined as violation of generally accepted social standards for use of publicly owned and operated communication vehicles.
2. Using the computer network(s)/computers to violate copyrights, institutional or third-party copyrights, license agreements or other contracts.

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3. Using the computer network(s) in a manner that:
 - Intentionally disrupts network traffic or crashes the network(s);
 - Degrades or disrupts equipment performance;
 - Uses the computing resources of the school district for commercial purposes, financial gain or fraud;
 - Steals data of other intellectual property;
 - Gains or seeks unauthorized access to the files of others or vandalizes the data of another user;
 - Gains or seeks unauthorized access to resources or entities;
 - Forges electronic mail messages or uses an account owned by others;
 - Invades the privacy of others;
 - Posts anonymous messages;
 - Possesses any data that is a violation of this policy; and/or,
 - Engages in other activities that do not advance the educational purposes for which computer network(s)/computers are provided.

District computers, computer networks, email resources, etc. are to be used for educational or district/school related purposes only. Specifically prohibited are online shopping, blogging, fantasy sports, social networks and other non-educational uses.

Electronic Communication

School students shall adhere to the following guidelines when sending or receiving messages via district owned or issued devices and the district network:

- A. All messages shall pertain to legitimate school business;
- B. Students shall not reveal district issued passwords to others. If a student believes that a password has been lost or stolen, or that email has been accessed by someone without authorization, he/she must contact their classroom teacher or an administrator;
- C. District administrators shall have access to the student password or passwords for all district owned or issued devices and the use of the district network;
- D. Electronic messages on school owned or issued electronic devices and the district network shall be retained for the period of time specified by the Destruction of Public Records Law and Board policy;
- E. Federal copyright laws shall be observed;
- F. Students shall not send messages that contain material that:

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- May be perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
 - Violates the district's affirmative action policies;
 - Is personal in nature and not related to the business of the district;
 - Can be interpreted as provocative, flirtatious or sexual in nature;
 - Is confidential and not authorized for distribution;
 - Violates Board Policy on Harassment, Intimidation and Bullying.
- G. Students shall become familiar with the district's policies and regulation on staff and student access to networked information resources and acceptable use of technology before initiating email use;
- H. Employees learning of any misuse of the email systems shall notify the administration, supervisor for technology, principal or Superintendent of Schools immediately.

Online Education

An online classroom is still a classroom. Though courses and/or assigned programs of home instruction may be online, appropriate classroom behavior is still mandatory. Respect for the participants is essential for learning and student achievement.

Student communications with students and staff during online education will be limited to legitimate school business as set forth under cell phones, text messages and electronic communication, above. Professional standards and etiquette shall be observed at all times.

Social Networking Websites

The Superintendent of Schools/designee will annually remind students concerning the importance of maintaining proper decorum in the on-line, digital world as well as in person. Students must conduct themselves in ways that do not distract from or disrupt the educational process. The orientation and reminders will give special emphasis to:

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1. Inappropriate contact to another student via e-mail or phone is prohibited;
2. Inappropriateness of posting items with sexual content;
3. Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol;
4. Examples of inappropriate behavior from other districts, as behavior to avoid;
5. Monitoring and penalties for improper use of district computers and technology;
6. The possibility of penalties, include disciplinary consequences or contact of state police, for failure to exercise good judgment in on-line conduct.
7. Conduct violations include but are not limited to: discussing or posting statements in a negative or detrimental context regarding the district, the school, other staff members, students, parents, relations between the school and the community, etc.

The Superintendent of Schools/designee will periodically conduct Internet searches to see if students have posted inappropriate materials on-line. When inappropriate use of computers and websites is discovered, the Superintendent of Schools/designee will download the offensive material and promptly bring that misconduct to the attention of the board's student life committee for review.

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Text Messages

Any text messages by students to others are to be respectful and appropriate. In the event any text messages interrupt the educational environment that are disrespectful and are in breach of the student code of conduct will be investigated and addressed.

- A. The Superintendent of schools and designee may investigate or bring to the attention of the local police text messages that are perceived as profane, obscene, racist, sexist or promote illicit, illegal or unethical activity;
- B. Violates the district's affirmative action policies;
- C. Is personal in nature and not related to the business of the district;
- D. Can be interpreted as provocative, flirtatious or sexual in nature;
- E. Is confidential information and not authorized for distribution;
- F. Violates Board Policy on Harassment, Intimidation and Bullying.

Implementation

This policy shall be made available electronically or otherwise disseminated to all students, annually or as needed.

Violations

Individuals violating this policy shall be subject to appropriate disciplinary actions as defined by Board Policy and the district disciplinary code(s) that includes but is not limited to:

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

Any appropriate action that may be deemed necessary by the Superintendent of Schools and approved by the Board of Education.

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NJSA 2A:38A-1 et seq Computer system
2C:20-25 Computer-related theft
18A:7A-11 Reports by school districts
18A:6-10 Dismissal and reduction in compensation of persons under tenure
18A:11-1 General mandatory powers and duties
18A 27-4 Power of boards of education to make rules governing employment of teacher, etc.;
employment thereunder
18A:36-35 School Internet web sites; disclosure of certain student information prohibited

Hicks v. Pemberton Bd of Ed 1975 SLD 332
Quiroli v. Linwood Bd of Ed 1974 SLD 1035
Carlstadt Teachers Ass'n v. Carlstadt Bd of Ed App. Div. unreported decision
(Docket no. A-1469-80-T4, decided March 26, 1982) 1982 SLD 1448
N.J. v. T.L.O. 469 U.S. 325 (1985)
O'Connor v. Ortega 480 U.S. 709 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1111, 3514, 4117.50, 4118.2, 4119.2, 4119.21, 4119.22, 4119.23, 4119.24, 4138,
4138.2, 5114, 5124, 5131, 5131.5, 5142, 6142.10, 6144, 6145.3, 6161

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Series 5000

Conduct / Discipline

Policy 5131

Date Adopted: May 21, 1997

Date Revised: August 28, 2003, March 22, 2010

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The Board believes that an effective instructional program requires an orderly school environment and that the effectiveness of the educational program is, in part, reflected in the behavior of pupils.

The Board of Education expects pupils to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other pupils, for school personnel, for the educational purpose underlying all school activities, and for the care of school facilities and equipment.

The Board of Education believes that standards of pupil behavior must be set cooperatively by interaction among the pupils, parents/guardians, staff and community, producing an atmosphere that encourages pupils to grow in self-discipline. Such an atmosphere must include respect for self and others, as well as for district and community property.

The Board directs the Superintendent of Schools to develop and implement a code of student conduct which establishes standards, policies and procedures for positive student development and student behavioral expectations on school grounds, including on a school bus or at school sponsored functions, and as appropriate, conduct away from school grounds. The Board shall direct development of detailed regulations suited to the age level of the pupils and the physical facilities of the school. Board policy requires each pupil of this district to adhere to the rules and regulations established by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. The Superintendent of Schools shall provide to pupils and their parents/guardians the rules of this district regarding pupil conduct and the sanctions that may be imposed for breach of those rules. Provisions shall be made for informing parents/guardians whose primary language is other than English.

The Superintendent of Schools shall develop regulations that:

- A. Require pupils to conform to reasonable standards of socially acceptable behavior; respect the person, property and rights of others; obey constituted authority and respond to those who hold that authority;
- B. Establish the degree of order necessary to the educational program in which pupils are engaged;

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The Superintendent of Schools shall annually:

- A. Disseminate the code of student conduct to all staff, students and parents;
- B. Report on the implementation of the code of student conduct to the Board of a education at public meeting in accordance with NJAC. 6A:16-7.1(a) 5, i-iv.
- C. Report to the New Jersey Department of Education on student conduct, including all student suspension and expulsion and incidences reported under the Electronic Violence and Vandalism Reporting System.

Pupils who display chronic behavioral or academic problems may be referred to the Fairfield Action Committee Team (FACT) or Preschool Intervention & Referral Team (PIRT) and the Child Study Team by the Superintendent of Schools for possible identification as disruptive or disaffected. Such referrals shall be in strict accordance with the due process regulations prescribed by the administrative code. Pupils so identified shall be provided with appropriate programs and services.

Pupils may be referred to the Alternative Placement Program (AP) at the discretion of the principal in accordance with the procedures as outlined in Fairfield Township Alternative Program . The AP is alternative education program that offers non-traditional, yet effective learning environments that provide flexible educational objectives closely related to the learning styles and needs of students while still addressing the Core Curriculum Content Standards. The program at Fairfield Township School is a single-room, multi-year program for students in grades 6-8 who, through their inappropriate behavior, are not experiencing success in learning.

A pupil whose presence poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process, may be suspended or expelled, following due process.

Any pupil who commits an assault (as defined by NJSA 2C:12-1) upon a Board member, teacher, administrator or other employee of the Board of Education shall be suspended from school immediately according to procedural due process, and suspension or expulsion proceedings shall begin no later than 30 calendar days from the date of the pupil's suspension.

Substance Abuse

In accordance with statute and code, penalties shall be assigned for use, possession and distribution of proscribed substances and drug paraphernalia. The penalties shall be graded according to the severity of the offense. Infractions shall be reported to the local law enforcement agency in accordance with the district's memorandum of agreement. Confidentiality shall be protected in accordance with federal and state law.

Weapons Offenses

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property or on a school bus or at a school-sponsored function shall be immediately removed

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from the school's regular education program for a period of not less than one calendar year. The Superintendent of Schools may modify this suspension on a case-by-case basis. Each pupil so removed shall be placed in an alternative educational program or on home instruction and shall be entitled to a hearing before the Board. The hearing shall take place no later than 30 days following the day the pupil is removed from the regular education program and shall be closed to the public.

The principal shall be responsible for the removal of such students and shall immediately report them to the Superintendent of Schools. The principal shall also notify the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

The Superintendent of Schools shall determine at the end of the year whether the student is prepared to return to the regular education program, in accordance with procedures established by the Commissioner of Education.

Teaching staff members and other employees of this Board having authority over pupils shall take such lawful means as may be necessary to control the disorderly conduct of pupils in all situations and in all places where such pupils are within the jurisdiction of this Board.

Disabled

Classified pupils are subject to the same disciplinary procedures as non-disabled pupils and may be disciplined in accordance with their IEP. However, before disciplining a classified pupil, it must be determined that:

- A. The pupil's behavior is not primarily caused by his/her educational disability;
- B. The program that is being provided meets the pupil's needs.

Staff shall comply with state and federal law and the regulations of the New Jersey administrative code in dealing with discipline and/or suspension of all pupils with disabilities.

Implementation

The Superintendent of Schools shall ensure that the rules for this policy are applied consistently and uniformly, and that all disciplinary sanctions are carried out with necessary due process.

The Board shall review all related policies on a regular basis.

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Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
2C:12-1 Definition of assault
2C:33-19 Paging devices, possession by students
2C:39-5 Unlawful possession of weapons
18A:6-1 Corporal punishment of pupils
18A:11-1 General mandatory powers and duties
18A:25-2 Authority over pupils
18A:36-19a Newly enrolled students; records and identification
18A:37-1 et seq. Discipline of Pupils
18A:40A-1 et seq. Substance Abuse
18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:14-2.8 Discipline/suspension/expulsions
6A:16-1.1 et seq. Programs to Support Student Development
6:32-12.1 Reporting requirements
6:32-12.2 School-level planning

Possible Cross References

1220, 3517, 3541.33, 4148, 5000, 5010, 5020, 5113, 5114, 5124, 5127, 5131.5,
5131.6, 5131.7, 5132, 5145, 5145.2, 5145.4, 5145.6, 6145, 6164.4, 6171.4, 6172

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Student Bus Conduct

Policy 5131.1

Date Adopted: May 21, 1997

Date Revised: September 22, 1999, March 22, 2010

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The Board of Education expects good order and good control on the school buses used for transporting the children of this district between home and school.

The Fairfield Township Board of Education further believes that appropriate measures must be taken in order to preserve order and control. The Superintendent of Schools is authorized to issue rules and regulations governing the conduct of students on school buses.

Students who are transported on school buses shall cooperate fully with the bus drivers and observe all rules and regulation.

Any student who disobeys school bus rules and regulations in Fairfield Township as judged by the Principal shall be suspended from the bus.

All students so suspended must still attend school in compliance with the laws of the State of New Jersey.

The decision to suspend shall rest with the Principal and/or delegated authority. The Board of Education shall be informed in accordance with law. Expulsion for bus infractions shall be the responsibility of the Board of Education upon the recommendation of the Superintendent of Schools.

Regulations/Procedures

Students must behave on the bus and at the bus stop for their own safety and the safety of all the children riding that bus.

As a disciplinary measure, the Principal may suspend a student from riding a school bus for:

1. Delaying the bus;
2. Fighting, smoking, using profanity or refusing to obey the instruction of school authorities or bus drivers;
3. Tampering with the bus;
4. Refusing to meet the bus at the designated stop;
5. Leaving the bus at other than his/her authorized stop;
6. Playing, throwing trash, throwing paper or other objects or otherwise distracting the driver's attention;
7. Failure to observe established safety rules and regulations.

Video Camera Student Discipline

In order to assure a safe environment for all children transported to and from school, the Fairfield Township School District has installed video cameras on some school buses. As part of a disciplinary investigation into student misbehavior while on a school bus, the videotape may be

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viewed by the administrative staff to determine appropriate disciplinary action. Parents and students will be provided the opportunity to view the videotape as part of the appeal process.

The following procedures will be following concerning video cameras and recording on school buses:

1. Parents will be given notice of the installation and used of video cameras on school buses. Notification will be made on the first day of school by the Principal.
2. New registrants to the district will receive notice at the time of enrollment that video cameras will be in operation on school buses.
3. A parent/guardian and student signature acknowledging notice of the use of video cameras on school buses will be maintained in the permanent student file.
4. Form A, *Notification of Video Camera Use*, will be used.
5. A notice will be printed in the Student Code of Conduct and distributed to all students.
6. The Principal will explain the purpose and use of video cameras on buses to all students at the beginning of each school year as part of the overall review of the Student Code of Conduct.

Legal References

NJSA 18A:25-2 Authority over pupils

Possible Cross References

1220, 3517, 3541.33, 4148, 5000, 5010, 5020, 5113, 5114, 5124, 5127, 5131.5, 5131.6, 5131.7, 5132, 5145, 5145.2, 5145.4, 5145.6, 6145, 6164.4, 6171.4, 6172

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Physical Restraint of Students by Staff Members

Policy 5131.11

Date Adopted: October 23, 2014

Date Revised:

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The goal of the Board of Education is to provide a safe, caring atmosphere that supports all learners in the least restrictive environment. The Board of Education recognizes that on occasion, a situation may arise in which some students attending our district will exhibit behaviors that are disruptive to the social and educational environment of the school; and thus, are a danger to themselves and others and reduce the student's potential for learning. This policy applies to all, including general education students and students with disabilities. It should also be noted that nothing in the policy precludes a teacher or other staff member using reasonable force to protect students, themselves, or other persons from assault or imminent, serious physical harm.

Restraints are only to be used in an emergency. For the purpose of this policy, emergency is defined as a situation in which a student's behavior poses a threat of imminent, serious physical harm to the student or others or eminent serious property destruction.

The restraint procedure falls within a continuum of behavior management techniques that are designed to address potentially unsafe student behavior. This continuum begins with minimally intrusive or restrictive strategies that can be implemented within the classroom setting. The continuum then progresses to more restrictive strategies that may involve the physical separation or restraint of a student. The goal is minimal separation for his/her classmates in order to enable the student to regroup and return to the classroom setting.

The primary intervention options used by staff when a student exhibits escalating, disruptive behavior should focus on assisting the student in regaining behavioral control. These options include:

- Verbally redirecting student in a low, nonthreatening voice;
- Setting reasonable limits;
- Offering alternatives;
- Allowing time so that the student can regain control.

Restraint does include momentary periods of physical restriction by direct person-to-person contact without the aid of material or mechanical devices that is accomplished with limited force and designed to prevent a student from completing an act that would result in potential physical harm to himself/herself or another or damage property or to remove a disruptive student who is unwilling to leave an area voluntarily. Physical prompting to assist a student in task completion, such as holding a student's hand, positioning a student's body, securing a student on the bus, or using prescribed adaptive equipment to prevent ongoing, repetitive, self injurious behavior are not considered to be restraint. Restraint shall only be used with the following limitations:

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1. Limited to the use of only the reasonable force needed;
2. Discontinued immediately when the emergency no longer exists;
3. Implemented in such a way as to protect the health and safety of the students and others; and,
4. Does not deprive the study of basic human necessities.

The use of physical restraints is prohibited in the following circumstances:

1. As a means of punishment;
2. As an intervention to property destruction, unless the potential property destruction may result in possible harm to self and/or others;
3. As a response to verbal threats, disruptive behavior or a student's refusal to comply with a school rule or staff directive, unless the student's behavior poses an immediate or serious danger to self and/or others.

In accordance with NJSA 18 A:6-1, no person employed or engaged in school or educational instruction, whether public or private, shall inflict or cause to be inflicted corporal punishment upon a pupil attending such school or institution; but any such person may, within the scope of his/her employment, use and apply such amount of force as is reasonable and necessary:

The use of physical restraint is subject to the following requirements:

1. The student must possess a physical risk to himself/herself or others or to quell a disturbance, with the intent of threatening physical injury to others;
2. To obtain possession of weapons or other dangerous objects upon the person or within the control of a pupil, or to prevent significant property damage which ultimately may present harmful to the student or others;
3. For the purpose of self-defense;
4. Restraint techniques will take into account medical conditions and shall be modified as necessary;
5. Students will not be subject to physical restraint for using profanity or other verbal displays or disrespect or for noncompliance. A verbal threat will not be considered as constituting a physical danger unless a student also demonstrates a means of, or intent to, carry out the threat;
6. In determining whether a student who is being physically restrained should be removed from the area where the restraint was initiated, the supervising staff member should consider the potential for injury to the student, the student's need for privacy and the educational and emotional well-being of the other students in the vicinity;

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7. A student shall be released from physical restraint immediately upon a determination by the staff member administering the restraint that the student is no longer in imminent danger of causing harm to himself/herself or others;
8. The student shall be examined by school personnel (i.e. nurse, counselor, administrator, etc.) after any restraint;
9. The school principal, or acting school administrator will be notified immediately when a student is being restrained, or immediately following the conclusion of the restraint.
10. A written incident report will be completed by school personnel (teacher, nurse, counselor, administrator, etc.) after a physical restraint is implemented. Parents are to be notified by telephone and provided with a copy of the report. The report must also be maintained in the student's permanent record.

Legal References

NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
2C:12-1 Definition of assault
2C:33-19 Paging devices, possession by students
2C:39-5 Unlawful possession of weapons
18A:6-1 Corporal punishment of pupils
18A:11-1 General mandatory powers and duties
18A:25-2 Authority over pupils
18A:36-19a Newly enrolled students; records and identification
18A:37-1 et seq. Discipline of Pupils
18A:40A-1 et seq. Substance Abuse

NJAC 6A:14-2.8 Discipline/suspension/expulsions
6A:16-1.1 et seq. Programs to Support Student Development
6:32-12.1 Reporting requirements
6:32-12.2 School-level planning

Possible Cross References

1220, 3517, 3541.33, 4148, 5000, 5010, 5020, 5113, 5114, 5124, 5127, 5131.5,
5131.6, 5131.7, 5132, 5145, 5145.2, 5145.4, 5145.6, 6145, 6164.4, 6171.4, 6172

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Dating Violence

Policy 5131.2

Date Adopted: January 26, 2012

Date Revised:

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The Board of Education has determined that a safe and civil environment in school is necessary to learn. Acts or incidents of dating violence whether they are verbal, sexual, physical or emotional will not be tolerated and will be dealt with according to school student code of conduct.

Warning Signs of Dating Violence

A pattern of behaviors may be an important sign that a student is involved in an unhealthy or abusive dating relationship. Warning signs may include but not be limited to the following:

- Name Calling and Put Downs Does one student in the relationship use name-calling or putdowns to belittle or intimidate the other student?
- Extreme Jealousy Does one student in the relationship appear jealous when the other talks with peers?
- Making Excuses Does one student in the relationship make excuses for the other?
- Cancelling or Changing Plans Does one student cancel plans often, and at the last minute? Do the reasons make sense or sound untrue?
- Monitoring Does one student call, text, or check up on the other student constantly. Does one student demand to know the other's whereabouts or plans?
- Uncontrolled Anger Have you seen one of the students in the relationship lose his or her temper or throw and break things in anger?
- Isolation Has one student in the relationship given up spending time with family and friends? Has the student stopped participating in activities that were once very important?
- Dramatic Changes Has the student in the relationships appearance changed? Lost or gained weight? Does the student seem depressed?
- Injuries Does the student in the relationship have unexplained injuries? Does the student give explanations that seem untrue?
- Quick Progression Did the student's relationship get serious very quickly?

Statistics

- Victims of alleged aggressors of teen dating violence are more likely to bring a weapon to school.
- Victims of teen dating violence have lower academic achievement and grades of D and F.

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Students Dating Violence

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- 5% of girls reported missing at least one day of school a month due to safety concerns.
- 43% of teen dating violence victims report that the dating violence experience occurred in a school building or on school grounds.⁷
- 83% of the acts or incidents of dating violence that occurred at school was physical abuse.

Procedures for Reporting Incidents of Dating Violence

All acts or incidents of dating violence shall be reported to the principal/designee in compliance with existing school district policy and procedures. School staff should take all reasonable measures to prevent acts or incidents of teen dating violence. This report should be made verbally as soon as possible but no later than the end of the student's school day. A written report regarding the act or incident of dating violence should be submitted to the principal/designee by the reporting staff member no later than one day after the act or incident occurs. Staff members are required to report all acts or incidents of dating violence, including, but not limited to:

- Witnessed or reliable information concerning acts or incidents that are characterized by physical, emotional, verbal or sexual abuse;
- Digital or electronic acts or incidents of dating violence;
- Patterns of behavior that are threatening or controlling.

Guidelines for Responding to Incidents of Dating Violence at School

Protocol for Staff Members

Any school staff member who witnesses or learns of an act or incident of dating violence is required to take the following steps:

- Separate the victim from the aggressor;
- Speak with the victim and the aggressor separately;
- Speak with witnesses or bystanders separately;
- Inform the principal, or his or her designee of the act or incident;
- Prepare written report of incident for principal/designee;
- Monitor the interactions of the victim and the aggressor. Student safety should be the priority.

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Protocol for Administrators

Any school administrator who witnesses or learns of an act of dating violence is required to take the following steps:

- Separate the victim from the aggressor;
- Meet separately with the victim and the aggressor;
- Take written statements from the victim and alleged aggressor;
- Review the victim's and aggressor's written statements to ascertain an understanding of the act or incident. Questions may be asked of either individual for clarification;
- Further investigate the incident by speaking with bystanders/witnesses of the act or incident. All statements should be documented;
- The school administrator should make the determination to involve the School Resource Officer or law enforcement agency serving the district;
- After an assessment by a school social worker, counselor or psychologist a determination is made that the victim or aggressor's mental health has been placed at risk appropriate referrals should be made;
- Contact should be made with the parents/guardians of both the victim and the aggressor. A recommendation of a meeting should be made to discuss the act or incident with the principal/designee;
- Schools must notify both parties in writing of the outcome of the investigation into the act or incident of dating violence.

Protocol for Working with the Victim of an Act or Incident of Dating Violence

Administrators shall consider adopting the following methods for dealing with victims of dating violence.

- Student safety should be the first priority. Interaction between the victim and the alleged aggressor should be avoided. The burden of any schedule changes (classroom, bus etc.) should be taken on by the alleged aggressor.
- Schedule a conference with the victim and their parents/guardians.
- Identify any means or actions that should be taken to increase the victim's safety and ability to learn in a safe and civil school environment.
- Alert the victim and their parents/guardians of school and community based resources that may be appropriate, including their right to file charges, if the act or incident violated the law.

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- Monitor the victim's safety as needed. Assist the victim with any plans needed for the school day and after school hours. (e.g. Hallway safety, coordination with parents/guardians for transportation to and from school). An individualized safety plan may be developed if deemed necessary. See Appendix A for examples and additional resources.
- Discuss a school approved Stay Away Agreement between the victim and the alleged aggressor.
- Encourage the victim to self report any and all further acts and incidents of dating violence that occur at-school in writing to the principal, or his or her designee. Document all meetings and action plans that are discussed.

Protocol for Working with the Alleged Aggressor of an Act or Incident of Dating Violence

Administrators shall utilize the following methods for dealing with the alleged aggressor in act or incidents of dating violence:

- Schedule a conference with the aggressor and their parents/guardians.
- Give the alleged aggressor the opportunity to respond in a written statement to the allegations of an act or incident of dating violence at-school;
- Alert the alleged aggressor and their parents/guardians, to both school and community based support and counseling resources that are available;
- Identify and implement counseling, intervention and disciplinary methods that are consistent with school policy for acts or incidents of this nature;
- Review the seriousness of any type of retaliation (verbal, emotional, physical, sexual, electronic/digital) towards the victim who reported the act or incident of dating violence. Address that consequences would be issued consistent with the school's student code of conduct and procedures for any type of retaliation or intimidation towards the victim;
- Document all meetings and action plans that are discussed;

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Protocol for the Documentation and Reporting of an Act or Incident of Dating Violence

Incidents of dating violence that occur at school shall be documented in the following manner:

- Dating violence statements and investigations should be kept in files separate from student academic and discipline records to prevent the inadvertent disclosure of confidential information;
- Every act or incident of dating violence at school that is reported should be documented in an appropriate manner, including statements, planning actions, disciplinary measures as well as counseling and other support resources that are offered and prescribed to the victim or alleged aggressor.

Discipline Procedures Specific to Incidents of Dating Violence at School

The Board of Education requires its school administrators to implement discipline and remedial procedures to address acts or incidents of dating violence at school. These procedures should be consistent with the student code of conduct. The procedures specific to acts or incidents of dating violence at school should be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses should be tiered with consideration given to the seriousness and the number of previous occurrences of acts or incidents in which both the victim and alleged aggressor have been involved.

The consequences and remedial measures shall include, but not be limited to:

Consequences

- Admonishment
- Temporary removal from the classroom
- Classroom or administrative detention
- In-school suspension
- Out-of-school suspension
- Reports to law enforcement
- Expulsion

Remediation/Intervention

- Parent conferences
- Student Counseling (all students involved in a the act or incident)
- Peer support group

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- Corrective instruction or other relevant learning or service experiences
- Supportive student intervention (IR&S)
- Behavioral management plan
- Alternative placements

Resources

Parents/guardians and students will be provided with information on safe, appropriate, school, family, peer and community resources available to address dating violence.

Forms

The district will utilize the forms that follow this policy to report and document incidents of dating violence.

Notice of Policy

Notice of this policy shall appear in all district publications that discuss comprehensive rules, procedures, and student conduct.

Legal References

- NJSA 18A:6-113 Instruction in suicide prevention in public school curriculum
18A:11-1 General Mandatory Powers and Duties
18A:35-4.19 through -4.22 AIDS Prevention Act of 1999
18A:35-4.23a Dating violence into health education curriculum
18A:35-5 through -9 Maintenance of physical training courses; features
18A:37-33 to 37 Dating violence policy and education
- NJAC 6A:7-1.7 Equality in school and classroom practices
6A:8-3.1 Curriculum and instruction
6A:8-5.1 Graduation requirements
6A:9-5.19 Athletics Personnel
6A:9-11.8 Health and physical education
6A:16-2.1 et seq. General Provisions for School Health Services
6A:32-9.1 General Provisions for School Health Services
Guide to Preventing Bullying, Teen Dating Violence and Sexual Violence, Rhode Island Department of Elementary and Secondary Education 2008
The Model Policy and Guidance for Prohibiting Harassment, Intimidation and Bullying On School Property At School Sponsored Functions and on School Buses, NJDOE April 2011
20 U.S.C.A. 1681 *et seq.* - Title IX of the Education Amendments of 1972
The Comprehensive Equity Plan, New Jersey State Department of Education

Possible Cross References

2224, 5145.4, 6121, 6140, 6141, 6142, 6145.1, 6145.2, 6146

STUDENT SAFETY PLAN

STUDENT NAME _____ Grade _____ H.R. _____
ADMINISTRATIVE Staff _____

VICTIM SAFETY PLAN

A safety plan should be considered when a student discloses dating violence and abuse, whether or not a Restraining Order/No Contact Order has been issued by the court.

NOTE: Administrative staff should develop this plan with the victim, in an effort to empower the victim and keep him/her safe. A safety plan needs to be individualized, as every victim has unique needs and challenges.

1.) Any Schedule Changes Made (attach revised schedule) School should consider who will notify the teachers, what if there's only one AP English course in the school and both parties take the course?

2) School Arrival (change in time, entrance, transportation, with whom, etc...)

3) Locker (Is there a gym locker as well? How will the student access their locker ex. five minutes early?)

4) Lunch (Is the cafeteria safe? Can the victim experience retaliation from friends of the perpetrator? Can the eating schedule be changed? Who will alert cafeteria staff of the order?)

5) Route Changes (include places to avoid/watch for, after school activities and team schedules, travel to and from school, class, etc.)

6. School Departure (*time, entrance, designated friend, etc.*)

7. STAFF: *Let the victim select one staff member that they feel comfortable with.. This staff person should be available for student for "check-ins" and support as needed.*

Support Staff _____

8. Additional Staff to Share Plan With: (Administrators, Teachers, Guidance Counselors, Resource Officer, Lunch Aides, Bus Driver, Coaches, School Nurse, etc.)

9. Support Network of Peers: (to accompany student throughout the day if necessary)

10. Strategies to Problem Solve: Have the victim think through different ways s/he will react and deal with emergency situations, where they would go? Who would they call? Consider strategies to assess dangerousness, threats, Etc.

11. Any Additional Special Conditions: Are there other extracurricular school activities/events which present conflicts? How are they to be addressed?

12. School has completed the Restraining Order/ No Contact Order School Checklist.

STUDENT COMPLAINT FORM

Student Complaint Form for reporting DATING VIOLENCE and SEXUAL VIOLENCE

Name: _____ Student ID: _____
Grade: _____ Date: _____ Time: _____ School: _____

Please answer the following questions about the most serious incident:

List the name of the alleged perpetrator(s) of bullying, sexual harassment, dating violence, or sexual violence:

Relationship between you and the alleged perpetrator:

Describe the incident:

When and where did it happen? _____

Were there any witnesses? yes no If yes, who?

Is this the first incident? yes no

If no, how many times has it happened before?

Other information, including previous incidents or threats:

Student or parent declines to complete this form: Initial: _____ Date: _____

I certify that all statements made in the complaint are true and complete. Any intentional misstatement of fact will subject me to appropriate discipline. I authorize school officials to disclose the information I provide only as necessary in pursuing the investigation.

Signatures

Student: _____ Date: _____

School official receiving complaint: _____ Date: _____

School official conducting follow-up: _____ Date: _____

These documents should remain confidential.

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Student Use of Bicycles

Policy 5131.3

Date Adopted: March 22, 2010

Date Revised:

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The Board regards the use of bicycles for travel to and from school by students as an assumption of responsibility on the part of those students; a responsibility in the care of property in the observation of safety rules and in the display of courtesy and consideration toward others.

The Board will permit the use of bicycles by students in accordance with the rules of the district and only when the student has submitted to the Superintendent of Schools/designee the written permission of his/her parent/guardian.

The Board does not construe the use of bicycles by students as a waiver of its responsibility to provide bus transportation in accordance with Board policy and NJ State law. The Board encourages students who are qualified to use bus transportation to do so at all times.

The Board will not permit the use of any motorized vehicle for travel to and from school by any student.

The Board assumes no liability for and will not be responsible for any bicycle that is lost, stolen or damaged or for any property that is damaged as a result of the reckless use of a bicycle by a student.

Students riding bicycles to and from school shall be responsible to follow all existing local, county and state laws pertaining to bicycle use and to provide their own safety equipment in accordance with local, county and state laws.

Consistent with state statute all students under fourteen years of age riding bicycles to and from school shall wear appropriate safety helmets.

Delegation of Responsibility

The Superintendent of Schools shall develop rules and regulations for the operation and parking of bicycles and shall disseminate those rules to all students in the district.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
39:4-10.1 et seq Bicycle safety and equipment requirements

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Vandalism & Violence

Policy 5131.5

Date Adopted: March 22, 2010

Date Revised: January 26, 2012, April 12, 2018,
December 14, 2023

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Vandalism

The board of education views vandalism against school property by pupils as reprehensible. The causes of such misbehavior often are complex, calling for careful study by parents/guardians, school staff and appropriate community officials.

The board believes that pupils should respect property and take pride in the schools of this district. Whenever a pupil has been found to have done willful and malicious damage to property of the board, the principal of the school shall notify the chief school administrator. The board will hold the pupil or his/her parents/guardians liable for the damage caused by him/her.

When vandalism is discovered, the administration is directed to take such steps as are necessary to identify the vandals. If pupils have taken part in the vandalism, the appropriate administrator shall:

- A. Identify the pupils involved;
- B. Call together persons, including the parents/guardians, needed to study the causes;
- C. Decide upon disciplinary and/or legal action possibly including suspension. Should parents/guardians fail to cooperate in the discussions, the administration may charge the pupil with being delinquent by a petition stating the offense and requesting appearance in juvenile court;
- D. Take any constructive actions needed to try to guard against further such pupil misbehavior;
- E. Seek appropriate restitution.

Violence

Physical violence including assault with or without a weapon, against another pupil, a staff member or board member is prohibited and will result in the disciplinary sanctions included in policies on suspension and expulsion and conduct/discipline. Disruptive behavior that is characterized by violence, even though not directed toward another person, should be reported by the classroom teacher to the school principal, unless instructed otherwise, so that possible program adjustments may be identified.

Any pupil who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm or any school property or on a school bus or at a school-sponsored function shall be immediately removed from the school's regular education program for a period of not less than one calendar year. The chief school administrator may modify this suspension on a case-by-case basis. Each pupil so removed shall be placed in an alternative educational program or on home instruction and shall be entitled to a hearing before the board.

Any school employee observing or having direct knowledge from a participant or victim of an act of violence in the district public school(s) should complete the standard report form and submit it to the school principal who is responsible for preparing the official report to the chief school administrator. Staff will report accurately and not falsify information.

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

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Two times each year between September 1 and January 1 and between January 1 and June 30, the school board(s) shall hold a public hearing at which the chief school administrator reports to the board of education all acts of violence, vandalism, and harassment, intimidation, or bullying (HIB) which occurred during the previous reporting period. The report shall include the number of HIB reports in the schools, the status of all investigations, the nature of the HIB, and other data required by law.

Threats of Violence

The board is committed to promoting healthy relationships and a safe learning environment. Therefore, it shall not tolerate pupil threats of harm to self or others or other threatening behaviors, including threats to damage school property. Threatening behaviors shall not be tolerated on school property or at activities under the jurisdiction of the board of education.

Pupils shall inform a teacher, guidance counselor or principal when he/she is in possession of knowledge of such threats. Staff shall immediately notify the principal of any threat or threatening behavior that he/she has knowledge of, has witnessed or received. All such threats shall be promptly reported to the appropriate law enforcement agency.

Pupils who perpetrate threatening behaviors shall be disciplined in accordance with policy and regulations on suspension and expulsion and conduct/discipline.

Behavioral Threat Assessment Team

The board shall direct the establishment of a behavioral threat assessment team(s) in each school, pursuant to N.J.S.A. 18A:17-43.4. The purpose of the team shall be to provide school teachers, administrators, and other staff with assistance in identifying students of concern, assessing those students' risk of engaging in violence or other harmful activities. The team shall also be responsible for delivering intervention strategies to manage the risk of harm for students who pose a potential safety risk, to prevent targeted violence in the school, and ensure a safe and secure school environment that enhances the learning experience for all members of the school community.

Any policy developed by a school district, charter school or renaissance school project concerning the establishment of a multi-disciplinary threat assessment team must be aligned with the *Guidance on the Establishment and Training of K-12 Behavioral Threat Assessment and Management Teams* (https://www.nj.gov/education/security/NewJersey_ThreatAssessmentGuidance.pdf), developed by the New Jersey Department of Education (NJDOE) in consultation with the New Jersey Office of Homeland Security and Preparedness and State law enforcement agencies.

The threat assessment team at each school shall be multidisciplinary in membership and, to the extent possible, shall include the following individuals:

A school psychologist, school counselor, school social worker, or other school employee with expertise in student counseling;

A teaching staff member;

A school principal or other senior school administrator;

A safe schools resource officer or school employee who serves as a school liaison to law enforcement; and

The school safety specialist designated pursuant to N.J.S.A. 18A:17-43.3, in the event that the school safety specialist is not already a school administrator or school employee required to be a part of the threat assessment team in accordance with this policy.

Additional school employees may serve as regular members of the threat assessment team or may be

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consulted during the threat assessment process, as determined appropriate by the team.

This policy shall be consistent with guidelines adopted by the New Jersey Department of Education and include, but not be limited to:

- A. Guidance for students, teachers and all staff regarding the recognition of threatening or aberrant behavior in a student that may represent a threat to the school community;
- B. The designation of members of the school community to whom threatening behavior shall be reported; and
- C. Appropriate actions to be taken, including available social, developmental, and law enforcement resources, for students whose behavior is identified as posing a threat to the safety of the school community.

The threat assessment team shall not disclose or disseminate any information obtained during their assessment beyond the purpose for which the information was provided to the threat assessment team, except that the team is authorized to disclose the information to applicable agencies to pursue appropriate action under paragraph C., above, for any student whose behavior is identified as posing a threat to the safety of the school community.

Classified Students

Where a student whose behavior is being assessed has an Individualized Education Program (IEP) or 504 plan, the threat assessment team shall consult with the IEP team or 504 team to determine whether the aberrant behavior is a threat to school safety and is being properly addressed in a manner that is required by N.J.A.C. 6A:14 and all federal and State special education laws.

Training

Each member of the threat assessment team shall participate in training provided by the school safety specialist designated pursuant to N.J.S.A. 18A:17-43.3, that is consistent with the guidelines developed by the New Jersey Department of Education, to ensure that the threat assessment team is able to accurately assess student behavior and to ensure that threat assessment teams do not have a disparate impact on students based on their race, ethnicity, homelessness status, religious belief, gender, gender identity, sexual orientation, or socioeconomic status. The training shall, at a minimum, include training on adverse childhood experiences, childhood trauma, cultural competency, and implicit bias.

Nothing in this policy shall be construed as affecting the provisions of any collective bargaining agreement or individual contract of employment in effect on the date of the policy's adoption.

Unsafe School Choice Option

The chief school administrator shall comply with all requirements of the Unsafe School Choice Option policy adopted by the State Board of Education for schools in districts that receive funds under the Every Student Succeeds Act of 2015 (ESSA). He/she shall keep the board informed of all state requirements and actions taken to implement the policy.

Particularly, if a school in the district is designated as "persistently dangerous" as defined in the policy, corrective action plans shall be prepared and presented to the board for review. The corrective action plans shall be in the format provided by the Department of Education and shall describe how the schools will reduce the number of incidents of violence as determined by the Student Safety Data System (SSDS).

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Likewise, if a student while at school or on school grounds becomes a victim of a violent criminal offense as defined by state statute, he/she shall be offered the option of transferring to another safe school within the district.

Parents/Guardians shall be informed according to law and policy.

The board shall be provided with access to a copy of the current statewide Unsafe School Choice Option Policy.

School Violence Awareness Week

This school district shall observe School Violence Awareness Week, the week beginning on the third Monday in October of each year. Organized activities focused on the prevention of school violence will be offered to students, employees and board members. Local law enforcement personnel will be invited to participate.

Violence and Vandalism Reporting

The chief school administrator will biannually submit a report utilizing the Student Safety Data System (SSDS) accurately reporting on each incident of violence, vandalism and alcohol and other drug abuse and harassment, intimidation and bullying within the school district. Any allegations of falsification of data will be reviewed by the board of education using the requirements and procedures set forth in N.J.A.C. 6A:16-5.3(f). Board action shall be based on a consideration of the nature of the conduct, the circumstances under which it occurred, and the employee's prior employment record.

Implementation

The chief school administrator shall oversee the development of implementing regulations on all aspects of this policy, including the establishment of procedures for cooperation between school staff and law enforcement officials for all situations involving firearms or other deadly weapons.

Adopted:

NJSBA Review/Update:

Readopted:

Key Words

Conduct, Discipline, Pupil Conduct, Student Conduct, Vandalism, Violence

Legal References: <u>N.J.S.A. 2A:4A-60 et al.</u>	Disclosure of juvenile information; penalties for disclosure
<u>N.J.S.A. 2A:53A-15</u>	Liability of parent or guardian for willful destruction of property by infant under 18
<u>N.J.S.A. 2C:39-5</u>	Unlawful possession of weapons
<u>N.J.S.A. 18A:17-46</u>	Act of violence; report by school employee; notice of action taken; annual report
<u>N.J.S.A. 18A:17-43.4</u>	Multi-Disciplinary Threat Assessment Team
<u>N.J.S.A. 18A:25-2</u>	Authority over pupils
<u>N.J.S.A. 18A:36-5.1</u>	School Violence Awareness Week
<u>N.J.S.A. 18A:37-1 et seq.</u>	Discipline of Pupils
<u>See particularly:</u>	
<u>N.J.S.A. 18A:37-2, -2.1</u>	
through -2.5, -3, -7	
through -12	
<u>N.J.S.A. 18A:37-13 et seq.</u>	<u>Anti-Bullying Bill of Rights Act</u>
<u>N.J.A.C. 6A:14-2.8</u>	Discipline/suspension/expulsion
<u>N.J.A.C. 6A:16-1.1 et seq.</u>	Programs to Support Student Development
<u>See particularly:</u>	
<u>N.J.A.C. 6A:16-5.1,</u>	

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-5.2, -5.3, -5.5, -5.6, -5.7,
-6.1

"H.A." v. Warren Hills Regional School District, 1976 S.L.D. 336

See also Commissioners' Decisions indexed under "Pupils – Punishment of" in Index to N.J. School Law Decisions

Every Student Succeeds Act of 2015, Pub. L. 114-95. 20 U.S.C.A. 6301 et seq.

A Uniform State Memorandum of Agreement Between Education and Law Enforcement

Officials

Unsafe School Choice Option Policy, New Jersey Department of Education, June 30,

2003

Possible

<u>Cross References:</u>	*1120	Board of education meetings
	*3250	Income from fees, fines, charges
	3517	Security
	*4131/4131.1	Staff Development, Inservice Education, Visitations, Conferences
	4148/4238	Employee protection
	*5114	Suspension and expulsion
	*5119	Transfers
	*5124	Reporting to parents/guardians
	*5131	Conduct/discipline
	*5131.1	Harassment, intimidation and bullying
	5131.4	Campus disturbances
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5131.7	Weapons and dangerous instruments
	*6114	Emergencies and disaster preparedness
	*6172	Alternative educational programs

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Implementation

The Superintendent of Schools shall oversee the development of implementing regulations on all aspects of this policy, including the establishment of procedures for cooperation between school staff and law enforcement officials for all situations involving firearms or other deadly weapons.

Legal References

NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
2A:53A-15 Liability of parent or guardian for willful destruction of property by infant under 18
2C:39-5 Unlawful possession of weapons
18A:17-46 Act of violence; report by school employee; notice of action taken; annual report
18A:25-2 Authority over pupils
18A:36-5.1 School Violence Awareness Week
18A:37-1 et seq. Discipline of Pupils

NJAC 6A:14-2.8 Discipline/suspension/expulsion
6A:16-1.1 et seq. Programs to Support Student Development

"H.A." v. Warren Hills Regional School District, 1976 S.L.D. 336

See also Commissioners' Decisions indexed under "Pupils - Punishment of" in Index to N.J. School Law Decisions

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

Unsafe School Choice Option Policy, New Jersey Department of Education, June 30, 2003

Possible Cross References

1120, 3250, 3517, 4148, 4248, 5114, 5119, 5119.3, 5124, 5131, 5131.4, 5131.6, 5131.7, 6114, 6172

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Substance Abuse

Policy 5131.6

Date Adopted: October 24, 1983

Date Revised: March 10, 1989, March 26, 2003, March 22, 2010,
September 3, 2014

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Drugs, Alcohol, Tobacco & Steroids

It is the responsibility of the Board of Education to safeguard the health, character, citizenship, and personality development of the students in its schools. We, therefore, must maintain that the use of drugs and the unlawful possession and use of alcohol is wrong and harmful. The Board of Education recognizes that the misuse of drugs, alcohol, tobacco or steroids threatens the positive development of that student and the welfare of the entire school community. The Board of Education is committed to the prevention of drug, alcohol, tobacco and steroid abuse and the rehabilitation of identified abusers.

Students

For the purpose of this policy, "drug" includes all controlled dangerous substances set forth in NJSA 24:21-1 et seq. and all chemicals that release toxic vapors set forth in NJSA 2C:35-10.4 et seq.

- A. The Board of Education prohibits the use, possession and/or distribution of any drug, alcohol, tobacco, or steroids on school premises, and at any event away from the school provided by the Board. Compliance with a drug-free standard of conduct at all school functions is mandatory for all students. Pupils suspected of being under the influence of drugs, alcohol, tobacco, or steroids will be identified, evaluated, and reported in accordance with the law. Assessment will be provided by individuals who are certified by the New Jersey State Board of Examiners as substance awareness coordinators or by individuals who are appropriately certified by the New Jersey Board of Examiners and trained in alcohol and other drug abuse prevention. A pupil who uses, possesses, or distributes drugs, alcohol, tobacco or steroids on school premises or while attending a school-sponsored activity will be subject to discipline that may include suspension or expulsion, and may be reported to appropriate law enforcement personnel. Pupils suspected of involvement with alcohol, drugs or steroids away from school premises will be offered appropriate treatment and remediation. Treatment services for students who are affected by alcohol or other drug use will be provided by individuals who are certified as substance awareness coordinators or who are otherwise appropriately trained in drug and alcohol prevention, intervention, and follow-up.
- B. The Board will enforce the laws of New Jersey requiring a program of drug, alcohol, tobacco and steroid education. The Superintendent of Schools shall prepare and submit to the Board for its approval a comprehensive curriculum for such instruction in grades seven through 12 offering a minimum of 10 clock hours per school year of alcohol and other drug education in accordance with Department of Education

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- chemical health guidelines, pursuant to NJSA 18A:40A-1 et seq. Drug, alcohol, tobacco and steroid education shall be integrated with the health curriculum.
- C. All district personnel shall be alert to signs of alcohol, drug, tobacco and steroid use by pupils and shall respond to those signs in accordance with procedures established by the Superintendent of Schools. The Board of Education will provide inservice training to assist teaching staff members in identifying the pupil who uses drugs, alcohol, tobacco and/or steroids, and in helping pupils with drug, alcohol, tobacco and steroid-related problems in a program of rehabilitation.
- D. The Superintendent of Schools shall develop administrative regulations for:
- A comprehensive program of drug, alcohol, tobacco and steroid education;
 - The identification and remediation of pupils involved with drugs, alcohol, tobacco and steroids;
 - The examination and treatment of pupils suspected of being under the influence of drugs, alcohol, tobacco or steroids to determine the extent of the pupil's drug or alcohol use or dependency;
 - The treatment and discipline of pupils who use, possess or distribute drugs, alcohol, tobacco and steroids in violation of law or this policy through referral to an appropriate drug/alcohol abuse program as recommended by the department of health; and
 - The readmission to school and treatment of pupils who have been convicted of drug, alcohol, tobacco and/or steroid offenses.
- E. Any staff member who reports a pupil to the principal or his/her designee in compliance with the provisions of this subsection shall not be liable in civil damages as a result of making such a report as provided for under NJSA 18A:40A-1 et seq.
- F. All policies and procedures must comply with the confidentiality requirements established in federal regulation found at 42 CFR Part II. Substance abuse in the district is considered a health risk. It is the expressed position of the district that when school rules have been violated, and when a student's health is at risk, we must notify the student's parents/guardians and attempt to involve the family in the rehabilitation plan subject to the confidentiality restrictions of 42 CFR Part II.
- G. Refusal or failure by a parent/guardian to comply with the provisions of NJSA 18A:40A-12 shall be deemed a violation of the compulsory education (NJSA 18A:38-25 and 18A:38-31) and/or child neglect (NJSA 9:6-1 et seq.) laws.

Enforcement of Drug-free School Zones

The Board of Education recognizes its responsibility to ensure continuing cooperation between school staff and law enforcement authorities in all matters relating to the use, possession, and distribution of controlled dangerous substances and drug paraphernalia on school property. The Board further recognizes its responsibility to cooperate with law enforcement authorities in planning and conducting law enforcement activities and operations on school property.

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The Board shall, therefore, establish a formal Memorandum of Agreement with the appropriate law enforcement authorities and set forth the following policies and procedures after consultation with the county prosecutor and approval by the county Superintendent of Schools of schools. The Memorandum of Agreement shall be consistent with the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials (1999 Revisions).

Law Enforcement Liaison

In order to ensure that such cooperation continues, the Board directs the Superintendent of Schools to designate a school district liaison(s) to law enforcement agencies and to prescribe the roles and responsibilities of the school liaison(s). Such assignment shall be in accordance with the district's collective bargaining agreement, if applicable.

Undercover Operations

The Board hereby recognizes that the Superintendent of Schools may request that law enforcement authorities conduct an undercover operation in the school if he/she has reason to believe that drug use and/or drug trafficking is occurring in the school and that a less intrusive means of law enforcement intervention would be ineffective. The Board hereby authorizes the Superintendent of Schools to request such intervention under these circumstances. The Board recognizes that the Superintendent of Schools is not permitted to ask the Board's approval for his/her action and is not permitted to discuss any aspect of the undercover operation until authorized to do so by law enforcement authorities.

The Board recognizes that law enforcement authorities may contact the Superintendent of Schools to request that an undercover operation be established in a district school. The Board recognizes that the Superintendent of Schools is prohibited from discussing the request with the Board. The Board hereby authorizes the Superintendent of Schools to act upon any such request in the manner that he/she determines is in conformity with the law and the Attorney General's Executive Directive 1988-1 and that is in the best interests of the students and the school district.

The Board directs the Superintendent of Schools and school principal to cooperate with law enforcement authorities in the planning and conduct of undercover school operations. The Superintendent of Schools, principal, or any other school staff or district Board member who may have been informed about the undercover operation is required to immediately communicate information to the county prosecutor or designee if the integrity of the undercover school operation has been compromised in any way.

At the completion of an undercover operation in a school, and with the consent of the appropriate law enforcement authority, the Superintendent of Schools shall report to the Board regarding the nature of the operation, the result of the operation, and any serious problems encountered during the operation.

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Summoning Law Enforcement Authorities onto School Property for the Purpose of Conducting Investigations, Searches, Seizures & Arrests

Any school employee who has reason to believe a student(s) or a staff member(s) is using or distributing controlled dangerous substances, including anabolic steroids, or drug paraphernalia on school premises shall bring that information to the school principal who, in turn, shall report same to the Superintendent of Schools. The Superintendent of Schools shall immediately report that information to the appropriate law enforcement agency. If, after consultation with the law enforcement official, it is determined that further investigation is necessary, the Superintendent of Schools will cooperate with the law enforcement authorities in accordance with the law and administrative code. He/she will provide the officials with a room in an area away from the general student population in which to conduct their law enforcement duties. If law enforcement officials do not choose to investigate the incident, the Superintendent of Schools may continue the investigation to determine if any school rules have been broken and whether any school discipline is appropriate.

If an arrest is necessary, and no exigent circumstances exist, the Superintendent of Schools and staff will cooperate with the law enforcement officials and provide them access to the office of a school administrator or some other area away from the general student population. Every effort shall be made to enable law enforcement personnel to carry out the arrest in a manner that is least disruptive to the educational environment. The Superintendent of Schools or the principal shall immediately notify the student's parent/guardian whenever a pupil is arrested for violating any laws prohibiting the possession, use, sale, or distribution of any controlled substance or drug paraphernalia.

Whenever the police have been summoned to a school building by the Superintendent of Schools, he/she shall report the reason the police were summoned to the Board President.

Student Searches and Securing Physical Evidence

The principal or his/her designee may conduct a search of a student's person or belongings if the search is necessary to maintain discipline and order in the school, and the school official has a reasonable suspicion that the student is concealing contraband. All searches and seizures conducted by designated school staff shall comply with the standards prescribed by the United States Supreme Court in New Jersey v. T.L.O., U.S. 325 (1985), and the New Jersey School Search Policy Manual.

If, as a result of the search, a controlled dangerous substance or drug paraphernalia is found, or if a controlled dangerous substance or drug paraphernalia is by any means found on school property, the individual discovering the item or substance shall immediately notify the Principal. The Principal shall immediately notify the Superintendent of Schools who shall immediately, in turn, notify the appropriate law enforcement agency.

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The principal shall ensure that the controlled or dangerous substance and/or drug paraphernalia is labeled and secured in a locked cabinet or desk until law enforcement officials pick it up. The principal shall then contact the student's parents/guardians to inform them of the occurrence.

Whenever law enforcement officials have been called into the school, and a search of a student's person or belongings is necessary, or an interrogation is to be conducted, the Superintendent of Schools shall request that the law enforcement officials conduct the search, seizure, or interrogation.

Police Presence at Extracurricular Activities

The Superintendent of Schools is hereby authorized to contact the appropriate law enforcement agency and arrange for the presence of an officer(s) in the event of an emergency or when the Superintendent of Schools believes that uniformed police presence is necessary to deter illegal drug use or trafficking or to maintain order or crowd or traffic control at a school function.

Resolving Disputes Concerning Law Enforcement Activities

The Board authorizes the Superintendent of Schools to contact the chief executive officer of the law enforcement agency involved with any dispute or objection to any proposed or ongoing law enforcement operation or activity on school property. If for any reason the dispute or objection is not satisfactorily resolved with the chief executive officer of the agency, the Superintendent of Schools shall work in conjunction with the county prosecutor and, where appropriate, the division of criminal justice to take appropriate steps to resolve the matter. Any dispute that cannot be resolved at the county level shall be reported to the Board and shall be resolved by the attorney general whose decision will be binding.

Confidentiality of Pupil Involvement in Intervention & Treatment Programs

Nothing in this policy shall be construed in any way to authorize or require the transmittal of any information or records that are in the possession of a substance-abuse counseling or treatment program including, but not limited to, the school district's own substance abuse programs. All information concerning a pupil's or staff member's involvement in a school intervention or treatment program shall be kept strictly confidential. See 42 CFR 2 and NJAC 6A:16-6.5.

Procedures

Identification and Remediation of Pupils Involved with Substances

1. Teaching staff members shall be alert to the signs of a pupil's involvement with substances, in accordance with the training offered in in-service training sessions.

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2. A teaching staff member who suspects that a pupil is involved with substances, but not under the influence of them, should refer the pupil to the School Nurse, the School Psychologist, or another professional staff member or trained resource person, as appropriate. The staff member shall notify the Principal of the referral. If appropriate, the Principal should notify the pupil's parents/guardians of the referral and discuss with the parents/guardians the possibility of medical or therapeutic treatment.
3. When a pupil involved with substances, but not under the influence, has discussed his/her involvement with a teaching staff member with an expectation of confidentiality, the staff member may respect that confidence. The teaching staff member should encourage the pupil to seek aid from a professional trained in counseling and to confide in his/her parents/guardians. When the staff member believes that the pupil requires professional counseling or intervention that the pupil will not seek on his/her own, the staff member may report the pupil to the Principal who shall determine whether to notify the pupil's parents/guardians and may report the pupil to an appropriate district professional or trained resource person or to an appropriate agency for evaluation and possible treatment.

Reporting and Examination of Pupils Under the Influence of Anabolic Steroids

1. Whenever any teaching staff member, the School Nurse or other educational personnel have reason to believe that a pupil has used or may be using anabolic steroids, that person must report the matter as soon as possible to the Principal or, in the Principal's absence to the Superintendent and to the School Nurse or to the School Psychologist.
2. The Principal/designee in response to every report shall immediately notify the pupil's parents/guardians and the Principal.
3. The Principal shall arrange for the immediate examination of the pupil by a physician licensed to practice medicine or osteopathy selected by the parents/guardians. If the physician selected by the parent/guardian is not available to perform the examination, the examination will be conducted by the School Physician. An examination conducted at parental request by a physician other than the School Physician shall not be at district expense.
4. The pupil shall be examined as soon as possible for the purpose of determining whether the pupil has been using anabolic steroids.
5. A written report of the examination of the pupil shall be furnished by the examining physician to the pupil's parents/guardians and to the Principal.
6. If it is determined that the pupil has been using anabolic steroids, the pupil and others shall be interviewed by the School Nurse, School Psychologist, or School Social Worker to assess alcohol and other drug abuse for the purpose of determining the extent of the pupil's involvement with substances and the possible need for referral for treatment. In order to make this determination, the staff member may conduct a reasonable investigation which may include interviews with the pupil's teachers and staff. The school staff member may also consult with physicians and such experts in the field of substance abuse as may be appropriate.

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7. If it is determined that the pupil's use of steroids represents a danger to the pupil's health and well-being, the School Nurse, School Psychologist, or School Social Worker shall initiate a referral for treatment to appropriate community agencies as defined in NJAC 6A:126-4.1(b), to out-of-state agencies licensed by the appropriate state regulatory agency for alcohol and other drug services, or to private practitioners certified by appropriate drug and alcohol licensing boards.

Evaluation and Treatment of Pupils Under the Influence of a Substance Other Than Anabolic Steroids

1. Any educational staff member or other professional to whom it appears that a pupil may be currently under the influence of alcohol or other drugs on school property or at a school function shall report the matter as soon as possible to the School Nurse and the Principal, or, in the Principal's absence, to a person designated by the Principal as required in NJSA 18A:40A-12. If the Superintendent of Schools and the School Nurse are not in attendance, the staff member responsible for the function shall be notified. The Principal shall complete the Violence, Vandalism and Substance Abuse Incident Report according to NJSA 18A:17-46 and NJAC 6A:16-5.3
2. The Principal/designee, in response to every report shall immediately notify the pupil's parents/guardians.
3. The Principal/designee, in response to every report shall arrange for the immediate examination of the pupil for the purposes of determining whether the pupil is under the influence of alcohol or other drugs, other than anabolic steroids. The medical examination shall be performed by a physician licensed to practice medicine or osteopathy selected by the parents/guardians. If the physician selected by the parent/guardian is not available to perform the examination, the examination will be conducted by the School Physician or the hospital from which drug screening services have been contracted for examination. The pupil shall be accompanied by the pupil's parents/guardians if available and by a member of the school staff appointed by the Principal. Permission of the parents/guardians is not required for the School Physician or hospital examination. The parents/guardians may, but are not required to accompany the pupil to the School Physician or the hospital. The Principal/designee will supervise the pupil while the pupil is waiting for the parents/guardians to take the pupil to the physician or waiting for and receiving the examination by the School Physician or in the hospital. An examination conducted by a physician selected by the parents/guardians shall be at the expense of the parents/guardians and shall not be at the expense of the school district. An examination conducted by the School Physician or by a physician at the hospital shall be at the expense of the school district.
4. The school district, in cooperation with the medical professional licensed to practice medicine or osteopathy will establish the minimum requirements to be used for these medical examinations conducted in accordance with NJAC 6A:16-4.3 et. seq. The minimum requirements will be periodically reviewed and updated as needed. Any substance screening conducted by the School Nurse and/or other staff member is not a substitute for the medical examination required in NJSA 18A:40A-12.

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5. A written report of the examination of the pupil shall be furnished by the examining physician to the pupil's parents/guardians, the Principal, and to the Superintendent of Schools within twenty-four hours of the referral of the pupil for suspected drug or alcohol use. An examination conducted by a physician other than the School Physician or hospital shall not be at the expense of the district.
6. When the medical examination is performed by a physician other than the School Physician, the parent/guardian is required to verify that the medical examination was performed within twenty-four hours of the referral of the pupil for suspected drug or alcohol use. The verification will include the printed name, address and phone number, and signature of the examining physician indicating the required report is pending and the date by which it will be provided.
7. If the written report of the examination is not submitted to the parent/guardian, Principal or Superintendent of Schools within twenty-four hours of the referral of the pupil; the pupil will be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the physician.
8. If the written report of the medical examination verifies that alcohol or other drugs do not interfere with the pupil's ability to perform in school, the pupil will be immediately returned to school.
9. If there is a positive determination from the medical examination indicating the pupil's alcohol or other drug use interferes with his/her physical or mental ability to perform in school, the pupil will be returned to the care of the parent/guardian as soon as possible. Attendance at school will not resume until a written report has been submitted to the parents/guardians, Principal and Superintendent of Schools from the physician who has examined the pupil to determine whether alcohol or other drug use interferes with his/her physical or mental ability to perform in school. The report must verify that the pupil's alcohol or drug use no longer interferes with the pupil's physical and mental ability to perform in school. Removal of a pupil with a disability shall be in accordance with NJSC 6A:14-2.8.
10. Refusal of a parent/guardian to comply with NJSA 18A:40A-12 that frustrates the operation of these regulations and the return of the pupil to school shall be deemed to have violated the Compulsory Education Act NJSA 18A:38-25 and 18A:38-31 and or the child neglect laws pursuant to NJSA 9:6-1 et seq., and may be subject to prosecution. Furthermore, refusal or failure of a pupil to comply with NJSA 18A:40A-12 shall be handled by the district in accordance with NJAC 6A:16-4.1(c)2.
11. While the pupil is home because of the medical examination or after the pupil returns to school, the School Nurse, School Psychologist, or School Social Worker shall (1) conduct an alcohol and other drug assessment of the pupil and a reasonable investigation of the situation for the purpose of making a preliminary determination of the pupil's need for educational programs, supportive services or treatment which extends beyond the general school programs by virtue of the use of alcohol or other drugs by the pupil. The findings of the assessment alone shall not prevent a pupil from attending school; and (2) cooperate with community agencies as defined in NJAC 6A:16-4.1(b) and juvenile

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justice officials in providing evaluation, referral and continuity of care for substance abuse treatment.

12. While the pupil is at home because of the medical examination or after the pupil returns to school, the Principal or Superintendent of Schools may recommend or require alcohol and other drug assessments of the pupil or evaluation by appropriately certified or licensed professionals to make a positive determination of a pupil's need for programs and services which extend beyond the general school program, as necessary. The findings of these additional evaluations alone shall not be used to prevent a pupil from attending school.

Presence of Substances on School Premises

1. A pupil's person, effects or school storage places may be searched for substances in accordance with Board policy.
2. The Principal conducting the search shall confiscate as evidence any substance found in the pupil's possession. Any controlled dangerous substances as defined in NJSA 23:21-1 or NJSA 2C:35-2, including controlled dangerous analogs and drug paraphernalia, shall be handled in accordance with regulations. Any substance or evidence of the use of a substance other than a controlled dangerous substance shall be sealed in an appropriate container and labeled with the date, name of the pupil, and the name of the school official who conducted the search and found the drug or evidence. The evidence shall be locked in a secure place until it is no longer required for a determination of the pupil's involvement with a substance other than a controlled dangerous substance.
3. The Principal has the right to search the pupil's person, property and locker. If a pupil refuses to consent to a search of his person or property, that pupil is presumed to be in possession and will be treated as such.

Discipline

1. Any violation of Board of Education rules prohibiting the use, possession and/or distribution of a substance is a serious offense, and the pupil who violates a substance abuse rule will be disciplined accordingly. Repeated violations are more severe offenses and warrant stricter disciplinary measures. Pupils who violate the substance abuse rules will be disciplined as follows:
 - First Offense: Student will be suspended for a minimum of five school days. Readmittance will be conditional on a statement from the examining physician that the student is not under the influence of alcohol or a dangerous controlled substance. The student will be required to attend a specific number of counseling sessions with either school personnel or an outside agency. The Principal shall file a New Jersey Department of Education Violence, Vandalism and Substance Abuse Incident Report.
 - Second Offense: Student will be suspended for ten school days. Readmittance will be conditional on a statement from the examining physician that the student is not under the influence of alcohol or a dangerous controlled substance. The student will be required to attend a specific number of counseling sessions with

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either school personnel or an outside agency. The Principal shall file a New Jersey Department of Education Violence, Vandalism and Substance Abuse Incident Report.

- Third Offense: The same as the Second Offense
2. In accordance with NJAC 6A:16-4.1(c), the following disciplinary action will be taken in the event that pupil does not follow through on the recommendations of an evaluation for alcohol or other drug agues and related behaviors:
- First Offense: In the case that an obligation is not satisfied during the suspension period or after the pupil returns to school, the pupil will not be allowed to return to school or can be removed from school until all obligations are fulfilled.
 - Second Offense: The same as the First Offense
 - Third Offense: The same as the First Offense

Student Returning from Rehabilitation

Any student returning to school from a rehabilitation program shall be subject to support services. Such services shall be designed by the Principal, School Nurse and School Psychologist as they deem most appropriate.

Procedures – Suspected Drug Use

1. Teacher informs:
 - School Nurse
 - Principal
2. Principal/designee informs:
 - Parent/guardian
 - Superintendent of Schools
3. Principal/designee arranges for an immediate examination of pupil by:
 - Physician selected by parent/guardian; or
 - School Physician; or
 - Physician in hospital from which drug screening services have been contracted.
4. Principal/designee will arrange for disciplinary action if administration feels such is warranted.

Procedures – Suspected Drug Possession

1. Teacher will:
 - Question student
 - Report student and call Principal
2. Principal/designee will inform:
 - Parent/guardian
 - Superintendent of Schools
 - School Nurse
 - Police

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3. Principal/designee arranges for an immediate examination of pupil by:
 - Physician selected by parent/guardian; or
 - School Physician; or
 - Physician in hospital from which drug screening services have been contracted.
4. Principal/designee has the right to search the student's person, property or locker.
5. Principal/designee will arrange for disciplinary action, if administration feels such is warranted.

Inservice Training

The Superintendent of Schools will ensure that all district employees receive annual inservice training to make them aware of their responsibilities in accordance with Board policies and NJAC 6A:16-3.1.

Drug-Free School Zone

Fairfield Township School is located within a drug-free school zone. Any person caught with drugs in his/her possession or dealing or using drugs will be subject to a mandatory jail sentence, loss of license for a period of time and possible expulsion from school.

Annual Review

The Board will review annually the effectiveness of these policies and the Memorandum of Agreement entered into with the appropriate law enforcement agency. As part of this review, the Board will consult with the county Superintendent of Schools, local community members, and the county prosecutor's office.

Availability of Policy

The policies and procedures contained herein shall be made available to all staff, pupils, and parents/guardians on an annual basis.

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Legal References

- NJSA 2A:62A-4 Reports by educational personnel on dependency upon or illegal use of controlled dangerous substances or use of intoxicating vapor releasing chemicals; immunity from liability
2C:29-3a Hindering apprehension or prosecution
2C:33-15 Possession or consumption of alcoholic beverage by person under legal age, penalty
2C:33-16 Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
2C:33-17 Offer or service of alcoholic beverage to underage person; disorderly persons;
2C:35-1 et seq. New Jersey Comprehensive Drug Reform Act of 1987
9:6-1 et seq. Abuse abandonment, cruelty, and neglect of child; what constitutes
9:17A-4 Consent by minor to medical care or treatment; venereal disease, sexual assault or drug use or dependency; notice and report of treatment; confidentiality
18A:25-2 Authority over pupils
18A:36-19.2 Student locker or other storage facility; inspections; notice to students
18A:37-1 Submission of pupils to authority
18A:37-2 Causes for suspension or expulsion of pupils
18A:38-25 Attendance required of children between six and sixteen, exceptions
18A:38-31 Violation of article by parents or guardian, penalties
18A:40A-1 et seq. Substance abuse
24:21-2 Definitions (New Jersey controlled dangerous substances)
26:3D-55 et seq. New Jersey Smoke-Free Air Act
P.L. 2005, c. 209 Random student drug testing
- NJAC 6A:8-3.1 Curriculum and instruction
6A:9-13.2 Substance awareness coordinator
6A:14-2.8 Discipline/suspension/expulsion
6A:16-1.1 et seq. Programs to Support Student Development
6A:32-13.1 et seq. Pupil Behavior
Drug Free Workplace Act of 1988 Enacted November, 1988 (Pub. L. 100-690, Title V, Subtitle D) 102 Stat. 4305-4308
Regulations Under Drug Free Workplace Act, C.F.R. 4946 (1/31/89)
42 CFR Part 2--Confidentiality of alcohol and drug abuse patient records
F.G. v. Bd. of Ed. of Hamilton, 1982 S.L.D. 382
G.L.H. v. Bd. of Ed. of Hopewell Valley Regional School District, et al., 1987 S.L.D. April 20, aff'd St. Bd. 1987 S.L.D. Sept. 2
State in the Interest of T.L.O. 94 N.J. 331 (1983), Rev'd, 469 U.S. 325 (1985)
State of New Jersey v. Jeffrey Engerud, 93 N.J. 308 (1983)
In the Matter of the Tenure Hearing of Graceffo, 2000 S.L.D. (September 2002)
Board of Education of Independent School District No. 92 of Pottawatomie County et al. v. Earls et al., 536 U.S. _____ (2002)
The New Jersey School Search Policy Manual, New Jersey Attorney General
A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

Possible Cross References

1330, 1410, 4131.1, 4231.1, 5114, 5124, 5125, 5131, 5131.7, 5141.3, 5141.21, 5145.12, 6145.1/6145.2, 6145.7, 6154, 6172, 6173

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Weapons & Dangerous Instruments

Policy 5131.7

Date Adopted: September 25, 1995

Date Revised: March 22, 2010, May 22, 2014

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The Board of Education prohibits the possession and/or use of weapons or other instruments that can be used as weapons or perceived to be weapons on school property, at any school function or while en-route to or from school or any school function. A violation of this policy will result in disciplinary action, depending on severity and occurrence.

The Superintendent of Schools shall make the final determination that a particular object is a dangerous instrument in any case where there is a question of its potential uses posing a threat to students, staff or property.

A student found or observed on school property or at a school event or en-route to and/or from school or a school event in possession of a weapon or dangerous instrument shall be reported to the Superintendent of Schools immediately. The Superintendent of Schools shall immediately contact the NJ State Police and provide all known information concerning the matter, including the identity of the pupil involved.

Possession or use of laser pointers is also strictly forbidden.

Disciplinary action shall be taken against students who possess, handle, transmit or use weapons, or dangerous instruments. As in disciplinary cases, due process will be provided, depending on severity and occurrence.

Disciplinary action/consequences include but are not limited to: out-of-school suspension, immediate removal of the student from the school program and a mandatory parent conference to be held with the Superintendent or a Board hearing at the discretion of the Superintendent, depending on the severity and occurrence of the incident. Should a parent/guardian contest the assigned disciplinary action, they have the right to appeal within 10-15 school days. The Board of Education shall determine appropriate action in the case of appeal.

Students cannot learn and teachers cannot teach when danger of violence is present. Accordingly, P.L. 127 and P.L. 128 were developed in order to prevent assaults with weapons from being committed upon students and teachers and to remove students from school who are found to be in possession of firearms. Both of these laws carry severe mandatory penalties, therefore it is very important that we all understand what acts are prohibited and the penalties that will be imposed on those who violate the laws.

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P.L. 127, also known as the “Zero Tolerance for Guns Act” mandates that any pupil who is convicted or adjudicated delinquent for the possession of firearms or a crime while armed with a firearm, or who is knowingly in possession of firearms on any school property; on a school bus, or at any school sponsored function shall be immediately removed from the school’s regular education program, pending a hearing before the local Board of Education, for a period of not less than one calendar year. In addition, any pupil so removed shall be reported to the police for a possible violation of a criminal statute. It is important to note that items such as pellet guns and air guns are considered as a firearm for the purpose of this law.

P.L. 128 provides that any pupil who commits an assault upon a teacher, administrator or other employee of a school Board or another student with a weapon, on a school bus or on school property, or at any school sponsored function shall be immediately removed from the school’s regular education program, pending a hearing before the local Board of Education for a period not to exceed one calendar year. It is important to note that the word weapon as it is used in this law, includes numerous items such as knives, sling- shots, throwing stars, blackjacks, tear gas or even a common kitchen knife, if it is used during an assault.

The Board is committed to maintaining a safe and orderly learning environment for our students and staff. It is important that our school community clearly understand the laws and that they will, when necessary, be enforced.

Fireworks

Fireworks are illegal in the State of New Jersey. Therefore, no fireworks will be allowed at school or on school properties. Fireworks are considered dangerous and will be treated in the same manner as weapons.

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Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
2C:12-1 Definition of assault
2C:33-19 Paging devices, possession by students
2C:39-5 Unlawful possession of weapons
2C:39-6 Exemptions
18A:6-1 Corporal punishment of pupils
18A:36-19.2 Student locker or other storage facility; inspections; notice to students
18A:37-1 Submission of pupils to authority
18A:37-2 Causes for suspension or expulsion of pupils
18A:37-2.1 through -2.5 Assaults by pupil upon teacher, administrator, board member or employee of board of education; suspension; expulsion proceedings ...
through -12 18A:37-7 Zero Tolerance for Guns Act
- NJAC 6A:14-2.8 Discipline/suspension/expulsion
6A:16-1.1et seq. Programs to Support Student Development
- P.L. 103-382, Improving America's Schools Act of 1994
Section 1702, Prohibits possession or discharge of a firearm in a school zone,
Pub. L. 101-647
Attorney General's Executive Directive No. 1988-1, Memorandum of Agreement
(revised, amended)
State in Interest of T.L.O., 94 N.J. 331, 346 (1983), rev'd 515 U.S. 646 (1985)
See also Commissioners' Decisions indexed under "Pupils - Punishment of" in Index
to N.J. School Law Decisions
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
The New Jersey School Search Policy Manual, New Jersey Attorney General (1998)
A Uniform State Memorandum of Agreement Between Education and Law
Enforcement Officials

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Harassment, Intimidation & Bullying

Policy 5131.9

Date Adopted: January 24, 2008

Date Revised: March 22, 2010, September 1, 2011,
April 12, 2018, November 15, 2018, December 8, 2022,
December 14, 2023

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The Board of Education prohibits acts of harassment, intimidation or bullying against any pupil.

The board of education believes that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Since students learn by example, school administrators, faculty, staff, and volunteers are required to demonstrate appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation or bullying. Harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Therefore, the school district will not tolerate acts of harassment, intimidation or bullying.

The board of education expects all students to treat each other with civility and respect and not to engage in behavior that is disruptive or violent. The board expects students to conduct themselves in keeping with their level of maturity, with a proper regard for the rights and welfare of other students, for school personnel, for the educational purpose underlying all school activities, and for the care of school facilities and equipment.

The standards of character education are an essential component of the Fairfield Township School District's Code of Conduct. The board believes that with the appropriate infusion of character education into the school curriculum, modeling of appropriate behavior by adults; support and assistance of students in school, the community and home; our students will achieve the above standards of character education.

The board prohibits acts of harassment, intimidation or bullying against any student. School responses to harassment, intimidation and bullying shall be aligned with the board approved code of student conduct which establishes standards, policies and procedures for positive student development and student behavioral expectations on school grounds, including on a school bus or at school sponsored functions. The chief school administrator shall be responsible for ensuring the prompt investigation and response to all reports of harassment, intimidation and bullying committed on school grounds, at school activities and on school buses. In addition, the chief school administrator shall ensure that this policy is applied to incidents of harassment, intimidation and bullying that are committed off school grounds in cases where a school employee is made aware of such actions. The chief school administrator has the right and authority to impose a consequence on a student for conduct away from school grounds that is consistent with the board's approved code of student conduct, pursuant to N.J.A.C. 6A:16-7.1 and N.J.A.C. 6A:16-7.5.

This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security and well-being or for reasons relating to the safety, security and well-being of other students, staff or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2, and when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. The board directs the chief school administrator or his or her appropriately trained and qualified designee to develop detailed regulations suited to the age level of the students and the physical facilities of the individual schools.

Bullying is unwanted, aggressive behavior that may involve a real or perceived power imbalance. "Harassment, intimidation or bullying" is defined as any gesture, any written, verbal or physical act, or any electronic communication, whether it be a single incident or a series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic, that takes place on school grounds, at any school-sponsored function or on a school bus, or off school grounds, in accordance with law, that substantially disrupts or interferes with the orderly operation of the school or the rights of other students, and that:

- A. A reasonable person should know, under the circumstances, will have the effect of physically or emotionally harming a student or damaging the student's property, or placing a student in reasonable fear of physical or emotional harm to his/her person or damage to his/her property; or

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- B. Has the effect of insulting or demeaning any student or group of students; or
- C. Creates a hostile educational environment for the student by interfering with the student's education or by severely or pervasively causing physical or emotional harm to the student.

"Electronic communication" means a communication that is transmitted by means of an electronic device, including, but not limited to a telephone, cellular phone, computer, or pager.

Consequences and Remedial Measures for Acts of Harassment, Intimidation or Bullying

The consequences for a student who commits an act of harassment, intimidation, or bullying may include:

- A. For the first act of harassment, intimidation, or bullying committed by a student, a copy of the results of the investigation shall be placed in the student's record and the student may be subject to remedial actions, including the provision of counseling or behavioral intervention services, or discipline, or both, as determined by the principal in consultation with appropriate school staff;
- B. For the second act, a copy of the results of the investigation shall be placed in the student's record and the student may be subject to remedial actions, including the provision of counseling or behavioral intervention services, or discipline, or both, as determined by the principal, in consultation with appropriate school staff; and
- C. For the third and each subsequent act, a copy of the results of the investigation shall be placed in the student's record, and the principal, in consultation with appropriate school staff, shall develop an individual student intervention plan which shall be approved by the chief school administrator or the chief school administrator's designee, and may include remedial actions including counseling or behavioral intervention services, or progressive discipline, or both, and may require the student, accompanied by a parent or guardian, to complete in a satisfactory manner a class or training program to reduce harassment, intimidation or bullying behavior.

The chief school administrator or the chief school administrator's designee and the principal shall consult law enforcement, as appropriate, pursuant to the provisions of the Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials, if the student's behavior may constitute a possible violation of the New Jersey Code of Criminal Justice.

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Consequences and remedial measures for a student who commits an act of harassment, intimidation or bullying shall be varied and graded according to the nature of the behavior; the nature of the student's disability, if any and to the extent relevant; the developmental age of the student and the student's history of problem behaviors and performance.

Consequences shall be consistent with the board approved code of student conduct and N.J.A.C. 6A:16-7. Consequences and remedial measures shall be designed to:

- A. Correct the problem behavior;
- B. Prevent another occurrence of the problem;
- C. Protect and provide support for the victim of the act; and

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D. Take corrective action for documented systemic problems related to harassment, intimidation or bullying.

Students' acts of cyber-harassment shall be subject to the code of student conduct for harassment, intimidation and bullying and penalties provided in N.J.S.A. 2C:33-4.1 Crime of Cyber-harassment. Cyber-harassment is a crime of the fourth degree and may be reported to the local law enforcement agency. A parent or guardian having legal custody of a minor who demonstrates willful or wanton disregard in the exercise of the supervision and control of the conduct of a minor adjudicated delinquent of cyber-harassment may be liable in a civil action.

Consequences and appropriate remedial actions for a student who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to and including short and long-term suspension or expulsion, as permitted by law. The consequences and remedial measures may include, but are not limited to:

A. Consequences

1. Admonishment;
2. Temporary removal from the classroom;
3. Deprivation of privileges;
4. Classroom or administrative detention;
5. Referral to disciplinarian;
6. In-school suspension during the school week or the weekend;
7. After-school programs;
8. Out-of-school suspension (short-term or long-term);
9. Legal action; and
10. Expulsion.

B. Remedial Measures

1. Personal

- a. Restitution and restoration;
- b. Mediation;
- c. Peer support group;
- d. Recommendations of a student behavior or ethics council;
- e. Corrective instruction or other relevant learning or service experience;
- f. Supportive student interventions, including participation of the intervention and referral services team;
- g. Behavioral assessment or evaluation, including, but not limited to, a referral to the child study team, as appropriate;
- h. Behavioral management plan, with benchmarks that are closely monitored;
- i. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- j. Involvement of school disciplinarian;
- k. Student counseling;
- l. Parent conferences;
- m. Student treatment; or
- n. Student therapy.

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2. Environmental (Classroom, School Building or School District)
 - a. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
 - b. School culture change;
 - c. School climate improvement;
 - d. Adoption of research-based, systemic bullying prevention programs;
 - e. School policy and procedures revisions;
 - f. Modifications of schedules;
 - g. Adjustments in hallway traffic;
 - h. Modifications in student routes or patterns traveling to and from school;
 - i. Supervision of students before and after school, including school transportation;
 - j. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
 - k. Teacher aides;
 - l. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
 - m. General professional development programs for certificated and non-certificated staff;
 - n. Professional development plans for involved staff;
 - o. Disciplinary action for school staff who contributed to the problem;
 - p. Supportive institutional interventions, including participation of the intervention and referral services team;
 - q. Parent conferences;
 - r. Family counseling;
 - s. Involvement of parent-teacher organizations;

Classified students are subject to the same disciplinary procedures as nondisabled students and may be disciplined in accordance with their IEP. However, before disciplining a classified student, it must be determined that:

- A. The student's behavior is not primarily caused by his/her educational disability;
- B. The program that is being provided meets the student's needs.

Staff

Consequences and appropriate remedial actions for any staff member who commits an act of harassment, intimidation or bullying may range from positive behavioral interventions up to disciplinary charges which could result in suspension or termination. The consequences and remedial measures may include, but are not limited to:

- A. Consequences
 1. Admonishment;
 2. Temporary removal from the classroom;
 3. Deprivation of privileges;
 4. Referral to disciplinarian;
 5. Withholding of Increment

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6. Suspension;
7. Legal action; and
8. Termination

B. Remedial Measures

1. Personal

- a. Restitution and restoration;
- b. Mediation;
- c. Support group;
- d. Recommendations of behavior or ethics council;
- e. Corrective action plan;
- f. Behavioral assessment or evaluation;
- g. Behavioral management plan, with benchmarks that are closely monitored;
- h. Involvement of school disciplinarian;
- i. Counseling;
- j. Conferences;
- k. Treatment; or
- l. Therapy.

2. Environmental (Classroom, School Building or School District)

- a. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- b. School culture change;
- c. School climate improvement;
- d. Adoption of research-based, systemic bullying prevention programs;
- e. School policy and procedures revisions;
- f. Modifications of schedules;
- g. Supervision;
- h. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- i. General professional development programs for certificated and non-certificated staff;
- j. Professional development plans for involved staff;
- k. Disciplinary action;
- l. Supportive institutional interventions, including participation of the intervention and referral services team;
- m. Conferences;
- n. Counseling;

Reporting Harassment, Intimidation and Bullying Behavior

The chief school administrator, principal and/or their designee shall be responsible for receiving complaints alleging violations of this policy.

The board shall allow reports to be anonymous, but no formal disciplinary action shall be based solely on an anonymous report. Any school employee, board member, contracted service provider, student, visitor or volunteer who has witnessed, or has reliable information that a student has been subject to harassment, intimidation or bullying, must report the incident to

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the building principal or his/her designee.

The following procedures shall apply to the reporting of incidents of harassment, intimidation and bullying committed by an adult or youth against a student:

- A. All acts of harassment, intimidation, or bullying shall be reported verbally to the school principal on the same day when the school employee or contracted service provider witnessed or received reliable information regarding any such incident;
- B. The principal shall inform the parents or guardians of all students involved in the alleged incident, and may discuss, as appropriate, the availability of counseling and other intervention services. The principal shall keep a written record of the date, time, and manner of notification to the parents or guardians; and
- C. All acts of harassment, intimidation, or bullying shall be reported in writing to the school principal within two school days of when the school employee or contracted service provider witnessed or received reliable information that a student had been subject to harassment, intimidation, or bullying.

The written report shall be on a numbered form developed by the Department of Education. The form is available at https://www.nj.gov/education/safety/sandp/hib/docs/HIB_Incident_Form_ForLEAs.pdf

A copy of the form shall be submitted promptly by the principal to the chief school administrator. The form shall be completed even if a preliminary determination is made under the school district's policy that the reported incident or complaint is a report outside the scope of the definition of harassment, intimidation, or bullying pursuant to section 2 of P.L.2002, c.83 (C.18A:37-14). The report shall be kept on file at the school but shall not be included in any student record, unless the incident results in disciplinary action or is otherwise required to be contained in a student's record under State or federal law. A redacted copy of the form that removes all student identification information shall be confidentially shared with the board of education after the conclusion of the investigation, if a hearing is requested by a parent or guardian.

The school district shall provide a means for a parent or guardian to complete an online numbered form developed by the Department of Education to confidentially report an incident of harassment, intimidation, or bullying.

The principal shall report to the chief school administrator if a preliminary determination is made under the board policy that the reported incident or complaint is a report outside the scope of the definition of harassment, intimidation, or bullying, and the chief school administrator may require the principal to conduct an investigation of the incident, if the chief school administrator determines that an investigation is necessary because the incident is within the scope of the definition of harassment, intimidation, or bullying. The chief school administrator shall notify the principal of this determination in writing.

A board member, school employee, contracted service provider, student or volunteer who has witnessed, or has reliable information that a student has been subject to, harassment, intimidation or bullying shall report the incident to the building principal and any appropriate school official, or to any school administrator or safe schools resource officer, who shall immediately initiate the school district's procedures concerning school bullying.

A board member or a school employee who promptly reports an incident of harassment, intimidation or bullying, to the appropriate school official designated by the school district's policy, or to any school administrator or safe schools resource officer, and who makes this report in compliance with the procedures in this policy, shall be immune from a cause of action for damages arising from any failure to remedy the reported incident.

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

The school administrator shall take into account the circumstances of the incident when providing notification to parents and guardians of all students involved in the reported harassment, intimidation, or bullying incident. The circumstances of the incident shall be considered conveying the nature of the incident, including the actual or perceived protected category motivating the alleged offense.

District Anti-Bullying Coordinator

*Note: Edit for districts with only one school.

The chief school administrator shall appoint a district anti-bullying coordinator. The chief school administrator shall make every effort to appoint an employee of the school district to this position. The district anti-bullying coordinator shall:

- A. Be responsible for coordinating and strengthening the school district's policies to prevent, identify, and address harassment, intimidation, and bullying of students;
- B. Collaborate with school anti-bullying specialists in the district, the board of education, and the chief school administrator to prevent, identify, and respond to harassment, intimidation, and bullying of students in the district;
- C. Provide data, in collaboration with the chief school administrator, to the Department of Education regarding harassment, intimidation, and bullying of students; and
- D. Execute such other duties related to school harassment, intimidation, and bullying as requested by the chief school administrator.

The district anti-bullying coordinator shall meet at least twice a school year with the school anti-bullying specialists in the district to discuss and strengthen procedures and policies to prevent, identify, and address harassment, intimidation, and bullying in the district.

School Anti-Bullying Specialist

The principal in each school shall appoint a school anti-bullying specialist. When a school guidance counselor, school psychologist, or another individual similarly trained is currently employed in the school, the principal shall appoint that individual to be the school anti-bullying specialist. If no individual meeting these criteria is currently employed in the school, the principal shall appoint a school anti-bullying specialist from currently employed school personnel. The school anti-bullying specialist shall:

- A. Chair the school safety/school climate team;
- B. Lead the investigation of incidents of harassment, intimidation, and bullying in the school; and
- C. Act as the primary school official responsible for preventing, identifying, and addressing incidents of harassment, intimidation, and bullying in the school.

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School Safety/School Climate Team

The board shall form a school safety/school climate team in each school to develop, foster, and maintain a positive school climate by focusing on the on-going, systemic process and practices in the school and to address school climate issues such as harassment, intimidation, or bullying. The school safety/school climate team shall meet at least two times per school year.

The school safety/school climate team shall consist of the principal or his or her designee; a teacher in the school; the school anti-bullying specialist; a parent of a student in the school; and other members determined by the principal. The school anti-bullying specialist shall serve as the chair of the school safety team.

The school safety/school climate team shall:

- A. Receive any complaints of harassment, intimidation, or bullying of students that have been reported to the principal;
- B. Receive copies of any report prepared after an investigation of an incident of harassment, intimidation, or bullying;
- C. Identify and address patterns of harassment, intimidation, or bullying of students in the school;
- D. Review and strengthen school climate and the policies of the school in order to prevent and address harassment, intimidation, or bullying of students;
- E. Educate the community, including students, teachers, administrative staff, and parents, to prevent and address harassment, intimidation, or bullying of students;
- F. Participate in the training required pursuant to the provisions of (N.J.S.A.18A:37-13 et seq.) and other training which the principal or the district anti-bullying coordinator may request;
- G. Collaborate with the district anti-bullying coordinator in the collection of district-wide data and in the development of district policies to prevent and address harassment, intimidation, or bullying of students; and
- H. Execute such other duties related to harassment, intimidation, and bullying as requested by the principal or district anti-bullying coordinator.

A parent shall be on the school safety/school climate team only in regard to general school climate issues and shall not participate in activities that may compromise a student's confidentiality. Other members of the school safety/school climate team who are not authorized to access student records (see board policy 5125 Student Records) shall be on the team only in regard to general school climate issues and shall not participate in activities that may compromise a student's confidentiality.

Investigating Reported Harassment, Intimidation and Bullying

To protect the victim, the chief school administrator shall take into account the circumstances of the incident when communicating with parents/guardians and when following the investigation procedures.

The principal, or his or her designee, in consultation with the anti-bullying specialist, shall make a preliminary determination prior to initiating an investigation, as to whether a reported incident or complaint, assuming all facts presented are true, is a report that qualifies as harassment, intimidation and bullying according to the law (within the scope of N.J.S.A. 18A:37-14).

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If the principal, or his or her designee, in consultation with the anti-bullying specialist, determines that the incident or complaint is a report outside the scope of the law (N.J.S.A. 18A:37-14) and does not qualify as harassment, intimidation and bullying, this determination may be appealed to the board of education according to the appeal process detailed below. The determination of the board may be appealed to the commissioner of education in accordance with law (N.J.A.C. 6A:3).

When a preliminary determination is made on whether a reported incident or complaint is a report outside the scope of the definition of harassment, intimidation, or bullying pursuant to section 2 of P.L.2002, c.83 (C.18A:37-14), the chief school administrator shall also provide annually to the board of education information on the number of times a preliminary determination was made that an incident or complaint was outside the scope of that definition for the purposes of the State's monitoring of the school district.

When the principal, or his or her designee, in consultation with the anti-bullying specialist, determines that the reported incident qualifies as harassment, intimidation and bullying, the report shall be investigated promptly and in accordance with law and the following procedures:

All reported incidents of harassment, intimidation and bullying shall be investigated promptly and in accordance with law and the following procedures:

- A. All investigations shall be thorough and complete, and documented in writing, and shall include, but not be limited to:
 1. Taking of statements from victims, witnesses and accused;
 2. Careful examination of the facts;
 3. Support for the victim; and
 4. Determination if alleged act constitutes a violation of this policy.
- B. The investigation shall be initiated by the principal or the principal's designee within one school day of the report of the incident and shall be conducted by a school anti-bullying specialist. The principal may appoint additional personnel who are not school anti-bullying specialists to assist in the investigation.
- C. The investigation shall be completed as soon as possible, but not later than 10 school days from the date of the written report of the incident of harassment, intimidation, or bullying or from the date of the written notification from the chief school administrator to the principal to initiate an investigation. In the event that there is information relative to the investigation that is anticipated but not yet received by the end of the 10-day period, the school anti-bullying specialist may amend the original report of the results of the investigation to reflect the information.
- D. The results of the investigation shall be reported to the chief school administrator within two school days of the completion of the investigation, and in accordance with law and board policy. The chief school administrator may initiate intervention services, establish training programs to reduce harassment, intimidation, or bullying and enhance school climate, impose discipline, order counseling as a result of the findings of the investigation, or take or recommend other appropriate action including seeking further information.

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- E. The results of each investigation shall be reported to the board of education no later than the date of the next board meeting following the completion of the investigation, and include:
1. Any services provided;
 2. Training established;
 3. Discipline imposed; or
 4. Other action taken or recommended by the chief school administrator.
- F. The chief school administrator or his or her designee shall ensure that parents or guardians of the students who are parties to the investigation in accordance with federal and State law and regulation shall receive information about the investigation. This information shall be provided in writing within 5 school days after the results of the investigation are reported to the board and include:
1. The nature of the investigation;
 2. Whether the district found evidence of harassment, intimidation, or bullying; or
 3. Whether discipline was imposed or services provided to address the incident of harassment, intimidation, or bullying.
- G. Investigations of complaints concerning adult conduct shall not be investigated by a member of the same bargaining unit as the individual who is the subject of the investigation.

Range of Ways to Respond to Harassment, Intimidation or Bullying

The board of education recognizes that some acts of harassment, intimidation or bullying may be isolated incidents requiring that the school officials respond appropriately to the individuals committing the acts and provide support programs for victims. Other acts may be so serious or parts of a larger pattern of harassment, intimidation or bullying that they require a response either at the classroom, school building or school district levels or by law enforcement officials.

In considering whether a response beyond the individual is appropriate, the principal, in conjunction with the school anti-bullying specialist shall consider the nature and circumstances of the act, the degree of harm, the nature and severity of the behavior, past incidences or past or continuing patterns of behavior, and the context in which the alleged incident(s) occurred. Institutional (i.e., classroom; school building; school district) responses include:

- A. School and community surveys;
- B. Mailings;
- C. Focus groups;
- D. Adoption of research-based bullying prevention program models;
- E. Training for certificated and non-certificated staff;
- F. Participation of parents and other community members and organizations;
- G. Small or large group presentations for staff, students, and the community for fully addressing a positive school climate and culture as well as the issues surrounding harassment, intimidation and bullying in the school community; and

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H. The involvement of law enforcement officers, including school resource officers.

For every incident of harassment, intimidation or bullying, the district shall respond to the individual who committed the act. Responses may include:

- A. Individual responses can include positive behavioral interventions (e.g., peer mentoring, short-term counseling, life skills groups) and punitive actions (e.g., detention, in-school or out-of-school suspension, expulsion);
- B. Classroom responses can include class discussions about an incident of harassment, intimidation or bullying, role plays, research projects, observing and discussing audio-visual materials on these subjects and skill-building lessons in courtesy, tolerance, assertiveness and conflict management;
- C. School responses can include theme days, learning station programs, parent programs and information disseminated to students and parents, such as fact sheets or newsletters explaining acceptable uses of electronic and wireless communication devices;
- D. District-wide responses can include community involvement in policy review and development, professional development programs, adoption of curricula and school-wide programs and coordination with community-based organizations (e.g., mental health; health services; health facilities; law enforcement; faith-based).

The range of ways in which the school shall respond once an incident of harassment, intimidation or bullying is identified shall be defined by the principal in conjunction with the school anti-bullying specialist, and shall include an appropriate combination of counseling, support services, intervention services, and other programs as defined by the commissioner.

Retaliation and Reprisal Prohibited

The board prohibits reprisal or retaliation or false accusation against any person who witnesses and/or reports an act of harassment, intimidation or bullying by any student, school employee, board member, contracted_service provider, visitor or volunteer. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation or false accusation shall be determined by the chief school administrator and/or principal or their designee after consideration of the nature, severity and circumstances of the act, in accordance with case law and board policies and procedures.

Any act of retaliation or reprisal or false accusation against any person who reports an act of harassment, intimidation or bullying shall not be tolerated. Any student, school employee, board member, contracted_service provider, volunteer or visitor who engages in the act of retaliation or reprisal or who falsely accuses another shall be subjected to consequence and appropriate remedial action. In cases where any state or federal law has allegedly been violated, the local law enforcement agency shall be notified.

A. Students

The consequences and appropriate remedial action for a student found to have engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be varied and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance, and shall be consistent with this policy. Consequences may include positive behavioral interventions, notification of the parents/guardians, up to and including short or long-term suspension or expulsion, as permitted by law;

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B. School Employees

Consequences and appropriate remedial action for a school employee found to have engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be determined in accordance with district policies, procedures and agreements, up to and including suspension or dismissal from service;

C. Board Members

Consequences and appropriate remedial action for a board member found to have committed an act of harassment, intimidation, or bullying; or found to have engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be determined in accordance with district policies, procedures and agreements, up to and including a public sanction or filed ethics charges;

D. Visitors, Volunteers, Contracted Service Providers, and All Other Persons

Consequences and appropriate remedial action for a visitor, volunteer, contracted service providers and all other persons found to have engaged in harassment, intimidation or bullying; or engaged in retaliation, reprisal and/or falsely accused another as a means of harassment, intimidation or bullying shall be determined by the chief school administrator after consideration of the nature, severity and circumstances of the act, including reports to appropriate law enforcement officials.

Consequences and remediation for students, employees, board members, visitors, volunteers, and contracted service providers, engaging in harassment, intimidation or bullying or engaged in retaliation, reprisal and/or false accusations may include the following:

A. Consequences

1. Admonishment;
2. Temporary removal from the classroom or school;
3. Deprivation of privileges
4. Prohibited from access to the school facilities (visitors, vendors, board members, all other people);
5. Classroom or administrative detention;
6. Referral to disciplinarian;
7. In-school suspension during the school week or the weekend;
8. After-school programs;
9. Out-of-school suspension (short-term or long-term);
10. Legal action;
11. Withholding of Increment;
12. Suspension;
13. Expulsion;
14. Termination;
15. Termination of service agreements or contracts (vendors, volunteers);

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16. Public sanction (board members);
17. Ethics charges (some administrators, board members).

B. Remedial Measures

1. Personal

- a. Restitution and restoration;
- b. Mediation;
- c. Peer support group;
- d. Recommendations of a student behavior or ethics council;
- e. Corrective instruction or other relevant learning or service experience;
- f. Supportive student interventions, including participation of the intervention and referral services team;
- g. Behavioral assessment or evaluation, including, but not limited to, a referral to the child study team, as appropriate;
- h. Behavioral management plan, with benchmarks that are closely monitored;
- i. Assignment of leadership responsibilities (e.g., hallway or bus monitor);
- j. Involvement of school disciplinarian;
- k. Counseling;
- l. Conferences;
- m. Treatment; or
- n. Therapy.

2. Environmental (Classroom, School Building or School District)

- a. School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation or bullying;
- b. School culture change;
- c. School climate improvement;
- d. Adoption of research-based, systemic bullying prevention programs;
- e. School policy and procedures revisions;
- f. Modifications of schedules;
- g. Supervision;
- h. Small or large group presentations for fully addressing the behaviors and the responses to the behaviors;
- i. General professional development programs for certificated and non-certificated staff;
- j. Professional development plans for involved staff;
- k. Disciplinary action;
- l. Supportive institutional interventions, including participation of the intervention and referral services team;
- m. Conferences;
- n. Counseling;

Appeal Process

The parent or guardian may request a hearing before the board concerning the written information about a harassment, intimidation, or bullying investigation. The request for a board hearing shall be filed with the board secretary no later than 60 calendar days after the written information is received by the parents or guardians. The hearing shall be held within 10 days of the request. The board shall meet in executive session for the hearing to protect the confidentiality of the students. At the hearing the board may hear from the school anti-bullying specialist about the incident, recommendations for discipline or

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services, and any programs instituted to reduce such incidents.

At the next board of education meeting following its receipt of the report, the board shall issue a decision, in writing, to affirm, reject, or modify the chief school administrator's decision. The board's decision may be appealed to the Commissioner of Education, in accordance with law, no later than the 90 days after the issuance of the board's decision.

A parent, student, guardian, or organization may file a complaint with the Division on Civil Rights within 180 days of the occurrence of any incident of harassment, intimidation, or bullying based on membership in a protected group as enumerated in the "Law Against Discrimination."

Approved Private Schools For Students With Disabilities (PSSDs)

The board is committed to ensuring that all district students that require placement in approved private schools for students with disabilities (PSSD) have the safe and civil environment in their school placement necessary for students to learn and achieve high academic standards. All approved PSSDs receiving students with disabilities from this district shall be committed to treating their students with civility and respect, and shall refuse to tolerate harassment, intimidation or bullying.

When an approved PSSD receives a complaint or report of an act of harassment, intimidation, or bullying involving a district student placed in the approved PSSD that occurred on a district school bus, at a district school-sponsored function and off school grounds, the approved PSSD shall notify the anti-bullying coordinator of the report or complaint.

The chief school administrator shall assign a school anti-bullying specialist to investigate a complaint or report of harassment, intimidation, or bullying, occurring on district school buses, at district school-sponsored functions, and off school grounds involving a student who attends an approved PSSD. The investigation conducted by the district anti-bullying specialist shall be in consultation with the approved PSSD.

The full-time non-teaching principal of the approved PSSD shall report to the anti-bullying coordinator and the child study team director, any complaint or report of an act of harassment, intimidation, or bullying involving a district student placed in the approved PSSD that occurred at the PSSD or an activity sponsored by the PSSD. The report shall include the names of the district students who are parties to the harassment, intimidation, or bullying investigation and the results of each investigation. The principal of the approved PSSD shall make this report to the district anti-bullying coordinator and to the student's parents/guardians no later than five school days following the investigation's completion. The report to the district shall include information on any service(s) provided; training established; and, discipline imposed or other action taken or recommended by the full-time non-teaching principal of the PSSD.

Once an incident of harassment, intimidation, or bullying is identified, the full-time non-teaching principal of the approved PSSD shall determine the appropriate response to address the individual circumstances in consultation and conjunction with appropriate district staff, as necessary. The approved PSSD shall not, pursuant to N.J.A.C. 6A:14-7.6(f), unilaterally implement disciplinary action involving removal to an interim alternative educational setting, suspension of more than 10 consecutive or cumulative school days in a school year or termination of placement. Disciplinary action involving suspension and expulsion from the approved PSSD shall be implemented in conjunction with the district and according to law (N.J.A.C. 6A:14-2.8) and board policies 5114 Suspension and Expulsion and 6171.4 Special Education.

Parents or guardians of students who are parties to a harassment, intimidation, or bullying investigation conducted by this district or an approved PSSD in which their child is placed may request a hearing before the board of education concerning the information received about an investigation. Any request for a hearing before the board of education shall be filed within 60 calendar days after the written information about the harassment, intimidation, or bullying investigation is received by the

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district and the parents or guardians. The hearing before the board shall be scheduled in collaboration with the approved PSSD and held by the board within 10 business days of the request. The approved PSSD and the board shall coordinate the policies and procedures for conducting such hearings.

Week of Respect

The week beginning with the first Monday in October of each year is designated as a “Week of Respect” in the State of New Jersey. The district, in order to recognize the importance of character education, shall observe the week by providing age-appropriate instruction focusing on preventing harassment, intimidation, or bullying as defined by law (N.J.S.A. 18A:37-14). Throughout the school year the district shall provide ongoing age-appropriate instruction focusing on preventing harassment, intimidation, and bullying in accordance with the New Jersey Student Learning Standards.

Training

A. School Leaders

Any school leader who holds a position that requires the possession of a chief school administrator, principal, or supervisor endorsement shall complete training on issues of school ethics, school law, and school governance as part of the professional development for school leaders required in accordance with State Board of Education regulations. This training shall also include information on the prevention of harassment, intimidation, and bullying (N.J.S.A. 18A:26-8.2).

B. Teaching Staff Development

Each public- school teaching staff member shall complete at least two hours of instruction in suicide prevention, to be provided by a licensed health care professional with training and experience in mental health issues, in each professional development period. The instruction in suicide prevention shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, and bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide (N.J.S.A. 18A:6-112).

C. Board Members

Within one year after being newly elected or appointed or being re-elected or re-appointed to the board of education, a board member shall complete a training program on harassment, intimidation, and bullying in schools, including a school district’s responsibilities as required by law (N.J.S.A. 18A:37-13 et seq.). A board member shall be required to complete the program only once (N.J.S.A. 18A:12-33).

D. Staff, Student and Volunteer Training

The school district shall:

1. Provide training on the school district's harassment, intimidation, or bullying policy to school employees and volunteers who have significant contact with students;
2. Provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements;
3. Ensure that the training includes instruction on preventing bullying on the basis of the protected categories as required by law (N.J.S.A. 18A:37-14) and other distinguishing characteristics that may incite incidents of

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discrimination, harassment, intimidation, or bullying; and

4. Develop a process for discussing the district's harassment, intimidation or bullying policy with students.

The board shall annually examine the training needs of school employees and volunteers who have significant contact with students for the effective implementation of the harassment, intimidation, or bullying policies, procedures, programs, and initiatives of the district board of education and implement training programs for school employees and volunteers who have significant contact with students. The annual examination of training needs shall take into consideration the findings of the annual review and update of the code of student conduct.

Information regarding the school district policy against harassment, intimidation or bullying shall be incorporated into a school's employee training program and shall be provided to full-time and part-time staff, volunteers who have significant contact with students, and those persons contracted by the district to provide services to students.

Throughout the school year, the district shall provide ongoing age-appropriate instruction on preventing harassment, intimidation and bullying, consistent with the New Jersey Student Learning Standards.

Reporting to the Board

Two times each year between September 1 and January 1 and between January 1 and June 30, the school board shall hold a public hearing at which the chief school administrator will report to the board of education all acts of violence, vandalism, and harassment, intimidation, or bullying (HIB) which occurred during the previous reporting period. The report shall include the number of HIB reports in the schools, the status of all investigations, the nature of the HIB, and other data required by law.

- A. The number of reports of harassment, intimidation, or bullying;
- B. The status of all investigations;
- C. The nature of the bullying based on one of the protected categories identified in N.J.S.A. 18A:37-14 such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, or a mental, physical or sensory disability, or by any other distinguishing characteristic;
- D. The names of the investigators;
- E. The type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying; and
- F. Any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying.

Reporting to the Department of Education

The information, including but not limited to, oral reports, written reports or electronic reports shall also be reported once during each reporting period between September 1 and January 1 and between January 1 and June 30, to the Department of Education. The report shall include:

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- A. Data broken down by the enumerated categories including the protected categories as listed above and the type of harassment, intimidation and bullying (any gesture; any written, verbal or physical act; or any electronic communication, whether it be a single or series of incidents); and
- B. Data broken down by each school in the district, in addition to district-wide data.

The report shall be used to grade each school for the purpose of assessing its effort to implement policies and programs consistent with law (N.J.S.A. 18A:37-13 et seq.). The district shall receive a grade determined by averaging the grades of all the schools in the district.

*Note: revise section below for districts with one school.

Each school shall post the grade received by the school and the overall district grade on the homepage of the school's website. The district shall post all the grades for each school of the district and the overall district grade on the homepage 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 websites within 10 days of the receipt of a grade by the school and district.

It shall be a violation to improperly release any confidential information not authorized by federal or State law for public release.

The chief school administrator will annually submit the report to the Department of Education utilizing the Student Safety Data System (SSDS). The chief school administrator shall accurately report on each incident of violence, vandalism, alcohol and other drug abuse, and incident of harassment intimidation and bullying within the school district. Any allegations of falsification of data will be reviewed by the board of education using the requirements and procedures set forth in N.J.A.C. 6A:16-5.3(g).

The State Board of Education shall impose penalties on any school employee who knowingly falsifies the report. Therefore, the chief school administrator shall make a reasonable effort to verify reports of violence, vandalism, and harassment, intimidation, or bullying. The board shall provide ongoing staff training, in cooperation with the Department of Education, in fulfilling the reporting requirements. The majority representative of the school employees shall have access monthly to the number and disposition of all reported acts of school violence, vandalism, and harassment, intimidation, or bullying.

Program Assessment and Review

Each school and the school district shall annually establish, implement, document, and assess bullying prevention programs or approaches, and other initiatives involving school staff, students, administrators, volunteers, parents, law enforcement and community members. The programs or approaches shall be designed to create school-wide conditions to prevent and address harassment, intimidation, and bullying.

Policy Development and Review

The district harassment, intimidation and bullying policy shall be adopted through a process that includes representation of parents or guardians, school employees, volunteers, students, administrators, and community representatives.

The district shall annually conduct a re-evaluation, reassessment, and review of this policy, any report(s) and/or finding(s) of the school safety/school climate team(s). The board shall also make any necessary revisions and additions to this policy as required by law. The board shall include input from the school anti-bullying specialists in conducting its re-evaluation,

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reassessment, and review. The district shall transmit a copy of the revised policy to the appropriate executive county superintendent within 30 school days of the revision.

Publication, Dissemination and Implementation

In publicizing this policy, the community including students, staff, board members, contracted service providers, visitors and volunteers, shall be duly notified that the rules detailed within apply to any incident of harassment intimidation and bullying that takes place on school grounds, at any school-sponsored function or on a school bus, or off school grounds that substantially disrupts or interferes with the orderly operation of the school or the rights of other students in accordance with law.

The chief school administrator shall take the following steps to publicize this policy:

*Note: revision needed for districts with one school

- A. Provide a link to this policy on a prominent place on the district website;
- B. Provide a link to this policy on a prominent place on each school's website;
- C. Distribute this policy annually to all staff, students and parents/guardians; and
- D. Print this policy in any district publication that sets forth the comprehensive rules, procedures and standards of student conduct and in student handbooks;

*Note: revision needed below for districts with one school

The district shall notify students and parents/guardians that the policy is available on the district's website. The district shall publish the name, school phone number, school address and school email address of the district anti-bullying coordinator on the home page of the district website. Each school within the district shall publish the name, school phone number, school address and school email address of the district anti-bullying coordinator and their school anti-bullying specialist on the home page of the school's website. The information concerning the district anti-bullying coordinator and the school anti-bullying specialists shall also be maintained on the Department of Education's website.

The school district and each school in the district with a website shall post on its homepage the current version of the document, Guidance for Parents on the Anti-Bullying Bill of Rights Act, developed by the Department of Education. The school climate state coordinator shall ensure that this document is updated as needed and then promptly disseminated to all school districts.

The chief school administrator shall ensure that the rules for this policy are applied consistently with the district's code of student conduct (N.J.A.C. 6A:16-7) and all applicable laws and regulations. All disciplinary sanctions shall be carried out with necessary due process.

This and all related policies shall be reviewed on a regular basis.

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Key Words

Harassment, Intimidation, Bullying, False Accusation, Retaliation, Reprisal, Conduct, Discipline, Student Conduct

<u>Legal References:</u>	<u>N.J.S.A. 2A:4A-60 et al.</u> disclosure	Disclosure of juvenile information; penalties for disclosure
	<u>N.J.S.A. 2C:33-4.1</u>	Crime of cyber-harassment
	<u>N.J.S.A. 10:5-1 et seq.</u>	Law Against Discrimination
	<u>N.J.S.A. 18A:6-112</u> teaching staff	Instruction on suicide prevention for public school teaching staff
	<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
	<u>N.J.S.A. 18A:12-33</u>	Training program; requirements
	<u>N.J.S.A. 18A:17-46</u> annual report; public hearing (acts of violence)	Reporting of certain acts by school employee; annual report; public hearing (acts of violence)
	<u>N.J.S.A. 18A:25-2</u>	Authority over students
	<u>N.J.S.A. 18A:26-8.2</u> professional development	School leader defined; training as part of professional development
	<u>N.J.S.A. 18A:36-19</u>	Student records; creation, maintenance and retention, security and access; regulations; nonliability
	<u>N.J.S.A. 18A:36-19a</u>	Student records (Newly enrolled students; transfers of records, identification)
	<u>N.J.S.A. 18A:37-1 et seq.</u>	Submission of Students to Authority (Discipline)
	<u>N.J.S.A. 18A:37-13 et seq.</u>	<u>Anti-Bullying Bill of Rights Act</u>
	<u>See particularly:</u>	
	<u>N.J.S.A. 18A:37-14, -15, -17</u>	Harassment, intimidation, and bullying
	<u>N.J.S.A. 18A:54-20</u>	Powers of board (county vocational schools)
	<u>N.J.A.C. 6A:14-2.8</u>	Discipline/suspension/expulsions (students with disabilities)
	<u>N.J.A.C. 6A:16-1.1 et seq.</u>	Programs to support student development (includes student conduct code)
	<u>See particularly:</u>	
	<u>N.J.A.C. 6A:16-7.1, -7.5, -7.6, -7.7</u>	
	<u>N.J.A.C. 6A:30-1.4 et seq.</u>	Evaluation process for the annual review

P.L. 2021, Chapter 338, approved January 10, 2022. Senate, No. 1790 amended N.J.S.A. 2C:33-4.1 making cyber-harassment a crime of the fourth degree, unless the person is 21 years of age or older at the time of the offense and impersonates a minor for the purpose of cyber-harassing a minor, in which case it is a crime of the third degree. In addition, P.L. 2021, c. 338 amends harassment, intimidation and bullying statutes (N.J.S.A. 18A:37-13 et seq.) to include requirements for recording incidents, notification to parents/guardians, reporting to the board and the Department of Education.

Gebser v. Lago Vista Independent School District 524 U.S. 274 (1989) United States Supreme Court addresses the standard by which a district will be held liable for sexual harassment of a student by a school employee under Title IX --requires actual notice and deliberate indifference.

Davis v. Monroe County Board of Education 526 U.S. 629 (1999) United States Supreme Court establishes the standard under which a school district may be liable under Title IX for sexual harassment of one student by another student. The district will be liable for damages only where the school officials are proven to have been deliberately indifferent to harassment of which it is actually

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aware. The harassment must be “severe, pervasive and objectively offensive.”

Saxe v. State College Area School District 240 F.3d 200 (3rd Cir 2001) A Pennsylvania school district’s anti-harassment policy was overly broad and therefore violated the Constitutional guarantee of freedom of speech.

L. W. v. Toms River Regional Schools Board of Education 189 N.J. 381 (2007) The New Jersey Supreme Court held that the standard under which a school district may be liable under the New Jersey Law Against Discrimination for student-on-student bullying or harassment is not the Title IX deliberate indifference standard, but is rather the same standard used under the NJLAD for hostile work environment cases. A district will be judged by whether the district’s response met the “reasonable person” test: what would a reasonable person (teacher, supervisor, vice principal, principal, etc.) do in a similar situation. School districts will be shielded from liability under NJLAD when their preventive and remedial actions are reasonable in light of the totality of the circumstances.

Possible

Cross References:

*1220	<u>Ad hoc</u> advisory committees
*1410	Local units
3517	Security
*3541.33	Transportation safety
*4131/4131.1	Staff development; inservice education/visitation conferences
4148/4248	Employee protection
*4231/4231.1	Staff development; inservice education/visitation conferences
5000	Concepts and roles for students
5010	Goals and objectives for students
*5020	Role of parents/guardians
*5113	Attendance, absences and excuses
*5114	Suspension and expulsion
*5124	Reporting to parents/guardians
*5131	Conduct and discipline
*5131.5	Vandalism/violence
*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5131.7	Weapons and dangerous instruments
5132	Dress and grooming
*5142	Student safety
5145	Rights
5145.2	Freedom of speech/expression
*5145.4	Equal educational opportunity
*5145.6	Student grievance procedure
*5145.1	Questioning and apprehension
*5145.1	Search and seizure
*6145	Extracurricular activities
*6164.4	Child study team
*6171.4	Special education
*6172	Alternative educational programs

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Student Dress Code

Policy 5132

Date Adopted: March 29, 2007

Date Revised: May 29, 2008, Mar. 22, 2010, July 28, 2011,
Aug. 23, 2012, July 25, 2013, Aug. 22, 2013, Feb. 26, 2015,
Dec. 17, 2015, March 24, 2016, Jan. 12, 2017, Sept. 17, 2018,
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The Board of Education believes that neatly attired students take pride in themselves; therefore, they are more likely to practice habits of self-discipline and display a positive attitude and demeanor in the school setting. Therefore, school uniforms shall be worn since they have been requested by the principal, staff and parents. The school principal shall ensure that assistance is provided to economically disadvantaged students. The assistance may include, but not be limited to, providing information about how and where to obtain the uniform considering the parent's budget limitations. The specific uniform has been determined by the principal, staff and parents of the individual school as appears below. Any changes to the required uniform must be approved by the Board of Education not less than three months before implementation.

This policy shall not preclude students who participate in a nationally recognized youth organization, which is approved by the Board of Education, from wearing uniforms to school on days that the organization has scheduled a meeting. The principal may authorize exceptions to the uniform requirements on an individual event basis such as Individual Picture Day, Spirit Day or Character Ed activities.

In addition, the following general dress code regulations apply:

1. All students are expected to wear the entire uniform at all times whenever they are on school property or are attending a school activity unless permission is expressly granted for a game or dance, etc.
2. Transfer students will be allowed two days' grace time to acquire the uniform.
3. Total uniform must be visible at all times. No hats (or headgear of any type) may be worn indoors unless during character education or designated student activities such as but not limited to Dr. Seuss or Drug awareness week activities
4. No coats, jackets, or other outerwear, may be worn indoors.
5. No decorations, logos or writing allowed on the outside of the uniform. Polo style shirts, long/short sleeve tee-shirts, and crew/zip hooded sweat shirts with the school logo may also be worn.
6. No large jewelry; if worn, necklaces must be worn under the tops.

The following are examples of unacceptable attire for students during school hours:

1. Torn and/or dirty clothing
2. Tight/form-fitting clothing
3. Dark eye glasses (except for medical reasons)
4. Combs and picks worn in the hair
5. Any accessory that may be used as a potential weapon.

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6. Any gang-related accessory.
7. Students that are in 7th and 8th grade must wear their ID badge on a daily basis. If a student loses their ID badge, a \$3.00 replacement fee will be charged.

The approved uniform shall consist of:

Shirts & Tops

- Permitted colors for shirts, sweatshirts, hoodies and sweaters are royal blue, light blue, navy blue, yellow, gray, black and white. No other colors are permitted;
- Long or short sleeve polo style shirt with a collar (Must not be tight, form-fitting or oversized, no tee-shirts with the exception of school logo and/or name.)
 - Tops must be worn tucked into bottoms or tucked in and bloused;
- A royal blue, black or navy-blue cardigan (without hoods) may be worn in addition to a polo shirt with the exception of school logo and/or name;
- Turtlenecks, if worn, must be worn under the polo shirt and be royal blue or navy blue;
- Undershirts may be short-sleeved or long-sleeved and may be solid white, solid royal blue, solid black or solid navy blue only. No other color undershirt is permitted.
- No tops containing logos, writing or other illustrations may be worn, with the exception of the Fairfield Township School logos and/or name, which include long/short sleeve tee-shirts and crew/zip hooded sweat shirts.

Bottoms

- Permitted Colors – Khaki, Navy Blue & Black
- Slacks;
- Skirts, jumper dresses, shorts and skorts must be no shorter than 2 inches above the knee;
- Capri pants;
- Yoga attire is not permitted.

Bottom Guidelines

- All bottoms must be proper fit (not tight, not baggy and worn at the waistline.);
- Tights must be neutral (skin-toned), royal blue, navy blue, black or white.

Footwear

- Shoes, sneakers and athletic shoes of any color are permitted;
- Boots, with no ornamentation other than a company name are permitted in any solid color;
- Shoe laces or Velcro closure straps must be same color as the shoes;

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- All footwear must cover the entire foot;
- Open toe shoes and flip-flops are not permitted;
- No heels;
- No bedroom slippers;
- Footwear must be tied or Velcro closure strapped at all times;
- Shoes with wheels and/or lights are not permitted.

Socks

- Tights / stockings are acceptable;
- Leggings, below or at the knee may be worn under shorts, skorts or jumpers and must not contain sparkles, names, faces;
- Leggings must be ankle or knee high.

Belts

- Must have a small buckle (3" or less) and no ornamentation;
- Must be worn with pants that have belt loops. Note: Pants without belt loops will not require a belt.
- Belts are optional for Pre-K, through 2nd grade students. Students are required to wear belts beginning in the 3rd grade.

Jewelry & Body Ornamentation

- Earrings may be worn provided they are no larger than a quarter;
- Visible body piercings and/or tattoos are not permitted.

Headbands

- Headbands of up to 2 inches in width may be worn, but must be white, black, navy blue or royal blue.

Book Bags / Backpacks

- Any book bag or backpack, with the exception of messenger bags, shall be permitted.
- Students are not to carry book bag during the course of the day. They are to be placed in cubbies or in lockers upon entering school, and students are given the opportunity to use lockers at designated times.

Students who choose not to comply with these guidelines shall be subject to disciplinary action in accordance with the current district discipline policy.

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Legal References

- NJSA 18A:11-1 General Mandatory Powers and Duties
- 18A:11-7 Findings relative to school dress codes
- 18A:11-8 Adoption of dress code policy for school permitted
- 18A:11-9 Prohibition of gang-related apparel
- 18A:37-1 Submission of pupils to authority

Possible Cross References

5131

Fairfield Township Board of Education District Policy Manual

Students

Series 5000

Exclusion of Pupils from School for Reasons of Illness

Policy 5132.2

Date Adopted: March 22, 2010

Date Revised:

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Communicable Diseases – Exclusion of Pupils from School

It is sometimes necessary to exclude from school individuals who are ill or has who have been exposed to a communicable disease or whose presence is detrimental to the health or cleanliness of others. The Board of Education therefore, implements this policy.

The School Nurse shall instruct the teachers at the beginning of the school year, or when designated by the Board of Education, instructing the teachers about the methods employed to detect the first signs of communicable diseases and the recognized measures for the promotion of health and prevention of disease. In addition, the School Nurse will instruct those teachers from whose classrooms a pupil has been excluded about the symptoms of the disease for which the pupil was excluded.

No teacher shall attempt to diagnose any illness of a pupil but shall refer suspected cases to the nurse.

Any pupil who appears to be ill or who is suspected of having a communicable disease shall be excluded from school or isolated at school to await instructions from or the arrival of an adult member of the pupil's family, the School Physician, and/or the School Nurse.

Where there is evidence of departure from normal health of any pupil, or if a pupil has been exposed to a communicable disease, or if the presence of the pupil in the school is detrimental to the health or cleanliness of the pupils or staff members in the school:

- A. The Superintendent of Schools, upon the recommendation of the School Nurse or School Physician, may exclude the pupil from school.
- B. In the absence of the School Nurse or School Physician, the Administrator, may exclude the pupil from the school. In this event, the person making the exclusion must immediately notify the Superintendent of Schools.
- C. The Administrator shall notify the pupil's parent of the reason for the exclusion.

A pupil retained at home or excluded from school shall not be readmitted to school until written evidence is presented of being free of the reason for the exclusion. Such evidence may be by a qualified physician, or School Physician who has examined the pupil.

The rules of the local Board of Health or State Department of Health, State Board of Education, or in the absence of these, the rules of the School Physician pertaining to communicable disease shall apply in determining periods of incubation, communicability, quarantine, and reporting.

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Exclusion of Pupils from School for Reasons of Illness

Policy 5132.2

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No pupil who is a member of a household in which a person is suffering from or has been exposed to smallpox, diphtheria, scarlet fever, whooping cough, yellow fever, typhus fever, cholera, or measles, shall attend any public school during such illness, or until the attending physician, Board of Health, or School Physician has certified that all danger of communicating the disease by the staff member or pupil has passed.

The School Physician, and/or the School Nurse, shall report all cases of communicable diseases to the local, county, or state Board of Health. The Superintendent of Schools will also inform the County Superintendent of Schools.

Legal References

- NJSA** 18A:16-6, -6.1 Indemnity of officers and employees against civil actions ...
18A:35-4.6 et seq. Parents Right to Conscience Act of 1979
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
18A:40-3 Lectures to teachers
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian
18A:40-5 Method of examination; notice to parent or guardian
18A:40-6 In general
18A:40-7, -8, -10, -11 Exclusion of pupils who are ill ...
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils
18A:40A-1 et seq. Substance Abuse
44:6-2 Maintenance by boards of education of clinics for indigent children
- NJAC** 6A:16-1.1 et seq. Programs to Support Student Development
8:57-1.1 et seq. Reportable Communicable Diseases
8:57-2 Reporting of AIDS and HIV
8:61-1.1 Attendance at school by pupils or adults Infected by Human Immunodeficiency Virus (HIV)
- Plainfield v. Cooperman, 105 NJ 587 (1987)

Possible Cross References

1410, 1420, 3510, 3516, 3542, 4112.4, 4131/4131.1, 4151, 4212.4, 4251.2, 5111, 5125, 5131, 5131.6, 5141.1, 5141.2, 5141.3, 5141.4, 5141.21, 5142, 5200

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Communicable Diseases

Policy 5132.45

Date Adopted: March 22, 2010

Date Revised:

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Control of Contagious/Infectious Diseases

In order to protect the health of the children in district schools, all regulations of the NJ State Department of Education, the State Department of Health and local Board of Health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases.

Any pupils returning to school after an absence due to contagious/infectious disease must present a certificate from a licensed physician stating that he/she is free from the disease, or otherwise qualifies for admission under the above agency's rules pertaining to periods of incubation, communicability, quarantine and reporting.

The School Nurse shall cooperate with the school physician in instructing all teachers in the symptoms of the most common diseases at least once a year. The diseases to be covered in this instruction shall include but not be limited to:

Chicken Pox
Mumps
Poliomyelitis
Diphtheria
Salmonellosis

Acquired Immune Deficiency
Syndrome
Petussis (whooping cough)
Typhoid Fever
Measles

Small Pox
Hepatitis
Rubella
Strep infections,
including Scarlet
Fever, sore throat and
Erysipelas

In addition to the annual review of health and safety measures required by law, the School Nurse shall individually instruct teachers from whose classrooms a pupil has been excluded in the symptoms of the disease for which the pupil has been excluded. The School Nurse shall examine the classmates of the excluded pupil as soon as the disease is diagnosed.

Teachers shall not attempt to diagnose any illness of a pupil, but shall refer all illnesses to the School Nurse immediately.

The Superintendent of Schools, in cooperation with the school physician, shall develop procedures and programs to implement this policy. The school doctor shall report all cases of communicable disease to the local Board of health as required by law.

No ill pupil shall be identified by name or address in order to preserve confidentiality.

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Legal References

NJSA 18A:16-6, -6.1 Indemnity of officers and employees against civil actions ...
18A:35-4.6 et seq. Parents Right to Conscience Act of 1979
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
18A:40-3 Lectures to teachers
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian
18A:40-5 Method of examination; notice to parent or guardian
18A:40-6 In general
18A:40-7, -8, -10, -11 Exclusion of pupils who are ill ...
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils
18A:40A-1 et seq. Substance Abuse
44:6-2 Maintenance by boards of education of clinics for indigent children

NJAC 6A:16-1.1 et seq. Programs to Support Student Development
8:57-1.1 et seq. Reportable Communicable Diseases
8:57-2 Reporting of AIDS and HIV
8:61-1.1 Attendance at school by pupils or adults Infected by Human Immunodeficiency Virus (HIV)

Plainfield v. Cooperman, 105 NJ 587 (1987)

Possible Cross References

1410, 1420, 3510, 3516, 3542, 4112.4, 4131/4131.1, 4151, 4212.4, 4251.2, 5111,
5125, 5131, 5131.6, 5141.1, 5141.2, 5141.3, 5141.4, 5141.21, 5142, 5200

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Series 5000

**Procedures for Handling Students who Must be
Returned Home During the School Day**

Policy 5132.5

Date Adopted: March 22, 2010

Date Revised:

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No one other than the Superintendent of Schools/designee shall exercise the authority to direct a student to return home during the school day.

In cases of illness, the nurse should recommend the necessary action to the Administrator. In the absence of the Administrator, the nurse shall exercise his/her own judgment but notify the central office of her action immediately.

In cases of gross misbehavior, inappropriate dress or other alleged rule infractions, teachers, counselors and other professional personnel are obligated to report to the Administrator. They shall not initiate punitive action such as exclusion or suspension from class.

Under no circumstances shall non-professional personnel recommend or execute a particular course of action in the handling of pupils.

If the Administrator determines that a pupil must, for any reason, be returned home during the school day, he/she shall first contact the parent and request that the pupil be picked up. If this is not possible, the student should be transported home by school personnel (i.e. illness, accident, disciplinary action, emergencies.) Under no circumstances shall a student be left at home unless the parent, guardian, or some other adult is home to assume full responsibility for the child.

Personnel available to transport students home include:

- Superintendent of Schools
- Principal
- Vice Principal
- Supervisor
- Guidance Counselor (with permission of Principal in each instance)
- School Nurse (with permission of Principal in each instance)
- Teacher (with permission of Principal in each instance)

At least 2 adults will accompany a student being returned home.

In the absence of the Superintendent of Schools, secretarial and custodial personnel shall proceed in the following manner:

1. Call the Superintendent of Schools for direction or for authority to act.
2. Call the School Nurse for illness and accident cases; then notify the Superintendent of Schools immediately.

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3. In discipline cases, or cases involving inappropriate school attire, keep the child in internal suspension, under the supervision of the teacher until the Administrator arrives. If the problem of misbehavior is sufficiently severe to warrant exclusion from the class, the child should be retained in the office until the Administrator arrives.

The importance of professionals at all levels acting in emergencies and doing so with only their experience, intelligence and good judgment to guide them is recognized. Further, prompt and responsible action is encouraged. It is extremely important however, that sound procedures be followed and that proper administrative personnel be notified when problems arise. This will enhance the chances of the correct action being taken for children and insure adequate support for the actions and consequences if and when disputes arise.

Legal References

- NJSA 18A:16-6, -6.1 Indemnity of officers and employees against civil actions ...
18A:35-4.6 et seq. Parents Right to Conscience Act of 1979
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
18A:40-3 Lectures to teachers
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian
18A:40-5 Method of examination; notice to parent or guardian
18A:40-6 In general
18A:40-7, -8, -10, -11 Exclusion of pupils who are ill ...
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils
18A:40A-1 et seq. Substance Abuse
44:6-2 Maintenance by boards of education of clinics for indigent children
- NJAC 6A:16-1.1 et seq. Programs to Support Student Development
8:57-1.1 et seq. Reportable Communicable Diseases
8:57-2 Reporting of AIDS and HIV
8:61-1.1 Attendance at school by pupils or adults Infected by Human Immunodeficiency Virus (HIV)
- Plainfield v. Cooperman, 105 NJ 587 (1987)

Possible Cross References

1410, 1420, 3510, 3516, 3542, 4112.4, 4131/4131.1, 4151, 4212.4, 4251.2, 5111, 5125, 5131, 5131.6, 5141.1, 5141.2, 5141.3, 5141.4, 5141.21, 5142, 5200

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Readmittance After Absence Due to Illness

Policy 5132.6

Date Adopted: March 22, 2010

Date Revised:

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Any student who has been absent for five consecutive school days shall be seen by the School Nurse prior to readmittance to class. The School Nurse shall notify the classroom teacher of the status of the student's health as it pertains to readmission.

Any student exhibiting symptoms of illness following any absence, as observed by any teacher or administrator, shall be seen by the School Nurse prior to re-admittance to class. The School Nurse shall notify the classroom teacher of the status of the student's health as it pertains to readmission.

Legal References

- NJSA** 18A:16-6, -6.1 Indemnity of officers and employees against civil actions ...
18A:35-4.6 et seq. Parents Right to Conscience Act of 1979
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
18A:40-3 Lectures to teachers
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian
18A:40-5 Method of examination; notice to parent or guardian
18A:40-6 In general
18A:40-7, -8, -10, -11 Exclusion of pupils who are ill ...
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils
18A:40A-1 et seq. Substance Abuse
44:6-2 Maintenance by boards of education of clinics for indigent children
- NJAC** 6A:16-1.1 et seq. Programs to Support Student Development
8:57-1.1 et seq. Reportable Communicable Diseases
8:57-2 Reporting of AIDS and HIV
8:61-1.1 Attendance at school by pupils or adults Infected by Human Immunodeficiency Virus (HIV)
- Plainfield v. Cooperman, 105 NJ 587 (1987)

Possible Cross References

1410, 1420, 3510, 3516, 3542, 4112.4, 4131/4131.1, 4151, 4212.4, 4251.2, 5111,
5125, 5131, 5131.6, 5141.1, 5141.2, 5141.3, 5141.4, 5141.21, 5142, 5200

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Pediculosis

Policy 5132.7

Date Adopted: March 22, 2010

Date Revised: March 27, 2014

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Consistent with the position of the New Jersey Department of Health, National Association of School Nurses and the American Academy of Pediatrics, the Board of Education believes that the management of pediculosis (infestation by head lice) should not disrupt the educational process. No disease is associated with head lice, and in school transmission is considered to be rare.

“No-nit” policies requiring that students be free of nits before they return to school have not been effective in controlling transmission and are not recommended.

The certified school nurse, as a student advocate and nursing expert, is included in school district-community planning, implementation and evaluation of vector control programs for the school setting. The school nurse’s goals are to facilitate an accurate assessment of the problem, contain infestation, provide appropriate health information for treatment and prevention, prevent overexposure to potentially hazardous chemicals, and minimize school absence.

In cases that involve head lice, as in all school health issues, it is imperative that the school district and its employees prevent stigmatizing and maintain the student’s privacy as well as the family’s right to confidentiality.

Definitions

For the purposes of this policy, the following definitions shall apply:

- Head lice: small parasitic insects that live on the scalp and neck of a human host
- Louse: singular of lice
- Nymph: young, recently hatched louse
- Active infestation: finding a live louse or nymph on the scalp, or a viable nit within 1 cm of the scalp
- Pediculosis: an active infestation of head lice
- Nit: an egg of a female louse, attached to the hair shaft
- Non-viable nit: an egg found on the hair shaft farther than 1 cm from the scalp; already hatched
- Viable nit: an egg found on a hair shaft closer than 1 cm from the scalp; considered to be unhatched
- Ovacide: chemical which kills eggs/nits
- Pediculicide: chemical which kills nymph stage and adult lice.

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Regulations / Procedure

Any student suspected of having an active infestation will be referred to the school nurse for evaluation.

A student, with head lice or viable nits visualized by the school nurse, is referred for treatment at the end of the school day. Prompt treatment at home is advised, including removal of live lice and all viable nits. Immediate removal from school is not recommended.

District-approved written information about the identification and management of active head lice infestation will be provided by the school nurse to the parent/guardian of the affected student.

At the discretion of the school nurse, it may be appropriate to screen other children who have had close head to head contact with the student with active infestation, such as household family members, but classroom-wide or school-wide screening is not generally indicated.

Students with nits only, are not excluded from school. A student with non-viable nits will be monitored, not be referred for treatment and may remain in school.

Upon return to school after treatment, the student will be re-assessed for the presence of head lice/nits by the school nurse. If live lice are again visualized, the school nurse will contact the parent/guardian and reinforce the need for prompt treatment at home. The student may be permitted to return to the classroom.

If upon re-assessment by the school nurse, nits are found, either at the time of the initial or return assessment, the student will be assessed at weekly intervals or more frequently at the discretion of the school nurse.

The school nurse retains the authority to, in consultation with school administrator(s), exclude a student with repeated infestations of live lice or viable nits, or a student with a current infestation for which there is inadequate management by the parent/guardian. This student may be referred to his/her healthcare provider and/or the Cumberland County Health Department for additional intervention(s).

A copy of this policy and the New Jersey Department of Health Head Lice fact sheet are provided to parents/guardians at time of school registration and annually thereafter.

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A copy of this policy and the New Jersey Department of Health Head Lice fact sheet are provided to district employees at time of hire and may be reviewed as needed

Legal & Other References

NJSA 18A:40-7, -8, -10, -11 Exclusion of pupils who are ill

American Academy of Pediatrics (2006). Red Book – Report of the Committee on Infectious Diseases.

Centers for Disease Control and Prevention (2010). Head lice information for schools. Retrieved from <http://www.cdc.gov/parasites/lice/head/index.html>.

Frankowski, B.L. & Bocchinie, J.A. (2010). Clinical Report – Head Lice. Pediatrics. 126(2) 392-403. Retrieved from

<http://pediatrics.aappulckiations.org/cgi/content/abstrat/126/2/292>.

National Association of School Nurses (NASN), Pediculosis Management in the School Setting; Position Statement, January 2011.

New Jersey Department of Health: Head Lice – Frequently Asked Questions. Retrieved from http://www.state.nj.us/health/cd/documents/faq/headlice_faq.pdf

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Students

Series 5000

Gifts to School Personnel

Policy 5133

Date Adopted: March 22, 2010

Date Revised:

Page 1 of 1

The Fairfield Township Board of Education does not encourage the presentation of gifts to school district employees. When a student or parent/guardian feels a desire to present a gift to a staff member, the gift should not be elaborate or unduly expensive. Gifts should not be opened in front of students.

The Fairfield Township Board of Education considers the writing of letters to staff members expressing gratitude or appreciation a more welcome and, in most circumstances, a more appropriate tribute.

Legal References

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

Possible Cross References

1313

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Married / Pregnant Pupils

Policy 5134

Date Adopted: March 22, 2010

Date Revised: May 7, 2020

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The Board of Education is obligated to provide an educational setting free of discrimination against admission to, or in obtaining any advantages, privileges or courses of study of the school by reason of race, color, creed, sex or national origin (N.J.S.A. 18A:36-20). Further, no pupil shall be discriminated against because of pregnancy, childbirth, pregnancy related disabilities, actual or potential parenthood, or family or marital status (N.J.A.C.6:41.5) and Title IX – 106.40). In compliance with these statements, the Board of Education makes the following policy relative to married and pregnant pupils.

No pupil, whether married or unmarried, who is otherwise eligible to attend school, shall be denied an educational program solely because of pregnancy, false-pregnancy, termination of pregnancy, childbirth, pregnancy-related disabilities, recovery thereof or actual or potential parenthood.

Attendance/Participation

Pregnant pupils shall be permitted to continue attendance in regular classes and participate in extracurricular activities as long as the pregnant pupil's physician has sanctioned the above. A letter from the pregnant pupil's physician for continued attendance/participation must be on file with the School Nurse.

The Board reserves the right to require, as a prerequisite for attendance in class and participation in the extracurricular program, that each pregnant pupil submit to periodic examinations by her physician at the intervals prescribed by the School Physician. The School Nurse will notify the pregnant pupil and her parents of the requirements for these physical examinations. Records of said examinations will be placed in the pupil's file in the School Nurse's office.

Bedside Instruction

If the pregnant pupil is physically unable to attend regular classes, she may be eligible for a program of "Home Instruction" (Policy 6173). Typically, the pregnant pupil is required to attend day school until six weeks before her expected delivery date.

Home instruction will end a maximum of six weeks after the delivery date unless medical contraindications prohibit this. Medical complications must be verified in writing by the pupil's physician.

A pregnant pupil under the age of 18 who wishes to withdraw from the district must have written permission of her parents/guardians.

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Date Adopted: March 22, 2010

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Lactation Provisions

Students admitted or returning to school following the birth of a child who choose to continue providing their milk for their infants shall receive accommodations required by law that support their choice to breast feed.

Accommodations shall include but shall not be limited to:

A. Milk expression breaks for breastfeeding

The student shall be allowed to breastfeed or express milk during the school day using their normal breaks, study hall and meal times. For time that may be needed beyond the usual break times, the student may request to pass to the school nurse. The school nurse with the consultation of the principal and student's teacher(s) may at the request of the student develop regular schedule accommodation that better support thdir choice to breastfeed.

B. A place to express milk

A private room (not a toilet stall or restroom) shall be made available for the student to breastfeed or express milk. The room will be private and sanitary, located near a sink with running water fir washing hands and rinsing our breast pump parts, and have an electrical outlet. If the student prefers, she may also breastfeed in other comfortable locations agreed upon in consultation with the principal. Expressed milk can be stored in general refrigerators; in designated refrigerators provided in the lactation room or other location; or in student's personal cooler. Students should label their expressed milk with their name and date collected.

C. Staff Support

The principal shall ensure that pregnant and breastfeeding students are notified about the district's lactation support policies and procedures. The principal shall be responsible for negotiating policies and practices that will help facilitate each student's infant feeding goals. It is expected that all employees will assist in providing a positive atmosphere of support for breastfeeding students.

Married/Pregnant and Lactating Pupils

The building principal shall ensure that the New Jersey Department of Education signage shall be displayed in a clear conspicuous manner in the school's waiting area, as well as in any lactation room that is made available. The new Jersey Depart of Education signage shall contain information about breast feeding; affirm a mother's right to nurse in public; and indicate that lactation rooms are being made available for the privacy and comfort of nursing mothers.

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Date Adopted: March 22, 2010

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The building principal shall ensure board policy and regulations on provisions for milk expression breaks, for breastfeeding and the designated lactation room (s) are distributed to staff and students who are pregnant and nursing mothers returning from maternity leave.

D. Student Responsibilities

1. Communication with Teachers

Any Student who wishes to express milk during the school day shall keep the school nurse and/or their teachers informed of their needs so that appropriated accommodations can be made to satisfy the needs.

2. Breastfeeding Equipment

The student is responsible for the purchase, maintenance and storage of breastfeeding equipment. The district is not responsible for lost, broken or stolen private property.

3. Maintenance of Milk Expression Areas

Breastfeeding students are responsible for keeping designated milk expression area clean and using antibacterial wipes to sanitize small areas. Students are responsible for reporting any large spills to the nurse. Students are also responsible for keeping the general designated lactation room clean for the next user. This responsibility extends to both designated milk expression areas, as well as other areas where expressing milk will occur.

4. Use of Break Times to Express Milk.

When more than one breastfeeding mother needs to use the designated lactation room, they can use the sign-in log provided in the room to negotiate milk expression times that are most convenient or best meet their needs.

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Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:36-20 Discrimination prohibited
26:4B-4 Right to breastfeed in public
26:4C-1 Lactation rooms
Through -3
6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:16-7.1 Code of Conduct
- U.S.C.A. 1681 - Title IX of the Education Amendments of 1972
- NJAC The Comprehensive Equity Plan, New Jersey State Department of Education
- P.L. 1997, c.101 (c.26:4B-4). Right to Breastfeed in Public
P.L.2019, c242. Requirements regarding the provision of lactation rooms for Nursing mothers.

Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:36-20 Discrimination prohibited
26:4B-4 Right to breastfeed in public
26:4C-1 Lactation rooms
Through -3
6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:16-7.1 Code of Conduct
- U.S.C.A. 1681 - Title IX of the Education Amendments of 1972
- NJAC The Comprehensive Equity Plan, New Jersey State Department of Education
- P.L. 1997, c.101 (c.26:4B-4). Right to Breastfeed in Public
P.L.2019, c242. Requirements regarding the provision of lactation rooms for Nursing mothers.

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Suicide / Sudden Death

Policy 5135

Date Adopted: June 25, 1997

Date Revised: March 22, 2010, December 18, 2014

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Suicide

The Fairfield Township Board of Educations recognizes that students who experience serious adjustment difficulties, including chronic depression, are usually unable to benefit fully from their educational opportunities. A student who contemplates suicide or actually commits a self-destructive act clearly poses a danger to both self and possibly to others.

All school personnel should be fully aware of the warning signs of childhood and adolescent suicide and the specific procedures to follow in the event of a contemplated suicide or an actual attempt. Inservice training will be implemented to help staff and parents understand the problems of childhood and adolescent suicide. The following areas, while not exclusive will be emphasized:

1. Understanding the developmental stages of childhood and adolescence and the causes of suicide;
2. Recognizing the early warning signs of child and adolescent suicide;
3. Learning how to help and cope in a situation involving a contemplated or actual suicide;
4. Identifying community and school resources that can help a suicidal person.

School personnel must take seriously all communication, suggestions or demonstrations of suicide. It is essential for staff within the Fairfield Township School District to be fully aware of their specific responsibilities in the event of a potential or imminent suicide gesture. It should be emphasized that commitment to student confidentiality is superseded by the imperative for initiating life saving intervention.

Response to Communication of Possible Suicide Intent

1. Report any suggestion, demonstration or communication to the Principal and/or Superintendent of Schools, who, in turn will notify the school psychologist and school nurse. The situation will be evaluated by this “intervention team: with the subsequent contact, as indicated with the student, parents/guardians and other staff, i.e., teachers.
2. In the event immediate direction needs to be taken involving the student and his/her parents/guardians, the Superintendent of Schools is to be advised of the circumstances and specific plan of action.

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3. Student confidentiality clearly does not pertain when the student threatens his/her life and/or the life of others. Under these circumstances, no matter when specific guarantees of privacy may have been given to the student, the problem must be addressed with appropriate parties, including the student's parents/guardians. The intervention team will assume this responsibility to notify the parents/guardians.
4. Subsequent referral to an outside agency or private professional should be made in cooperation with the parents/guardians. If the situation is judged to be critical and the parent/guardian is uncooperative or unavailable, the designated member of the intervention team will contact the New Jersey Division of Child Protection and Permanency (DCP&P), formerly known as the New Jersey Division of Youth and Family Services (DYFS) and the Community Mental Health Center to intervene on behalf of the student.
5. A designated staff member (school psychologist or social worker) will conduct a follow-up with the student's family to ascertain that appropriate treatment has been initiated.
6. School personnel should carefully monitor the student's performance. An action plan should be developed to watch behavior patterns and to provide support with the student's teachers and Child Study Team. Ongoing communication between the agency providing treatment and designated school personnel should be stressed.

Response to a Suicide Attempt

1. Immediately notify the school nurse so that emergency medical treatment can be provided. If there is any question whether a life-threatening situation exists, consideration should be given to contacting the local rescue squad. This contact should be made by the Principal/designee.
2. The Principal will advise the Superintendent of Schools of the incident.
3. A designated staff member should remain with the student at all times.
4. Clear the area to minimize confusion, misunderstanding and to provide working room.
5. The Principal/designee will contact the parents/guardians to advise them of the situation and of the specific actions being taken. If the parent/guardian is unavailable and/or uncooperative, DCP&P and the Community Health Center should be contacted to intervene on behalf of the student.
6. If the student is taken to the hospital, the school nurse or a designated staff member should accompany the student. At least two adults should accompany the student in a vehicle.

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7. Following the crisis and referral to the appropriate agency and/or hospital, the school psychologist or social worker should meet with the parents/guardians to follow up. Ongoing contact between treatment agency and designated staff member(s) is imperative.
8. Prior to the student's return to school, an action plan for school personnel should be implemented. Faculty should be advised of the situation and of the specific steps being taken. Faculty should have an opportunity to address their feelings and concerns and to plan appropriate in-class procedures for the subsequent school days.
9. The student should not be readmitted to school without a specific recommendation from the treatment agency and/or professional providing therapy. Homebound instruction may be used on an interim basis.
10. Teachers and the school psychologist should identify and monitor the behavior and attitude of students who were friends of the student who attempted suicide. The school community needs to be sensitive during such times to other students who may be considered "at risk."

Response to Actual (Completed) Suicide

1. The Principal/designee should verify the information and notify the Superintendent of Schools immediately. The information should be verified with local police immediately.
2. Any sibling or other family member should be escorted to the Principal's office with responsible adult supervision. All contacts with the news media should be handled through the Superintendent of Schools' office.
3. An action plan should be generated, involving school administration, teachers, school nurse and Child Study Team (school psychologist and social worker). An emergency faculty meeting should be held by the Superintendent of Schools at the end of the school day. The purpose of the meeting will be to disclose relevant facts, to address faculty needs, to establish procedures to be followed during subsequent school days and to plan for and deal with problems which may develop.
4. During the emergency faculty meeting, the following steps should be considered:
 - Obtain a list of any students known to be especially close to the deceased. Small group "survivors" counseling sessions should be conducted, as indicated to help students cope with the tragedy. In addition, Child Study Team members should be available to support all educational personnel who felt especially close to the deceased.

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- A list of other students felt to be “at risk” should be compiled. The behavior of these students should be monitored closely by the school psychologist and teachers during the subsequent school days. Counseling should be accessible to these students on a priority basis.
 - Students should be permitted to openly discuss their shock, disbelief, feelings of loss, memories of the deceased, etc. Obviously, distressed students should be allowed/encouraged to meet with the school psychologist and/or seek professional help (private agency) as needed.
 - Discussion with students of the incident should be held in small groups. Large assembly meetings with students or other activities “glamorizing” the suicide should be avoided. These would include special memorial services, flying the school flag at half-mast, announcing the suicide over the “PA” system, etc.
5. To the extent possible, efforts should be made to ensure that regular school routines are followed. However, it is advisable that stressful activities, such as major examinations, be rescheduled for later dates.
 6. The Superintendent of Schools should prepare a written statement for the purpose of assisting all teachers to maintain consistency in discussing facts surrounding the suicide to students.
 7. If necessary, community resources (e.g., community mental health personnel, members of the clergy and other appropriate individuals) should be notified to help school personnel in counseling students, family members and other concerned community members.

Sudden Death

Main Goals of These Procedures

1. To provide information to dispel rumors;
2. To facilitate the expression of grief in a controlled and organized manner;
3. To maintain the structure and order of the school routine.

Procedures

1. The Superintendent of Schools/designee will confirm by calling the police and/or the medical examiner.
2. The Superintendent of Schools/designee will name a staff member to establish and maintain contact with the family of the deceased.
3. The Superintendent of Schools/designee will communicate with teachers:

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- If information arrives during the school day, communicate via personal contact.
 - If information arrives during non-school hours, the Superintendent of Schools/designee will call an emergency faculty meeting at 7:45 AM in the library the first school day following the death. The school telephone chain will be used to ensure attendance. The purpose of this meeting is to make teachers participants in the resolution of the crisis. (See agenda guidelines)
 - In either event, an after-school faculty meeting will be held at 3:45 PM in the library. (See agenda guidelines)
4. The Superintendent of Schools/designee will name a staff member to establish the room (library) and gather items needed in the room (water, juice, cups, tissues, passes, pens, sign-in list, cookies, etc.). A parent room may be set up if the Superintendent of Schools/designee determines that there is a need.
 5. The school nurse or school psychologist will:
 - Contact the Healthcare Commons crisis hotline at 856-299-3001 to request their help.
 - Contact School Based Youth Services at 856-935-7365 to request help.
 - Contact neighboring school student assistance counselors and guidance counselors to provide additional staff if needed.
 - Provide bereavement information to staff. This includes information on local support groups for adolescents and adults as well as written materials.
 - Determine whether the student's schedule should be shadowed.
 6. The school psychologist and social worker will:
 - Be available throughout the school day to support students on an "as needed" basis.
 - Assist in contacting students who have been identified by staff.
 7. In-school siblings, relatives and close friends of the deceased should be taken to the Principal's office and given the option of returning home with a parent/guardian or an adult designated by their parent/guardian. They should be given the option of speaking with trained staff.

Before School Day Meeting Agenda Guidelines

1. Superintendent of Schools/designee will invite community response team members to the meeting.
2. Superintendent of Schools/designee will review facts and dispel rumors.

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3. Teachers will receive information from the school psychologist on how students may react to the death and suggestions on how they can handle the situation. Printed material on grief will be distributed. Teachers will be advised of the appropriate way of announcing the tragedy to their students in class.
4. Staff should ask questions at this time. Some will be particularly upset and may request and/or require support.
5. A list of students who were especially close to the deceased will be compiled. They will be offered the opportunity to meet with an appropriate professional. Their parents/guardians may be contacted if needed with appropriate information.
6. A list of high-risk students will be compiled. These students will be contacted by trained staff and outside professionals. Parents/guardians will be contacted as needed with appropriate information.
7. Students will be allowed to leave class and seek support personnel on an “as needed” basis. Whenever the grief process takes place, it should be isolated and kept under control. Large group meetings will be avoided. The location of the support staff will be announced at this time.
8. The Superintendent of Schools/designee will provide a written, factual information release.

After School Day Meeting Agenda Guidelines

1. Debrief the events of the day. Include community response team members in the debriefing.
2. Provide emotional support for staff after a full day of dealing with their own responses as well as their students.
3. Compile an additional list of high-risk students based on staff observations of student reactions during the day.
4. Share funeral arrangement information.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
30:9A-12 Youth suicide prevention program

NJ Department of Children & Families
Division of Child Protection & Permanency (Child Abuse Hotline
(1-877-NJ ABUSE)
Office of Advocacy 1-877-543-7864 or www.nj.gov/dcf

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Fund-Raising Activities

Policy 5136

Date Adopted: January 23, 2003

Date Revised: March 22, 2010

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The Board of Education recognizes the need for fund-raising activities in the schools to support various educational activities that are of benefit to pupils. The Board also acknowledges that the solicitation of funds from pupils must be limited since compulsory attendance laws make the pupil a captive donor and since such solicitation may disrupt the program of the schools.

Fund-raising activities should be reasonable in number and type and should not place excessive demands on pupils, parents and community members.

For purposes of this policy, “pupil fund-raising” shall include the solicitation and collection of money by pupils for any purpose and shall include the collection of money in exchange for tickets, papers or any other goods or services.

The Board prohibits the collection of money in school or on school property or at any school-sponsored event by a pupil for personal benefit.

Collection of money by approved school organizations shall be approved by the Superintendent of Schools.

The Board shall not be responsible for the protection of or the accounting of funds collected from pupils by organizations outside the schools, by teaching members when not required to collect money for a Board-approved purpose and by school-connected organizations. Funds raised by school-sponsored activities shall be deposited in the proper district accounts.

The Board prohibits fund-raising activities by school-sponsored groups or outside organizations that encourage or require door-to-door solicitation.

The Superintendent of Schools shall establish rules and regulations for the solicitation of funds and see to the distribution of both policy and implementing regulations to each student organization granted permission to solicit funds.

Purpose

All proceeds derived from student fund-raising activities shall be deposited in the Student Activity Account and used solely to benefit Fairfield Township School students with the exception of limited charitable activities that also directly benefit students, such as Math-A-Thon.

Regulations/Procedures

Any project sponsored by the school itself, such as student photographs, shall be a non-profit project. Students shall be charged only the actual cost.

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The Principal shall keep account of monies received, indicating its source and the expenses of the fund-raising activity. The balance is to be deposited in the Student Activity Account. Disbursements from the funds shall be by check signed by the Principal and the Board Secretary/Business Administrator. The disbursement shall be itemized in the book of accounts kept by the Principal and reported monthly to the Board Secretary/Business Administrator and the Board of Education as part of the Principal's Monthly Report.

Student activities to be paid for from the Student Activity Account shall be chosen in the same way as projects for raising money for the fund, as described above.

The Student Activity Account may be used for not other purpose than a duly approved student activity.

There are two reports that need to be completed for each fundraiser:

1. Application for Student Fundraising Activity – used before each fundraiser, submitted to the Superintendent's office for Board approval (fund raisers cannot commence prior to approval by the Board of Education.)
2. School Fundraiser Report - used after each fundraiser as an accounting of funds raised.

The annual school district audit shall include an audit of Student Activity Funds. Payment for the audit shall be made from district funds.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:19-14 Funds derived from pupil activities
18A:20-34 Use of schoolhouse and grounds for various purposes
18A:23-1 Audit when and how made
18A:23-2 Scope of audit
18A:54-20 Powers of board (county vocational schools)
52:14-15.9c1. et al. Public Employee Charitable Fund-Raising Act

NJAC 6A:23-2.1et seq. Double Entry Bookkeeping and GAAP Accounting in Local School Districts
6A:23-2.14 Student activity funds
6A:23-2.15 School store business practices

Selfridge v. Kinnelon Board of Education, 1977 S.L.D. 522

Possible Cross References

1140, 1210, 1230, 1314, 1330, 3400, 3450, 3453, 3571, 3571.4, 6145, 6153

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Safety Drills

Policy 5137

Date Adopted: March 22, 2010

Date Revised:

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The Board of Education recognizes that possible natural and/or man-made disasters could compromise the safety of students.

Therefore, the Board directs the Superintendent of Schools to develop and implement an emergency preparedness plan.

The plan shall provide that all threats to the safety of students and staff are identified and promptly responded to by trained district personnel.

In the event of a bomb threat, the school shall be evacuated when, at the discretion of the Administrator in charge, it is deemed advisable to do so.

The Superintendent of Schools shall develop procedures for the handling of school emergencies that include:

1. A plan for the prompt and safe evacuation of the school;
2. The practice of such an evacuation plan twice monthly in the fire drills conducted in accordance with law;
3. The conduct of bus evacuation drills in accordance with rules of the State Board of Education;
4. Procedures for the safe dispersal of pupils from school property and, if necessary, a plan for the housing of pupils in a safe place other than school;
5. The design of a communications system to alert the whole school community when necessary and to notify parents of the evacuation of pupils;
6. Instruction in emergency preparedness and survival techniques as a part of the regular curriculum;
7. The immediate notification of appropriate administrative personnel whenever any employee becomes aware of an emergency or an impending emergency;
8. Cooperation with local and county emergency management offices;
9. The appointment of a school emergency procedures committee; and
10. The continuing evaluation of the effectiveness of emergency planning in preparing the school for disaster.

Legal References

NJAC 6A:16-5 School safety and security plans

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Insurance

Policy 5139

Date Adopted: March 22, 2010

Date Revised:

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The Fairfield Township Board of Education recognizes the need for insurance coverage for unforeseen accidents, which may occur in the course of attendance at school or student participation in the athletic and extra-curricular programs of the schools.

The Board will provide parents/guardians the opportunity, when available, to purchase insurance coverage, at no cost to the Board, for injury resulting from accidents sustained by students in school, on the school grounds, at an activity sponsored by the school, while traveling between home and school and/or in any activity round-the-clock.

The Superintendent of Schools and the Board Secretary/Business Administrator shall recommend suitable and qualified insurance carriers for Board consideration and notify all student and/or parents/guardians of student who may be eligible for such insurance.

Legal References

NJSA 18A:12-20 Indemnification of board members
18A:16-6 Indemnity of officers and employees
18A:20-25 through -33 Insurance

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Student Inter-Visitation to Schools

Policy 5140

Date Adopted: March 22, 2010

Date Revised:

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The Board of Education is cognizant of the value of students who have graduated from school or are attending other schools returning to visit and even counsel with former teachers. There is appreciation, too, that older students enjoy returning to their former school. However, certain problems can arise from indiscriminate visitations such as classes being disrupted.

Therefore, the following policy will be observed:

1. The students must be authorized by an Administrator to visit the school during the regular school day.
2. Students visiting the school must obtain permission from the Administrator before making visitations in the building.
3. Students' visitations must be made to a specific individual or group with a stated purpose.
4. Visiting students must comply with all rules and policies of the school and must agree to obey all directives of adult staff members.

Legal References

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

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Student Welfare

Policy 5140.5

Date Adopted: March 22, 2010

Date Revised:

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Preserving the safety and protecting the health and general welfare of individual students and of the student body on school property and/or at and during school-sponsored activities are the legal and moral responsibilities of the Board of Education.

Students shall be under the supervision of the school authorities on school property during school hours and at all school-sponsored activities.

Legal References

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

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Health

Policy 5141

Date Adopted: March 22, 2010

Date Revised:

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The Board of Education believes that good health is vital to successful learning. In order to help district pupils achieve and maintain good health, the Board directs the Superintendent of Schools to develop a program of pupil health services that employs professional personnel and interacts with both parents and community health agencies. The program shall include but not be limited to:

- A. Employment of a School Physician or Nurse Practitioner to perform those duties required by law, and to advise the Superintendent of Schools on all matters affecting the health of pupils;
- B. Employment of at least one certified School Nurse to assist with physical examinations; conduct biennial scoliosis screening; conduct an audiometric screening; maintain pupil health records; observe and recommend to the Superintendent of Schools the exclusion of pupils who show evidence of communicable disease or who have not submitted acceptable evidence of immunizations; instruct teachers on communicable diseases and other health concerns; train and supervise the emergency administration of epinephrine for school staff who have been designated as delegates; supervise other nursing tasks; provide appropriate response to Do Not Resuscitate (DNR) orders; maintain valid, current Cardiopulmonary Resuscitation (CPR) certification; review and summarize health and medical information for the Child Study Team; annually write and update the accommodation plan under Section 504 for any student who requires one that involves health issues;
- C. Provision of proper and adequate facilities, equipment and supplies for professional health personnel and other staff;
- D. Establishment of a system of pupil health records in compliance with state law;
- E. Development of appropriate curriculum in physical education, health, family life, safety, and discouraging the use of drugs, alcohol, and tobacco with recommendations for appropriate equipment and supplies to teach such courses;
- F. Development of rules and procedures to foster good pupil health, and dissemination of these rules and procedures to the staff;
- G. Development of a program to provide safe drinking water and otherwise to maintain the buildings, grounds, facilities and equipment of the district in sanitary condition in accordance with law;
- H. Development and enforcement of an eye protection program as required by statute and administrative code.
- I. A regular report to the Board on progress and accomplishments in the field of pupil health;
- J. Health services to staff that support pupil health;

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- K. Provision of emergency services for injury and sudden illness;
- L. Provision for required physical examinations including an examination to certify that a pupil returning to school after suffering a contagious/infectious illness is no longer a threat to the health of others;
- M. Development of all regulations and procedures necessary for evaluation of pupils suspected of being under the influence of drugs/steroids/alcohol;
- N. Encouragement of correction of defects through fully informing pupils and parents concerning the findings of health examinations;
- O. Development of regulations and procedures for Blood Borne Pathogens and implementation of "Right to Know;" and,
- P. Preparation for the potential disruption of a pandemic flu outbreak, such as avian flu, by filling out a school preparedness checklist, with periodic reports to the Board of Education on steps the district has already taken, as well as additional steps that need to be taken to prepare for a flu pandemic.

Annual Nursing Plan

The Superintendent of Schools or his/her designee in conjunction with the school physician and the certified school nurse shall develop an annual Nursing Services Plan that details the provision of nursing services based upon the needs of the students in this school district. The Nursing Services Plan shall be adopted annually at a regular meeting and submitted to the county superintendent of education for review and approval. The Nursing Services Plan shall include:

- A. A description of the basic nursing services provided all students;
- B. A summary of specific medical needs of individual students and the services required to address the needs;
- C. A description of how nursing services will be provided in an emergency;
- D. Detailed nursing assignments for all school buildings;
- E. The nursing services and additional medical services provided to nonpublic schools, if applicable.

The operation of the pupil health program shall be at all times in compliance with the rules and regulations of the New Jersey State Department of Education, local Board of Health and the State Department of Health. The Board shall review and adopt the regulations developed to implement the district's health services.

Nonpublic School Pupils

The Board shall provide mandated nursing services to nonpublic school pupils as required by law.

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Students with Diabetes

As used in this policy, an “individualized health care plan” means a document setting out the health services needed by the student at school, and an “individualized emergency health care plan” outlines a set of procedural guidelines that provide specific directions about what to do in a particular emergency situation. Both are to be

developed by the school nurse, in consultation with the parent or guardian of a student with diabetes and other medical professionals who may be providing diabetes care to the student, and signed by the parent or guardian.

The Board believes that diabetes is a serious chronic disease that impairs the body’s ability to use food, and must be managed 24 hours a day in order to avoid the potentially life-threatening short-term consequences of blood sugar levels that are either too high or too low. In order to manage their disease, students with diabetes must have access to the means to balance food, medications, and physical activity level while at school and at school-related activities.

Accordingly, a parent or guardian of a student with diabetes shall inform the school nurse, who shall develop an individualized health care plan and an individualized emergency health care plan for the student. Further, the parent or guardian must annually provide to the board of education written authorization for the provision of diabetes care as outlined in the plans, including authorization for the emergency administration of glucagon.

Both plans shall be updated by the school nurse prior to the beginning of each school year and as necessary if there is a change in the student’s health status. The plans may include elements specified in NJSA 18A:40-12.13 including, but not limited to:

1. The symptoms of hypoglycemia for that particular student and the recommended treatment;
2. The symptoms of hyperglycemia for that particular student and the recommended treatment;
3. The frequency of blood glucose testing;
4. Written orders from the student’s physician or advanced practice nurse outlining the dosage and indications for insulin administration and the administration of glucagon, if needed;
5. Times of meals and snacks, and accommodations for exercise and sports, school trips and other school-related activities.

The school nurse shall coordinate the provision of diabetes care and ensure that appropriate staff are trained in the care of these students, including staff working with *school-sponsored* programs outside of the regular school day. The school nurse shall also ensure that each school bus driver that transports a student with diabetes is provided notice of the student’s condition, how to treat hypoglycemia, and emergency/parent contact information. A reference sheet identifying signs and symptoms of hypoglycemia shall be posted in plain view within school buildings.

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Upon written request of the parent or guardian and as provided in the individualized health care plan, the student shall be allowed to attend to the management and care of his/her diabetes in the classroom or on school grounds, if evaluated and determined to be capable of doing so consistent with the plan, and NJSA 18A:40-12.15.

Legal References

- NJSA** 2A:62A-23 to 26 AED emergency medical services, 1999 statute
18A:16-6, -6.1 Indemnity of officers and employees against civil actions ...
18A:35-4.6 et seq. Parents Right to Conscience Act of 1979
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
18A:40-3 Lectures to teachers
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian
18A:40-5 Method of examination; notice to parent or guardian
18A:40-6 In general
18A:40-7, -8, -10, -11 Exclusion of pupils who are ill ...
18A:40-12.13 Development of health care plans for students with diabetes
18A:40-12.15 Management, care of diabetes by student permitted; authorization.
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils
18A:40A-1 et seq. Substance Abuse
44:6-2 Maintenance by boards of education of clinics for indigent children
- NJAC** 6A:16-1.1 et seq. Programs to Support Student Development
6A:26-12.1 et seq. Operation and Maintenance of School
6A:26-12.3 Required facilities
8:57-1.1 et seq. Reportable Communicable Diseases
8:57-2 Reporting of AIDS and HIV
8:61-1.1 Attendance at school by pupils or adults Infected by Human Immunodeficiency Virus (HIV)

Plainfield v. Cooperman, 105 NJ 587 (1987)

Possible Cross References

1410, 1420, 3510, 3516, 3542, 4112.4, 4131/4131.1, 4151, 4212.4, 4251.2, 5111, 5125, 5131, 5131.6, 5141.1, 5141.2, 5141.3, 5141.4, 5141.21, 5142, 5200, 6142.4, 6142.12

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Accidents

Policy 5141.1

Date Adopted: March 22, 2010

Date Revised:

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The Board of Education directs the Superintendent of Schools to develop, review and approve a program of accident prevention. When unforeseen situations arise, and an accident occurs, the School Nurse or another assigned staff member shall be responsible for providing emergency services to a child or staff member.

Guidelines for Dealing with Accidents or Injuries

- A. The School Nurse or another trained person shall be responsible for administering first aid. Universal precautions shall be taken in the handling of blood and body fluids to ensure the containment of bloodborne pathogens.
- B. In all cases where the nature of an injury appears in any way serious, every effort shall be made to contact the parent/guardian and/or family physician immediately.
- C. Parent/guardian shall be requested to pick up their child. If a parent/guardian is unable to provide such transportation, no pupil who is injured shall be sent home alone. A pupil who is injured shall not be taken home unless it is known that someone is there to receive him/her.
- D. In extreme emergencies, the School Nurse, School Physician, or Administrator may make arrangements for immediate transportation and possible hospitalization of injured pupils, contacting parents/guardians in advance if at all possible.
- E. The teacher, School Nurse, or other staff member who is responsible for a child at the time an accident occurs shall prepare a report within 24 hours on an official form providing details about the accident. This shall be required for every accident.
- F. Any injuries or accidents to pupils shall be reported as soon as possible to the Superintendent of Schools/designee.

Staff shall be informed at the beginning of each school year of the accident prevention program and procedures to be followed in case of an accident/injury.

The Board directs the Superintendent of Schools to report the effectiveness of the emergency medical procedures to the Board annually for its review.

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Legal References

NJSA 18A:11 3 Voluntary associations regulating conduct of student activities; membership; rules and regulations; appeals
18A:16 6 Indemnity of officers and employees against civil actions
18A:16 6.1 Indemnity of officers and employees in certain criminal actions
18A:40-25 Boards of education to provide nursing care to students in nonpublic schools

NJAC 6A:16-1.1 et seq. Programs to Support Student Development
6A:26-12.2(a)2iii Policies and procedures for school facility operation
6A:27-12.2 Accident reporting
6:32-9.1 et seq. Athletics Procedures
8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV Infection

HIV Policy and Practice: Regulatory Requirements for New Jersey Public Schools
SDOE Division of Student Services, Sept. 1996, Doc. #P101400-31

Possible Cross References

3516, 3541.33, 4112.4, 4212.4, 4123, 5113, 5125, 5131.6, 5141, 5141.2, 5141.4, 5141.6, 5141.21, 5142, 5200, 6114, 6142.12, 6145.1/6145.2, 6153

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Face Coverings

Policy 5141.10

Date Adopted:

Date Revised:

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FACE COVERINGS

Due to the circulating and highly contagious Delta variant of the coronavirus, the CDC recommends universal indoor masking by all students (age 2 and older), staff, teachers, and visitors to K-12 schools, regardless of vaccination status ([Guidance for COVID-19 Prevention in K-12 Schools | CDC](#)).

According to the American Academy of Pediatrics (AAP), it is possible to have COVID-19 but not have any symptoms. AAP asserts that wearing face coverings is vitally important, especially for unvaccinated children. Masks reduce the chance of spreading SARS-CoV-2, the virus that causes COVID-19. Until a child is fully vaccinated against COVID-19, they should continue to wear a face covering and keep a safe physical distance indoors around people they don't live with or who may have the virus. Anyone unvaccinated should also wear face coverings outdoors in large group settings or when physical distancing isn't possible ([Guidance for COVID-19 Prevention in K-12 Schools | CDC](#)).

Executive Order 253 has declared that as of October 18, 2021, all staff members who are eligible to be vaccinated against COVID-19 must receive the vaccine or be subject to routine COVID-19 testing. Executive Order 253 also applies to contracted employees, vendors, providers, and any other individuals working in the schools where regular visits to the schools are part of the individual's job duties, including volunteers.

According to [N.J.S.A. 26:13-3](#), the Governor of the State has the authority to declare a public health emergency. According to [N.J.S.A. App.A:9-33](#), the purpose of the Civilian Defense and Disaster Control Act is to "provide for the health, safety, and welfare of the people of the State of New Jersey and to aid in the prevention of damage to and the destruction of property during any emergency ... by prescribing a course of conduct for the civilian population...." According to [N.J.S.A. App.A:9-40](#), public officials are required to fully cooperate with the Governor in all matters affecting any declared emergency and may not take any action that conflicts with or impedes Executive Order 253.

Therefore, in accordance with [Executive Order No. 251](#), and [Executive Order 253](#), the recommendations made by the Centers for Disease Control and Prevention (CDC), and the American Academy of Pediatrics (AAP), the district shall require that all staff, students, and visitors use face coverings in the indoor portion of the school district premises.

Face Coverings

A. Staff, students, and visitors are required to wear face coverings unless doing so would inhibit the person's health. It is necessary to acknowledge that enforcing the use of face coverings may be impractical for young children or individuals with disabilities. Exceptions to the requirement:

1. When doing so would inhibit the individual's health, such as when the individual is exposed to extreme heat indoors;
2. When the individual has trouble breathing, is unconscious, incapacitated, or otherwise unable to remove a face covering without assistance;
3. When a student's documented medical condition or disability, as reflected in an individualized education program (IEP) or Educational Plan pursuant to Section 504 of the Rehabilitation Act of 1973, precludes use of a face covering;
4. When a student's documented medical condition, as reflected in an individualized health care plan (IHP) precludes use of a face covering;
5. When the individual is under two (2) years of age;

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11. When the individual is engaged in activity that cannot physically be performed while wearing a mask, such as eating or drinking, or playing a musical instrument that would be obstructed by a face covering;
12. When the individual is engaged in high-intensity aerobic or anaerobic activity;
13. When a student is participating in high-intensity physical activities during a physical education class in a well-ventilated location and able to maintain a physical distance of six feet from all other individuals; or
14. When wearing a face-covering creates an unsafe condition in which to operate equipment or execute a task;
15. Students and staff being transported in connection with school-related activities shall continue to adhere to current CDC guidelines for public transportation.

As specified in Executive Order 253, individuals seeking a medical exemption from mask-wearing shall produce written documentation from a medical professional (e.g. licensed physician, nurse practitioner, physician's assistant, or registered nurse) to support the exemption. Self-attestations and parental attestations are not sufficient for this purpose.

- B. Individuals shall be frequently reminded not to touch the face covering and to wash their hands frequently;
- C. Information shall be provided to staff, students, and students' families on proper mask hygiene, including use, removal, storage/maintenance, and washing of face coverings;
- D. Currently, the CDC does not recommend the use of face shields as a substitute for face coverings. Therefore, they may not be used to satisfy the face-covering requirement detailed above. However, they may be an option for students with medical or other challenges that preclude the use of face coverings. If face shields are used without a mask, they should wrap around the sides of the wearer's face and extend to below the chin;
- E. Students and educators that rely on facial cues may consider the use of clear face coverings where available. This might include students who are deaf or hard of hearing, students receiving speech/language services, young students in early education programs, and English-language learners;
- F. Researchers have identified "frequent discomfort" as a potential challenge associated with implementing the use of face-covering requirements. Students and staff shall be provided face-covering breaks throughout the day. Face covering breaks should only occur when social distancing can be maintained and ideally outside or with windows open ("Physical Distancing, face coverings, and eye protection to prevent person-to-person transmission of SARS-CoV-2 and COVID-19: a systematic review and meta-analysis");
- G. Face coverings shall be provided by the student's family/guardian and may be included as part of the back to school supplies list provided to families/guardians prior to the start of the school year. The district shall strive to provide extra disposable face coverings for students who need them, and shall provide face coverings for students that are experiencing financial hardship and are unable to afford them to the greatest extent possible.

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Social Distancing During a Pandemic

In addition to the requirement that all staff, students, and visitors wear face coverings, the district shall ensure that social distancing within the schools and classrooms is maintained to the maximum extent practicable. This will be achieved by ensuring students are seated at least three feet apart. When conditions such as space in the classroom or other areas of the school make a physical distance of three feet difficult or impossible to maintain, additional modifications shall be implemented. These include but are not limited to using physical barriers between desks and turning desks to face the same direction (rather than facing each other) or having students sit on only one side of the table, spaced apart. During times of higher community transmission of the COVID-19 virus and the Delta Variant, the district may increase the physical distance up to six feet.

Any modifications that are made to school district facilities shall be in coordination with local code officials and Department county offices to ensure that alterations adhere to school safety requirements.

Social distancing practices shall be maintained on school buses (at least three feet of distance between riders) to the maximum extent practicable (see board policy 3541.33 Transportation Safety).

E. Screening and Personal Protective Equipment (PPE):

7. Adequate amount of personal protective equipment (PPE) shall be available, accessible, and provided for use by staff and students. Staff and students shall be required to wear masks when being admitted to the school and screened for entry;
8. The principal or his or her designee shall develop a school entry plan that includes:
 - d. Staff assigned to do the screening;
 - e. Designated entrances that will be used to admit students;
 - f. The assignment of classes and grades to designated entrances and/or designated entrance times;
9. Staff must visually check students for symptoms upon arrival (which may include temperature checks) and/or confirm with families that students are free of COVID-19 symptoms;
10. Health checks must be conducted safely and respectfully and in accordance with any applicable privacy laws and regulations;
11. Results must be documented when signs/symptoms of COVID-19 are observed;
12. Screening procedures shall take into account students with disabilities and accommodations that may be needed in the screening process for those students;

F. Procedures for symptomatic staff and students:

5. The school principal shall establish an isolation space;
Students and staff with symptoms related to COVID-19 shall be safely and respectfully isolated from others. Students should remain in isolation with continued supervision and care until picked up by an authorized adult;

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6. The [current Communicable Disease Service](#) guidance for illness reporting shall be followed;
 7. If a staff member becomes aware that an individual who has spent time in a district facility tests positive for COVID-19, the staff members shall notify the principal and the school nurse. The school nurse shall immediately notify local health officials, staff, and families of a confirmed case while maintaining confidentiality;
- G. Preparations for when someone tests positive for COVID-19:
6. The school principal shall establish an isolation space;
 7. Students and staff with symptoms related to COVID-19 shall be safely and respectfully taken to the designated isolation space and isolated from others. Students should remain in isolation with continued supervision and care until picked up by an authorized adult;
 8. The [current Communicable Disease Service](#) guidance for illness reporting shall be followed;
 9. Remittance to school shall be consistent with [Department of Health guidance and information for schools](#) and Department of Health/Communicable Disease Service's [Quick Reference Guidance on Discontinuation of Transmission-Based Precautions and Home Isolation for Persons Diagnosed with COVID-19](#);
 10. Contact tracing shall be initiated including records of groups/cohorts, assigned staff, and daily attendance.
- H. Protocols to address a positive case:

Students and employees may be asked to leave or not come into school if they test positive for COVID-19 or exhibit one or more of the symptoms of COVID-19, based on CDC guidance, that is not otherwise explained:

14. A fever of 100° F or greater;
15. Cough;
16. Shortness of breath or difficulty breathing;
17. Chills;
18. Repeated shaking with chills;
19. Muscle pain;
20. Headache;
21. Sore throat;
22. New loss of taste or smell;
23. Fatigue;
24. Congestion or runny nose;
25. Nausea or vomiting;
26. Diarrhea.

Adopted:

NJSBA Review/Update:

Readopted:

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Key Words

Immunizations, Inoculations, Examinations, Pupil Physical Examinations, Student Physical Examinations, Health

Resources:

The CDC recently issued updated guidance regarding considerations for wearing face coverings and how it can help slow the spread of COVID-19. Schools should refer to this guidance as it includes details regarding who should and should not wear a face covering:

[Guidance for COVID-19 Prevention in K-12 Schools | CDC](#)

Centers for Disease Control and Prevention “Your Guide to Masks” at: [Your Guide to Masks | CDC](#)

NJDOE School Reopening Frequently Asked Questions at: <https://www.nj.gov/education/reopening/faqs/#sd>

NJDOE Update to Conditions of Learning, Health and Safety, “Critical Area of Operation #5: Screening, PPE, and Response to Students and Staff Presenting Symptoms” and “Critical Area of Operation #3: Transportation” <https://nj.gov/education/reopening/updates/docs/RestartUpdateFacecoverings080320.pdf>

“Physical Distancing, face coverings, and eye protection to prevent person-to-person transmission of SARS-CoV-2 and COVID-19: a systematic review and meta-analysis,” September 21, 2020. D.K. Chu, S. Duda, K. Solo, S. Yaacoub, and H. Schunemann. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7503118/>

Legal References:

N.J.S.A. 18A:35-4.6
through -4.8

N.J.S.A. 18A:40-4

N.J.S.A. 18A:40-4.4

N.J.S.A. 18A:40-4.5

N.J.S.A. 18A:40-5

N.J.S.A. 18A:40-6

N.J.S.A. 18A:40-7, -8,
-10, -11

N.J.S.A. 18A:40-12.37

N.J.S.A. 18A:40-20

N.J.S.A. 26:1A-9.1

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

N.J.A.C. 6A:14-3.4

N.J.A.C. 6A:16-1.1et seq.

See particularly:

Parents Right to Conscience Act of 1979

Examination for physical defects and screening of hearing of pupils;
health records

Exemption

Immunity from action of any kind due to provisions of act

Method of examination; notice to parent or guardian

In general

Exclusion of pupils who are ill

Release to share medical information

Immunization at public expense

Exemption of pupils from mandatory immunizations

Prohibiting attendance of teachers or pupils

Evaluation

Programs to Support Student Development

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N.J.A.C. 6A:16-1.1, -1.3,

-2.1, -2.2, -2.3, -2.4

N.J.A.C. 8:57-4.3

N.J.A.C. 8:57-4.4

N.J.A.C. 8:57-4.5

N.J.A.C. 8:57-4.7

N.J.A.C. 8:57-4.8

N.J.A.C. 8:57-4.9

N.J.A.C. 8:57-4.22

Medical exemptions

Religious exemptions

Provisional admission

Records required

Reports to be sent to the State Department of Health

Records available for inspection

Emergency power of the Commissioner, Department of Health and Senior

20 U.S.C.A. 1232h

Protection of Pupil Rights Amendment

Executive Order No. 251, Governor Philip D. Murphy, August 6, 2021.

Executive Order No. 253, Governor Philip D. Murphy, August 23, 2021.

The NJDOE Guidance: *The Road Back: Restart and Recovery* at:

<https://www.nj.gov/education/reopening/>

The NJDOE Guidance: *The Road Forward: Health and Safety Guidance for the 2021-2022 School Year* at: [The Road Forward \(nj.gov\)](https://www.nj.gov/education/reopening/)

Possible

Cross References:

*1410	Local units
*4123	Classroom aides
*5111	Admission
*5113	Absences and excuses
*5131.6	Drugs, alcohol, tobacco (substance abuse)
*5141	Health
*5141.21	Administering medication
*5200	Nonpublic school pupils
*6142.4	Physical education and health
*6145.1/6145.2	Intramural competition; interscholastic competition
*6162.5	Research
*6164.4	Child study team
*6171.4	Special education

*Indicates policy is included in the Critical Policy Reference Manual.

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Illness

Policy 5141.2

Date Adopted: March 22, 2010

Date Revised

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When pupils are taken suddenly ill in school, they shall be sent or escorted to the School Nurse. If the Nurse is not in the medical office, the pupil shall be sent or taken to the main office. In general, the same procedures that apply to accidents shall apply to sudden pupil illness. The Superintendent of Schools, in cooperation with the School physician and the Nurse shall implement this policy.

Control of Contagious Diseases or Conditions

In order to protect the health of the pupils in our school district, all regulations of the NJ State Department of Education and the local Board of Health shall be scrupulously observed, particularly those dealing with contagious or infectious diseases or conditions. Pupils who have been absent because of contagious or infectious diseases or conditions must present a certificate of recovery from a licensed physician or be examined by the School Physician.

The School Nurse shall observe pupils who show evidence of communicable disease and recommend their exclusion to the Superintendent of Schools. Such pupils shall be isolated in the Nurse's office until a parent/guardian picks them up, and any necessary measures taken to prevent spread of the infection. The School Nurse, under the direction of the School Physician, shall instruct all teachers in the symptoms of the most common diseases or conditions at least once a year.

Any student with HIV infection or AIDS or who lives with or is related to someone with HIV or AIDS shall not be excluded from general education, transportation services, extracurricular activities, athletic activities, assigned to home instruction or classified as eligible for special education because of the HIV infection. The School Nurse shall recommend the exclusion of any individual with weeping skin lesions that cannot be covered.

In addition to the review of health and safety measures required by law, the School Nurse shall individually instruct teachers from whose classrooms a pupil has been excluded in the symptoms of the disease for which the pupil was excluded. No teacher shall attempt to diagnose any illness of a pupil, but shall refer suspected cases to the School Nurse immediately.

Handling Blood and Body Fluids

The Superintendent of Schools, Medical Inspector and School Nurse shall develop detailed routine procedures based on NJ Administrative Code and Guidelines from the Centers for Disease Control for the proper handling of blood and body fluids resulting from illness/accidents in the school. These procedures shall be disseminated to all district staff.

The Medical Inspector shall report all cases of communicable disease to the local Board of Health as required by law.

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Legal References

- NJSA** 18A:16-6 Indemnity of officers and employees against civil actions
18A:16-6.1 Indemnity of officers and employees in certain criminal actions
18A:40-3 Lectures to teachers
18A:40-7 Exclusion of pupils who are ill
18A:40-8 Exclusion of pupils whose presence is detrimental to health and cleanliness
18A:40-10 Exclusion of teachers and pupils exposed to disease
18A:40-11 Exclusion of pupils having communicable tuberculosis
18A:40-12 Closing schools during epidemic
18A:40-25 Boards of education to provide nursing care to students in nonpublic schools
26:4-6 Prohibiting attendance of teachers or pupils
26:4-15 Reporting of communicable diseases by physicians
26:5C-1 et seq. AIDS Assistance Act
26:2T-1 Newly diagnosed Hepatitis C case; information, reports
- NJAC** 6A:16-1.1 et seq. Programs to Support Student Development
8:57-1.1 et seq. Reportable Communicable Diseases
8:61-1.1 Attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV)
- Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

Possible Cross References

1410, 4131.1, 5113, 5141, 5141.1, 5141.4, 6142.13

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Students

Series 5000

Administering Medication

Policy 5141.21

Date Adopted: October 24, 1983

Date Revised: March 22, 2010, December 19, 2013,
March 19, 2015

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The Board shall not be responsible for the diagnosis and treatment of pupil illness. The administration of medication to a pupil during school hours will be permitted only when failure to take such medicine would jeopardize the health of the pupil, or the pupil would not be able to attend school if the medicine were not made available to him/her during school hours.

For purposes of this policy, “medication” shall include all medicines prescribed by a physician for the particular pupil, including emergency medication in the event of bee sting, etc., and all non-prescription “over the counter” medication.

Before any medication may be administered to or by any pupil during school hours, the Board shall require the written request of the parent/guardian which shall give permission for such administration and relieve the Board and its employees of liability for administration of medication. In addition, the Board requires the written order of the prescribing physician which shall include:

- A. The purpose of the medication, including illness, injury, condition treated;
- B. The dosage;
- C. The time at which or the special circumstances under which the medication shall be administered;
- D. The length of time for which medication is prescribed;
- E. The possible side effects of the medication.

Both documents shall be kept on file in the office of the School Nurse.

The district medical inspector shall develop procedures for the administration of medication which provide that:

- A. All medications, whether prescribed or over the counter, shall be administered by the School Nurse, the parent/guardian or the pupil himself/herself where the parent/guardian so permits and the School Nurse is present;
- B. Medications shall be securely stored and kept in the original labeled container;
- C. The School Nurse shall maintain a record of the name of the pupil to whom medication may be administered, the prescribing physician, the dosage and timing of medication and a notation of each instance of administration;
- D. All medications shall be brought to school by the parent/guardian or adult pupil and shall be picked up at the end of the school year or end of the period of medication, whichever is earlier;

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- E. A student may self administer medication without supervision of the School Nurse for asthma or other life-threatening illnesses. “Life-threatening illness” has been defined as an illness or condition that required an immediate response to specific symptoms or sequelae, that if left untreated may lead to potential loss of life such as, but not limited to, the use of an inhaler to treat an asthma attack or the use of an adrenaline injection to treat a potential anaphylactic reaction.

The district shall have and maintain at least one nebulizer in the office of the school nurse or at a similar accessible location. The Superintendent/Principal shall prepare and the Board shall adopt regulations on the administration of asthma medication through the use of a nebulizer by the school nurse or his/her designee(s). Regulations shall be in accord with New Jersey statute and administrative code and shall include, but not be limited to, to the following:

- A. Requirement that each School Nurse shall be authorized to administer asthma medication through use of a nebulizer;
- B. Requirement that each School Nurse receive training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards;

Requirement that each student authorized to use asthma medication or a nebulizer have an asthma treatment plan prepared by the student’s physician that identifies, at a minimum, asthma triggers and an individualized health care plan for meeting the medical needs of the student while attending school or a school-sponsored event.

Pupil Self-Administration of Medication

The Board shall permit self-administration of medication for asthma or other potentially life-threatening illnesses by pupils, both on school premises during regular school hours and off-site or after regular school hours when a pupil is participating in field trips or extracurricular activities. Parents/guardians of the pupil must meet the following conditions:

- A. Provide the Board with written authorization for the pupil’s self-administration of medication;
- B. Provide written certification from the pupil’s physician that the pupil has asthma or another potentially life-threatening illness and is capable of and has been instructed in the proper method of self-administration of medication.
- C. Sign a statement acknowledging that the district shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil and that the parents/guardians shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the self-administration of medication by the pupil.

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The Board shall:

- A. Inform the pupil and his/her parents/guardians that permission is effective for the school year for which it is granted and must be renewed for each subsequent school year upon fulfillment of requirement listed above;
- B. Inform parents/guardians in writing that the district and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication.
- C. Maintain the right to revoke the pupil's permission to self-medicate if he/she has failed to comply with all conditions of this policy and/or has violated in any way the tenets of the agreement of self-medicate. The Superintendent/Principal shall confer with the School Physician and School Nurse prior to recommending termination of a pupil's permission to self-medicate and shall also consult with the pupil, the pupil's parents/guardians and the pupil's physician.

Emergency Administration of Epinephrine Regulations / Procedures

Parents/guardians shall provide the Board with the following:

- A. Written authorization for the administration of the epinephrine by the School Nurse or trained designees;
- B. A signed statement acknowledging their understanding that the district shall have no liability as a result of any injury arising from the administration of the epinephrine via a pre-filled auto-injector mechanism to the pupil and that the parents/guardian indemnify and hold harmless the district and its employees or agents against any claim(s) arising out of the administration of the epinephrine via a pre-filled auto-injector mechanism; and,
- C. The permission is effective for the school year for which it is granted and is renewed for each subsequent school year upon fulfillment of the requirements of this policy.

District Responsibilities:

The placement of a pupil's prescribed epinephrine shall be in a secure but unlocked location, easily accessible by the School Nurse/designees to ensure prompt availability in the event of an allergic emergency at school or at a school-sponsored event.

The location of the epinephrine shall be indicated on the pupil's emergency care plan. Back-up epinephrine shall also be available at the school if needed.

The School Nurse/designee shall be available promptly available on site at the school and school sponsored events in the event of an allergic reaction.

The pupil shall be transported to a hospital emergency room by emergency services personnel after the administration of epinephrine, even if the pupil's symptoms appear to have been resolved.

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The School Nurse or other trained designee shall be permitted to administer epinephrine via a pre-filled auto-injector mechanism to any pupil whose parents/guardians have not met the requirements of Items A, B & C (above), in that written notice has not been received by the district, allowing emergency administration of epinephrine via a pre-filled auto-injector mechanism, in cases where the School Nurse or designee, in good faith, believe that the pupil is having an anaphylactic reaction.

The district shall maintain a supply of epinephrine auto-injectors in a secure but unlocked location that is proscribed under a standing protocol from a licensed physician. The epinephrine shall be accessible to the School Nurse and trained designees for administration to a pupil having an anaphylactic reaction.

The School Nurse shall have primary responsibility for the administration of the epinephrine. The School Nurse shall designate, in consultation with the Superintendent/Principal, staff members who volunteer to administer epinephrine via a pre-filled auto-injector mechanism to a pupil for anaphylaxis when the School Nurse is not physically present at the scene.

The School Nurse shall determine that designees have been properly trained the administration of epinephrine via a pre-filled auto-injector mechanism, using standardized training protocols established by the New Jersey Department of Education in consultation with the New Jersey Department of Health and Senior Services.

Nothing in the policy shall prohibit the emergency administration of epinephrine via a pre-filled auto-injector mechanism to a pupil for anaphylaxis by the School Nurse or designees when the pupil is authorized to self-administer epinephrine pursuant to the provisions of NJSA 18A:40-12.3 or when there is a coexisting diagnosis of asthma, or when a prescription is received from a licensed health care professional for epinephrine coupled with another form of medication or when the epinephrine is administered pursuant to the provisions of NJSA 18A:40-12.5.

No school employee, including a School Nurse or any other officer or agent of the Board of Education or a physician providing a prescription under a standing protocol for school epinephrine pursuant to the provisions of NJSA 18A:40-12.5 shall be held liable for any good faith act or omission consistent with the provisions of NJSA 18A:40-12.5, nor shall action before the New Jersey State Board of Nursing lie against a School Nurse for any such action taken by a person designated in good faith by the School Nurse pursuant to the provisions of NJSA 18A:40-12.6.

Good faith shall not include willful misconduct, gross negligence or recklessness.

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Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
18A:40-3.2 et seq. Medical and Nursing Personnel
18A:40-4 Examination for physical defects and screening of hearing of pupils
18A:40-7 Exclusion of pupils who are ill
18A:40-12.3 through -12.4 Self-administration of medication by pupil; conditions
18A:40-12.5 Policy for emergency administration of epinephrine to public school pupils
18A:40-12.6 Administration of epinephrine; primary responsibility; parental consent
18A:40-12.7 Nebulizer
18A:40-12.8 Administration of asthma medication by school nurse through nebulizer; training; pupil asthma treatment plan
45:11-23 Definitions
- NJAC 6A:16-1.1et seq. Programs to Support Student Development
- Bernards Township Education Association v. Bernards Township Board of Education, 1981 S.L.D. (9/29/81), aff'd State Board, 1982 S.L.D. 4/7/82, aff'd App. Div., unpublished opinion (A-4211-81T3, 5/18/83)
Communications Workers of America, Local 1033, On behalf of Karen Norton, Barbara Woolston, Mary Ellen Schoen et al. v. New Jersey State Department of Education, Marie H. Katzenbach School for the Deaf, State Board Docket #52-91
Policy Advisory #1 on N.J.S.A. 18A:40-12.3 et seq. Self-Administration of Medication By a Pupil, New Jersey State Department of Education, June 5, 1995
Protocol and Implementation Plan for the Emergency Administration of Epinephrine by a Delegate Trained by the School Nurse, New Jersey State Department of Education, October, 1998

Possible Cross References

5141.1, 5141.2, 6153

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Students

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Administration of Medical Marijuana

Policy 5141.25

Date Adopted: March 24, 2016

Date Revised: June 23, 2016

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In accordance with the provisions of the New Jersey Compassionate Use Medical Marijuana Act (CUMMA), a parent/guardian or primary caregiver may administer medical marijuana to a student of this district, while the student is on school grounds, aboard a school bus or while attending a school-sponsored event, provided the student is authorized to engage in the medical use of marijuana pursuant to the provisions of P.L. 2015, c.158 , supplementing chapter 40 of Title 18A of the New Jersey statutes, chapter 6D of Title 30 of the Revised Statutes and P.L. 2009, c.307 (C.24:I-1, et. al. and provided that the parent/guardian, primary caregiver and those individuals authorized to provide marijuana for medical purposes to assist the student with the medical use of marijuana pursuant to the provisions of P.L. 2009, c.307 (C.24:I-1, et. al.

Students who have valid medical marijuana prescriptions may petition the district for a waiver of federal laws, including, but not limited to the Controlled Substances Act and the Drug Free Schools and Communities Act, prohibiting marijuana use, or possession at educational institutions and on the premises of other recipients of federal funds.

The parent/guardian or primary caregiver may administer medical marijuana to eligible students who submit an application with the proper documentation demonstrating the condition and prescription need. Parents/guardians, and primary caregivers of students who have been authorized for medical use of marijuana may administer medical marijuana to the student while the student is on school grounds, aboard a school bus, or attending a school-sponsored event.

The use of medical marijuana must be properly documented with the school nurse and verified by the school physician with the prescribing physician prior to administration at school, aboard a school bus, or attending a school-sponsored event.

The Superintendent /Principal/designee shall establish the location where the administration of medical marijuana shall be administered.

The administration of medical marijuana to a student by smoking or other form of inhalation while the student is on school grounds, aboard a school bus, or attending a school-sponsored event is strictly prohibited, and nothing in this policy shall be construed to authorize medical marijuana to be smoked in any place where smoking is prohibited pursuant to the provisions of NJSA 2C:33-13.

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Should it be found that said prescription is not warranted or there is no need for a dose to be administered during the school day, notification will be provided to this effect and there will be no medicine administered at school.

Definitions

For the purposes of this policy, the following definitions shall apply:

- A. "Physician" means a person licensed to practice medicine and surgery pursuant to Title 45 of the Revised Statutes with whom the patient has a bona fide physician-patient relationship and who is the primary care physician, hospice physician, or physician responsible for the ongoing treatment of a patient's debilitating medical condition, provided, however, that such ongoing treatment shall not be limited to the provision of authorization for a patient to use medical marijuana or consultation solely for that purpose.
- B. "Primary caregiver" or "caregiver" means a resident of the State who:
- is at least 18 years old;
 - has agreed to assist with a registered qualifying patient's medical use of marijuana;
 - is not currently serving as a primary caregiver for another qualifying patient;
 - is not the qualifying patient's physician;
 - has never been convicted of possession or sale of a controlled dangerous substance, unless such conviction occurred after the date of this policy and was for a violation of federal law related to possession or sale of marijuana that is authorized under the provisions of this policy, has registered with the State Department of Health and has satisfied the criminal history record background check requirement of the CUMMA; and,
 - has been designated as primary caregiver on the qualifying patient's application or renewal for a registry identification card or in other written notification to the Department of Health in accordance with the provisions of NJSA 24:6I-3.
- C. "Qualifying patient" or "patient" means a resident of the State who has been provided with a certification by a physician pursuant to a bona fide physician-patient relationship.

Both the patient and the caregiver must apply for and be granted a registration card, valid for two (2) years, pursuant to CUMMA.

The administration of medical marijuana on school grounds, aboard a school bus, or attending a school-sponsored event must be consistent with the requirements of the law and this policy.

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Liability/ Legal Actions

No person shall be subject to arrest or prosecution for constructive possession, conspiracy or any other offense for simply being in the presence or vicinity of the medical use of marijuana as authorized under P.L.2009, c.307 (C.24:6I-1 et al.

No custodial parent, guardian, or person who has legal custody of a qualifying patient who is a minor shall be subject to arrest or prosecution for constructive possession, conspiracy or any other offense for assisting the minor in the medical use of marijuana.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
18A:40-3.2 et seq. Medical and Nursing Personnel
18A:40-12.3 through -12.4 Self-administration of medication by pupil; conditions
45:11-23 Definitions

NJAC 6A:16-1.1 et seq. Programs to Support Student Development

P.L.2009, c.307 (C.24:6I-1 et al.

Possible Cross References

5141.1, 5141.2, 6153

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Opioid Overdose Prevention

Policy 5141.26

Date Adopted: January 10, 2018

Date Revised:

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Background and Authority

The “New Jersey’s Overdose Prevention Act” was written to encourage the prescription and distribution of an opioid antidote in order to prevent opioid overdose. It is the policy of this district to provide assistance to any person(s) who may be suffering from an opioid overdose following protocols and procedures of the district. Staff members trained in accordance with the policy shall make every reasonable effort, to include the use of an approved opioid antidote, combined with rescue breaths, to revive the victim of any apparent drug overdose.

The “New Jersey’s Overdose Prevention Act” (Act) also provides immunity from civil and criminal liability to non-health care professionals who have, in an emergency, administered an opioid antidote to a person whom he/she believes, in good faith, is experiencing an opioid overdose, provided the requirements of the Act have been met. The Act also provides that a health care professional or pharmacist who, acting in good faith, prescribes or dispenses an opioid antidote to a person capable, in the judgment of a healthcare professional, of administering the opioid antidote in an emergency, shall not be subject to criminal or civil liability, or to professional disciplinary action, for prescribing or dispensing an opioid antidote in accordance with the Act.

Definitions

For the purposes of this policy, the following definitions shall be applicable:

- “Opioid antidote” or “antidote” is defined as any drug, regardless of dosage amount or method of administration, including, but not limited to, naloxone hydrochloride, or any other similarly acting drug approved by the United States Food and Drug Administration for the treatment of an opioid overdose.
- “Opioid overdose,” “drug overdose” or “overdose” means an acute condition including, but not limited to, physical illness, decreased level of consciousness, respiratory depression, coma, mania, hysteria, or death resulting from the consumption or use of an opioid drug or another substance with which an opioid drug was combined, and that a layperson would reasonably believe to require medical assistance.
- “School-sponsored activity” is defined to mean any activity, event, or program occurring on or off school grounds, whether during or outside of regular school hours, that is organized or supported by the school.

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- “Emergency medical responder” means a person, other than a health care practitioner, who is employed on a paid or volunteer basis in the area of emergency response, including, but not limited to, an emergency medical technician acting in that person's professional capacity. "Health care practitioner" means a prescriber, pharmacist, or other individual whose professional practice is regulated pursuant to Title 45 of the Revised Statutes, and who, in accordance with the practitioner's scope of professional practice, prescribes or dispenses an opioid antidote.
- "Medical assistance" means professional medical services that are provided to a person experiencing a drug overdose by a health care practitioner, acting within the practitioner's scope of professional practice, including professional medical services that are mobilized through telephone contact with the 9-1-1 telephone emergency service.
- "Patient" means a person who is at risk of an opioid overdose or a person who is not at risk of an opioid overdose who, in the person's individual capacity, obtains an opioid antidote from a health care practitioner, professional, or professional entity for the purpose of administering that antidote to another person in an emergency, in accordance with subsection c. of section 4 of P.L.2013, c.46 (C.24:6J-4).
- "Prescriber" means a health care practitioner authorized by law to prescribe medications who, acting within the practitioner's scope of professional practice, prescribes an opioid antidote. "Prescriber" includes, but is not limited to, a physician, physician assistant, or advanced practice nurse.
- "Professional" means a person, other than a health care practitioner, who is employed on a paid basis or is engaged on a volunteer basis in the areas of substance abuse treatment or therapy, criminal justice, or a related area, and who, acting in that person's professional or volunteer capacity, obtains an opioid antidote from a health care practitioner for the purposes of dispensing or administering that antidote to other parties in the course of business or volunteer activities. "Professional" includes, but is not limited to, a sterile syringe access program employee, or a law enforcement official.

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- "Professional entity" means an organization, company, governmental entity, community-based program, sterile syringe access program, or any other organized group that employs two or more professionals who engage, during the regular course of business or volunteer activities, in direct interactions with opioid or heroin addicts or abusers or other persons susceptible to opioid overdose, or with other persons who are in a position to provide direct medical assistance to opioid or heroin addicts or abusers in the event of an overdose.
- "Recipient" means a patient, professional, professional entity, emergency medical responder, or emergency medical response entity, school, school district, or school nurse who is prescribed or dispensed an opioid antidote in accordance with the provisions of Section 4 of P.L.2013, c.46 (C.24:6J-4).

In accordance with the provisions of NJSA 24:6J-4.a.(1)(e), the district physician, as a health care practitioner, and as defined in NJSA 24:6J-3, may prescribe or dispense an opioid antidote directly or through a standing order to the district for the certified school nurse or any other appropriately licensed health care professional or qualified volunteer school personnel, to administer to overdose victims, provided the school physician deems the certified school nurse is capable of administering the opioid antidote to an overdose victim in an emergency. The physician's standing order must specify a school district certified school nurse is authorized to administer the opioid antidote to overdose victims.

In accordance with the provisions of NJSA 24:6J-5.a.(1), the school physician issuing the standing order shall ensure that overdose prevention information is provided to the district and the certified school nurse(s) and other school personnel authorized to administer an opioid antidote. The overdose prevention information shall include, but not be limited to: information on opioid overdose prevention and recognition; instructions on how to perform rescue breathing and resuscitation; information on opioid antidote dosage and instructions on opioid antidote administration; information describing the importance of calling 9-1-1 emergency telephone service for assistance with an opioid overdose; and instructions for appropriate care of an overdose victim after administration of the opioid antidote.

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Volunteer, Unlicensed School Personnel

Volunteer, unlicensed school personnel who have completed training through a Department of Health Services' Division-endorsed program may be granted permission by the Superintendent to administer naloxone subject to all other requirements of the law. Written evidence of satisfactory completion of the DHS-endorsed program must be provided before such permission may be granted. Upon review, the Superintendent, in consultation with the School Medical Inspector and Certified School Nurse, shall determine which individuals may administer naloxone or other opioid overdose antidotes. Each such person shall be notified in writing and in each school's main office. The identity of all such approved personnel shall be disseminated to all staff.

Procedure for Emergency Opioid Overdose and Administration of Antidote

The Principal shall ensure that all building staff are familiar with the following procedure, which shall be followed in cases of possible opioid overdose during school hours or during an on-site school-sponsored activity:

- Upon receiving a report of a possible opioid overdose, the Principal, Principal's designee, or supervising staff member will immediately call 9-1-1.
- The school nurse, during school hours and if available at an on-site school sponsored activity, will also be immediately called.
- If the school nurse is available in the building or on-site, in accordance with the provisions of NJSA 24:6J-5d.(1), the school nurse may administer the opioid antidote to a student, school personnel, or other person in an emergency if he or she believes, in good faith, that a person is experiencing an opioid overdose.
- If the school nurse is not in the building or not readily available on-site, and another staff member or licensed healthcare professional is present who is on the list of employees that have certified to having received training and the overdose prevention information, and is thereby authorized to administer the opioid antidote (if permitted by the school physician's standing order), in accordance with the provisions of NJSA 24:6J-5.d.(1), such staff member may administer the opioid antidote in an emergency if he or she believes, in good faith, that a person is experiencing an opioid overdose.
- The school nurse and/or other school staff members shall keep the student, school personnel, or other person comfortable until emergency medical responders arrive on the scene.
- Any student who receives an opioid antidote by the school nurse or by an emergency medical responder shall be transported to the nearest hospital with a school staff member designated by the Principal, Principal's designee, or supervising staff member.

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- The Principal, Principal's designee, or supervising staff member will notify the parent or legal guardian of any student, or a family member or other contact person for any school staff member, who may be experiencing a possible opioid overdose, as soon as practicable.
- The Principal, Principal's designee, or supervising staff member of the on-site school-sponsored activity shall notify the Superintendent of Schools of an opioid overdose and whenever an opioid antidote is administered by a school nurse, other staff member, or emergency medical responder.

Documentation of Administration of Opioid Antidote

The school nurse shall document any administration of an opioid antidote on a student's health record in the same manner as for the administration of other medications under a non-patient specific order. Further, nothing in this policy shall be construed to modify the obligations of the district with respect to the confidentiality of student records, in accordance applicable statutes, regulations, and other Board policies/regulations pertaining thereto.

Storage and Disposal of Opioid Antidote

The school nurse shall be responsible to store the opioid antidote that has been prescribed by the school physician in a safe and secure, but accessible location. Such medication shall be stored according to the manufacturer's directions regarding the heat and cold sensitivity of the medication. To the extent it is safe, the opioid antidote shall be stored within reasonable proximity to an automated external defibrillator (AED). The school nurse shall establish protocols to ensure monitoring of the on-site inventory and replacement of the opioid antidote supply. The school nurse shall also plan for and implement the disposal of any administered and/or expired opioid antidote applicator.

Any student or school staff member who is found to be under the influence of a controlled dangerous substance shall be subject to the provisions of applicable statutes and administrative codes and Board policies and regulations regarding substance use. For students under the influence of a controlled dangerous substance, this shall include, but not limited to, referral for intervention, prevention, and evaluation, and treatment, in accordance with the provisions of NJAC 6A:16-3.1 and all applicable Board policies and regulations.

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Protection from Criminal and Civil Liability

In accordance with the provisions of NJSA 24:6J-4.d.(2), the school district, the school nurse, or other authorized person administering an opioid antidote shall not, as a result of any acts or omissions, be subject to any criminal or civil liability for administering an opioid antidote in good faith in accordance with the provisions of NJSA 24:6J-1 et seq. or under this policy.

Nothing in this policy shall prohibit the administration of an opioid antidote to a student, school personnel, or other person in an emergency during school hours or during on-site school-sponsored activities by an emergency medical responder or by a person authorized to administer an opioid antidote in accordance with NJSA 24:6J-1 et seq.

Adoption, Revision, Notice/Availability to Parents, Students and Staff

Written notification of this policy shall be distributed annually to all parents, guardians, and adult students, which shall include notification that the Board authorizes the certified school nurse to administer an opioid antidote in emergency circumstances. If applicable and permitted by the standing order of the school physician, the notification shall also inform parents, guardians, and adult students that other volunteer, unlicensed school personnel who have been appropriately trained through a Department of Human Services endorsed program and received overdose prevention information, may also administer an opioid antidote in emergency circumstances where the school nurse is not present. The written notification shall provide a means for the parent, guardian, or adult student to provide written refusal for the emergency administration of an opioid antidote by school personnel.

Policy Review

This policy shall be reviewed and approved by the school physician and Board Solicitor prior to Board adoption whenever the policy is revised.

The district may enter into a shared services arrangement with another school district for the provision of opioid antidotes pursuant to the provisions of “New Jersey’s “Overdose Prevention Act” if the arrangement will result in cost savings for the districts.

This policy shall be made available to school staff members, parents, and students in staff and student handbooks, published on the district’s website, or through any other appropriate means.

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Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:40-1 Employment of medical inspectors, optometrists and nurses; salaries; terms; rules
18A:40-3.2 et seq. Medical and Nursing Personnel
18A:40-12.3 through -12.4 Self-administration of medication by pupil; conditions
45:11-23 Definitions
24:6J et seq (PL 2009 c.307; PL 2013 c.46)
- NJAC 6A:16-1.1 et seq. Programs to Support Student Development
6A:16-3 Comprehensive Drug Abuse Programs

Possible Cross References

5141.1, 5141.2, 6153

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Medical Examinations & Immunizations

Policy 5141.3

Date Adopted: October 24, 1983

Date Revised: February 4, 1986, March 22, 2010

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Pupils who enter the district schools for the first time shall have a medical examination conducted at the medical home of the student, and a full report sent to the school. If a student does not have a medical home, the district shall provide this examination at the school physician's office or other appropriately equipped facility. "Medical home" means a health care provider and that provider's practice site chosen by the student's parent/guardian for the provision of health care. As the school physician is also a health care provider, the parent/guardian may request that the school physician provide the medical examination.

A pupil shall be exempted from mandatory immunization if the parent/guardian objects to immunization in a written statement submitted to the principal, signed by the parent/guardian, explaining how the administration of immunizing agents conflicts with the pupil's exercise of bona fide religious tenets or practices. General philosophical or moral objection to immunization shall not be sufficient for an exemption on religious grounds.

Every pupil who enters the district schools for the first time shall present an immunization record as required by law. At the parent/guardian's request, these immunizations may be administered by the school physician.

In order to protect the health of the children and staff in the district, all regulations of the state department of education, the state department of health and the local Board of health shall be scrupulously observed, particularly those dealing with contagious/infectious diseases or conditions. Pupils seeking to enter school who have been identified as having a communicable/infectious disease or condition shall not be enrolled unless they qualify under the above agencies' rules pertaining to periods of incubation, communicability, quarantine and reporting.

The Superintendent of Schools or his/her designee shall formulate regulations that ensure immunization records are reviewed and updated annually pursuant to NJAC 8:57-4.1 through 4.16. The Superintendent of Schools shall also formulate regulations for this policy and for regular pupil health examinations at appropriate grade levels; and for tuberculosis, scoliosis, hearing loss, visual acuity and any other physical examinations required by law. Any health defects revealed by any examination given by the school health services must be reported to the parent/guardian. The Board shall review the regulations and adopt those required by law.

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Legal References

NJSA 18A:35-4.6 through -4.8 Parents Right to Conscience Act of 1979
18A:40-4 Examination for physical defects and screening of hearing of pupils; health records
18A:40-4.3 Scoliosis; periodic examination; notice to parents or guardian
18A:40-4.4 Exemption
18A:40-4.5 Immunity from action of any kind due to provisions of act
18A:40-5 Method of examination; notice to parent or guardian
18A:40-6 In general
18A:40-11 Exclusion of pupils having communicable tuberculosis
18A:40-16 through -19 Tuberculosis infection; determination of presence ...
18A:40-20 Immunization at public expense
18A:61D-8 through -10 Findings, declarations relative to Hepatitis B vaccinations....
26:1A-9.1 Exemption of pupils from mandatory immunizations
26:4-6 Prohibiting attendance of teachers or pupils
26:2T-5 through -9 Findings, declarations relative to Hepatitis C

NJAC 6A:14-3.4 Evaluation
6A:16-1.1et seq. Programs to Support Student Development
6A:32-9.1 Athletics Procedures
8:57-2 Reporting of acquired immunodeficiency syndrome and infection with Human Immunodeficiency Virus
8:57-4.1 Applicability
8:57-4.2 Proof of immunization
8:57-4.3 Medical exemptions
8:57-4.4 Religious exemptions
8:57-4.5 Provisional admission
8:57-4.6 Documents accepted as evidence of immunization
8:57-4.7 Records required
8:57-4.8 Reports to be sent to the State Department of Health
8:57-4.9 Records available for inspection
8:57-4.10 Diphtheria and tetanus toxoids and pertussis vaccine
8:57-4.11 Poliovirus vaccine
8:57-4.12 Measles virus vaccine
8:57-4.13 Rubella vaccine
8:57-4.14 Mumps vaccine
8:57-4.15 Haemophilus influenza type b (Hib) conjugate vaccine
8:57-4.16 Providing immunization
8:57-4.17 Emergency powers of the State Commissioner of Health
8:61-2.1 Attendance at school by pupils or adults infected by Human Immuno-deficiency Virus (HIV)

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible Cross References

1410, 4123, 5111, 5113, 5141, 5141.21, 6142.4, 6145.1/6145.2, 6164.2, 6171.4

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Minimal Immunization Requirements for School Attendance in New Jersey

Chapter 14: Immunization for Pupils in School

July 2008

DISEASE(S)	MEETS IMMUNIZATION REQUIREMENTS	COMMENTS
DTaP	(Age 1-6 Years): 4 doses, with one dose given on or after the 4th birthday, or any 5 doses. (Age 7-9 Years): 3 doses of Td or any previously administered combination of DTP, DTaP, and DT to equal 3 doses.	Any child entering pre-school, pre-Kindergarten, or Kindergarten needs a minimum of four doses. Pupils after the seventh birthday should receive adult type Td. DTP/Hib vaccine and DTaP also valid DTP doses. Laboratory evidence of immunity is also acceptable.
Tdap	Grade 6 (or comparable age level for special education programs): 1 dose	For pupils entering Grade 6 on or after 9-1-08 and born on or after 1-1-97. A child does not need a Tdap dose until five years after the last DTP/DTaP or Td dose.
POLIO	(Age 1-6 Years): 3 doses, with one dose given on or after the 4th birthday, OR any 4 doses. (Age 7 or older): Any 3 doses.	Either Inactivated Polio Vaccine (IPV) or Oral Polio Vaccine (OPV) separately or in combination is acceptable. Polio vaccine is not required of pupils 18 years of age or older. Laboratory evidence of immunity is also acceptable.
MEASLES	If born before 1-1-90, 1 dose of a live Measles-containing vaccine. If born on or after 1-1-90, 2 doses of a live Measles-containing vaccine. If entering a college or university after 9-1-95 and previously unvaccinated, 2 doses of a live Measles-containing vaccine.	Any child over 15 months of age entering child care, pre-school, or pre-Kindergarten needs a minimum of 1 dose of measles vaccine. Any child entering Kindergarten needs 2 doses. Previously unvaccinated students entering college after 9-1-95 need 2 doses of measles-containing vaccine or any combination containing live measles virus administered after 1968. Documentation of 2 prior doses is acceptable. Laboratory evidence of immunity is also acceptable. Intervals between first and second measles/MMR/MR doses cannot be less than 1 month.
RUBELLA and MUMPS	1 dose of live Mumps-containing vaccine. 1 dose of live Rubella-containing vaccine.	Any child over 15 months of age entering child care, pre-school, or pre-Kindergarten needs 1 dose of rubella and mumps vaccine. Each student entering college for the first time after 9-1-95 needs 1 dose of rubella and mumps vaccine or any combination containing live rubella and mumps virus administered after 1968. Laboratory evidence of immunity is also acceptable.
VARICELLA	1 dose on or after first birthday.	All children 19 months of age and older enrolled into a child care/pre-school center after 9-1-04 or children born on or after 1-1-98 entering a school for the first time in Kindergarten or Grade 1 need 1 dose of varicella vaccine. Laboratory evidence of immunity, physician's statement or a parental statement of previous varicella disease is also acceptable.
HAEMOPHILIS B (Hib)	(Age 2-11 months)(1): 2 doses (Age 12-59 months)(2): 1 dose	Mandated only for children enrolled in child care, pre-school, or pre-Kindergarten. (1) Minimum of 2 doses of Hib vaccine is needed if between the ages of 2-11 months. (2) Minimum of 1 dose of Hib vaccine is needed after the first birthday. DTP/Hib and Hib/Hep B also valid Hib doses.
HEPATITIS B	(K-Grade 12): 3 doses or 2 doses (1)	(1) If a child is between 11-15 years of age and has not received 3 prior doses of Hepatitis B then the child is eligible to receive 2-dose Hepatitis B Adolescent formulation. Laboratory evidence of immunity is also acceptable.
PNEUMOCOCCAL	(Age 2-11 months)(1): 2 doses (Age 12-59 months)(2): 1 dose	Mandated only for children enrolled in child care, pre-school, or pre-Kindergarten. (1) Minimum of 2 doses of Pneumococcal vaccine is needed if between the ages of 2-11 months. (2) Minimum of 1 dose of Pneumococcal vaccine is needed after the first birthday.

MENINGOCOCCAL	(Entering Grade 6 (or comparable age level for Special Ed programs): 1 dose (1) (Entering a four-year college or University, previously unvaccinated and residing in a campus dormitory): 1 dose (2)	(1) For pupils entering Grade 6 on or after 9-1-08 and born on or after 1-1-97. (2) Previously unvaccinated students entering a four-year college or university after 9-1-04 and who reside in a campus dormitory, need 1 dose of meningococcal vaccine. Documentation of one prior dose is acceptable.
INFLUENZA	(Ages 6-59 months): 1 dose annually	For children enrolled in child care, pre-school or pre-Kindergarten on or after 9-1-08. 1 dose to be given between September 1 and December 31 of each year.

AGE APPROPRIATE VACCINATIONS (FOR LICENSED CHILD CARE CENTERS / PRE-SCHOOLS) CHILD'S AGE NUMBER OF DOSES CHILD SHOULD HAVE (BY AGE):

- 2-3 Months 1 dose DTaP, 1 dose Polio, 1 dose Hib, 1 dose PCV7
- 4-5 Months 2 doses DTaP, 2 doses Polio, 2 doses Hib, 2 doses PCV7
- 6-7 Months 3 doses DTaP, 2 doses Polio, 2-3 doses Hib, 2-3 doses PCV7, 1 dose Influenza
- 8-14 Months 3 doses DTaP, 2 doses Polio, 2-3 doses Hib, 2-3 doses PCV7, 1 dose Influenza
- 12-14 Months 3 doses DTaP, 2 doses Polio, 1 dose Hib, 2-3 doses PCV7, 1 dose Influenza
- 15-17 Months 3 doses DTaP, 2 doses Polio, 1 dose MMR, 1 dose Hib, 1 dose PCV7, 1 dose Influenza
- 18 Months-4 Years 4 doses DTaP, 3 doses Polio, 1 dose MMR, 1 dose Hib, 1 dose Varicella, 1 dose PCV7, 1 dose Influenza

PROVISIONAL ADMISSION:

Provisional admission allows a child to enter/attend school but must have a minimum of one dose of each of the required vaccines. Pupils must be actively in the process of completing the series. If a pupil is <5 years of age, they have 17 months to complete the immunization requirements. If a pupil is 5 years of age and older, they have 12 months to complete the immunization requirements.

GRACE PERIODS:

4-day grace period: All vaccines doses administered less than or equal to four days before either the specified minimum age or dose spacing interval shall be counted as valid and shall not require revaccination in order to enter or remain in a school, pre-school or child care facility.

30-day grace period: Those children transferring into a New Jersey school, pre-school, or child care center from out of state/out of country may be allowed a 30day grace period in order to obtain past immunization documentation before provisional status shall begin.

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Child Abuse & Neglect

Policy 5141.4

Date Adopted: March 22, 2010

Date Revised: December 18, 2014

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The Board of Education believes that the physical and mental well being of all children in its charge must be maintained as prerequisite to learning through the formal educational process. The Board of Education is cognizant of the importance of early identification of child abuse. The school district personnel will cooperate with the New Jersey Division of Child Protection and Permanency (DCP&P), formerly known as the New Jersey Division of Youth and Family Services (DYFS) in the identification, immediate reporting, and investigation of allegations of child abuse.

The Board of Education directs the Superintendent of Schools to develop and implement procedures for compliance with the law and code requirements pertaining to allegations of child abuse. The Board of Education has designated a liaison to DCP&P. Abuse referrals are not screened or referred through the liaison. The function of the liaison is to:

Facilitate communication and cooperation between the district and DCP&P; and act as the primary contact person between the schools and DCP&P with regard to general information sharing and the development of mutual training and other cooperative efforts.

The Superintendent of Schools shall require all the employees and volunteers to receive in-service training concerning child abuse, instructional methods and techniques relative to issues of child abuse in the local curriculum, and personnel responsibilities pursuant to NJSA 9:6-8.10 et seq. This training shall include information regarding the identification and reporting of allegations of child abuse to DCP&P, as well as the investigative process conducted by DCP&P. If any staff member is uncertain, at any time, of what constitutes child abuse or if they have witnessed an event in which they are unable to determine is or is not child abuse, the staff member is encourage to consult the liaison immediately or to contact the DCP&P hotline (1-877-NJ ABUSE) for additional assistance. Additionally, the employees shall be made aware of their rights and responsibilities according to law and code. A person making the report in good faith is immune.

“Anyone acting pursuant to this act in the making of a report under this act shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such person shall have the same immunity with respect to testimony given in any judicial proceeding resulting from such report” (NJSA 9:6-8.13).

Failure to make a report is a violation, and the person is subject to a \$1,000 fine and up to six months in jail.

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“Any person knowingly violating the provisions of this act, including the failure to report an act of child abuse, having reasonable cause to believe that an act of child abuse has been committed, is a disorderly person” (NJSA 9:6-8.14).

“No school personnel will be discharged from employment or in any manner be discriminated against as a result of making, in good faith, a report or causing to be reported an allegation of child abuse (NJSA 9:8.13).

“Due process rights will be provided to school personnel who have been reassigned or suspended in accordance with NJSA 18A:6-10 et seq., 18A:25-1, 18A:25-6, and NJSA 9:6-3.1.

Temporary reassignment or suspension of school personnel alleged to have committed an act of child abuse shall occur if there is reasonable cause to believe that the life or health of the alleged victim and/or other children are in imminent danger due to continued contact between the school personnel and a child (NJSA_18A:6-10 et seq. and NJSA 9:6-3.1).

Legal References

NJSA 9:6-1 et seq. Abuse, abandonment, cruelty and neglect of child;
18A:6-7a, -10, -11, -13, -14, -18.1, -30, -30.1 Removal from personnel files of reference to complaint of child abuse or neglect determined to be unfounded
18A:25-1 Transfer of teaching staff members
18A:25-6, -7 Suspension of assistant superintendents, principals and teachers ...
18A:36-19 Pupil records; creation; maintenance and retention, security and access;
18A:36-19a Newly enrolled students; records and identification
18A:36-24 et seq. Missing children; legislative findings and declarations
52:17B-9.8a et seq. Marking of missing child's school record

NJAC 6A:16-1.4 et. seq. District policies and procedures
6A:16-11.1 et seq. Reporting Allegations of Child Abuse and Neglect
6A:32-7.1 et seq. Student records

NJ Department of Children & Families
Division of Child Protection & Permanency (Child Abuse Hotline
(1-877-NJ ABUSE)
Office of Advocacy 1-877-543-7864 or www.nj.gov/DCF

Possible Cross References

5113, 5125, 5141.1, 5142

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Early Detection of Missing Children

Policy 5141.5

Date Adopted: April 24, 1996

Date Revised: March 22, 2010, December 18, 2014

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The Board of Education is deeply concerned with early detection of any missing or abused children. Attendance at school can be a means of identifying such children. Accordingly, the Superintendent of Schools shall implement procedures designed to provide for reporting to appropriate law enforcement and child welfare authorities when a potential missing or abused child is detected.

Furthermore, though limits are set on certain numbers of days for certain kinds of action, these limits are maximums, not minimums, and the Administrators are encouraged to take bolder steps and to act sooner than the limits established in every category. Additionally, it is recognized that the Administrator's daily procedures may demand more stringent accounting from parents than provided for herein; it is most appropriate that these practices should be continued and form a sound base for the implementation of this policy:

Attendance

- A. Any child absent from our schools for five consecutive days without the administration being aware that the absence is for a known cause shall be considered "at risk" as a potentially abused or missing child.
- B. Any absent child for whom there are grounds for the reasonable suspicion of the potential for abuse or abduction shall be considered an "at risk" child.
- C. A student who never appears on the school's register because he/she has the status of a "did not enter" student shall be considered an "at risk" child and every effort shall be made to account for his/her welfare and safety, as indicated below.
- D. The schools shall attempt to contact the home of each "at risk" child by phone on a daily basis or by mail. An attempt should also be made to locate the child through the emergency notification information that the parents have provided the school, and any other information that is available to the school.
- E. If, after three days, there is no response affirming the safety of the child, the Guidance Counselor or administrator shall make an on-site investigation at the child's home.
- F. If the Guidance Counselor or administrator is unable to confirm the safety of the child, the school shall consider the child to be missing and shall notify the New Jersey Division of Child Protection and Permanency (DCP&P), formerly known as the New Jersey Division of Youth and Family Services (DYFS), the proper police authorities, and other appropriate agencies and organizations. The school shall provide these agencies all information from the school records that could help in the search for the child.

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Release from School

During the school session, a child may be excused only into the custody of his/her custodial parent/guardian. The school may release a child into the care of another person with written permission from the parent/guardian. The persons who are listed on a properly completed emergency notification form may be treated by the school as in loco parentis.

Students Transferring to Another School

When issuing a transfer card, the school shall attempt to ascertain all possible information about the destination of the child's family, including the future address, job site, names of relatives or friends in the area, and the anticipated date of the student's arrival at the new school.

If the school has not received confirmation of the student's arrival at the new district within one week of the anticipated date of arrival, the new school district should be called and attempts made to locate the child through other information that the school has available. If these attempts prove to be fruitless, reports shall be made to DCP&P and the appropriate police authorities indicating that the school is unable to confirm that the child has reached his/her destination. The proper police authorities, DCP&P, and other appropriate agencies and organizations shall be provided any information from the school records that could help in a search for the child.

Students Transferring from Another School

- A. When a student transfers in from another school, the guardianship of the child will be verified from the transfer card, through contact with the previous district, by court records, the child's school records, or other appropriate means. If the child is residing with someone other than the apparent legal guardian, the school must report this discrepancy to DCP&P, the proper police authorities, and other appropriate agencies and organizations. The school must verify the student's entitlement to a free public education in this school district. Entitlement to a free public education can be verified through the following means:
 - A sworn statement by the person with whom the child resides that he/she:
 - is domiciled in the district,
 - is supporting the child gratis,
 - will assume all personal obligations of the child relative to school requirements,
 - intends to keep and support the child gratuitously for a longer time than merely through the school term.

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Early Detection of Missing Children

Policy 5141.5

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- A copy of the lease of the person with whom the child resides, if the person is a tenant, or a sworn statement of the landlord acknowledging that such person is residing as a tenant without written lease.
- A sworn statement by the child's legal parent that he/she is not supporting the child.
- A satisfactory documentation as to the validity of the sworn statement.

Registered Students Not in the Custody of a Person with Legal Parental Status

If a registered student should reside out of the custody of a legal guardian, all of the procedures to document custody and residence which are listed in part 4 above, shall be instituted, as if the child were transferring in from another school.

Legal References

NJSA 18A:36-24 et seq Missing children
52:17B-9.8a et seq Marking of missing child's record

NJ Department of Children & Families
Division of Child Protection & Permanency (Child Abuse Hotline
(1-877-NJ ABUSE)
Office of Advocacy 1-877-543-7864 or www.nj.gov/dcf

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Control of AIDS

Policy 5141.6

Date Adopted: March 22, 2010

Date Revised:

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The Board of Education recognizes that many difficult issues are raised when pupils are infected with Human Immunodeficiency Virus (HIV). The right of such pupils to a thorough and efficient education and the benefit to them of an education in the school setting must be balanced against the interests of the school community to a safe environment.

The Board will, in compliance with the rules of the NJ State Board of Education and the state department of health, permit the exclusion from the regular school setting of a pupil infected with HIV only when the pupil is not toilet trained or is incontinent or cannot control drooling or is unusually physically aggressive with a documented history of harming or biting others. A pupil infected with HIV may not be excluded in the absence of one or more of these exceptional characteristics and may not be excluded to protect the pupil against infection by others.

A pupil of school age infected with HIV, who does not demonstrate one or more of the characteristics that warrants exclusion, will be admitted to the regular school setting. His or her medical condition will be held in strict confidence, and his or her infection with HIV will be withheld from public records of this district.

When a pupil in this district or a pupil who seeks admission to this district is identified as infected with HIV, the school physician shall confer with the pupil's physician to determine whether the pupil should be excluded from school in accordance with this policy. The school physician shall promptly report his or her determination to the Board; the Board shall, within ten (10) days of the request to admit the pupil, decide to exclude or admit the pupil in accordance with the state Board rules and the following guidelines:

1. If the school physician approves the admission of the pupil, the pupil will be permitted to attend the regular school session. In the event the pupil subsequently develops any of the characteristics that warrant exclusion, the school physician shall be notified.
2. If the school physician, the pupil's physician, and the pupil's parent or guardian agree that the pupil should be excluded from school, an appropriate alternative education shall be planned and implemented.
3. If the school physician determines that the pupil should be excluded from the school and the pupil's physician disagrees, the pupil's admissibility shall be determined by the Commissioner of Education on the recommendation of a medical advisory panel appointed by the Commissioner of Health.

The Board will promptly submit to the County Superintendent of Schools the pupil's entire medical record including all medical information utilized by the Board in its exclusion decision; all information supplied by the pupil's parent or guardian and physician; a written statement of the school physician's reasons for exclusion; the qualifications and credentials of all experts relied on by the Board and the school physician; and, in the case of a classified pupil, child study team evaluation reports and the pupil's Individual Educational Plan (IEP).

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The names of the pupil and his or her parents or guardian will be removed from the records submitted to the County Superintendent of Schools. Future district references to the pupil will be by the code number supplied by the department of education.

Pending the determination of the Commissioner, the pupil shall be temporarily excluded from school and given an alternative program of home instruction appropriate to the pupil's needs and in accordance with the rules of the NJ State Board of Education. The professional staff members teaching the pupil will be appropriately certified and trained in proper precautions against the possible transmission of disease.

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

A school employee infected with HIV shall not be restricted in his or her employment for reason of HIV infection unless the employee has another illness that would affect employment.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:40-7 Exclusion of pupils who are ill
18A:40-8 Exclusion of pupils whose presence is detrimental to health and cleanliness
26:5C-5 et seq Acquired Immune Deficiency Syndrome Act
- NJAC 8:57-2 Reporting of AIDS and HIV
8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV Infection
- HIV Policy and Practice: Regulatory Requirements for New Jersey Public Schools

Possible Cross References

5141.3

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HIV Status of Students

Policy 5141.7

Date Adopted: March 22, 2010

Date Revised:

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The Board of Education is committed to conforming to all applicable laws regarding students who are HIV positive, have AIDS or are suspected of being HIV positive or having AIDS. Toward this end, the Board adopts the following policy and directs the Superintendent of Schools to develop the procedures necessary to ensure compliance with it:

1. **Confidential Information:** Confidential information regarding a current or prospective pupil's HIV/AIDS status is not required to be furnished to the school or district, or any representative thereof. HIV/AIDS status is therefore an exception to records required pursuant to students' physical examinations. No inquiry shall be made regarding the HIV status of a current or prospective pupil. All records containing identifying information regarding same shall be kept strictly confidential. No information relating to the HIV/AIDS status of a student shall be disclosed except in accordance with the provisions of NJSA 26:5C-5 et seq. Information concerning the HIV status of a pupil may be shared only with the written consent of the pupil's parent, guardian, or other individuals authorized under state law to act on the pupil's behalf, and then only with those who need to know the status to determine the appropriate educational program for the pupil.
2. **Enrollment/Attendance of Pupils:** No pupil, including individuals entitled to school attendance in grades K-12, and pre-kindergarten children who are entitled to school attendance, shall be excluded from attending school due to HIV infection, nor shall any pupil be excluded to protect himself/herself against exposure to the infectious diseases of others. The presence of HIV infection also may not be used, in and of itself, to exclude any pupil by way of classification as eligible for home instruction. Additionally, pupils who have HIV and are symptomatic and/or diagnosed with AIDS are not to be excluded from school by virtue of the diagnosis, but may only be excluded for the medical or health conditions which would lead to exclusion of any other pupil. This policy applies to all pupils, whether currently enrolled or seeking enrollment. AIDS or HIV infection shall not be considered a communicable disease for purposes of admission to or attendance in an education facility or eligibility for the pupil.

No pupil may be excluded from school solely by virtue of his/her being related to an HIV-infected individual.

3. **Exclusion Required:** Any pupil, regardless of his/her HIV status, is to be removed if he/she has weeping skin lesions that cannot be covered.
4. **Procedures for Handling Blood or Body Fluids:** Training and supplies for the handling of blood and body fluids shall be made available to school personnel, whether or not pupils with HIV are present, and nurses, custodians and teachers in particular are to have knowledge of the proper techniques in the handling and disposal of such materials. It shall be the responsibility of the Superintendent of Schools to secure appropriate supplies and training for school employees.

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Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:40-7 Exclusion of pupils who are ill
18A:40-8 Exclusion of pupils whose presence is detrimental to health and cleanliness
26:5C-5 et seq Acquired Immune Deficiency Syndrome Act
- NJAC 8:57-2 Reporting of AIDS and HIV
8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV Infection
- HIV Policy and Practice: Regulatory Requirements for New Jersey Public Schools

Possible Cross References

1410, 4123 5111, 5113, 5141, 5141.21, 6142.4, 6145.1, 6145.2, 6164.2

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Automated External Defibrillator

Policy 5141.9

Date Adopted: January 29, 2009

Date Revised: March 22, 2010, June 26, 2014, September 25, 2014

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The American Heart Association estimates many lives could be saved if defibrillators were more widely available. Due to technological advances, automated external defibrillators (AEDs) may be used by laypersons without any training to provide defibrillation within the first minutes of cardiac arrest thereby increasing the victim's chances of survival. In accordance with NJSA 18A:40-41.a, the Board of Education shall ensure every school in the school district has an AED as defined in NJSA 2A:62A-24. The AED shall be made available in an unlocked location on school property with an appropriate identifying sign. The AED shall be accessible during the school day and any other time when a school-sponsored athletic event or team practice is taking place in which pupils of the school district are participating. The AED shall be within reasonable proximity of the school athletic field or gymnasium, as applicable.

A team coach, licensed athletic trainer, or other designated staff member if there is no coach or licensed athletic trainer, who is present during athletic events or team practices, shall be trained in cardio-pulmonary resuscitation and the use of the AED in accordance with the provisions of NJSA 2A:62A-25.a. The school district shall be deemed to be in compliance with NJSA 2A:62A-25.a, if a State-certified emergency services provider or other certified first responder is on site at the event or practice.

Each AED in the school district shall be tested and maintained according to the manufacturer's operational guidelines. Notification shall be provided to the appropriate first aid, ambulance, rescue squad, or other appropriate emergency medical services provider regarding the AED, the type acquired, and its location in accordance with NJSA 2A:62A-25.b and c.

The school district and its employees shall be immune from civil liability in the acquisition and use of AEDs pursuant to the provisions of NJSA 2A:62A-27.

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

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The Emergency Action Plan shall also include detailed procedures on responding to a sudden cardiac event including, but not limited to, the identification of the persons in the school who will be responsible for responding to the person experiencing the sudden cardiac event; calling 911; starting cardio-pulmonary resuscitation; retrieving and using the AED; and assisting emergency responders in getting to the individual experiencing the sudden cardiac event.

Regulations/Procedures

Automated External Defibrillator (AED)

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

Location and Availability of AED

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

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Training Requirements for Using an AED

- A. A team coach, licensed athletic trainer, or other designated staff member if there is no coach or licensed athletic trainer, who is present during athletic events or team practices, shall be trained in cardio-pulmonary resuscitation and the use of the AED in accordance with the provisions of NJSA 2A:62A-25.a. The school district shall be deemed to be in compliance with this requirement if a State-certified emergency services provider or other certified first responder is on site at the event or practice.
- B. Prior to using an AED a school employee must have successfully completed and hold a current certification from the American Red Cross, American Heart Association, or other training programs recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and the use of an AED.
- C. The Board of Education shall not be liable for any act or omission of any layperson who uses the defibrillator in the rendering of emergency care.
- D. Each AED shall be maintained and tested according to the manufacturer's operational guidelines.
- E. The Principal or designee shall notify the appropriate first aid, ambulance, rescue squad, or other appropriate emergency medical services provider that the school has acquired an AED, the type acquired, and its location.
- F. Prior to purchasing an AED, the Superintendent of Schools or designee will provide the prescribing licensed physician with documentation that the school district has a protocol in place to comply with the requirements listed above.

Immunity from Civil Liability

- A. Any person who uses an AED shall request emergency medical assistance from the appropriate first aid, ambulance, or rescue squad as soon as practicable. However, a layperson who, in good faith, fails to request such emergency medical assistance shall be immune from civil liability for any personal injury that results from that failure.
- B. The school district and its employees shall be immune from civil liability in the acquisition and use of AED(s) pursuant to the provisions of NJSA 2A:62A-27.
 - Any person or entity who, in good faith, acquires or provides an AED, renders emergency care or treatment by the use of an AED, assists in or supervises the emergency care or treatment by the use of an AED, attempts to use an AED for the purpose of rendering emergency care or treatment, and who has complied with the requirements of NJSA 18A:40-41.a and b, and NJSA 2A:62A-23 through 2A:62A-27 shall be immune from civil liability for any personal injury as a result of that care or treatment, or as a result of any acts or omissions by the person or entity in providing, rendering, assisting in, or supervising the emergency care or treatment.

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

Emergency Action Plan

The Superintendent of Schools or designee shall establish and implement an Emergency Action Plan applicable to each school in the district for responding to a sudden cardiac event including, but not limited to, an event in which the use of an AED may be necessary.

The Emergency Action Plan shall be consistent with the provisions of NJSA 18A:40-41.a and, at a minimum, shall include a list of no less than five school employees, team coaches, or licensed athletic trainers in each school building who hold current certifications from the American Red Cross, American Heart Association, or other training programs recognized by the Department of Health and Senior Services in cardio-pulmonary resuscitation and in the use of the AED. This list shall be updated, if necessary, at least once in each semester of the school year.

The Emergency Action Plan shall also include detailed procedures on responding to a sudden cardiac event including, but not limited to:

- A. The identification of the persons in the school who will be responsible for responding to the person experiencing the sudden cardiac event;
- B. Calling 911;
- C. Starting cardio-pulmonary resuscitation;
- D. Retrieving and using the AED; and
- E. Assisting emergency responders in getting to the individual experiencing the sudden cardiac event.

Revision and updating of these guidelines will be the responsibility of the Board of Education.

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Legal References

NJSA 2A:62A-1 "Good Samaritan Act"
18A:11-1 General mandatory powers and duties
18A:11-3 Voluntary associations resulting student activities; rules and regulations; appeals
18A:40-41a et seq Schools required to have AED – "Janet's Law"
18A:40-4.5 No court action against school personnel

AED's in the School, Stapleton, E., Ed Louis J. Acompora Memorial Foundation, 1998
Fundamentals of BLS for Healthcare Providers, AHA, 2001
Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110

Possible Cross References

5141.1, 5141.2, 6153

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Safety: Personal & Property

Policy 5142

Date Adopted: March 22, 2010

Date Revised:

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The Board of Education recognizes the safety of its pupils as a consideration of utmost importance. The Superintendent of Schools shall consult law enforcement agencies, health and social service providers, emergency management planners and other school and community resources in the development of the plans, procedures and mechanisms for school safety. The Superintendent of Schools shall oversee development of a district-wide safety program with emphasis on accident prevention.

Facilities

The Superintendent of Schools shall maintain all facilities and equipment in proper condition to provide a safe learning environment, ensuring compliance with state law on the handling, labeling and storing of hazardous substances. Safety regarding all aspects of playground equipment and activity will be maintained and supervised in compliance with law and code.

Staff Education and Training

All teachers shall be familiar with the provisions of this program that particularly concern them.

The Superintendent of Schools shall inform all newly employed staff of school safety rules and regulations within 60 days of the effective date of their employment. All district employees will receive the appropriate inservice training to recognize and respond appropriately to safety concerns including emergencies and crises, in accordance with the district safety plans, procedures and mechanisms. The district safety plan will be updated annually and all employees will be notified of updates and changes to the safety plan in writing. Regulations concerning use and maintenance of eye protective devices shall be scrupulously enforced by all staff.

Student Supervision

The staff must maintain complete classroom and playground supervision during regular school hours. The Superintendent of Schools shall seek the cooperation of parents/guardians to prevent any children from being unsupervised on school property during morning arrival and afternoon dismissal times. Further, the Superintendent of Schools shall seek the cooperation of the police and other appropriate agencies in providing for the safety of pupils on or around school property. The Board shall adopt the necessary regulations governing supervision of pupil safety.

No pupil shall leave the school before the end of the school day without permission of the Superintendent of Schools/designee.

No pupil shall run errands on school business off the school property.

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The curriculum shall include courses in safety as required by state law. The Superintendent of Schools shall oversee development and implementation of a vocational education safety program correlated with coursework. In development of courses, the safety of participating pupils shall be a primary consideration.

Pupils leaving before regular dismissal must be met in the school office and signed out by a parent/guardian or a person authorized to act in his/her behalf.

A record shall be kept indicating the legal custodian of each pupil. Such custodian shall be responsible for informing the Superintendent of Schools of any change in the pupil's custody. If one parent/guardian has been awarded custody of the pupil in a divorce, the other parent/guardian shall present to the Superintendent of Schools/designee a letter authorizing him/her to accompany the child from school before the child may be released. The Superintendent of Schools/designee may take reasonable steps to verify the letter. It is the responsibility of the person or agency having custody to inform the school that such authorization will be required.

Supervision of Pupils During Dismissal

Dismissal will be supervised. District staff will be assigned to specific locations and given defined responsibilities to supervise pupil dismissal. Regular and early dismissal will be supervised according to the same protocol unless otherwise specified. The Superintendent of Schools is responsible for overseeing the development of protocols that are tailored to the age and needs of the pupils. At a minimum these protocols shall include:

- A. Staff assigned to supervise dismissal, and their locations and responsibilities
- B. Where pupils will be retained awaiting appropriate escort and/or designated transportation
- C. Provisions for supervision when a parent/escort is unable to pick up their child at the appropriate dismissal time.
- D. Location and presence of municipal crossing guards

The Superintendent of Schools will review the dismissal procedures annually.

Supervision of Non-bused Pupils at Dismissal

The Board of Education shall require that the parent/guardian notify the school in advance of any arrangements for pupils requiring appropriate escort or designated transportation.

All documented arrangements will be considered permanent for the entire school year. Parents/Guardians may alter arrangements upon prior written notification to the Superintendent of Schools/designee.

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Parents/guardians leaving pupils at school that are to be escorted home will be reported to the proper authorities.

The Superintendent of Schools/designee is responsible for the collection of all dismissal arrangements requested by the parents/guardians. The Superintendent of Schools/designee is responsible for keeping a record of the dismissal arrangements and implementing the appropriate dismissal supervision in accommodation of these arrangements.

No pupil in grades pre-kindergarten through eight shall be permitted to leave the school before the close of the school day unless he/she is met in the school office by his/her parent/guardian or a person authorized in writing by the parent/guardian to act in his/her behalf. The parent/guardian or person authorized in writing by the parent/guardian to act in his/her behalf must present a photo ID before the child will be permitted to leave with him/her.

Picking up a Student by Car or Walking Instead of Riding the Bus Home

A student may only be picked up at the end of the day by his/her parent/guardian or a person authorized in writing by the parent/guardian to act in his/her behalf.

The first time a parent/guardian or person authorized by the parent/guardian to act in his/her behalf, picks up a child in lieu of the student riding the bus home, the parent/guardian or person authorized by the parent/guardian to act in his/her behalf must come into the main school office and show a valid photo ID. The person picking up the child must either be the parent/guardian or have written authorization form from the parent/guardian to pick up the child. The office staff will give the individual an authorization to show the teacher monitoring pickups that they are allowed to pick up that child. On any day thereafter, that individual will only have to show the authorization form and a photo ID to the teacher monitoring the car pickup area to have the child released to the pickup area.

Notification of Dismissal Protocols

The Superintendent of Schools/designee shall ensure that parents are notified of the following:

- A. School calendar including school closure and early dismissal dates and times; and any adjustments to the calendar
- B. The school dismissal policy
- C. Dismissal protocol for all bused pupils, non-bused pupils and pupils in after-school programs or activities
- D. Supervision arrangements for pupils at dismissal
- E. Emergency plan for supervision of pupils left at school
- F. After school program opportunities
- G. Procedures for enrolling pupils in after school programs

The parent/guardian is responsible for reviewing the school calendar and complying with all school dismissal times and procedures. It is the parents/guardians responsibility to resume the custody of their child at the end of each school day.

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The Superintendent of Schools will develop procedures:

- A. For parents/guardians to receive the school calendar, including all school closure and early dismissal dates, and the school dismissal policy and procedures,
- B. For parents/guardians to indicate and define the circumstances that the pupil is to be released from the school's care at dismissal,
- C. For the collection and retention of all documents pertaining to receipt of calendar and escort/transportation arrangements.

Voluntary Fingerprinting Program

The Board of Education shall provide a voluntary fingerprinting program for the protection of its pupils. This program shall be carried out in cooperation with the county sheriff's office and local law enforcement officials in accordance with the requirements of law.

All pupils in grades kindergarten through eight shall be eligible to participate with written authorization of their parent/guardian. Completed fingerprint cards shall be given to the parent/guardian and shall not be retained by the school district or the law enforcement agency.

The Superintendent of Schools is directed to provide an orientation program for those pupils for whom fingerprinting has been authorized, and to develop appropriate administrative regulations for the implementation of the voluntary fingerprinting program in the district.

Potentially Missing Children

Attendance practices, the dismissal precautions addressed in this policy and voluntary fingerprinting are part of the district's effort toward early identification of potentially missing children.

The Superintendent of Schools will develop procedures that ensure cooperation with law enforcement for substances, weapons and safety. This may include cooperation with law enforcement in the activation of an "Amber Alert" which provides for the rapid dissemination of information, including a description of the missing child through broadcast media.

Release to an Individual Impaired by Drugs/Alcohol Prohibited

The Board believes that allowing a child to be released into the custody of a parent/guardian or other authorized individual who appears to be impaired by drugs or alcohol can have tragic consequences. Therefore, the Board prohibits release of a pupil into the custody of any person who appears to be physically and/or emotionally impaired to the extent that harm could come to the pupil if released to such a person. The Superintendent of Schools/designee shall make the final determination as to whether an individual is impaired.

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Possessions

Parents/guardians are requested not to permit their children to bring expensive or fragile objects to school and to label or otherwise identify clothing, books and personal items. The Board is not responsible for items destroyed or stolen from lockers.

Megan's Law

Only law enforcement agencies in the community receive notification of the presence of Tier One offenders. The Superintendent of Schools and his/her designees in affected schools shall receive notification from the county prosecutor's office or local law enforcement officials when Tier Two or Tier Three sex offenders move into the district. The Superintendent of Schools/designee shall inform those employees/ volunteers whose duties regularly put them in a position to observe unauthorized persons on or near the property of the school. The Superintendent of Schools/designee shall determine who to notify on the basis of this definition, as well as on specific job duties carried out in the school. If private vendors perform any of these functions, the Superintendent of Schools/designee shall inform the vendor. Notification may include, but is not limited to:

- A. Aides
- B. Bus drivers
- C. Maintenance staff
- D. Professional support staff
- E. School level administrative staff
- F. Teachers

School personnel are notified only in their capacity as such and shall not disseminate information about an offender to anyone not specifically identified by the county prosecutor or Attorney General. Any school employee who does so may be disciplined. If a school employee has reason to believe that an offender who has been the subject of a notification is a danger to someone outside the school environs, he/she shall immediately contact the local law enforcement agency or the county prosecutor.

District personnel shall not notify the following of the presence of Tier Two or Tier Three offenders:

- A. Members of HSA
- B. Organizations using school facilities
- C. Other schools
- D. Press

The Superintendent of Schools/designee shall provide registration forms to any organization that uses the school facilities, including a parent-teacher organization, that wishes to be notified by the county prosecutor's office of the presence of a Tier Two or Tier Three offender in the community.

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In addition to the school personnel identified by the Superintendent of Schools/designee, students and parents/guardians shall be notified of the presence of Tier Three offenders. The prosecutor's office and local law enforcement shall supply the school with notices for them when a school is located in the area where a vulnerable population is likely to encounter a Tier Three offender. Dissemination of these notices shall be in accord with law and accomplished in cooperation with the county prosecutor's office.

When a student has been identified as a sex offender, all procedures of notification shall apply. When a parent/guardian has been identified as an offender, he/she may continue to participate in all appropriate parent/guardian activities, unless prohibited by legal constraint.

Newly hired staff and newly enrolled students and their parents/guardians shall be trained and informed of the presence of Tier Two and Tier Three offenders, unless the county prosecutor has notified the Superintendent of Schools that notice cannot be given.

Students and district employees shall not be liable in any civil or criminal action for providing or failing to provide information relevant to notification. The Superintendent of Schools shall prepare regulations to implement this policy and all directives of the county prosecutor's office to ensure careful adherence to Megan's Law.

Rights of Parents

The Board of Education recognizes that the parents of each child are ultimately responsible for the care and custody of that child, and that both parents share that responsibility equally. The Board recognizes as well that, where only one parent has legal custody of a child, the custodial rights and responsibilities of the other parent may be limited. The Board believes that the interests of each child are best served by the continuing involvement of both parents in the child's life and well-being.

The Board will presume that each natural or adoptive parent or legal guardian of a pupil enrolled in this district possesses full parental rights of access to the pupil and to information about the pupil, notwithstanding any separation of the parents or dissolution of their marriage. Accordingly and in the absence of notice to the contrary, the Board directs that school administrators accommodate the needs of both parents for access to their child, to their child's teachers, and to information about their child.

The Board's presumption of the equal rights and responsibilities of parents may be set aside only upon the presentation to the Superintendent of Schools of proper notice that custody of a pupil resides in only one parent and that the custodial rights of the other parent have been limited. When such notice is duly presented, the Superintendent of Schools will be directed by the terms of that notice to limit the access of the non-custodial parent to the child or to information about the child. Proper notice consists of the custodial parent's sworn affidavit or certification supported by a copy of the pertinent portion of a legal agreement or court order that awards

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custody and establishes the rights and limitations of the non-custodial parent or terminates the parental rights of the non-custodial parent.

Nothing in this policy shall be construed as limiting in any way the rights of the non-custodial parent whose parental rights have not been terminated to full access to his/her child's records and to full participation, in accordance with law, in the decisions regarding his/her handicapped child's evaluation, classification and placement.

Personal Property

Parents are requested not to permit their children to bring expensive or fragile objects to school and to label or otherwise identify clothing, books and personal items. The Board is not responsible for items destroyed or stolen.

School Violence Awareness Week and Annual Public Hearing

The school shall observe "School Violence Awareness Week". This week will include discussions, presentations, and training for both students and staff, focused on the topic of preventing violence in school. Law enforcement personnel will be invited to join school teaching staff presenting age appropriate opportunities for students to discuss issues including but not limited to conflict resolution, student diversity and tolerance.

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Legal References

- NJSA** 2C:7-2 et seq. Registration and Notification of Release of Certain Offenders
2C:39-5 Unlawful possession of weapons
18A:6-2 Instruction in accident and fire prevention
18A:16-2 Physical examinations; requirement
18A:17-42, -43 and -45 through -48 Public School Safety Law
18A:20-21 Supervisors and other employees
18A:35-5 Maintenance of physical training courses; features
18A:35-5.1 through -5.3 Lyme disease prevention; public school health curriculum
18A:36-24 through -25 Missing children; legislative findings and declarations...
18A:36-29 et seq. Voluntary fingerprinting ...
18A:40-12.1, -12.2 Protective eye devices required for teachers, pupils and visitors in certain cases ...
18A:41-1 et seq. Fire drills and fire protection
30:5B-26 through -29 Child care before and after school hours ...
34:5A-1 et seq. Worker and Community Right to Know Act
39:4-183.1a Traffic control devices
52:27D-123.9 et seq. Definitions relative to playground safety
- NJAC** 5:23-11 to 11.4 Playground Safety Subcode
6A:8-5.1 Graduation requirements
6A:16-1.1 et seq. Programs to Support Student Development
6A:19-10.1 et seq. Safety and Health Standards
6A:26-12.1 et seq. Operation and Maintenance of Facilities
6A:27-11.1 et seq. Safety
- Jerkins v. Anderson, 191 N.J. 285 (June 14, 2007)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1250, 1410, 3333/3010, 3516, 3530, 3541.33, 4112.4, 4131/4131.1, 4212.4, 4231/4231.1, 5020, 5113, 5124, 5125, 5131, 5131.5, 5131.6, 5131.7, 5141.1, 5141.2, 5141.4, 5141.21, 5145.12, 5142, 6114, 6142.12

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School Symbols, Colors

Policy 5144

Date Adopted: March 22, 2010

Date Revised:

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School Colors

Blue and Gold are the approved school colors. The school colors may be worn by pupils on certain occasions throughout the year after prior approval by the Principal.

School Symbol

The school mascot is the Jaguar.

Legal References

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

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Policy 5145.11

Date Adopted: September 20, 1995

Date Revised: March 22, 2010, December 18, 2014

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The Board of Education acknowledges that the law compelling school attendance vests in the Board a custodial responsibility for the pupils in its charge and a duty to protect those children from persons not associated with the school district.

The Board further recognizes that its interest in helping pupils understand and respect the law is best served by a close and cooperative relationship with local law enforcement agencies and directs the Superintendent of Schools to institute a program of such communication and cooperation.

In order to protect pupils' rights during the time they are under school control, the Principal/designee shall interview every person who wishes to question a pupil on school property during the school day. The Superintendent of Schools shall be informed of such incidents.

Law Enforcement Officers

- A. If the officer has an arrest warrant, the Principal/designee shall ensure that all procedural safeguards as prescribed by law are observed. No pupil shall be taken from the school without the knowledge of the Principal/designee. The Principal/designee shall make every reasonable effort to notify parent/guardians. The Superintendent of Schools shall be informed whenever such apprehensions take place.
- B. If the officer has a juvenile complaint or wants to question a pupil on school property, the Principal/designee shall request that the questioning be delayed if possible until the parents/guardians can be present. If the officer refuses and the Principal/designee is convinced that the situation justifies questioning, he/she must attempt to have the parents/guardians informed immediately and shall remain with the pupil during the questioning.
- C. The officer shall not be permitted to remove a pupil from the school building except that a legal warrant for such removal has been presented to the Administrator and that notification of such intention has been given to the parent.
- D. If the officer is an agent of the New Jersey Division of Child Protection and Permanency (DCP&P), formerly known as the Division of Youth and Family Services (DYFS), the agent shall determine whether the presence of a parent/guardian or school employee is appropriate.
- E. If the child is a victim or potential victim of abuse by the parent/guardian, then in that case, the parent/guardian shall not be notified.

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Private Persons

If a private person wishes to question a pupil on school property during the school day, generally parents/guardians shall be notified of the request and give their permission before the Principal/designee will permit the private person to question the pupil. In cases involving possible harm to another pupil that might be prevented by early information, the Principal/designee may permit such questioning if the parent/guardian cannot be reached. The Principal/designee shall be present during the questioning.

Substance Abuse Questioning by Staff

When questioning any pupil about possible possession, use or distribution of proscribed substances, drug paraphernalia, alcohol, firearms or other deadly weapons, staff shall follow the procedures adopted by the Board in compliance with administrative code.

Generally

The Superintendent of Schools shall notify the Board president when the police have sought to question a pupil in school, and the outcome of the incident. The district shall make every effort to establish close and cordial relationships with local law enforcement and other agencies, while ensuring that the parents/guardians are informed and pupil rights protected

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Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for Disclosure
2C:35-5 Comprehensive Drug Reform Act of 1986
18A:11-1 General mandatory powers and duties
- NJAC 6A:16-4.1 Adoption of policies and procedures for the intervention of student alcohol and other drug abuse
6A:16-5.1 et seq. School Safety
6A:16-6.1 et seq. Law Enforcement Operations for Substances, Weapons,
6A:32-7 et seq. Student records
- New Jersey Constitution, Article I, para. 7
U.S. Constitution, Amendment IV, V, XIV
The New Jersey School Search Policy Manual, New Jersey Attorney General (1998)
In re Gault, 387 U.S. 1 (1967)
A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials
NJ Department of Children & Families
Division of Child Protection & Permanency (Child Abuse Hotline
(1-877-NJ ABUSE)
Office of Advocacy 1-877-543-7864 or www.nj.gov/dcf

Possible Cross References

1410, 5114, 5131, 5131.6, 5131.7, 5145.12

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Search & Seizure

Policy 5145.12

Date Adopted: March 22, 2010

Date Revised: January 8, 2024

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School lockers remain the property of the district even when used by pupils. Lockers are subject to administrative search in the interests of school safety, sanitation, discipline, enforcement of school regulations and to search by law enforcement officials on presentation of a proper warrant. Pupils and their parents/guardians shall be informed of this policy when lockers are assigned.

A pupil's person and possessions may be searched by a school official provided that the official has reasonable grounds to suspect that the search will turn up evidence that the pupil has violated or is violating either the law or the rules of the school. Definition of Possessions include but are not limited to lockers, bags, computers, cell phones, or any/all other items in the student's possession. Under no circumstances shall a search be conducted based solely upon an anonymous tip and/or rumor that contraband is present. The extent or scope of the search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the pupil and the nature of the infraction. A physical search may only be conducted by a staff member of the same sex as the pupil. Before instituting such a search, except in cases of emergency, the Superintendent of Schools shall try to inform the parents/guardians and request their presence.

School personnel shall not conduct strip searches or body cavity searches of any pupils under any circumstances.

Searches for Controlled Dangerous Substances/Drug Paraphernalia /Alcohol/ Firearms/ Other Deadly Weapons

Searches conducted by staff when there is suspicion that laws and policies on safe and drug free schools are being violated shall be based on the reasonable grounds required by this policy. When law enforcement officials conduct the search, then more stringent grounds required by law must be applied.

Legal References

- NJSA 2A:4A-60 et al. Disclosure of juvenile information; penalties for disclosure
18A:11-1 General mandatory powers and duties
18A:36-19.2 Student lockers or other storage facility; inspection; notice to students
18A:37-6.1 Strip and body cavity searches prohibited
18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:16-6.1 et seq. Law Enforcement Operations for Substances, Weapons and Safety
State in interest of T.L.O., 94 NJ 33 (1983); New Jersey v. T.L.O., 469 U.S. 325, 53 (1985)
Vernonia School District v. Acton et ux., Guardians ad litem for Acton, US115 S.Ct. 238
Joye v. Hunterdon Central Regional High School Board of Education, Superior Court of New Jersey, Law Division Dkt. No. HNT-C-14031-00 (Jan. 4, 2001)
Board of Education of Independent School District No. 92 of Pottawatomie County et al. v. Earls et al., 536 U.S. (2002)
The New Jersey School Search Policy Manual, New Jersey Attorney General (1998)
A Uniform State Memorandum of Agreement Between Education and Law Enforcement

Possible Cross References

1410, 5114, 5131, 5131.6, 5131.7, 5145.11

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Equal Educational Opportunity

Policy 5145.4

Date Adopted: December 21, 1995

Date Revised: March 22, 2010, January 26, 2012,
May 22, 2014, June 25, 2015

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The district shall provide an equal opportunity for all enrolled children to achieve their maximum potential through the programs offered in these schools regardless of any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes. Enforcement of other district affirmative action policies (2224 and 6121) contribute to this legally required equality of educational opportunity.

Staff members shall maintain professional relationships with pupils at all times and develop wholesome and constructive relationships with them. Staff members shall be expected to regard each pupil as an individual and to accord each pupil the rights and respect that is due him/her.

Staff members shall promote a learning environment that encourages fulfillment of each pupil's potential in regard to his/her program, consistent with the district goals and with optimal opportunities for pupils. This goal may be reached by adapting instruction to individual needs, by:

- A. Insisting on reasonable standards of scholastic accomplishment for all pupils;
- B. Creating a positive atmosphere in and out of the classroom;
- C. Extending the same courtesy and respect that is expected of pupils;
- D. Treating all pupils with consistent fairness.

The Board of Education guarantees to all pupils equal access to all academic programs within the learning environment.

Pupils shall respect the rights of other pupils to receive an education in an environment that is conducive to learning and personal growth. No pupils shall have the right to abridge another pupil's right to privacy or right to hold personal beliefs that are different from those of the mainstream.

Harassment

The district's affirmative action program is part of each academic program regarding all pupils. No one – including pupils, staff members, vendors, volunteers, or visitors – shall commit an act of harassment/discrimination of any kind against any member of the school community on any grounds prohibited by law.

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Harassment is defined as a repeated pattern of unprovoked aggressive behaviors of a physical and/or psychological nature carried out by an individual or a group against an individual or group with the effect of causing harm or hurt. Harassing behaviors are all those behaviors that are unwelcome, unwanted and uncomfortable in the view of the recipient. They all have the effect of creating a hostile environment.

Harassment may be claimed by a third party. That is, individuals who are not directly involved in the behavior may experience a hostile environment. They shall have the same legal rights to act under this policy as those directly victimized.

Sexual Harassment

Particularly, the Board of Education shall maintain an academic environment that is free from sexual harassment.

Sexual harassment shall consist of unwanted and unwelcome sexual advances, requests for sexual favors, and other inappropriate conduct or communication of a sexual nature when made by any staff member to a pupil, by any pupil to another pupil, or by any pupil to a staff member when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of a pupil's evaluation, promotion, opportunities, privileges and other benefits of education;
- B. Submission to or rejection of such conduct by a pupil is used as a basis for decisions affecting the pupil;
- C. Such conduct has the purpose or effect of interfering with a pupil's academic performance or creating an intimidating or hostile educational environment.

The Administration will inform all pupils that sexual harassment is prohibited in the educational setting. Specifically, no person employed by the district or by a vendor, or acting in a voluntary capacity, shall threaten or insinuate, either directly or indirectly, that a pupil's refusal to submit to sexual advances will adversely affect the pupil's standing in the school setting. Pupils are forbidden to harass other pupils or staff members or vendors or volunteers through conduct or communications of a sexual nature within the school setting.

Any member of the student body may file a formal grievance related to sexual harassment. The Affirmative Action Officer will receive all complaints and initiate a thorough investigation and will protect the rights of both the pupil making the complaint and the alleged harasser. Filing of a grievance or otherwise reporting sexual harassment will not affect the individual's status, future grades, and/or class assignments.

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Findings of discrimination in the form of sexual harassment will result in appropriate disciplinary action.

Procedures shall be made available for pupils and/or parents/guardians who wish to file a grievance protesting alleged discriminatory or sexually (or other) harassing action. An immediate report of the allegation should be made to the Affirmative Action Officer and/or Superintendent/Principal.

Violations of this policy or its related procedures shall be cause for disciplinary action.

Service Animals

In accordance with the provisions of P: 2011, C. 156, S.2, individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of the school facilities where members of the community, participants in services, programs or activities, or invitees, as relevant, are allowed to go, including, but not limited to school buildings, classrooms, on school buses, and on school grounds.

The administration may inquire as to whether the service animal is required due to a disability and what task or work the service animal has been trained to perform, unless the student's disability and the work or task that the service animal will perform are readily apparent. Administrators may require certification from a veterinarian that the service animal is properly vaccinated and does not have a contagious disease that may harm students or as well as documentation that any license required by the municipality in which the student resides has been obtained for the service animal.

All such service animals shall be under a handler's control at all times by use of a leash, tether, voice control, signal, or other suitable means. The school shall not be responsible or liable for the care or supervision of the service animal. The school shall provide reasonable accommodations to allow the handler to provide for the care and feeding of the service animal while on school grounds or at a school function.

Implementation

The Superintendent/Principal shall direct development of procedures regarding the implementation of this policy to include sanctions, protection of individual rights to confidentiality and due process, and notification procedures. The Superintendent/Principal shall ensure that, annually, all staff and pupils (in means and terms that are age-appropriate) be thoroughly informed of this policy, their rights to file grievances under this policy and the law and procedures relative to filing. Further, all staff and pupils shall be informed annually of the identity of the district's Affirmative Action Officer and how he/she may be contacted.

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The Superintendent/Principal shall also ensure that staff and pupils participate in educational programs relating to this policy and the maintenance of an educational environment.

Legal References

- NJSA 2C:16-1 Bias Intimidation
10:5-1 et seq. Law Against Discrimination
18A:36-20 Discrimination; prohibition
18A:38-5.1 No child to be excluded from school because of race, etc.
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:16-6.3(e) Reporting students or staff members to law enforcement Authorities
6A:17-1.1 et seq. Students At-Risk of Not Receiving a Public Education
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
6A:32-14.1 Review of mandated programs and services
- Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
State v. Mortimer, 135 N.J. 517 (1994)
20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972
20 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
20 U.S.C.A. 1400 et seq. - Individuals with Disabilities Education Act (formerly Education for All Handicapped Children Act)--Part B
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100-297)
Saxe v. State College Area School Dist., 240 F. 3d 200 (3d Cir. 2001)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
L.W. v. Toms River Regional Schools Board of Education, N.J., No. A-111-05 (Feb. 22, 2007), 2007 N.J. LEXIS 184.
Manual for the Evaluation of Local School Districts
Comprehensive Equity Plan, New Jersey State Department of Education
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Photographing / Taping Pupils

Policy 5145.5

Date Adopted: March 27, 1996

Date Revised: March 22, 2010, December 18, 2014

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Taking pictures of district pupils and buildings for commercial purposes is prohibited without written approval of the Superintendent of Schools.

“Commercial purposes” in this context is defined to mean for sale or for use in connection with the advertisement or promotion of goods or services.

“School pupils” in this context means boys and girls enrolled in the school during that part of the day they are at school, on the school grounds, or engaged in any activity under the direction and supervision of the school.

Pictures of children with educational disabilities shall not be disseminated in any way unless written permission is granted by parents/guardians. Photos of children placed in the district by the New Jersey Division of Child Protection and Permanency (DCP&P), formerly known as the Division of Youth and Family Services (DYFS) shall not be published without permission of the division caseworker.

Photographs on the District Web Site

Pictures of district pupils shall not be posted on the web site, except under the following conditions:

- A. Prior written permission has been obtained from the pupil’s parent/guardian or from the adult pupil;
- B. Group photographs may identify the group, but not the individuals in the group;
- C. Prior written permission has been obtained from the pupil’s parent/guardian, if the pupil is receiving an award or special recognition.

Television/Videotaping by School Personnel

- A. The Fairfield Township Public Schools will participate in a system-wide program of television and videotape production.
- B. All television/videotape productions must be approved by the Superintendent of Schools or his/her designee before they may be show to outside sources.
- C. Teachers, Principals or supervisors desiring to videotape a program must submit a complete request to the Superintendent of Schools.

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- D. The Principal will be responsible for making necessary arrangements with the individual submitting the request to schedule equipment and materials. It is recommended that videotaping be accomplished by members of the building staff. When possible, assistance will be rendered by the Principal.
- E. The Principal will store all program productions designed and produced for distribution.

Television/Videotaping by Nonschool Personnel

Nonschool personnel wishing to record on tape or film any school activity must obtain prior approval from the Superintendent of Schools/designee.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:36-35 Disclosure of certain student information on internet prohibited without parental consent

NJ Department of Children & Families
Division of Child Protection & Permanency (Child Abuse Hotline
(1-877-NJ ABUSE)
Office of Advocacy 1-877-543-7864 or www.nj.gov/dcf

Possible Cross References

1100, 1110, 1120, 1140, 1250, 1320, 5125, 5141.4, 6171.4

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Pupil Grievance Procedure

Policy 5145.6

Date Adopted: December 10, 1985

Date Revised: October 23, 2008, March 22, 2010

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The district shall establish procedures for the consideration of pupil problems and for the processing of their complaints and appeals. These procedures should be developed through the cooperative efforts of pupils, faculty and administrators. The Superintendent of Schools shall establish and maintain procedures for appeals beyond the decision of the Superintendent of Schools. Details of those procedures should be made known to pupils and staff, and pupils who wish to use them should be assured of access to the appropriate personnel within a reasonable period of time.

Legal References

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

- NJAC 6A:16-7.1 Code of student conduct

Possible Cross References

1251, 1312, 5113, 5114, 5145.4

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Gender Identity And Expression

Policy 5145.7

Date Adopted: November 12, 2020

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GENDER IDENTITY AND EXPRESSION

The board of education believes that a school culture that supports student achievement, respects the values of all students and fosters understanding of gender identity and expression within the school community is a safe learning environment. New Jersey law and district policy require that all programs, activities, and employment practices be free from discrimination based on sex, sexual orientation, gender identity or gender expression. Therefore, in keeping with these mandates the board is committed to creating a safe learning environment for all students and to ensuring that every student has equal access to all school programs and activities.

The board believes that fostering this understanding successfully requires cooperation and good communication between the parents/guardians, school administration, school staff and the school community. The chief school administrator shall ensure that students with gender identity or expression concerns and their parents/guardians shall be given the opportunity to discuss these issues and participate in the educational planning and programming for their student. The chief school administrator may consult the experiences and expertise of qualified school staff as well as external resources where appropriate.

To proactively plan for a safe learning environment free of discrimination and harassment, students and parents/guardians of students with gender identity and expression concerns are encouraged to alert the school district and schedule a meeting with the chief school administrator. Upon request, the chief school administrator shall schedule a meeting with the parent/guardian and the student for the purpose of evaluating the needs of the student and planning any accommodations that may be considered to facilitate a respectful and comfortable school program that supports the student's achievement.

Definitions:

- A. "Gender identity" is a person's internal, deeply held sense of gender. All people have a gender identity, not just transgender people. For transgender people, the individual's internal gender identity is not the same as the gender assigned at birth.
- B. "Transgender" is a term which describes an individual whose gender identity and/or gender expression differs from those typically associated with the sex and gender assigned at birth.
- C. "Gender expression" means external manifestations of gender, expressed through a person's name, pronouns, clothing, haircut, behavior, voice, and/or body characteristics. Society identifies these cues as masculine and feminine, although what is considered masculine or feminine changes over time and varies by culture.
- D. "Assigned sex at birth (ASAB)" refers to the biological sex designation recorded on a person's birth certificate upon the initial issuance of that certificate, should such a record be provided at birth.
- E. "Gender assigned at birth" refers to the gender a child is assigned at birth or assumed to be, based on their biological sex assigned at birth.
- F. "Sexual orientation" describes a person's enduring physical, romantic, and/or emotional attraction to another person. Gender identity and sexual orientation are not the same. A transgender person may be straight, lesbian, gay, bisexual, or asexual. For example, a person who transitions from male to female and is attracted solely to men may identify as a straight woman.
- G. "Gender non-conforming" describes a person whose gender expression does not conform to the gender expectations of their family or community. Gender nonconformity is not necessarily an indication that a youth is transgender; many non-transgender youth do not conform to stereotypical expectations.

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- H. “Transition” is the process by which a transgender person recognizes that their authentic gender identity is not the same as the gender assigned at birth, and develops a more affirming gender expression that feels authentic. Some individuals socially transition, for example, through dress, use of names and/or pronouns. Some individuals may undergo a physical transition, which might include hormone treatments and surgery. School district personnel should avoid the phrase “sex change,” as it is an inaccurate description of the transition process; the process is more accurately described as “gender-confirming.”
- I. “LGBTQ” is an acronym for “lesbian, gay, bisexual, transgender, and queer/questioning.”
- J. “Gender expansive/gender diverse/gender fluid/gender non-binary/a gender/gender queer” are terms that convey a wider, more flexible range of gender identity and/or expression than typically associated with the binary gender system. For example, students who identify as gender queer or gender fluid might not identify as boys or girls; for these students, the non-binary gender identity functions as the student’s gender identity.
- K. “Cisgender” refers to individuals whose gender identity, expression, or behavior conforms with those typically associated with their sex assigned at birth.

Harassment, Intimidation and Bullying

The board shall make every effort to maintain a safe and supportive learning and educational environment that is free from harassment, intimidation, and/or bullying and free from discrimination on account of actual or perceived race, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, nationality, atypical hereditary cellular or blood trait of any individual, genetic information, or refusal to submit to a genetic test or make the results of a genetic test known, disabilities, social or economic status, pregnancy, childbirth, pregnancy-related disabilities, actual or potential parenthood, family status or other distinguishing characteristic.

Complaints alleging discrimination shall be reported to the school affirmative action officer according to board policies (2224, 4111.1/4211.1 and 6121 Nondiscrimination/Affirmative Action).

Any student experiencing or observing harassment, intimidation and bullying is encouraged to report the incident to a member of school staff. Any staff member observing or receiving a report of harassment, intimidation or bullying shall report the incident to the principal the same day the incident is observed or the report received according to board policy 5131.1 Harassment, Intimidation and Bullying. All reported incidents of discrimination, harassment, intimidation, and bullying shall be promptly investigated and resolved according to law and board policy.

During a harassment, intimidation, or bullying investigation the district is obligated to implement procedures, pursuant to law (N.J.A.C. 6A:16-7.7(a)2viii) to report, verbally and in writing, an act of harassment, intimidation, and bullying (HIB) committed by an adult or youth against a student. The anti-bullying specialist shall inform the student of the school’s obligation to report the findings of the HIB investigation pursuant to law (N.J.S.A. 18A:37-15(d)) and board policy 5131.1 Harassment, Intimidation and Bullying. In accordance with law and board policy the parents or guardians of the students who are parties to the investigation are permitted to receive information about the investigation limited to the nature of the investigation, whether the district found evidence of harassment, intimidation, or bullying, or whether disciplinary action was imposed or services provided to address the incident of harassment, intimidation, or bullying.

The anti-bullying specialist shall take into account the circumstances of the incident when providing notification to parents or guardians of all students involved in the reported harassment, intimidation, or bullying incident and when conveying the nature of the incident, including the actual or perceived protected category motivating the alleged offense, pursuant to law (N.J.A.C. 6A:16-7.7(a)2viii(2)).

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Confidentiality and Privacy

School personnel may not disclose information that may reveal a student's transgender or gender non-conforming status, except as allowed by law. Under the Family Education Rights and Privacy Act (FERPA), only those school employees with a legitimate educational need may have access to a student's records or the information contained within those records. Disclosing confidential student information to other employees, students, parents, or other third parties may violate privacy laws, including but not limited to FERPA. Transgender students have the ability, as do all students, to discuss and express their gender identity and expression openly and decide when, with whom, and how much of their private information to share with others. The school counselor shall work with the student to create an appropriate confidentiality plan regarding the student's transgender or transitioning status.

The board shall not be responsible for the disclosure of information that may reveal a student's transgender or gender non-conforming status made by community members or any other party that are not under the employment or direction of the board. The board directs the counseling staff to address the limitations of confidentiality with the student as it pertains to community members and other parties that are not under the employment or direction of the board.

Due to a specific and compelling need, such as the health and safety of a student or an incident of bias-related crime, a school district may be obligated to disclose a student's status. The school district should inform the student that the school intends to disclose the student's transgender status for the student's protection and well-being. Prior to disclosure, the student should be given the opportunity to personally disclose that information. School districts should make every effort to ensure that any disclosure is made in a way that reduces or eliminates the risk of re-disclosure and protects the transgender student from further harassment. Those measures may include the facilitation of counseling for the student and the student's family to facilitate the family's acceptance and support of the student's transgender status.

School personnel shall keep confidential a current, new, or prospective student's transgender status. When a student uses a chosen name, the student's birth name shall be kept confidential by school and district staff.

Students who do not want their parents/guardians to know about their transgender status shall be addressed on a case-by-case basis. In some cases, notifying parents/guardians carries risks for the student, such as being kicked out of the home. Prior to notification of any parent or guardian regarding the transition process, school staff should work closely with the student to assess the degree to which, if any, the parents/guardians will be involved in the process and must consider the health, well-being, and safety of the transitioning student. The school counselor shall balance the rights of the student needing support and the requirement that parents/guardians be kept informed about their child. In accordance with law, parents/guardians and/or the appropriate local officials shall be informed when there is any suspicion of injury or harm to the student or other students.

Coordination of School Accommodations

In planning appropriate accommodations for a student who is transitioning, the chief school administrator, parents/guardians and the student and other qualified staff or consultants as necessary shall meet to discuss actions that the district and school personnel may take to create safe learning environment, including:

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A. Names/Pronouns

School staff shall be directed to address the student by the name and pronoun corresponding to their gender identity that is consistently asserted at school. Students are not required to obtain a court ordered name and/or gender change or to change their pupil personnel records as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity. To the extent possible and consistent with these guidelines, school personnel shall make efforts to maintain the confidentiality of the student's transgender status.

School documentation such as student IDs shall be issued in the name that reflects a student's gender identity that is consistently asserted at school.

B. Sports and Physical Education

Transgender students shall be provided the same opportunities to participate in physical education as are all other students. Generally, students may be permitted to participate in physical education and sports in accordance with the student's gender identity that is consistently asserted at school. Participation in competitive interscholastic athletic activities will be resolved on a case-by-case basis and according to the standards established by the New Jersey State Interscholastic Athletic Association (NJSIAA).

C. Restroom and Locker Room Accessibility

The district aims to support transgender students while also ensuring the safety and comfort of all students. The chief school administrator together with the parents/guardians, student and other qualified staff or consultants shall evaluate options for the use of restrooms and locker rooms by the transgender students and consider the following factors, including, but not limited to:

1. The transgender student's preference;
2. Protecting student privacy;
3. Maximizing social integration of the transgender student;
4. Minimizing stigmatization of the student;
5. Ensuring equal opportunity to participate;
6. The student's age; and
7. Protecting the safety of the students involved.

Generally, students may have access to the restroom or locker room that corresponds to the gender identity or expression that they consistently assert at school and no student shall be forced to accept an accommodation with which he/she disagrees. A transgender or transitioning student who expresses a need or desire for increased privacy may be provided with reasonable alternative arrangements. Reasonable alternative arrangements may include the use of a private area, or a separate changing schedule, or use of a single stall, gender neutral restroom. Any alternative arrangement shall be provided to the extent possible in a way that protects the student's ability to keep his or her transgender status confidential.

A transgender student should not be required to use a locker room or restroom that conflicts with the student's gender identity or expression consistently asserted at school.

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D. Gender Segregation in Other Areas

As a general rule, in any other circumstances where students are separated by gender in school activities (i.e. overnight field trips), students may be permitted to participate in accordance with the gender identity or expression consistently asserted at school. Activities that may involve the need for accommodations to address student privacy concerns will be addressed on a case-by-case basis considering the factors set forth above.

E. Dress Code

Students have the right to dress in accordance with their gender identity or expression that is consistently asserted at school, within the constraints of the school policy for student dress (5132 Student Dress). School staff shall not enforce a school's dress code more strictly against transgender and gender nonconforming students than other students.

F. Privacy

The chief school administrator and/or his or her designees are expected to work closely with the student and his or her parents/guardians in formulating an appropriate plan regarding the confidentiality of the student's transgender or transitioning status that works for both the student and the school. Privacy considerations may also vary with the age of the student.

Where the transgender or transitioning student feels more supported and safe when other students are aware that they are transgender or transitioning, school staff shall be given guidance and training appropriate for facilitating a respectful school climate. School personnel may be directed to work closely with the student, parents/guardians, other family members and other staff members on a plan to inform and educate the student's peers. It may also be appropriate to engage external resources to assist with educational efforts.

Resources for Transgender or Transitioning Students

If a school staff member observes that a gender identity issue is creating challenges for a student at school or if a student indicates an intention to transition, the staff member shall alert the school counselor and encourage the student to meet with the school counselor if appropriate. School staff shall make every effort to support the student and encourage the support and respect of student peers and staff during school.

When a student indicates an intention to transition, the school counselor, as appropriate, shall offer assistance and provide the student, and/or their parents/guardians as appropriate, with information, resources and referral services regarding the issues associated with gender identity and expression and/or formal gender transition. The school counselor shall also provide information regarding gender transition planning at school. The counselor shall coordinate the measures planned and taken at school for supporting the student and creating a sensitive supportive environment at school. These measures may include:

- A. Making resources available to parents/guardians who have additional questions or concerns;
- B. Developing age-appropriate lessons for students about gender diversity and acceptance; and
- C. Staff training surrounding vigilance to prevent possible harassment, intimidation and bullying issues that may arise for transgender or transitioning students.

Reports of harassment, intimidation and bullying shall be promptly investigated and resolved according to board policy 5131.1 Harassment, Intimidation and Bullying.

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Official Records

When a student has expressed a preference to be called by a name other than their birth name, the permanent student records containing the student's birth name shall be kept in a separate, confidential file. This file shall only be shared with appropriate school staff after consultation with a student. A separate file containing records bearing the student's chosen name may also be kept.

If the student has previously been known at school or in school records by a birth name, the principal shall direct school personnel to use the student's chosen name and not the student's birth name. To ensure consistency among teachers, school administrators, substitute teachers and other staff, every effort shall be made to immediately update student education records (for example, attendance records, transcripts, individualized education programs, etc.) with the student's chosen name and gender pronouns, consistent with the student's gender identity and expression, and not circulate records with the student's birth name, unless directed by the student:

- A. The district shall report to the New Jersey Department of Education through NJ SMART a student's name or gender based upon that student's chosen name and corresponding gender identity. Changing the name or gender identity from what was reported in previous years will not affect the reliability of the data reported;
- B. If a district changes a student's name or gender identity, it must also maintain locally a separate record reflecting the student's legal name and sex assigned at birth until receipt of documentation of a legal change of name or gender.

The separate record reflecting the student's legal name and sex assigned at birth may be changed to reflect a change in legal name or gender only upon receipt of documentation that such legal name and/or gender have been changed pursuant to applicable law. The following documentation may be provided:

- A. A court order or birth certificate demonstrating the student's new name;
- B. For a legal change of gender, the student must provide a birth certificate indicating the student's legal gender, or a valid passport indicating the student's legal gender.

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Gender Identity, Transgender, Gender Expression, Gender Non-conforming

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Nonpublic School Pupils

Policy 5200

Date Adopted: August 28, 2003

Date Revised: March 22, 2010

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New Jersey Statutes and Regulations of the State Board of Education require the Board of Education to provide certain services and supplies to those New Jersey children whose parents enroll them in nonpublic schools within the confines of the district. Out-of-state pupils enrolled in nonpublic schools within the district are not included.

Nursing Services

The Board of Education shall, within the funding limitations as determined by the state's appropriations and nonpublic school enrollment, provide the mandated nursing services for pupils enrolled full-time in nonpublic schools located within the district. The district shall not be required to make expenditures for purposes of this act in excess of the amount of state aid received for these purposes.

Federal Requirements

All requirements of federal law shall be obeyed, particularly those addressed in provision of Title 1 program services, and IDEA.

Implementation

Therefore, the Superintendent of Schools shall develop rules, regulations and procedures for the efficient and economical delivery of such services and supplies as are mandated by law. Wherever possible, already existing means and procedures for delivering those same supplies and services to the pupils attending the district's public school shall be utilized.

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Legal References

NJSA 18A:39-1 et seq. Transportation [To and From Schools] of pupils
18A:40-3.2 et seq. Medical and Nursing Personnel
18A:40-23 et seq. Nursing Services for Nonpublic School Pupils
18A:40A-1 et seq. Substance Abuse
18A:46-19.1 et seq. Remedial services for handicapped children in nonpublic schools ...
18A:46A-1 et seq. Auxiliary services (nonpublic school pupils)
18A:58-37.3 Purchase and loan of textbooks

NJAC 6A:14-1.1 et seq. Special Education
6A:14-6.1 et seq.
6A:16-1.4(a)9 District policies and procedures
6A:16-2.5 Nursing services to nonpublic school students
6A:23-6.1(b) Eligibility
6A:23-6.2 Responsibility of the district board of education
6A:27-2.1 et seq. Nonpublic School Transportation
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

20 U.S.C.A. 1400 et seq. - Individuals with Disabilities Education Act
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1998
of 1988 (P.L. 100-297)
Agostini v. Felton, 521 U.S. 203 (1997), overruling Aguilar v. Felton, 473 U.S. 402 (1985)
Mitchell v. Helms, No. 98-1648, 2000 U.S. Lexis 4485 (June 28, 2000) U.S.
(June 28, 2000)
Parents for Student Safety, Inc. v. Board of Education of the Morris School District,
1986 S.L.D. (February 5), St. Bd. rev'g 1984 S.L.D. (August 24)

Possible Cross References

6171.3, 6171.4

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Student Identification Cards

Policy 5517

Date Adopted: March 9, 2023

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The Board of Education recognizes school building security measures are important for the safety and welfare of all students, staff, parents, and community members in school buildings. In recognizing this important responsibility, the Principal or designee may require students to carry a school district issued Identification Card.

An Identification Card will be issued to 7th and 8th grade students.

The Identification Card shall have printed on the back the telephone number for the New Jersey Suicide Prevention Hopeline (NJ Hopeline) and contact information for a crisis text line pursuant to N.J.S.A. 18A:6-113.1. The district may, in addition to the telephone number for the NJ Hopeline and contact information for a crisis text line, provide the contact information for the National Suicide Prevention Lifeline, a school district crisis center, or any other mental health support services pursuant to N.J.S.A. 18A:3B-73.2.

The Principal or designee may require a 7th or 8th grade student to present their Identification Card at any time during the school day or at any time during a school-sponsored activity on school grounds.

Notwithstanding any provision of this Policy, the Principal or designee may also require students carry their Identification Card at any school-sponsored, off-campus activity, including but not limited to, field trips or interscholastic sports programs pursuant to N.J.S.A. 18A:36-43a. The provisions of this Policy shall not be construed to require a student to carry the Identification Card while participating in an athletic contest or competition, an activity involving fine arts or performing arts, or any other activity that the Commissioner of Education determines does not require the physical possession of an Identification Card. An Identification Card used in accordance with N.J.S.A. 18A:36-43a shall include, but need not be limited to, the following information: the student's name; an up-to-date photograph; and the current school year.

Any student who fails to have the Identification Card in their possession or fails to present it when required may be denied access to an event or activity and may be subject to appropriate discipline.

An Identification Card issued in accordance with this Policy shall not be considered a government record pursuant to P.L. 1963, c.73 (N.J.S.A. 47:1A-1 et seq.), P.L. 2001, c.404 (N.J.S.A. 47:1A-5), or the common law concerning access to government records.

N.J.S.A. 18A:3B-73.2; 18A:6-113.1; 18A:36-43

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Goals & Objectives

Policy 6010

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education accepts the responsibility for coordinating the available resources of home, school and community in a mutual effort to guide every pupil's growth towards becoming a self-respecting individual who can effectively function politically, economically and socially in a democratic society.

The Board is dedicated to ensuring that all students in the district are provided with the necessary skills and competencies for achievement of the Core Curriculum Content Standards

The Board believes New Jersey state goals should be applicable for every child in the school district.

- A. All children should start school ready to learn.
 1. Quality preschool opportunities shall be provided for all children, through collaboration between public school and community agencies.
 2. Parent education programs shall be designed and implemented by the district to assist parents in providing readiness experiences for their preschool children.
- B. Pupils shall demonstrate competency in challenging subject matter including reading, writing, mathematics, science and social studies (civics, history and geography), health, physical education, world languages, and fine practical and performing arts.
 1. The district shall provide least restrictive, alternative programs for pupils who cannot succeed in the regular school environment, including those students with disabilities.
 2. The district shall provide dropout prevention programs for pupils at risk.
 3. The district shall implement the state-approved Core Curriculum Content Standards and utilize assessments to enable pupils to succeed and to evaluate their performance.
 4. The district shall provide staff development opportunities to ensure that teachers are adequately equipped to teach challenging and up-to-date subject matter and to implement effective teaching techniques. It shall monitor teaching staff members' progress toward achievement of the required 100 clock hours of continuing education to ensure that they are obtaining and maintaining the skills to help all students achieve the Core Curriculum Content Standards.
- C. Pupils shall learn to use their minds well, so that they may be prepared for responsible citizenship, further learning, and productive employment in our modern economy.
 1. The district shall provide students with experiences in higher level thinking, information processing, the responsibilities of citizenship, and employability skills.
 2. All pupils shall demonstrate competency in the skills identified in the cross-content workplace readiness standards.
 3. All pupils shall demonstrate respect for racial, cultural, ethnic and religious diversity.
 4. The district shall revise its curricular offerings according to state standards as they are developed.

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5. The district shall provide staff training in the teaching of mathematics and science at grades pre-K-8 to increase teachers' understanding of and ability to teach these subjects.
- D. The school shall be free of drugs and violence and offer a safe, disciplined environment conducive to learning.
1. The district shall develop partnerships with parents to establish the responsibilities of each to create and maintain safe and healthy educational environments for all pupils.
 2. The district shall provide programs and staffing to deal with pupils at risk.
 3. The school and community shall expand their cooperative efforts to create drug and violence-free environments.
 4. All students shall develop a positive view of self and learn to use effective interpersonal skills.

Legal References

NJSA 18A:7A-10 Evaluation of performance of each school
18A:7C-2 Boards of education; establishment of standards
18A:7F-1 through -34 Comprehensive Education Improvement and Financing Act
18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:35-1 et seq. Curriculum and Courses

NJAC 6A:8-1.1 et seq. Standards and Assessment
6A:9-15.1 et seq. Required Professional Development for Teachers
6A:23-1.1 et seq. Finance and Business Services
6A:26-1.1 et seq. Educational Facilities
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
6A:32-12.1 Reporting requirements
6A:32-12.2 School-level planning

No Child Left Behind Act of 2001, Pub. L. 107-110
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1100, 1120, 1230, 1600, 2131,2240, 3542, 4010, 4131/4131.1, 5113, 5120, 5124, 3011, 6140, 6141, 6142, 6145, 6147, 6152, 6156, 6160, 6162.4, 6164.2, 6164.4, 6171.1, 6171.4, 6300

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Implications of the HSPA

Policy 6010.1

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education recognizes that all students who attend the district schools will one day be exposed to the High School Proficiency Assessment.

The Superintendent of Schools is therefore directed to make every effort to have the teaching staff prepare students of this district for this educational test through procedures such as:

- Arrange and attend articulation meetings with the high school to obtain feedback on the needs of district students.
- Examine NJ Department of Education documentation that delineates the successes and weaknesses of district students in order to make and recommend improvements to the district curriculum.
- Insure that the information distributed by the NJ Department of Education dealing with curriculum offerings for success in the HSPA is incorporated in the district curriculum.
- Expedite and coordinate meetings and work sessions of our upper grade teaching staff members and those of the high school in the areas of reading, mathematics and writing.

Through these and other methods, the Board of Education hopes to prepare every student in the District for successful completion of the HSPA requirements.

Legal References

NJAC 6A:8-4.1 et seq Statewide assessment system
6A:8-5.1 Graduation requirements
6A:14-3.7 Individualized education program

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

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School Level Planning

Policy 6010.2

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education recognizes the statutory mandates for a school level planning process that involves parents/guardians and staff members in identifying school needs, establishing performance objectives and monitoring progress toward those objectives.

School Report Card

The Board directs the compilation, no later than the date specified by statute, of a profile of the school that includes as a minimum the statistical information specified by the NJ State Department of Education.

The School Report Card for the school shall be made available to the staff members and the parents/guardians of pupils enrolled in the school. The profiles of the school shall be made available to the media and to members of the public at a public meeting of the Board.

School Based Planning Team

A planning team shall be established and shall be responsible for the development and implementation of the school-level plan.

The planning team shall be comprised of the Superintendent of Schools, teaching staff members, community members and parents/guardians of pupils enrolled in the school.

Teacher, community member and parent/guardian representation shall be voluntary.

The school planning team shall review the school report card and other relevant school planning materials necessary to its work, subject to limitations on access to pupil records established by law and Board policy.

Legal References

NJAC 6A:8:4.4 Annual review and evaluation of school districts
6A:32-12.1 Reporting requirements
6A:32-12.2 School-level planning

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

Possible Cross References

6010, 5124, 6147, 6300

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Parental Involvement in Title I Program

Policy 6015

Date Adopted: September 26, 2013

Date Revised: April 12, 2018

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As a school district that receives Title I funds, the Board of Education shall implement programs, activities and procedures for the involvement of parents/guardians in programs assisted by Title I funding. The district will reserve not less than one percent of its allocation under Subpart 2 to carry out these requirements, (unless the district's allocation is \$5,000 or less), which shall include promoting family literacy and parenting skills. Parents/guardians of pupils receiving Title I services shall be involved in the decisions regarding how funds will be allotted for parental involvement activities.

The district shall distribute this parental involvement policy that describes the means for carrying them out. Parents/guardians will be notified of this policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. This policy shall be made available to the local community and updated periodically to meet the changing needs of parents/guardians and schools within the district.

"Parent", for the purposes of this policy, means a parent and/or legal guardian. "School", for the purposes of this policy, is a specific school in a Target Assistance Title I program or schools within the district in a school-wide Title I program.

Each school served with Title I funds will:

- Convene an annual meeting, at a convenient time, to which all parents of participating pupils shall be invited and encouraged to attend, to inform parents of their school's participation and the requirements of this policy, and the right of the parents to be involved;
- Offer a flexible number of meetings, such as meetings in the morning or evening, and may provide, with Title I funds, transportation, child care, or home visits, as such services relate to parental involvement;
- Involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs, including the planning, review, and improvement of the school parental involvement policy and the joint development of the school-wide program plan.

Provide parents of participating pupils:

- Timely information about programs;

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- A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and
- If requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible; and,
- Submit any parent comments on the plan when the school makes the plan available to the Board of Education, if the school-wide program plan is not satisfactory to the parents of participating pupils,

Shared Responsibilities For High Student Academic Achievement

Each school served by Title I funds shall jointly develop with parents of all pupils served with Title I funds, a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the state's high standards. The compact will:

1. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the pupils served by Title I funds to meet the state's student academic achievement standards, and the ways in which each parent will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, and television watching; volunteering in their child's classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time; and
2. Address the importance of communication between teachers and parents on an ongoing basis through, at a minimum:
 - a) parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as the compact relates to the individual pupil's achievement;
 - b) frequent reports to parents on their children's progress; and
 - c) reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities.

Building Capacity For Involvement

To ensure effective involvement of parents and to support a partnership among the school(s) involved, parents, and the community to improve student academic achievement, each school and school district assisted with Title I funds:

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1. Shall provide assistance to parents of pupils served by the school in understanding such topics as the state's academic content standards and state student academic achievement standards, state and local academic assessments, the requirements of this policy, and how to monitor a child's progress and work with educators to improve the achievement of their children;
2. Shall provide materials and training to help parents to work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parental involvement;
3. Shall educate teachers, pupil services personnel, Building Principals, and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the school;
4. Shall, to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents to more fully participate in the education of their children;
5. Shall ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand;
6. May involve parents in the development of training for teachers, Principals, and other educators to improve the effectiveness of such training;
7. May provide necessary literacy training from Title I funds if the school district has exhausted all other reasonably available sources of funding for such training;
8. May pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;
9. May train parents to enhance the involvement of other parents;
10. May arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend such conferences at school, in order to maximize parental involvement and participation;
11. May establish a district-wide parent advisory council to provide advice on all matters related to parental involvement in Title I programs;
12. May develop appropriate roles for community-based organizations and businesses in parent involvement activities; and
13. Shall provide such other reasonable support for parental involvement activities under this policy as parents may request.

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Parental Involvement in Title I Program

Policy 6015

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Accessibility

In carrying out the parental involvement requirements of this policy, the school and school district, to the extent practicable, shall provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, to include providing information and school reports required in a format and, to the extent practicable, in a language such parents understand.

The district will inform parents of any parental information and resource centers that provide training, information, and support to parents and individuals who work with local parents, school districts, and schools receiving Title I funds.

The Superintendent of Schools will submit this policy to the New Jersey Department of Education for review.

Legal References

NJSA 18A:35-4.9 Pupil promotion and remediation; policies and procedures
18A:59-1 through -3 Apportionment and distribution of federal funds; exceptions

NJAC 6A:8-4.1 et seq Statewide assessment system
6A:8-5.1 Graduation requirements
6A:14-3.7 Individualized education program
6A:32-14.1 Review of mandated programs and services

42 U.S.C.A. 2000d - 2000d4 - Title VI of the Civil Rights Act of 1964
Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (P.L. 100-297)
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3220/3230, 3514, 5120, 5200, 6122, 6141, 6142.2, 6142.6, 6171.1, 6171.4

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Programs of Study

Policy 6100

Date Adopted: March 31, 2010

Date Revised:

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Programs of study made available to the pupils of the school system must be approved by the Board of Education. It shall be the responsibility of the Administrative Staff to supervise, regulate, and recommend any changes in courses of study to keep the educational program at maximum effectiveness, in full accordance with statutory requirements and the basic philosophy of education of the Board of Education – that of providing a balanced program and providing a thorough and efficient education.

The Superintendent of Schools shall keep the Board of Education informed of changes of objectives, general content, and basic text materials and shall keep abreast of accepted current educational programs and teaching methods.

The Child Study Team is responsible for developing an Individualized Education Program for each educationally handicapped pupil in accordance with 6:28-1.7. This program must be reviewed annually.

Legal References

- NJSA 18A:4-25 Prescribing minimum courses of study for public schools; approval of courses of study
18A:29A-1 et seq. Teacher recognition
18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:35-1 et seq. Curriculum and courses
- NJAC 6A:8-1.1 et seq. Standards and Assessment
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:14-4.1 General requirements
6A:15-1.1 et seq. Bilingual education
6A:15-1.3, -1.4, -1.5
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions

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

Possible Cross References

6141, 6141.1, 6142, 6142.2, 6143, 9325.4

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School Calendar

Policy 6111

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education recognizes that the preparation of a calendar for the instructional program of the schools is necessary for orderly educational planning and for the efficient operation of the district.

The school calendar shall consist of no fewer than the 180 days of instruction required by law.

The Superintendent of Schools shall prepare the school calendar for Board consideration and approval. The calendar shall be presented to the Board for review no later than the May public meeting.

The Board reserves the right to alter the school calendar when feasible and advisable in the best interest of the children of the district.

Legal References

NJSA 18A:7F-9 Aid to school districts conditioned on compliance with rules and standards for equalization of opportunity; aid withheld for noncompliance
18A:11-1 General mandatory powers and duties
18A:25-3 Teaching, etc., on holidays not required
18A:36-1 School year
18A:36-2 Times when schools are open; determination

NJAC 6A:14-4.1(c) General requirements
6A:32-8.3 School attendance

Piscataway Twp. Ed. Ass'n v. Piscataway Township BOE, App. Div. opinion,
Dkt. No. A-7215-95T2, January 24, 1998

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School Day

Policy 6112

Date Adopted: March 31, 2010

Date Revised:

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The length of the school day and the length of periods of instruction at various levels shall be recommended by the Superintendent of Schools and set by the Board, and shall be in keeping with requirements of the State Board of Education.

The Superintendent of Schools shall approve the length of class periods and the frequency of instruction in individual subjects.

School administrators shall not dismiss school for any part of the school day without the approval of the Superintendent of Schools.

The Superintendent of Schools may alter required sessions whenever he/she deems it to be necessary or desirable.

A schedule of school hours shall be distributed to all parents/guardians at the beginning of the school year.

Legal References

NJSA 18A:36-1 School year
18A:36-2 Time when schools are open; determination
18A:36-16 Rules regarding religious holidays

NJAC 6A:14-4.1(c) General requirements
6A:32-8.3 School attendance

Possible Cross References

6111, 6114, 6141.2, 6146, 6171.4

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Instructional Program

Series 6000

Pupil Supervision After School Dismissal

Policy 6112.1

Date Adopted: Sept. 14, 2023

Date Revised:

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PUPIL SUPERVISION AFTER SCHOOL DISMISSAL

The Board of Education adopts this Pupil 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 pupils 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 6112.1 for the supervision of younger pupils after dismissal. The supervision provisions of Policy Guide 6112.1 are applicable to parents or legal guardians of pupils attending district-operated schools or programs in grades Kindergarten to five 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 pupil attending a district-operated school or program in grades Kindergarten to five, where the pupil 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 pupil to walk home after dismissal unless the pupil 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) 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.

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.

In order for the school administration to effectively implement the requirements of this Policy and to ensure the safety and security of pupils 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.

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Pupil Supervision After School Dismissal

Policy 6112.1

Date Adopted: Sept. 14, 2023

Date Revised:

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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 pupil 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 pupil when other pupils are dismissed from school at the end of the school day.

Each Principal or program administrator will develop and implement a written Pupil 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 pupils 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 Pupil 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 pupil(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 pupil.

In order to ensure the safety of other pupils 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 pupils 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 pupil 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.

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Policy 6112.1

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This Policy shall be published in pupil/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 pupil/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).

Fairfield Township School
375 Gouldtown-Woodruff Road
Bridgeton, NJ 08302
Phone: 856-453-1882 / Fax: 856-459-1369

**Request for Supervision at Dismissal from School
Pupils in Kindergarten through Grade 5**

Parent/Legal Guardian Name _____

Phone Numbers: _____, _____, _____
 Home **Work** **Cell**

Child's Name/Grade _____ Teacher's Name _____

Child's Name/Grade _____ Teacher's Name _____

Child's Name/Grade _____ Teacher's Name _____

Child's Name/Grade _____ Teacher's Name _____

In accordance with Board of Education Policy, I am requesting my child(ren) listed above not be permitted to walk home from school alone unless escorted by a parent or an escort. Therefore, I am requesting the school only release my child(ren) listed above to a parent/legal guardian or the escorts I designate.

I acknowledge I have received and reviewed Board Policy 6112.1 and understand my obligations in authorizing the school district to maintain supervision of my child(ren) after school dismissal including, but not limited to:

1. I and/or my designated escort may not be able to enter the school building until a time designated by the Principal or program administrator, which may be after other children are dismissed from school.
2. I and/or my designated escort will enter the school building and go directly to the location in the building the Principal or program administrator designates to pick up my child(ren). I or my designated escort will leave the school building promptly upon picking up the child(ren)
3. I understand the request shall be for every school day, including half-sessions and early closing days due to emergencies, and shall apply for the duration of time designated in Board Policy 6112.1.
4. I acknowledge a parent of designated escort is provided permission to enter the school building for the purpose to pick up their child(ren). I or my designated escort agree to pick up my child(ren) in accordance with the timeliness established by the Principal or program administrator.

The following persons are designated to pick up my child(ren) after school dismissal in accordance with the terms of Board Policy 6112.1.

Parent/Legal Guardian: _____

Escorts: _____

Parent/Legal Guardian Signature: _____ Date: _____

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Emergencies & Disaster Preparedness

Policy 6114

Date Adopted: February 6, 1986

Date Revised: March 31, 2010, September 30, 2010

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The Superintendent of Schools shall review/update annually the plans for evacuation of buildings and for the safeguarding of human life and property.

The Superintendent of Schools shall notify the Board President or Vice President, Board Secretary/School Business Official and the proper local authorities of any emergency.

The Superintendent of Schools shall oversee development of the district-wide program for emergencies. The program shall provide for:

- Cooperation with local government agencies in developing and carrying out a community disaster plan;
- The highest level of protection as possible for children at school and on their way to and from school;
- Training in individual self-protection and survival techniques for pupils and staff; and,
- Necessary training and instruction for pupils and staff so that the school emergency plan may be carried out with the greatest possible speed and safety.

Fire Drills & Homeland Security Drills

Fire drills shall be held at least once each month for all pupils. There shall also be at least one homeland security drill per month.

The Superintendent of Schools may order a modification of the fire drills so that they may take the form of indoor drills or of rapid dismissals with outdoor clothing when low temperatures prevail.

A written statement of procedures and instructions for fire drills and homeland security drills shall be formulated by the Superintendent of Schools and disseminated to all staff.

Instruction in fire prevention shall be given and emphasized in appropriate courses in the curriculum of the school. The homeland security drill will be an exercise to respond to an emergency situation such as a non-fire evacuation, lockdown, bomb threat or active shooter situation that is similar in duration to a fire drill.

Emergency Closing, Delayed Openings:

The Superintendent of Schools is authorized by the Board to close the schools, open them late or dismiss them early in hazardous weather or in other extraordinary circumstances that might endanger the health or safety of pupils or school employees.

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Emergencies & Disaster Preparedness**

**Series 6000
Policy 6114**

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Each year, parents/guardians, pupils, and staff members shall be informed in advance of how they shall be notified in the event of an emergency closing. Parents/guardians shall be required to make alternative arrangements for their children in case no one is home to receive the child after an unscheduled early closing.

Bomb Scares

The buildings may or may not be evacuated based on a complete assessment of the situation as per established procedures. Staff shall follow the procedures established by the Superintendent of Schools to deal with such emergencies.

Regulations/Procedures

Fire drills will be held *once* monthly in accordance with New Jersey State law.

At the sound of the fire alarm, the following rules and regulations shall apply:

1. Windows and doors are to be closed;
2. Lights are to be turned off;
3. Students are to line up at the door in single file and walk from the room, down the hall to their assigned exit;
4. The classroom door is to be closed;
5. Students are to walk at least 150 feet from the building exit;
6. Students will not be permitted to talk at any time during the drill;
7. Students are not to take time to get outdoor clothing unless teachers are informed in advance by the Superintendent of Schools;
8. Students will be instructed that they are always to report to their assembly areas if they are in the cafeteria, playground, Nurse's office, etc., whenever a fire alarm is sounded;
9. Alternate routes of evacuation are to be used in the event an assigned exit area is blocked.

Emergency Closings

Except in cases of emergency, schools will be kept open in accordance with the school calendar. Snow or ice may force the cancellation of school. Parents/guardians are to be instructed to listen for an official announcement as outlined in the annual school calendar.

Parents/guardians are requested not to call school or the home of the Superintendent of Schools to make inquiries. Telephone lines must be kept open to initiate the necessary procedures for closing schools.

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In the event of an emergency closing (after school has started), the school will make every attempt to notify the parents/guardians of the closing. Parents/guardians are asked to instruct their children where they are to go when school must close early.

Legal References

NJSA 18A:6-2 Instruction in accident and fire prevention
18A:11-1 General mandatory powers and duties
18A:40-12 Closing schools during epidemic
18A:41-1 et seq. Fire drills and fire protection
18A:54-20 Powers of board (county vocational schools)

NJAC 6A:16-1.4(a)14 District policies and procedures
6A:16-5.1et seq. School safety and security
6A:16-6.3 Reporting students or staff members to law enforcement agencies
6A:26-12.2 Policies and procedures for school facility operation
8:57-1.7 Reporting of diseases occurring in schools

A Uniform State Memorandum of Agreement between Education and Law Enforcement Officials

Possible Cross References

1410, 2210, 3541.33, 5141.6, 6112

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Ceremonies & Observances

Policy 6115

Date Adopted: March 31, 2010

Date Revised:

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The flag of the United States of America shall be raised above the school and at other appropriate places during all school sessions, weather permitting. The flag shall be raised before the opening of school. The flag will be displayed in each classroom.

Pupils in the school system shall start each day with the salute and pledge of allegiance to the flag. New Jersey state law requires students to show respect for the flag of the United States of America. If a student is conscientiously opposed to pledge or salute, he/she may abstain from participation in these ceremonies but must remain respectfully silent.

The Superintendent of Schools shall devise appropriate exercises for the development of a higher spirit of patriotism on the last day of school preceding:

Martin Luther King, Jr.'s Birthday

Columbus Day

Lincoln's Birthday

Veterans Day

Washington's Birthday

Thanksgiving Day

Memorial Day

Suitable exercises are also required by law in all New Jersey public schools in observance of Flag Day, Arbor Day, and Commodore John Barry Day. The Board authorizes the Superintendent of Schools to conduct school observances in commemoration of other persons and events of special historical significance.

Pupils shall be encouraged to develop and/or take part in events and activities in connection with special "days," "weeks" or "months" proclaimed by the nation, state or community,

Holidays and special events may be recognized in the school if such recognition respects the rights and feelings of others and is consistent with law.

Songs and customs from various elements of the national population may be used to broaden pupil awareness of the many elements that make up American culture.

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Legal References

- NJSA 18A:36-3 Display of and salute to flag; pledge of allegiance
18A:36-4 Period of silence (unconstitutional)
18A:36-6 Observance of flag day
18A:36-7 through -9 Designation of Arbor Day ...
18A:36-10 through -12 Designation of Commodore Barry Day ...
18A:36-13 Patriotic exercises preceding holidays
- U.S.C.A. Const. Amends. 1, 14
No Child Left Behind act of 2001, P. L. 107-110, 20 U.S.C.A. 6301 et seq.
P.L. 108-447 (December 2004) requires all educational institutions that receive Federal funds for fiscal year to hold an educational program on The United States Constitution on September 17, designated "Constitution Day and Citizenship Day."
West Virginia Bd. of Ed. v. Barnette, 319 U.S. 624 (1943)
Holden v. Warren Board of Education, 46 N.J. 281 (1966)
Lipp v. Morris, 579 F. 2d 834 (1978) (3rd Cir.)
May v. Cooperman, C.A., 780 F.2d 240 (1985)
Karcher v. May, 484 U.S. 72 (1987)
Lee v. Weisman, 505 U.S. 577 (1992)
American Civil Liberties Union v. Blackhorse Pike Regional Board of Education, 84 F.3d 1471 (3rd cir. 1996)
Santa Fe Indep. School District v. Doe, 120 S.Ct. 2266 (June 19, 2000)
Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools, United States Department of Education, February 7, 2003

Possible Cross References

5114, 5127, 5131, 6141.2

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Nondiscrimination / Affirmative Action

Policy 6121

Date Adopted: March 31, 2010

Date Revised: May 22, 2014

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No pupil enrolled in the district school shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in any educational program or activity of this district on the basis of any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes.

The affirmative action officer shall be responsible for planning, implementing and monitoring the district's affirmative action program with respect to school and classroom practices.

The affirmative action officer shall review the following areas for compliance with State Department of Education regulations and make suggestions and/or recommendations when necessary.

A. Curriculum Content

He/she shall examine the following areas to ensure that curricula eliminate discrimination and promote understanding and mutual respect among students, regardless of any and all conditions or any of the protected classes as proscribed in NJSA 10:5-1 et. seq or any other federal or state law(s) and/or statutes: School climate

1. Courses of study
2. Instructional materials
3. Instructional strategies
4. Library/Media Center materials
5. Software and audio-visual materials
6. Guidance and counseling
7. Extracurricular programs and activities
8. Testing and other assessments

B. He/she shall monitor the curriculum to ensure inclusion of instruction on African-American history, including the *Armistead*, in the teaching of United States History and the inclusion of instruction on the Holocaust and genocide in the curriculum for all elementary pupils.

C. Staff Training

He/she shall suggest a program of in-service training for school personnel designed to identify and solve problems of bias in all aspects of the school program. An affirmative action/equity in-service program shall be held for teaching staff annually; for each support staff member at least once every three years; and for parents and community members, as needed to facilitate participation and support.

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D. Pupil Access

He/she shall review all school facilities, courses, programs, activities and services to ensure that all pupils are provided equal and bias-free access to them.

Particular attention shall be paid to the following:

1. Ensuring equal access to all school and classroom facilities;
2. Refraining from locating new facilities in areas that will contribute to unbalanced, isolated or racially identifiable school enrollments;
3. Assigning pupils so that school and classroom enrollments are not identifiable on the basis of race, national origin or gender;
4. Ensuring that pupils are not separated or isolated within the school, courses, classes, programs or extracurricular activities;
5. Ensuring that minority and male pupils are not over-represented in detentions, suspensions, dropouts or special needs classifications;
6. Ensuring equal and bias-free access for all pupils to computers, computer classes and other technologically advanced instructional assistance;
7. Ensuring that all limited English proficient pupils and pupils with disabilities have equal and bias-free access to all school programs and activities;
8. Ensuring equal and bias-free access for language-minority pupils and pupils with disabilities to multiple measures for determining special needs;
9. Ensuring that pupil support services, such as school-based youth services, health care, tutoring and mentoring are available to all pupils, including LEP pupils;
10. Ensuring that all pregnant pupils are permitted to remain in the regular school program and activities.

E. District Support

He/she shall ensure that similar aspects of the school program receive similar support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment.

The Superintendent of Schools will report to the Board annually on continuing compliance.

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Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:4A-1 et seq. New Jersey Commission on Holocaust Education
18A:18A-17 Facilities for handicapped persons
18A:35-1 Course in history of the United States in high school
18A:36-20 Discrimination; prohibition
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
6A:32-14.1 Review of mandated programs and services
- 20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act, of 1973
20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act (IDEA)
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Gebser v. Lago Vista Indep. School Dist. 524 U.S. 274 (1998)
Davis v. Monroe County Bd. of Ed. 526 U.S. 629 (1999)
The Comprehensive Equity Plan, New Jersey State Department of Education

Possible Cross References

2224, 4111.1, 4131/4131.1, 4211.1, 5231/4231.1, 5134, 5145.4, 6140, 6141, 6142.4, 6145, 6161.1, 6163.1, 6164.2, 6171.4

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Articulation

Policy 6122

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education wishes its pupils to progress from the elementary through secondary level in an orderly continuous program. The Superintendent of Schools shall develop programs whereby teachers at different levels cooperate to achieve smooth transitions from level to level; whereby pupils receive instruction in the same subjects at the same level as pupils in other districts who will be attending the same high schools; and whereby the transition for district pupils from our elementary school to the high school is accomplished without unnecessary difficulty for any pupil.

Legal References

NJSA 18A:38-8.1 through -8.3 Additional member on board of education to represent board of education in each sending district

NJAC 6A:8-1.3 Definitions
6A:8-3.1 Curriculum and instruction
6A:8-3.3 Enrollment in college courses

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

Possible Cross References

2131, 5118, 6140, 6141, 6142, 6143, 6178

Fairfield Township Board of Education District Policy Manual

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Curriculum Adoption

Policy 6140

Date Adopted: February 24, 1999

Date Revised: March 31, 2010

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The Board of Education shall provide a comprehensive instructional program to serve the needs of the children of this district in furtherance of this goal and pursuant to law, the Board shall annually adopt the existing curriculum. The Board's policy in this respect is to:

- A. Adopt a curriculum mandated by the state in a form acceptable to the State Department of Education. The curriculum must include the core proficiencies adopted by the State Board of Education;
- B. Adopt the curriculum as recommended by Superintendent of Schools in a form acceptable to the State Department of Education and within the financial means of the district;
- C. Adapt and revise the existing curriculum to meet the changing needs of pupils and the community.
- D. The Superintendent of Schools shall pursue a program of curricula alignment with the to the other constituent districts of Cumberland Regional High School and in conjunction with those districts and the other districts of Cumberland County.

The state-mandated cycle for updating curriculum shall be developed and implemented. The Superintendent of Schools shall report annually on all progress in curriculum development and the implementation of the state-mandated curriculum plan cycle at the time of the Board's annual adoption of curriculum. During the state-mandated cycle, course modification will be encouraged to reflect current trends in learning and information.

The curriculum shall be reviewed at regular intervals as per statute and the mandated cycle or more frequently and revised as necessary. No part of the curriculum shall be eliminated, revised or implemented without the approval of the Board. The Board directs that the curriculum of this district:

- A. Be consistent with written goals, objectives and identified pupil needs;
- B. Develop individual talents and interests and serve diverse learning styles to motivate pupil achievement;
- C. Provide for continuous learning through effective articulation;
- D. Provide all pupils continuous access to sufficient programs and services of a library/media facility, classroom collection, or both, to support the educational program;
- E. Provide all pupils guidance and counseling to assist in career and academic planning;
- F. Provide a continuum of educational programs and services for handicapped children, pursuant to law and regulation;
- G. Provide bilingual programs for pupils whose dominant language is not English, pursuant to law and regulation;
- H. Provide compensatory education programs for pupils, pursuant to law and regulation;

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- I. Provide all pupils equal educational opportunity, pursuant to law and regulation;
- J. Provide career awareness and vocational education, pursuant to law and regulation;
- K. Provide educational opportunities for exceptionally gifted and talented pupils.

The Superintendent of Schools shall maintain a current copy of all curricula offered by the district and shall furnish each member of the Board of Education with a copy upon request; and shall provide a copy in the district office for public review.

Adoption of the curriculum shall be by a recorded roll call majority of the full membership of the Board of Education.

Legal References

NJSA 18A:4-25 Prescribing minimum courses of study for public schools; approval of courses of study
18A:29A-1 et seq. Teacher recognition
18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:35-1 et seq. Curriculum and courses

NJAC 6A:8-1.1 et seq. Standards and Assessment
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:14-4.1 General requirements
6A:15-1.1 et seq. Bilingual education
6A:15-1.3, -1.4, -1.5
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions

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

Possible Cross References

6141, 6141.1, 6142, 6142.2, 6143, 9325.4

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Adoption of Textbooks

Policy 6140.5

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education shall approve all textbooks used in the educational program of this district. "Textbook" means the principle source of instructional material for any given course of study, in whatever form the material may be presented, that is available or distributed to every pupil enrolled in the course of study.

In considering the approval of any proposed textbook/educational materials, the Board will insure the following:

- A. alignment to the New Jersey Core Curriculum Content Standards;
- B. alignment to the Fairfield Township School District Curriculum;
- C. age and developmentally-appropriate;
- D. free from bias;
- E. responsive to diversity; and
- F. further student learning.

Factors such as the selection procedure, cost, appearance, and durability will also be considered.

The Superintendent shall develop regulations for the selection of textbooks that include effective consultation with professional staff members at all appropriate levels. The staff shall continually research new sources of textbooks and explore the innovative use of all possible books.

Textbooks currently in use shall be evaluated every five years for their continuing usefulness and relevance and shall be replaced or updated with new editions as often as necessary to meet the needs of pupils and the curriculum. A list of all approved textbooks shall be maintained and revised annually by the Superintendent and made available for the use of the professional staff and for the information of members of the Board and the public.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
- 18A:34-1 Textbooks; selection
- 18A:34-2 Care and keeping textbooks

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Recognition of Religious Beliefs & Customs

Policy 6141.2

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education directs that no religious belief or non-belief shall be promoted in the regular curriculum or in district-sponsored courses, programs or activities, and none shall be disparaged.

The Board of Education has directed that any explanation of the historical and contemporary values of the origin of holidays having both religious and cultural significance must be conducted in an unbiased and objective manner without sectarian indoctrination or disparagement.

Therefore:

- A. Music, art, literature, and drama having religious themes or basis are permitted as part of the curriculum for school-sponsored activities and programs if presented in a prudent and objective manner and as a traditional part of the cultural and religious heritage of the particular holiday.
- B. The use of religious symbols that are part of a religious holiday is permitted as a teaching aid or resource provided such symbols are displayed as an example of the cultural and religious heritage of the holiday and are temporary in nature.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
- 18A:36-16 Rules regarding religious holidays
- NJAC 6A:8-3.1 Curriculum and instruction
- 6A:32-8.3(h) School attendance
- U.S.C.A. Const. Amends. 1, 14
- No Child Left Behind Act of 2001, Pub. L.107-110, 20 U.S.C.A. 6301 et seq.
- 20 U.S.C.A. 4071 - 4074 - Equal Access Act
- Florey v. Sioux Falls School District, 619 F.2d. 1311 (8th Cir. 1980)
- Lynch v. Donnelly, 465 U.S. 668, (1984)
- Edwards v. Aguillard, 482 U.S. 578 (1987)
- Lee v. Weisman, 505 U.S. 577 (1992)
- Cherry Hill Bd. of Ed., 838 F.Supp. 929 (D.N.J. 1993)
- American Civil Liberties Union v. Blackhorse Pike Regional Board of Education, 84 F.3d 1471 (3rd Cir. 1996)
- Santa Fe Independent School District v. Doe, 120 S.Ct. 2266 (June 19, 2000)
- Good News Club v. Milford Central School, 121 U.S. 2093 (2001)
- C.H. v. Oliva, 26 F.ed 198 (3rd Cir. 2000) *en banc*, cert. denied, June 18, 2001
- Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools, United States Department of Education, February 7, 2003

Possible Cross References

1330, 5113, 5127, 5131, 6115, 6121, 6144, 6161.2

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Subject Fields

Policy 6142

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education directs that the district school offer a comprehensive curriculum to provide for the intellectual, social and emotional growth of all pupils, pre-kindergarten through grade 8, giving them the basic body of skills, understandings, attitudes and knowledge needed for living in a democracy.

The Board believes this program should focus on the NJ Department of Education's implementation schedule for its Core Curriculum Standards.

The Superintendent of Schools shall direct development of and present to the Board for adoption a written curriculum for each element of the instructional program for the district to include:

- A. All courses mandated by New Jersey statute or Administrative Code;
- B. Such other courses as shall implement the Board's intent as expressed in this policy.

The total curriculum, when adopted, shall be adapted to suit the applicable requirements of the Administrative Code and shall provide basic, advanced, enriched, or technical instruction or experience to meet the identified needs of the pupils of the district.

A listing of all courses and programs comprising the instructional program shall be available in the district office.

Legal References

NJSA 18A:6-2 Instruction in accident and fire prevention
18A:6-3 Courses in constitution of United States
18A:7C-5 Board of education to provide policy on graduation to students and parents
18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:35-1 et seq. Curriculum and courses
18A:35-4.6 through -4.8 Parents Right to Conscience Act of 1979

NJAC 6A:8-3.1 Curriculum and instruction
6A:8-5.1 Graduation requirements
6A:9-1.1 et. seq. Professional Licensure and Standards
6A:14-3.7 Individualized education program
6A:14-4.1 General requirements
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-2.1 Definitions
6A:32-12.2 School-level planning

Possible Cross References

2224, 6121, 6122, 6140, 6142.1, 6142.2, 6142.4, 6142.9, 6142.12, 6146, 6147, 6164.2, 6171.1, 6171.2, 6171.4, 9130

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Family Life Education

Policy 6142.1

Date Adopted: March 31, 2010

Date Revised: November 22, 2021

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The Board of Education directs the Superintendent of Schools to coordinate the development of a family life education curriculum that will be in compliance with New Jersey Administrative Code. The program shall provide material suited to each grade level, presented in a manner intended to foster an understanding of human development and the respect for and an understanding of how human sexuality affects personal and family relationships.

The curriculum shall be developed with the active participation of teachers, administrators, parents and guardians, physicians, members of the clergy and representative members of the community.

Further, the Superintendent of Schools shall assure that the curriculum is articulated to that of the high schools, so that the transition from elementary to secondary approaches to this material will be coordinated and progressive.

Any child whose parent or guardian presents to the Superintendent of Schools a signed statement that any part of the instruction in health, family life education, or sex education is in conflict with his conscience, or sincerely held moral or religious beliefs, shall be excused from that portion of the course where such instruction is being given, with no penalties resulting as to credit or graduation.

The student excused without penalty from the part or portion of content in the course found in conflict, must still complete mutually agreed upon instruction that support achievement of the New Jersey Student Learning Standards in Comprehensive Health and Physical Education.

The Board urges all parents to become familiar with these courses and to participate in their development as provided by the administrative code.

The Board of Education, upon recommendation of the Superintendent of Schools, shall determine the content, sequence and materials of family life education.

Legal References

NJSA 18A:35-4.6 through -4.8 Parents Right to Conscience Act of 1979
18A:35-4.19 through -4.22 "AIDS Prevention Act of 1999"

NJAC 6A:8-3.1 Curriculum and instruction
6A:8-4.2 Documentation of student achievement
6A:32-12.1 Reporting requirements

Pupil Protection Rights Amendment - 20 U.S.C. 1232h
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1220, 5131.5, 6141.6, 6122, 6140, 6142, 6142.13, 9130

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English as a Second Language / Bilingual Programs

Policy 6142.2

Date Adopted: March 31, 2010

Date Revised: December 14, 2023

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ENGLISH AS A SECOND LANGUAGE; BILINGUAL PROGRAMS

The board shall provide bilingual, English Language Learners (ELL), English language services and/or bilingual programs of instruction for pupils who:

- A. Do not speak English and need instruction toward mastery of the English language;
- B. Speak English but reside in a home where English is not the primary language spoken, and need instruction toward mastery of the English language;
- C. Speak a language other than English, are more capable of performing school work in that language, and need their basic educational program taught in that language.

Definitions

“Bilingual education program” means a full-time program of instruction in all courses or subjects that a child is required by law or rule to receive, given in the native language of ELLs enrolled in the program and also in English; in the aural comprehension, speaking, reading, and writing of the native language of ELLs enrolled in the program, and in the aural comprehension, speaking, reading, and writing of English; and in the history and culture of the country, territory, or geographic area that is the native land of the parents of ELLs enrolled in the program, and in the history and culture of the United States.

“English as a second language (ESL) program” means a daily developmental second-language program of at least one period of instruction based on student language proficiency that teaches aural comprehension, speaking, reading, and writing in English using second language teaching techniques, and incorporates the cultural aspects of the students’ experiences in their ESL instruction. A period is the time allocated in the school schedule for instruction in core subjects.

“English language learner” or “ELL” means a student whose native language is other than English. The term refers to students with varying degrees of English language proficiency in any one of the domains of speaking, reading, writing, or listening and is synonymous with limited English- speaking ability.

“English language services” means services designed to improve the English language skills of ELLs. The services, provided in school districts with less than 10 ELLs, are in addition to the regular school program and are designed to develop aural comprehension, speaking, reading, and writing skills in English.

Identification of Eligible English Language Learners

The board shall determine the native language of each English language learner at the time of the student’s enrollment in the district and maintain a census indicating all identified students whose native language is other than English.

The board of education shall develop and the chief school administrator or his or her designee shall implement a screening process, initiated by a home-language survey, to determine which students whose native language is other than English in grades kindergarten to 12 must be tested to determine English language proficiency. The screening shall be conducted by a bilingual/ESL or other certified teacher and shall be designed to distinguish students who are proficient English speakers and need no further testing.

The board shall ensure that the English proficiency of students who are not screened out by the home-language survey shall be determined by:

- A. Administering a department-approved English language proficiency test;
- B. Assessing the level of reading in English;

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- C. Reviewing the previous academic performance of students, including their performance on standardized tests in English; and
- D. Reviewing the input of teaching staff members responsible for the educational program for ELLs;
- E. Students who do not meet the Department standard on a Department-approved language proficiency test and who have at least one other indicator shall be considered ELLs.

The board, through the chief school administrator or his or her designee shall also implement age-appropriate methodologies to identify preschool ELLs to determine their individual language development needs.

Programs and Services

The goal of English as a second language and English language services programs are to assist pupils to achieve fluency (including listening, comprehension, speaking, reading, and writing skills) in English and incorporates the cultural aspects of the students' experiences in their ESL instruction. The goal of the bilingual program is to permit pupils to learn subject matter in their primary language while developing English language skills. The goal of all such programs shall be achievement of the New Jersey Student Learning Standards.

Students enrolled in bilingual, ESL, and English language services programs shall have full access to educational services available to other students in the district. To the extent that is administratively feasible, supportive services to ELLs, such as counseling, tutoring, and career guidance, should be provided by bilingual personnel who are familiar with and knowledgeable of the unique needs and background of the ELLs and their parents.

All district high school English language learners (ELLs) shall satisfy both state and district requirements for graduation, except that any English language learners may demonstrate attainment of state minimum levels of proficiency through passage of the State approved alternative high school assessment process in his/her native language and an English fluency assessment approved by the Department of Education or passage of the alternative high school assessment in English with appropriate accommodations.

Parents/guardians of English language learners shall be notified by mail of the fact that their child has been identified as eligible for enrollment in a bilingual, ESL or English language services education program. This notification shall be issued within 30 days of the child's identification and shall include the information that the parents may choose to decline to enroll their child into the bilingual program. The notice shall be in writing and in the language in which the parent/guardian possesses a primary speaking ability, and in English, and shall include the following information:

- A. Why the student was identified as an ELL;
- B. Why the student needs to be placed in a language instructional educational program that will help him or her develop and attain English proficiency and meet State academic standards;
- C. The student's level of English proficiency, how the level of English proficiency was assessed, and the student's academic level;
- D. The method of instruction the school will use to serve the student, including a description of other instruction methods available and how those methods differ in content, instructional goals, and the use of English and a native language, if applicable;
- E. How the program will meet the student's specific needs in attaining English and meeting State standards;
- F. The program's exit requirements, the expected rate of transition into a classroom not tailored for ELLs, and, in the case of high school students, the expected rate of graduation; and

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- G. How the instructional program will meet the objectives of the individualized education program of a student with a disability.

Progress reports for students in in bilingual, ESL, or English language services programs shall be made to parents/guardians on the same schedule as the reports of all pupils enrolled in the district. Progress reports shall be in writing and in both English and their primary speaking language unless doing so places unreasonable burden on the board.

Exiting the Program

Students shall be placed in a monolingual English program when they have demonstrated readiness to function successfully in an English-only program. The process to determine the readiness or inability of the individual student to function successfully in the English-only program shall be initiated by the student's level of English proficiency as measured by a Department-established standard on an English language proficiency test. The readiness of the student shall be further assessed on the basis of multiple indicators that shall include, at a minimum:

- A. Classroom performance;
- B. The student's reading level in English;
- C. The judgment of the teaching staff member or members responsible for the educational program of the student; and
- D. Performance on achievement tests in English.

When the review process for exiting a student from a bilingual, ESL, or English language services program has been completed, the parent/guardian shall be notified by mail of the placement determination. The notice shall be in English and in the language in which the parents/guardian possesses a primary speaking ability. If the parent(s), guardian, or teaching staff member disagrees with the placement, he or she may appeal the placement to the Commissioner, after appealing the decision to the board.

Removal from the Program

Parents/guardians may remove a pupil who is enrolled in a bilingual, ESL or English language services program at any time; except that during the first three years of the pupil's participation in a bilingual education program, he/she may only be removed at the end of each school year. Removal prior to the end of the school year shall be approved by the executive county superintendent. If the executive county superintendent determines that the pupil should remain in the bilingual education program until the end of the school year, the parents/guardians may appeal that decision to the commissioner of education/designee pursuant to law. The commissioner shall render a decision within 30 days of the filing of the appeal.

Parent Involvement

The board is committed to providing the maximum practicable involvement of parents/guardians of ELLs in the development and review of program objectives and dissemination of information to and from the board and communities served by the bilingual, ESL, or English language services education programs. The board directs the chief school administrator or his or her designee to shall establish a parent advisory committee on bilingual education of which the majority membership shall be parent(s) of ELLs.

Inservice Training

The board shall ensure that the chief school administrator or designee oversees the development of a plan for in-service training for bilingual, ESL, and mainstream teachers; administrators who supervise bilingual/ESL programs; and administrators and any personnel who observe and evaluate teachers of ELLs. The plan shall include instructional strategies and appropriate

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assessments to help ELLs meet the New Jersey Student Learning Standards and the World-class Instructional Design and Assessment (WIDA) English language development standards. All bilingual and ESL teachers shall receive training in the use of the ESL curriculum. The professional development plan of the school district shall include the needs of bilingual and ESL teachers, which shall be addressed through in-service training (see board policy 4131/4131.1 Staff Development, Inservice Education).

Implementation

The chief school administrator or designee shall direct development of a plan for bilingual program, ESL program, or English language services that is in compliance with state guidelines.

<https://www.nj.gov/education/title3/doc/Ch15CodeAdoptionOne-Pager.pdf> The plan shall be submitted every three years to the Department of Education for approval. The plan shall include information on the following:

- A. Identification of students;
- B. Program description;
- C. The number of certified staff hired for the program;
- D. Bilingual and ESL curriculum development;
- E. Evaluation design;
- F. Review process for exit; and
- G. A budget for the bilingual and ESL program or English language services.

The board may request a waiver of the requirement for a full-time bilingual or ESL program when there are 20 or more students eligible for the bilingual education program in grades kindergarten through 12, to establish annually an instructional program alternative. The request must be approved by the Department of Education, and the school district must be able to demonstrate that it would be impractical to provide a full-time bilingual program due to the age range, grade span, and/or geographic location of eligible students.

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Key Words

English as a Second Language, Bilingual Programs, ESL

Legal References: N.J.S.A. 18A:35-15 et seq. Bilingual education programs
N.J.A.C. 6A:5-1.1 et seq. Regulatory Equivalency and Waiver
N.J.A.C. 6A:8-1.3 Definitions
N.J.A.C. 6A:8-4.1 Statewide assessment system
N.J.A.C. 6A:8-5.1 Graduation requirements
N.J.A.C. 6A:9B-3.1 et seq. Professional Licensure and Standards
See particularly:
N.J.A.C. 6A:9B-11.5, -11.6
N.J.A.C. 6A:15-1.1 et seq. Bilingual Education

See particularly:

N.J.A.C. 6A:15-1.4
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Every Student Succeeds Act, Pub. L. 114-95, Title 1 and Title 3, 20 U.S.C.A. 6301 et seq.

Possible

Cross References: *5120 Assessment of individual needs
*5124 Reporting to parents/guardians
*6121 Nondiscrimination/affirmative action
*6146 Graduation requirements
*6147 Standards of proficiency
*6147.1 Evaluation of individual student performance
*6171.2 Gifted and talented
*6171.3 At-risk and Title 1

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Physical Education & Health

Policy 6142.4

Date Adopted: March 31, 2010

Date Revised: January 26, 2012

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The Board directs that the district's curricular and extracurricular programs of physical education and activities comply with the District's affirmative action resolution and comprehensive equity plan for school and classroom practices. The Board shall ensure that the comprehensive health and physical education curriculum addresses all elements required by the New Jersey Core Curriculum Content Standards, New Jersey Statute and Code and Federal Regulations.

General Provisions

In general, physical education classes shall not be divided on the basis of sex. The quality and quantity of teachers, equipment and facilities shall be equivalent among the schools and comparable from level to level, taking into account the needs of the pupils.

Members of district interscholastic athletic teams may be excused from participation in the physical activities part of their physical education program without loss of graduation credit on the request of their coach on any day on which they are designated to participate in a regularly scheduled game. The Superintendent of Schools shall approve procedures by which coaches will inform the physical education department, on the day in question, of the specific pupils to be excused. Such pupils shall be scheduled for a study hall period instead.

The Board of Education will consider on a case-by-case basis requests from pupils or their parents/guardians in the case of minors for permission to satisfy the physical education requirement through an alternative program of athletics or physical education activities that meets the requirements of law and is consistent with the district's physical education program goals and instructional objectives.

Dating Violence

For students in grades 7 through 8, physical education and the health curriculum will include the topic of dating violence. "Dating violence" means a pattern of behavior where one person threatens to use, or actually uses physical, sexual, verbal, or emotional abuse to control a dating partner.

The dating violence education shall include information on the definition of dating violence, recognizing dating violence warning signs, and the characteristics of healthy relationships.

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Upon written request to the school principal, a parent/guardian of a student less than 18 years of age shall be permitted within a reasonable period of time after the request is made, to examine the dating violence education program instruction materials developed by the school district.

The purpose of the dating violence information is to help prevent dating situations from becoming unsafe and to help educate young people on constructive ways to resolve conflicts in personal relationships.

To be consistent with P.L. 2011, c. 64, district policy procedures and curriculum will include notification and information that dating violence will not be tolerated. District procedures and the curriculum will provide dating violence reporting procedures, warning signs of dating violence and guidelines for responding to incidents of dating violence that occur at school, along with discipline procedures specific to such incidents of dating violence that occur at school. Information on safe, appropriate school, family, peer and community resources available to address dating violence shall also be included within the curriculum.

Legal References

NJSA 18A:6-113 Instruction in suicide prevention in public school curriculum
18A:11-1 General Mandatory Powers and Duties
18A:35-4.19 through -4.22 AIDS Prevention Act of 1999
18A:35-4.23a Dating violence into health education curriculum
18A:35-5 through -9 Maintenance of physical training courses; features
18A:37-33 to 37 Dating violence policy and education

NJAC 6A:7-1.7 Equality in school and classroom practices
6A:8-3.1 Curriculum and instruction
6A:8-5.1 Graduation requirements
6A:9-5.19 Athletics Personnel
6A:9-11.8 Health and physical education
6A:16-2.1 et seq. General Provisions for School Health Services
6A:32-9.1 General Provisions for School Health Services

20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
The Comprehensive Equity Plan, New Jersey State Department of Education

Possible Cross References

2224, 5145.4, 6121, 6140, 6141, 6142, 6145.1, 6145.2, 6146

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Basic Skills / Remedial Instruction

Policy 6142.6

Date Adopted: March 31, 2010

Date Revised:

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In order to provide district pupils with the basic tools necessary for achievement of the Core Curriculum Content Standards, the Board of Education directs the development of strong basic skills courses at all levels of the school.

The Superintendent of Schools shall work with the staff to:

- A. Infuse instruction in basic skills into courses of study at all grade levels and ensure the articulation of those skills from grade to grade.
- B. Actively seek innovative and remedial programs to ensure that all district pupils acquire the basic skills suited to their grade level and capacity.

The district shall administer state tests as required in grades 3 through 8 and may administer standardized tests as appropriate to determine student achievement levels in basic skills.

Student eligibility for participation in remedial education programs shall be based on multiple measurements to include, but not be limited to no achieving proficiency on the NJASK standardized test.

Pupils whose proficiency in subjects assessed through the Core Curriculum Standards Process is below acceptable levels of performance, shall be required to participate in a remedial program. Proficiency shall be evaluated through multiple measures, including but not limited to state assessments, standardized tests, diagnostic instruments, teacher observation and pupil progress reports.

The Superintendent of Schools shall coordinate continuous communication between teaching staff members and parents/guardians of pupils participating in remedial educational programs. These programs shall be supplemental to the regular program and designed to assist students who have academic, social, economic or environmental needs that prevent them from succeeding in regular school programs.

An individual student improvement plan (ISIP) shall be developed for each pupil who performs below state minimum levels of proficiency after completion of three academic years of instruction beyond kindergarten. Procedures for development, implementation and evaluation of the ISIP's shall include designation of responsible staff and notification of the pupil and his/her parents/guardians of the need for and content of the ISIP in the language and mode of communication understood by them.

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All parents/guardians shall be notified in writing of a pupil's needs for a remedial program and shall be encouraged to participate in its design. Regulations governing these programs and procedures shall be reviewed and adopted by the Board as required by law.

The Superintendent of Schools shall evaluate the remedial education programs each school year and report to the Board of Education as to their effectiveness in achieving and maintaining acceptable levels of pupil proficiency.

Legal References

NJSA 18A:7C-1 et seq. High School Graduation Standards
18A:35-4.9 Pupil promotion and remediation; policies and procedures

NJAC 6A:8-1.1 et seq. Standards and Assessment
6A:8-4.3 Accountability
6A:8-4.4 Annual review and evaluation of school districts
6A:8-5.1 Graduation
6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Hawkins-Stafford Elementary and Secondary Schools Improvement Amendments of 1988
(P.L. 100-297)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

4138.2, 5120, 6122, 6140, 6141, 6142, 6147, 6171.3, 6171.4

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Experiments on / Dissection of Animals

Policy 6142.7

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education recognizes the importance of exposing pupils to a wide and varied curriculum in the study of sciences and biology. The Board also supports the rights of parents/guardians to make decisions about certain aspects of that curriculum for their children. Therefore, it is the policy of the Board of Education that pupils may choose not to participate in certain experiments involving animals.

Pupils will be excused from performing, participating in, or observing the dissection, vivisection, incubation, capture, harm or destruction of animals and/or organisms upon the receipt of a written request from his/her parent/guardian.

Alternative Education

In all such cases, the pupil will be assigned an alternative education project that may include the use of video tapes, models, films, books, computers, or any other tools that provide an alternative method for obtaining and testing the knowledge, information, or experience required by the course of study from which the pupil was excused. Alternative education programs and classroom attendance shall be arranged by the classroom teacher, with the approval of the appropriate administrator, for such pupils.

A pupil may refuse to participate in an alternative education project which involves or necessitates any harmful use of an animal or animal parts.

In no case, will a pupil's grade be adversely affected by his/her decision not to participate in the regular lab experience, nor will he/she be discriminated against in any other manner as a result of his/her decision to exercise the rights afforded pursuant to this policy.

Notification of Parents/Guardians

Pupils and parents/guardians will be notified at the beginning of the school year of the rights of pupils not to participate in the dissection, vivisection, incubation, capture, harm or destruction of animals and/or organisms. Parents/guardians will be advised that in order for a pupil to be excused from the regular lab experience, a written request must be received by the school within two weeks of the receipt of this notification.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:35-4.24 Definitions relative to alternative education projects
18A:35-4.25 Refusal to participate in certain school activities related to animal dissection, etc.

P.L. 2005 Chapter 2666

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Visual & Performing Arts

Policy 6142.9

Date Adopted: March 31, 2010

Date Revised:

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The Superintendent of Schools shall ensure that curriculum in the arts, including both performing and visual, are developed appropriately for each grade level in accordance with administrative code and the New Jersey Core Curriculum Content Standards.

Legal References

- NJSA 18A:7F-4 Periodic review of Core Curriculum Content Standard by state board; establishment of thoroughness and efficiency standards and cost per pupil
18A:33-1 District to furnish suitable facilities; adoption of courses of study
- Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)
- NJAC 6A:8-1.3 Definitions
6A:8-3.1 Curriculum and instruction
6A:30-1.1 et seq. Evaluation of the Performance of School Districts

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Series 6000

Acceptable Use of Internet

Policy 6142.10

Date Adopted: April 23, 1997

Date Revised: March 31, 2010

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The Board shall develop a technology plan that effectively uses electronic communication to advance and promote learning and teaching. This system of technology shall be used to provide local, statewide, national and global communications opportunities for staff and students. Educational technology shall be infused into the district curriculum to maximize student achievement of the Core Curriculum Content Standards.

To support its commitment to providing avenues of access to the universe of information available, the district's system of electronic communication shall include access to the Internet for students and staff.

Limitation of Liability

The Internet constitutes an unregulated collection of resources that changes constantly, so it is not possible to totally predict or control the resources that users may locate. The Board cannot guarantee the accuracy of the information or the appropriateness of materials that a user may encounter. Furthermore, the Board shall not be responsible for any damage users may suffer, including but not limited to, loss of data or interruptions of service. Nor shall the Board be responsible for financial obligations arising through the unauthorized use of the system.

District Rights and Responsibilities

The computer system is the property of the district, and all computer software and hardware belong to it. Therefore, the district retains the right to monitor all access to and use of the Internet.

The Board designates the Superintendent of Schools as the coordinator of the district system. He/she shall recommend to the Board of Education qualified staff persons to ensure provision of individual and class accounts necessary for access to the Internet, establishment of a document retention schedule, establishment of a virus protection process and coordination of other activities as required to maintain the system

The administrator shall coordinate the district system by approving all activities for the school; ensuring that teachers receive proper training in the use of the system; ensuring that students are adequately supervised when using the system; maintaining executed user agreements; and interpreting this acceptable use policy.

Access to the System

This acceptable use policy shall govern all use of the system. Sanctions for student misuse of the system shall be included in the disciplinary code for students. Employee misuse may result in appropriate discipline in accord with the collective bargaining agreement and applicable laws and regulations.

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The Board shall ensure the acquisition and installation of blocking/filtering software to deny access to certain areas of the Internet.

World Wide Web

All students and employees of the Board shall have access to the Web through the district's networked computers. An agreement shall be required. To deny a child access, parents/guardians must notify the Superintendent of Schools in writing.

Student Safety Practices

Students shall not post personal contact information about themselves or others; nor shall students engage in any kind of personal contact with individuals they meet online. Attempts at contact from such individuals shall be reported immediately to the staff person monitoring that child's access to the Internet. Personal contact information includes but is not limited to names, home/school/work addresses, telephone numbers, or personal photographs.

Cyber-bullying

The Board of Education expressly forbids cyber-bullying. For the purposes of this policy, "cyber-bullying" shall mean using the communication capacities of computers, the Internet and/or other digital communication devices to bully others by:

- Sending or posting cruel messages or images;
- Threatening others;
- Excluding or attempting to exclude others from activities or organizations;
- Starting or passing on rumors about others or the school system;
- Harassing or intimidating others;
- Sending angry, rude or vulgar messages directed at a person or persons privately or to an online group;
- Sending or posting harmful, untrue or cruel statements about a person to others;
- Pretending to be someone else and sending or posting material that is derogatory or places a person in potential danger;
- Sending or posting material about a person that contains sensitive, private or embarrassing information, including forwarding private messages or images; and/or,
- Engaging in tricks to solicit embarrassing information that is then made public.

Students found to be engaging in activities as describe above shall be subject to the terms and sanctions found in this policy, Board of Education Policy 5139 – Harassment, Intimidation & Bullying and the Fairfield Township Student Code of Conduct.

Students, staff and administration of the school district have the opportunity to access the Internet to facilitate the need to prepare students, staff and administrators to become computer literate in an increasingly technological world, to foster educational and personal growth in technology, to gather information and to enhance communication skills. It is understood that the school district does not have sufficient staff to monitor every aspect of the use of the Internet.

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However, the district will foster the independent use of the school's network, subject to compliance with procedures and standards for appropriate network behavior and communication. The following responsible guidelines apply to all users when accessing any school district network connection (NET):

1. It is understood that cooperation is critical in the use of the Internet. It is the goal of the use of the Internet to prepare students to become computer literate in an increasingly technological world. It is understood that a minor's independent use of the school's network is necessary to attain such a goal, subject to the procedures and standards for appropriate network behavior.
2. Violations of these responsible use guidelines may result in student discipline, subject to the Student Disciplinary Code, and/or staff and administrative discipline, subject to guidelines adopted by the administration.

The primary use of the NET shall be reserved to those individuals who utilize the materials that are of "educational value" to students of the district. For purposes of these guidelines, "educational value" shall mean those areas of network access that have a direct or indirect impact on the students' educational program in the school district. The use of the system for defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive and illegal material or other prohibited activities shall not be permitted; and the school district will use any and all means available to it, within the confines of the law to prevent such material from entering the NET. Individuals are encouraged to report such entry of material into the system to the building administrator.

3. No personnel or student information that is protected by the Family Educational Rights and Privacy Acts shall be disseminated through the NET.
4. All users of the NET must comply with the Electronic Communications Privacy Act of 1986, as amended, and the Communications Decency Act. These Acts prohibit the unauthorized interception or disclosure of e-mail messages by third parties as well as the appropriateness of certain material being remitted on the Internet. The Acts do not permit interception or disclosure unless both the sender and the receiver of the communication consent. Further, the Acts recognize that the school district may monitor an employee's e-mail messages through the use of the district's server.
5. Users of the NET must recognize that the District Administration does have the authority to intercept e-mail messages of all users and that there will be no privacy right construed by the District to exist in the statements made in the NET. Users of the NET are encouraged not to store extensive e-mail messages in the NET and that messages should be stored for a period of no longer than 14 calendar days.
6. When issued individual passwords and accounts, NET users may not allow any other person(s) to use or share those passwords and/or accounts.
7. Any attempt to circumvent system security, guess passwords, or in any way gain unauthorized access to local or NET resources is forbidden.

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8. Use of the Internet for political and/or commercial gain or profit is not allowed from and educational site.
9. Users may not move, repair, reconfigure, modify or attach external devices to the system.
10. Additional rules and restrictions may be added and users will be notified of these changes in a timely manner. Users are responsible for reading and following these rules.
11. Time restrictions on the use of the Internet may be imposed to ensure equity of use.
12. The District Administration reserves the right to use electronic devices, cards, or any other media to determine whether or not the students or employees are using the NET for items of true educational value.
13. Professional employees of the school will monitor student use of the Internet.
14. Students or employees who violate the Internet guidelines of the school may be denied future Internet privileges for a defined period of time or other disciplinary measures set forth in the Student Code of Conduct or in any other rules of the District that may be applicable.

The district network is of limited size and capacity and must therefore be reserved for its intended purpose of education and the advancement of education.

Email is to be used for related school activities and not for social activities.

Online games such as “fantasy football” as well as shopping on line is strictly prohibited by students and staff.

Legal References

- NJSA 2A:38A-1 et seq. Computer System
2C:20-25 Computer Related Theft
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
18A:36-35 School Internet websites; disclosure of certain student information prohibited
- NJAC 6A:10A-1.1 et seq Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:10A, Appendix A
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 17 U.S.C. 101 United States Copyright Law
47 U.S.C. 254(h) Children's Internet Protection Act
N.J. v. T.L.O. 469 U.S. 325 (1985)
O'Connor v. Ortega 480 U.S. 709 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1111, 3514, 4118.2, 4218.2, 5114, 5124, 5131, 5131.5, 5142, 6144, 6145.3, 6161

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Creating & Publishing Web Pages

Policy 6142.11

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education establishes the following policy to express its belief that with the growth of the World Wide Web (WEB), any material posted for the global community must reflect the high educational standards of the school district.

The availability of Internet access throughout the school district provides an opportunity for students and staff to contribute to the district's presence on the WEB. The district's web sites provide information to the entire world about curriculum, instruction, school-authorized activities, and other general information relating to the school as well as the district's mission. All published pages and corresponding links stored on the district's servers must be related to the district's educational goals and objectives or school-sponsored activities.

The Superintendent of Schools will provide Internet access for the creation of web pages. Creators of web pages should familiarize themselves with, and adhere to, the policies and responsibilities that follow. Failure to follow these policies or responsibilities may result in the loss of authoring privileges and/or other more stringent disciplinary measures.

Content Standards

The Superintendent of Schools is responsible for web page approval.

Subject Matter

All subject matter on web pages should relate to curriculum, instruction, school-authorized activities, general information that is appropriate and of interest to others, and the school district. If the information is scholarly and will help students, teachers, and parents using our web site, it is acceptable. Therefore, neither staff nor students may publish personal web pages or home pages of other individuals or organizations not directly affiliated with the school district web site. Staff or student work may be published only as it relates to a class project, course, or other school-related activity. The Superintendent of Schools shall make the final decision as to web content.

Quality

All web pages must be free of spelling and grammatical errors. Documents may not contain objectionable material or point (link) directly to objectionable material.

Objectionable material is defined as material that does not meet the standards for instructional resources specified in the school district policies.

Regarding the question of quality or propriety of web page material, appearance, or content, the judgment of the Superintendent of Schools will prevail.

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Ownership and Retention

All web pages on the district's server(s) are the property of the school district. Official district web pages will reside only on district owned or operated servers. The only organization permitted to post a web page on the district server is the Parent Teacher Organization, although other sites may be linked at the discretion of the Administration.

Student Safeguards

- Students may publish information on the school district web server only when they are under the supervision of the Superintendent of Schools or teacher. Students must have parental permission.
- Web page documents may not include student names.
- Documents may not include a student's telephone number, address, names of other family members, or names of friends.
- Published e-mail addresses are restricted to those of staff members or to general group e-mail address where arriving e-mail is forwarded to a staff member.
- No student pictures (video or still) and audio clips shall be published, unless their parents/guardians have submitted a signed, written permission slip.
- No identification of students shall be published.
- Web page documents may not include any information that indicates the physical location of a student at a given time.

School Board Policies

All documents on school district server(s) must conform to the Board of Education policies and regulations as well as established school guidelines. Persons developing or maintaining web documents are responsible for complying with these policies. Some of the relevant issues and related Board policies include the following:

- Electronic transmission of materials is a form of copying. As specified in district policy, no unlawful copies of copyrighted materials may be knowingly produced or transmitted via the district's equipment, including its web server(s).
- Documents created for the web and linked to district web pages will meet the criteria for use as an instructional resource.
- Any links to district web pages that are not specifically curriculum-related will meet the criteria established in the Internet Use Policy (6142.10). Any other non-curricular materials should be limited to information about other youth activities, agencies, or organizations that are known to be non-sectarian, exclusively devoted to community interests or child welfare, non-profit, and non-discriminatory. Web page links may not include entities whose primary purpose is commercial or political advertising.
- All communications via district web pages will comply with the Internet Use Policy (6142.10) and the Code of Conduct Policy. Offensive behavior that is expressly prohibited by this policy includes religious, racial, and sexual harassment and/or violence.

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- Any student information communicated via district web pages must comply with the Board of Education policies on Data Privacy and Public Use of School Records.
- Any deliberate tampering with or misuse of district networked services or equipment will be considered vandalism and will be handled in accordance with the district Internet Use policy, the district Student Conduct Policy and other related policies.

Technical Standards and Consistency

Each web page added to the district web site(s) must contain the following elements in order to provide general consistency for district web pages.

- At the bottom of the web page, there must be a last update indicator and the name or initials of the person(s) responsible for the page and/or update. It shall be that person's responsibility to keep the web page current.
- At the bottom of the web page, there must be a link that returns the user to the appropriate point(s) in the district web pages and a link to the district home page.
- The district will develop additional consistency standards as the need arises.
- All web pages must be submitted to the Superintendent of Schools for review prior to placement on the district server(s).
- No computers other than the assigned building web servers shall be configured as web/FTP servers.
- Users must exhibit care when creating web pages requiring large amounts of band widths. Such files require extensive download time, are frustrating for modem users, and slow down the file servers.
- The authorized teacher who is publishing the final web page(s) for himself/herself or for a student, will edit the page(s) for conformance with the standards outlined in this policy and test the page(s) for the accuracy of the links.
- Web pages may not contain links to other web pages not yet completed. If additional pages are anticipated but not yet developed, the text that will provide such a link should be included. However, the actual link to said page(s) might not be made until the final page is actually in place on the server(s).
- Any graphics, sounds, or video used on web pages must conform to the format currently used or approved by the administration.
- Web pages may not contain any student e-mail address links, any survey-response links, or any other type of direct-response links.
- Final decisions regarding access to active web pages for editing content of organization will rest with the Superintendent of Schools.
- All web pages shall be linked to other district pages in relation to their current location on the server(s).

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Additional Notes for Consideration

- Material on web pages reflects an individual's thoughts, interests, and activities. Such web pages do not, in any way, represent the school district, nor are they endorsed or sanctioned by the school district. Concern about the content of any page(s) created by students or staff should be directed to the Superintendent of Schools.
- Given the rapid change in technology, some of the technical standards outlined in this policy may require change throughout the year. The Superintendent of Schools will make such changes.

Legal References

- NJSA 2A:38A-1 et seq. Computer System
2C:20-25 Computer Related Theft
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
18A:36-35 School Internet websites; disclosure of certain student information prohibited
- NJAC 6A:10A-1.1 et seq Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:10A, Appendix A
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 17 U.S.C. 101 United States Copyright Law
47 U.S.C. 254(h) Children's Internet Protection Act
N.J. v. T.L.O. 469 U.S. 325 (1985)
O'Connor v. Ortega 480 U.S. 709 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1111, 3514, 4118.2, 4218.2, 5114, 5124, 5131, 5131.5, 5142, 6144, 6145.3, 6161

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Vocational / Industrial / Occupational Education

Policy 6142.12

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education believes that constructive attitudes and concepts involving the dignity of all kinds of work belong in the curriculum from the beginning grades. Therefore, in fulfillment of the Core Curriculum Content Standards, the Board of Education shall develop and implement a comprehensive curriculum that facilitates career awareness and exploration for all students. The Board of Education shall ensure that educational programs shall continuously expose pupils to the nature of the wide variety of careers available. The Career Education Standards shall be infused into the curriculum throughout the grades in age appropriate activities. When any hands-on experience requires use of power tools, etc., all eye protection and other appropriate safety regulations shall be observed.

Career Education and Counseling

The Board of Education shall develop and implement a comprehensive academic counseling program for all students to facilitate career awareness, exploration, and preparation. This program shall:

Be linked to the Core Curriculum Contents Standards;

- A. Be infused throughout the K-8 curriculum;
- B. Be supported by professional development programs;
- C. Take into consideration the academic, career and personal/social development of the student; and
- D. Ensure that students with disabilities (age 14 or younger), if determined appropriate by his/her IEP, have career and academic counseling coordinated with transitional services in accordance with N.J.A.C. 6A:14-3.7.

The Board of Education shall develop and implement curriculum and instructional methods that:

- A. Are integrated with technological literacy;
- B. Provide all students with an understanding of the career application of knowledge and skills learned in the classroom; and
- C. Provide all students with the opportunity to apply knowledge and skills learned in the classroom to real or simulated career challenges.

The Board of Education will develop and implement for all students a system of career development activities that:

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- A. Offers the opportunity to explore career interests within, but not limited to; arts and humanities, business and information systems, mathematics, science and technology, and health and human services;
- B. Addresses district resources, community needs and student interest;
- C. Allows the Board of Education to select an appropriate delivery format that may include an integrated curriculum based on the Core Curriculum Content Standards or specialized programs that reflect the needs of students and the community; and
- D. Instills the concept of the need for continuous learning throughout one's life.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:38-36 Employment certificates to part-time pupils
18A:40-12.1, -12.2 Protective eye devices required for teachers, pupils and visitors in certain cases
18A:54-20 Powers of board (county vocational schools)
18A:54E-1 through -5 Business and school partnerships

NJAC 6A:7-1.7 Equality in school and classroom practices
6A:8-2.2 Authority for the state plan for vocational education
6A:8-3.2 Career education and counseling
6A:8-5.1 Graduation requirements
6A:9-1.1 et seq. Professional Licensure and Standards
6A:19-1.1 et seq. Vocational - Technical Education Programs and Standards
6A:23-3.3 Method of determining tuition rates for county vocational schools
6A:26-12.1 et seq. Operation and Maintenance of Facilities
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-12.1 Reporting requirements
6A:32-14.1 Review of mandated programs and services

New Jersey Cross-Content Workplace Readiness Curriculum Framework: A Road Map for Learning, NJDOE, <http://www.state.nj.us/njded/frameworks/ccwr/>, Appendix B
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3220/3230, 3516, 5142, 5145.4, 6010, 6121, 6141, 6142.2

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HIV / AIDS Prevention Education

Policy 6142.13

Date Adopted: September 20, 1995

Date Revised: March 31, 2010

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The Board of Education believes HIV/AIDS education should be integrated into the comprehensive health education curriculum, but may also be applied to other curriculum areas.

The district HIV/AIDS education program must address, at a minimum, the nature, transmission, prevention and effects of the disease. The program shall be provided through a coordinated sequential elementary curriculum, taking into consideration the age, growth, development and maturity of the pupils and the subject matter of the course. Development of the program should take into account the instructional needs of all pupils in the district.

The Superintendent of Schools shall ensure that the information presented as a part of the HIV/AIDS prevention education program is articulated in such a way that transition from grade to grade in the elementary schools will be appropriate for all pupils.

The Superintendent of Schools shall be responsible for the preparation and development of an HIV/AIDS prevention education program, with active consultation and participation of an advisory committee consisting of teachers, administrators, parents/guardians, pupils (as appropriate), physicians, members of social and health service agencies, members of the clergy and representative members of the community. The Board shall appoint the members of the committee upon the recommendation of the Superintendent of Schools. The advisory committee shall be responsible for reviewing the instructional program and all materials to be used, and through the Superintendent of Schools for recommending it for Board adoption.

The Superintendent of Schools shall ensure that all staff members involved in teaching the HIV/AIDS prevention education program are properly certified for the subject area in which they are teaching and adequately prepared to teach the material. As necessary, appropriate staff training shall be provided.

Upon the request of parents or guardians, the HIV/AIDS education curriculum shall be made available for their review. The Superintendent of Schools shall establish procedures whereby pupils whose parent/guardian presents to the Superintendent of Schools a signed statement that a designated part of the instruction is in conflict with his/her conscience, or moral or religious belief, shall be excused from that part of the curriculum. Independent study shall be directed during the time a pupil is excused from part of the program. The independent study shall include alternative topics that do not conflict with the parent/guardian's beliefs but fall within the same subject area (i.e., comprehensive health education) as the program from which the pupil is excused. No penalties to credit or graduation shall result from such an exemption.

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The Superintendent of Schools shall establish a process for evaluating and updating the HIV/AIDS prevention education program to incorporate new information. Any such revisions shall be implemented after consultation with, and review by, an advisory committee as described above.

The Board of Education alone, upon the recommendation of the Superintendent of Schools, shall determine the content, sequence, and materials of the HIV/AIDS prevention education program.

Legal References

- NJSA 18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:35-4.7 Parents statement of conflict with conscience
18A:35-4.19 through-4.22 "AIDS Prevention Act of 1999"
26:5c-1 et seq. Acquired Immune Deficiency Syndrome
- NJAC 6A:8-3.1(d) Curriculum and instruction
6A:16-2.1(a)7 Health services policy and procedural requirements
8:61-1.1 et seq. Participation and Attendance at School by Individuals with HIV Infection
12:100-4.2 Safety and Health Standards for Public Employees (Adoption by reference)
- 29 CFR 19910.1030 - Bloodborne Pathogen Standard
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
S. T. v. Board of Education of the City of Fairfield Township, 1986 S.L.D.
(December 24), aff'd St. Bd.

Possible Cross References

1220, 4131/4131.1, 5124, 5131.6, 5141, 5141.2, 5145.4, 6122, 6140, 6141, 6142, 6142.1, 6142.4, 6144, 6161.2, 6300

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E-Mail Policy

Policy 6142.14

Date Adopted: March 31, 2010

Date Revised:

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The school district provides many computing and networking resources for use by students, faculty and staff. Members of the school district community are encouraged to use electronic mail (e-mail) for district-related activities and to facilitate the efficient exchange of useful information. Access to e-mail is a privilege and certain responsibilities accompany that privilege. Users of e-mail are expected to be ethical and responsible in the use of e-mail. E-mail is one of the most used and useful facilities on computer networks. To ensure maximum benefits from e-mail, a clear, defined balance between the need for open communication and the protection of the District's assets is critical. The purpose of this policy is to encourage use of e-mail as an effective and efficient business tool within the framework of the appropriate statutes.

E-mail is an electronic message sent by or to a member in correspondence with another person having Internet mail access. All messages sent and received on the school district computer network(s) must have an educational or administrative purpose and are subject to review. A sender of an E-mail message should expect that E-mail messages will be reviewed by the system administrators or the school administration. Messages received by the system are retained on the system until deleted by the recipient. The system administrators may inspect the contents of E-mail sent by one member to an addressee, and disclose such contents to other than the sender or a recipient when required to do so by the Board policy, regulation or other laws and regulations of the State and Federal governments. The Board reserves the right to cooperate fully with local, state, or federal officials in any investigation concerning or relating to any E-mail transmitted on the school district computer network(s) or computers.

Monitoring

The Board of Education reserves the right to review any material accessed or transmitted by users. Users should have no expectation of privacy. Certain aspects of the use of electronic environment may be recorded in logs either for the purpose of performance monitoring or for assistance in authorized legal investigations of alleged misbehavior under this policy. The actual contents of these logs will only be reviewed by authorized district administrators or by external law enforcement officials.

Privacy

It is in the nature of most e-mail systems that the physical security of messages cannot be guaranteed. Therefore, the Board discourages the use of e-mail to transmit messages containing sensitive data. E-mail messages are not considered private messages. The district may rightfully monitor or access e-mail messages if the district suspects breaches of security, harassment or other violations of other district policies or the law.

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Instructional Program E-Mail Policy

Series 6000
Policy 6142.14

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A user's account and password are the keys to the e-mail network and users are advised that they are responsible for the security of their respective account and password. There are major risks when a user's account and password are known to others. Transmissions made using that account password are assumed to have been initiated by the account and password owner, though managers of e-mail systems who investigate complaints shall not automatically assume that the author of an offending message is the owner of the account and password.

Guidelines

Access to and the responsible use of modern information resources are essential to the pursuit and achievement of excellence at our school. The district encourages appropriate use of e-mail to enhance productivity through the efficient exchange of information in education, research, public service and the expression of ideas. Use of these resources must be consistent with these goals. As responsible members, everyone is expected to act in accord with the following general guidelines based on common sense, common decency, and civility applied to the networked computing environment:

1. Messages sent as electronic mail should meet the same standards for distribution or display as if they were tangible documents or instruments. One should identify himself/herself clearly and accurately in all electronic communications. Concealing or misrepresenting one's name or affiliation to dissociate oneself from responsibility for one's actions is never appropriate. Alteration of the source of e-mail, message or posting is unethical and possibly illegal. One test of appropriateness would be to never "say" anything via e-mail that one would not be willing to say directly to a person;
2. Be sensitive to the inherent limitation of shared network resources. No computer security system can absolutely prevent a determined person from accessing stored information. While the district has no interest in regulating the content of e-mail it will not guarantee the privacy or confidentiality of electronic documents. Good judgment dictates the creation only of electronic documents that may become available to the public;
3. Respect the rights of others. Do not send abusive, threatening or harassing materials. Civil discourse is at the heart of a district community free of intimidation and harassment and based upon a respect for individual as well as a desire to learn from others. While debate on controversial issues is inevitable and essential, bear in mind that it is everyone's responsibility to do so in a way that advances the cause of learning and mutual understanding.
4. Each staff member is expected to promote efficient use of network resources consistent with the instructional, research, public service and administrative goals of the school system. Show consideration for others and refrain from engaging in any use that would interfere with the work or disrupt the intended use of network resources. One should especially avoid wasteful or unwanted material. This effort is consistent with existing practices governing other forms of communication including telephone calls, bulletin board postings, and the mass distribution of flyers.

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5. E-mail and other network resources may not be used for commercial or other non-educational purposes or for personal financial gain. This does not preclude the use of e-mail to assist in the investigation and support of vendors' products, such as the discussion of a product's relative advantages and disadvantages by users of the product, the distribution of information or technical support material by request or vendor responses to questions about products, as long as the responses are not in the nature of a solicitation.

All users of the Internet must comply with the Electronic Communications Privacy Act of 1986, as amended, and the Communications Decency Act. These Acts prohibit the unauthorized interception or disclosure of e-mail messages by third parties as well as the appropriateness of certain material being remitted on the Internet. The Acts do not permit interception or disclosure unless both the sender and the receiver of the communication consent. Further, the Acts recognize that the school district may monitor an employee's e-mail messages, as long as the interception device is included in the e-mail equipment.

Staff will be held no less accountable for its actions in situations involving e-mail than it would be in dealing with other media. One is expected to abide by the security restrictions on all systems and information to which there is access. One should avoid any irresponsible communication where the meaning of the message, or its transmission or distribution could include but not be limited to behavior that is considered illegal or unethical. Irresponsible activities include, but are not limited to, spamming, overloading a system, sending chain letters or similar actions. Conduct that involves the use of information resources to violate a district policy or regulation or state or federal law, or to violate another's rights, is a serious abuse, subject to elimination of one's privileges and appropriate disciplinary and/or legal action. The district is not responsible for transmissions that are libelous or defamatory, and will do all it can to investigate and address those unwanted transmissions with the message sender.

If unsolicited or unwanted Internet transmissions are received, or if problems or issues arise regarding district e-mail, the appropriate systems administrator shall be contacted. E-mail managers and network system administrators should not monitor or access the contents of electronic files unless they do so under the direct written instructions of the Superintendent of Schools. Complaints by any user receiving electronic transmissions through any e-mail server may be submitted to the Superintendent of Schools. The Affirmative Action Officer will be notified of complaints regarding the transmission of discriminatory material. In the case of any employee investigation, if a violation did occur, the Superintendent of Schools shall be informed immediately. The employee's immediate supervisor, in consultation with the Superintendent of Schools, shall impose proper action in a form and process consistent with public employee laws and collective bargaining agreements.

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Legal References

- NJSA 2A:38A-1 et seq. Computer System
2C:20-25 Computer Related Theft
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
18A:36-35 School Internet websites; disclosure of certain student information prohibited
- NJAC 6A:10A-1.1 et seq Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:10A, Appendix A
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 17 U.S.C. 101 United States Copyright Law
47 U.S.C. 254(h) Children's Internet Protection Act
N.J. v. T.L.O. 469 U.S. 325 (1985)
O'Connor v. Ortega 480 U.S. 709 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1111, 3514, 4118.2, 4218.2, 5114, 5124, 5131, 5131.5, 5142, 6144, 6145.3, 6161

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Date Adopted: September 30, 2010

Date Revised:

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The procedures, policies, and information within this document apply to all netbooks used at Fairfield Township School (FTS), as well as any other device considered by the principal to come under this policy. Teachers may set additional requirements for computer use within their classrooms.

Netbook Specifications

1. A netbook is a light-weight, low-cost, energy efficient, highly portable laptop suitable for web browsing, email, office suites and general purpose applications.
2. The netbook model is the Lenovo Thinkpad at a current cost of \$690 and features:
 - A. LCD 9” screen, 6 cell battery (5 hours usage) and weighs 2.2 pounds.
 - B. Windows 7, 1.6 GHz CPU, 2 GB RAM and 160 GB Hard Drive.
 - C. VGA-out, 3 USB, two SD card readers, Ethernet and 802.11n Wi-Fi.
3. Standard Software Configurations
 - A. Window 7, site license, non-domain, and select printers available.

Receiving Your Netbook

Netbooks will be distributed each fall during “Student Registration & Netbook Orientation.” Parents & students will sign and return the Netbook Acceptable Usage plan before the netbook is issued to their child. Netbooks will be collected at the end of each school year for maintenance, cleaning, and software installations. Students will retain their original netbook each year while enrolled at FTS.

Taking Care Of Your Netbook

Students are responsible for the general care of the netbook they have been issued by the school. Netbooks that are broken or fail to work properly should be taken to the Computer Lab.

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General Precautions

- Food and beverages can damage your netbook. Students will be responsible for damages caused by food and beverage spills.
- Cords, cables, and removable storage devices should be inserted carefully into the netbook.
- Students should never carry their netbooks while the screen is open, unless directed to do so by a teacher.
- Netbooks should remain free of any writing, drawing, stickers, or labels that are not the property of the Fairfield Township School District.
- Netbooks should never be left in a vehicle or any unsupervised area.
- Students are responsible for keeping their netbook's battery charged for school each day.

Screen Care

- The netbook screens can be damaged if subjected to rough treatment. The screens are particularly sensitive to damage from excessive pressure.
- Do not lean on the top of the netbook when it is closed.
- Do not place anything near the netbook that could put pressure on the screen.
- Do not poke the screen.
- Do not place anything on the keyboard before closing the lid (e.g. pens, pencils, or disks).
- Clean the screen with a soft, dry cloth or anti-static cloth. Do not use commercial glass cleaners.

Using Your Netbook at School

Netbooks are intended for use at school each day. Students are responsible for bringing their netbooks to all classes, unless advised not to do so by their teacher.

Netbooks Left at Home

On the limited occasions when Netbooks are allowed to go home, "Netbooks left at home, is not an acceptable excuse for not submitting work. Repeat violations of this policy may result in disciplinary action.

Netbook Undergoing Repair

Loaner netbooks may be issued to students on an as available basis when they leave their notebooks for repair with the tech coordinator. Students are responsible for the care of the loaner while in their possession.

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Charging Your Netbook's Battery

Netbooks should be maintained each day in a fully charged condition. Students need to put their netbooks in the charge mode before leaving their last class. In cases where the use of the netbook has caused batteries to become discharged, students may be able to connect their computers to a power outlet in class.

Screensavers

Inappropriate media may not be used as a screen saver. Presence of guns, weapons, pornographic materials, in appropriate language, alcohol, drug, gang-related symbols or pictures will result in disciplinary actions.

Sound

Sound should be muted at all times unless permission is obtained from the teacher for instructional purposes. If teachers require headphones, it is the student's responsibility to store them.

Printing

All printing requires prior approval of the classroom teacher.

Managing Your Files & Saving Your Work

Saving Data to Removable Storage Devices

Students should also backup all of their work at least once each week using the issued flash drive. It is the student's responsibility to ensure that work is not lost due to mechanical failure or accidental deletion. Computer malfunctions are not an acceptable excuse for not submitting work. Students will be charged \$5.00 for lost or damaged flash drives.

Saving Personal Items

Any personal music, pictures and videos should not be stored on the netbook.

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Software on Netbooks

Originally Installed Software

The software originally installed by FTS should remain on the netbook in usable condition and be easily accessible at all times. Licensed software provided with all new netbooks includes:

- Adobe Flash
- Java
- Open Office Suite
- Microsoft Internet Explorer,
- Microsoft Windows 7
- Symantec Anti-Virus
- Windows Media Player
- Adobe Reader

From time to time, the school may add software applications for use in a particular course. The licenses for this software require that the software be deleted from netbooks at the completion of the course.

Procedures for Re-loading Software

If technical difficulties occur or illegal software is discovered, the hard drive will then be reformatted. Students should back up data on their flash drive. In certain situations, data retrieval can be done on crashed drives. The school does not accept responsibility for the loss of any data or software deleted due to a re-format and re-image.

Acceptable Use Guidelines

General Guidelines

- Students are responsible for their ethical and educational use of the technology resources of the Fairfield Township School District.
- Access to the Fairfield Township School District technology resources is a privilege and not a right. Each student and parent will be required to follow the Information Security, Acceptable Use, and CIPA Policy.
- Transmission of any material that is in violation of any federal or state law is prohibited. This includes, but is not limited to the following: confidential information, copyrighted material, threatening or obscene material, and computer viruses.

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- Any attempt to alter data, the configuration of a computer, or the files of another user, without the consent of the individual, school administration, or technology administrator, will be considered an act of vandalism and subject to disciplinary action in accordance with the FTS Code of Conduct.
- Teachers have a right to manage and/or restrict student use of the netbook, software, and internet within the confines of their class.

Privacy and Safety

- Do not go into chat rooms or send chain letters without permission.
- Do not open, use, or change computer files that do not belong to you.
- Do not reveal your full name, phone number, home address, social security number, credit card numbers, password or passwords to other people.
- Remember that storage on the netbook is school property and not private or confidential.
- If you inadvertently access a web site that contains obscene, pornographic or otherwise offensive material, notify a teacher, network administrator, or the principal immediately so that such sites can be blocked from further access. This is not merely a request; it is a responsibility.

Legal Propriety

- Comply with trademark and copyright laws and all license agreements. Ignorance of the law is not immunity. If you are unsure, ask a teacher or parent.
- Plagiarism is a violation of the FTS Academic Policies and Procedures. Give credit to all sources used, whether quoted or summarized. This includes all forms of media on the Internet, such as graphics, movies, music, and text.
- Use or possession of hacking software is strictly prohibited and violators will face disciplinary action. Violation of applicable state or federal law will result in criminal prosecution or disciplinary action by the District.

E-mail

The state of Fairfield Township School email accounts are the only email approved for school use.

- Always use appropriate language.
- Do not transmit language/ material that is profane, obscene, abusive, or offensive to others.
- Mass or Bulk e-mails, chain letters, or spam are strictly prohibited.

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- Students should maintain high integrity with regard to email content.
- No email use during class without permission.
- FTS e-mail is subject to inspection by the school.

Consequences: Loss of netbook privileges, loss of network access, or traditional disciplinary actions.

The student in whose name a system account and/or computer hardware is issued will be responsible at all times for its appropriate use.

Prohibited technology resources activities include, but are not limited to, the following violations:

- Sending, accessing, uploading, downloading, or distributing offensive, profane, threatening, pornographic, obscene, or sexually explicit materials.
- Using email, games, and other technology resources during class or during other inappropriate time without permission.
- Downloading or transmitting multi-player game, music or video files using the school network. Vandalizing, damaging, or disabling technology property of the school.
- Accessing another individual's materials, information, or files without permission.
- Using the network or internet for commercial, political campaign, or financial gain purposes.
- Releasing files, home address, personal phone numbers, passwords, or other vital accessing information to others.
- Promoting or soliciting for illegal activities.
- Attempting to repair, remove, or install hardware components reserved for authorized service technicians.
- Violating copyright or other protected material laws.
- Subscribing to mailing lists, mass e-mail messages, games, or other services that generate several messages that can slow the system and waste other users' time and access.
- Intentionally wasting school resources.
- Bypassing or attempting to circumvent security protocols (firewalls, proxy servers, etc).
- Sending, accessing, uploading, downloading or distributing pornographic or sexually explicit materials.
- Installing, enabling, launching, or creating programs that interfere with the performance of the network, Internet, or hardware technology resources.
- Creating, uploading, or transmitting computer viruses.

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- Attempting to defeat computer or network security.
- Attempting to download freeware, software, public domain software or other executable and/or installable software.
- Using tools or techniques to circumvent or bypass current security configurations (hacking).

Consequences may include:

- Suspension of netbook privileges.
- Suspension with possible long term suspension or recommended expulsion from school.
- Possible referral to law enforcement authorities.

Electronic mail, network usage, and all stored files shall not be considered confidential and may be monitored at any time by designated District staff to ensure appropriate use. The District cooperates fully with local, state or federal officials in any investigation concerning or relating to violations of computer crime laws; proper authorities will be given access to their content.

Note:

There will be no Remote Monitoring software installed on any Netbook. Any attempt by students or district personnel to use the built-in Web-Cam to remotely monitor student activities will be treated as a violation of privacy and prosecuted as a criminal offense.

Protecting & Storing Your Netbook Computer

Netbook Identification

Student netbooks will be labeled in the manner specified by the school. Students will not remove FTS Property stickers, Windows Product Key or serial number sticker. If stickers have or appeared to be falling off, student should take netbook and sticker to the Tech Coordinator immediately.

Password Protection

Students are expected to use and keep their logon password confidential to protect information stored on their netbooks. Disciplinary action may result due to actions of an unauthorized user.

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Storing Your Netbook

When students are not monitoring netbooks, they should be stored in their lockers with the lock securely fastened. Nothing should be placed on top of the netbook when stored in the locker. Netbooks are to be placed on the charging station at the end of each day.

Netbooks Left in Unsupervised Areas

Under no circumstances should netbooks be left in unsupervised areas. Any computer left unsupervised is in danger of being stolen. Unsupervised netbooks will be confiscated by staff and taken to the Principal's Office. Disciplinary action may be taken for leaving your netbook in an unsupervised location.

Intentional or Negligent Damage

Students are expected to keep the netbook in good condition. Failure to do so will result in fines depending upon the netbook condition.

School District Protection

In cases of theft, vandalism and other criminal acts, a police report, or in the case of fire, a fire report should be filed by the student or parent for the protection coverage to take place. A copy of the police/fire report should be provided to the Principal's Office. The \$\$ charge is responsibility of the student /parent and must be paid before the netbook can be replaced.

Students or parents may wish to carry their own personal insurance to protect the netbook in cases of theft, loss, or accidental damage by fire. Please consult with your insurance agent for details about your personal coverage of the netbook computer.

Claims

All insurance claims should be reported to the Principal's Office. In instances of theft, loss or fire, students or parents should file a police or fire report and bring a copy of the report to the Principal's Office before a netbook can be repaired or replaced with School District Protection. Fraudulent reporting of theft, loss or accidental damage by fire will be turned over to the police and insurance company for prosecution. St student making a false report will also be subject to disciplinary action.

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The District will work with the Cumberland County Sheriff's Department and the Bridgeton State Police Barracks to alert pawnshops and police departments in the area to be aware of this District owned equipment.

Netbook Technical Support

The Tech Coordinator coordinates the repair work for netbooks. Services provided include the following:

- Possible distribution of loner netbooks;
- Password identification;
- User account support;
- Operating system or software configuration support;
- Re-imaging hard drives;
- Updates and software installation;
- Coordination of warranty repair.

Netbook FAQ'S

- Can I use the netbook throughout my career at FTS?
- Yes. The concept behind the netbook is it provides enough power to do general activities (web browsing and office applications) whose requirements haven't changed in the last several years. The available software will be usable in all grade level course work. Of course, just as different courses require different textbooks, you may need additional software as you move through the curriculum.
- What if I already have another model or brand of netbook computer?
- You will be required to use the school district issued netbook for school purposes. This is necessary to ensure that you have a computer that gives you network capability and the ability to run the software that you will need in your courses. For these reasons, other netbook computers will not be used on the Fairfield Township School District network at school.
- Can I have my netbook computer this summer?
- No. All netbooks will be collected at the end of the school year for general maintenance, cleaning, and software installation purposes. Students will receive their netbooks again in the fall to ensure that everyone receives complete information about the computer, insurance coverage, software usage and Fairfield Township School District's policy regarding the ethical use of computers.

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- What about insurance against theft or breakage through carelessness?
- Your netbook computer is very portable and fairly valuable, making it an attractive target for thieves. Fairfield Township School District insurance covers the netbook. You will be responsible for paying a deductible charge of \$250.00 for each theft or loss claim. The best insurance is to take care of your netbook. Do not leave your netbook in the building, classrooms, hallways, or in vehicles unattended. Always know where your netbook is.

- Does FTS provide maintenance on my netbook?
- Yes. The Tech Coordinator will coordinate maintenance for students. Students enrolled at FTS will be covered by a maintenance agreement provided by the manufacturer.

- What will I do without a computer in my classes if my netbook unit is being repaired or while I am replacing it if it is lost or stolen?
Fairfield Township School is using Netbooks to supplement its curriculum meaning that it is quite feasible to participate in classes without one. FTS will also stock a limited number of netbook computers that can be loaned out on a first come, first-served basis. If you are in possession of a loaner, treat it as if it were your own computer. You will be responsible for any damage to the unit or for its loss.

- If I purchase software in addition to the available software provided through FTS, will the Technical Tech Coordinator staff load it for me?
- No. Only FTS-approved software will be loaded or downloaded onto the FTS netbooks.

- Do I need a printer?
- No. You need not own one since printers are located in and near classrooms, in the library, and at the Tech Coordinator area.

- How do I connect to the Internet at home?
- You may connect to the Internet using a cable Ethernet connection or wireless Ethernet connection. If you maintain a wireless home network, you should set the netbook to connect to your wireless connection. Please be aware there are many different types of service providers and networking hardware used at home, and that these differences may not allow easy hookups to the Internet in some cases. The FTS technical staff will try their best to help you get connected, but cannot guarantee a successful connection for every household.

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- What if I want to add options to my netbook later?
- Only the Fairfield Township School District is authorized to add options and upgrades to your netbook computer.

- What if I want to run another operating system on my netbook?
- Only the operating system chosen by the Fairfield Township School District will be authorized to run on a student- issued netbook computer.

- Will I be given a new battery if mine goes bad?
- The netbook battery will be replaced by the manufacturer for defects. You will be responsible for charging your battery and proper battery maintenance.

- What has the school done to help prevent students from going to inappropriate sites?
- FTS has software which is designed to help monitor Internet usage and all websites that are accessed. This software blocks inappropriate sites and also logs a history of every site that each user accesses. If a site gets by the filter, FTS can immediately add it to the filter to be blocked. This software monitors and filters websites at the school and at home*. All students that attempt to find inappropriate sites will be redirected to the principal's office for disciplinary actions.

- Are student netbooks subject to school "snooping"; what if they bring their netbook in for repairs and "objectionable data" is detected?
- Inappropriate material on netbooks should be reported to the classroom teacher, principal, or Tech Coordinator immediately upon identification. Students who have "objectionable data" on their netbooks, but have failed or chosen not to report it, will be referred to the principal's office for disciplinary actions.

- If the accessories to my netbook are lost or stolen, how much will it cost to replace them?
- In the event that netbook accessories are stolen, you should report the lost items to the Tech Coordinator or Principal's Office.

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Children's Internet Protection Act (CIPA)

The Children's Internet Protection Act was put in place to help control and limit access to unacceptable, vulgar, illegal, and offensive content in public places like schools and libraries.

Filtering

Fairfield Township School District runs filters on all Internet connections to help prevent access to pornographic, obscene, and any other content that may be harmful to minors. Fairfield Township School District staff will be present to supervise and make certain students are not going to any harmful content. The filtering content is updated on a constant basis to assure that recent harmful content is being blocked.

Access by Minors to Harmful Content

Since filters are not perfect, staff are instructed to supervise the computers the students are using to assure no harmful content is accessed. In the case harmful content is accidentally accessed, students are to immediately report the incident to the staff member that is in the presence of the computer, and the staff member is to report the harmful content to the network administrator or technology coordinator so that the content can be manually blocked. If a minor purposefully tries accessing or gets access to harmful content, that minor's privileges can be taken away for computer and Internet access. Other consequences will be determined by the administrator for the violation. The harmful content will then be manually blocked if the filter missed it.

Enforcement

Violations of the policy will be handled consistent with Fairfield Township School District disciplinary procedures applicable to the relevant person or persons. Fairfield Township School District administrators may suspend, block or restrict access to network resources. Student violations may be subject to warnings, suspend, block or restrict access to network resources, detention, and suspension of school activities and/or suspended from school.

Violations of state and federal laws will result in legal prosecution. Examples of these laws include but not limited to, Cyber Law's, Federal Communities Laws, Federal Wire Tap Laws, Homeland Security Act, National Information Infrastructure Protection Act of 1996, Computer Fraud and Abuse Act, Electronic Communications Privacy Act, Children's Online Privacy Protection Act, Digital Millennium Copyright Act.

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Resources

Information supporting this policy is listed below. This policy was developed in conjunction with the information provided from these sources listed below and the Department of Defense guidelines.

- State of South Dakota K-12 Data Center <http://www.k12.sd.us/>
- Digital Dakota Network <http://www.ddnnet.net/>
- Children's Internet Protection Act <http://www.ifea.net/cipa.html>
- Digital Millennium Copyright Act <http://www.gseis.ucla.edu/iclp/dmcal.htm>
- Homeland Security Act <http://www.whitehouse.gov/deptofhomeland/analysis/>
- Computer Fraud and Abuse Act
<http://www.cpsr.org/cpsr/privacy/crime/fraud.act.txt>

Legal References

- NJSA 2A:38A-1 et seq. Computer System
2C:20-25 Computer Related Theft
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
18A:36-35 School Internet websites; disclosure of certain student information prohibited
- NJAC 6A:10A-1.1 et seq Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:10A, Appendix A
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 17 U.S.C. 101 United States Copyright Law
47 U.S.C. 254(h) Children's Internet Protection Act
N.J. v. T.L.O. 469 U.S. 325 (1985)
O'Connor v. Ortega 480 U.S. 709 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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**Fairfield Township
School District 375 Gouldtown-
Woodruff Road Bridgeton, NJ
08302**

Netbook Use Policy

Student:

I understand and will abide by the Fairfield Township School District Netbook and Internet Acceptable Use Policy. I further understand that any violation of the regulations outlined is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action.

Student's Name (Please Print): _____ Date: _____

Student's Signature: _____

Parent/Guardian:

As the parent or guardian of this student, I have read the Internet Use Agreement. I understand that this access is designed for educational purposes. I recognize it is impossible for Fairfield Township School District to restrict access to all controversial materials and I will not hold them responsible for materials acquired on the network. Further, I accept full responsibility for supervision if and when my child's use is not in a school setting. I hereby give permission to issue a netbook for my child and certify that the information contained on this form is correct.

Parent/Guardian's Name (Please Print): _____ Date: _____

Parent/Guardian's Signature _____

Both Student & Parent/Guardian:

In cases of theft, vandalism and other criminal acts, a police report, or in the case of fire, a fire report should be filed by the student or parent for the protection coverage to take place. A copy of the police/fire report should be provided to the principal's office. The \$250 additional charge is the responsibility of the student/parent and should be paid before the netbook can be replaced. A fee of \$5 will be charged for lost or damaged flash drive.

Intentional Damage:

Students/Parents are responsible for full payment of \$600 for intentional damages to netbooks.

Student's Name (Please Print): _____ Date: _____

Student's Signature: _____

Parent/Guardian's Name (Please Print): _____ Date: _____

Parent/Guardian's Signature _____

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Fairfield Township School District
375 Gouldtown-Woodruff Road
Bridgeton, NJ 08302

Netbook Use Policy

Student Pledge for Netbook Use

1. I will take good care of my netbook and know that I will be issued the same netbook each year.
2. I will never leave the netbook unattended.
3. I will never loan out my netbook to other individuals.
4. I will know where my netbook is at all times.
5. I will charge my netbook's battery daily.
6. I will keep food and beverages away from my netbook since they may cause damage to the computer.
7. I will not disassemble any part of my netbook or attempt any repairs.
8. I will use my netbook computer in ways that are appropriate and educational.
9. I will not place decorations (such as stickers, markers, etc.) on the District netbook.
10. I understand that my netbook is subject to inspection at any time without notice.
11. I will follow the policies outlined in the Netbook Acceptable Uses Procedures and Policy.
12. I will file a police report in case of theft, vandalism, and other acts covered by insurance.
13. I will be responsible for all damage or loss caused by neglect or abuse.
14. I agree to pay for my netbook, power cords, and battery in the event any of these items are lost or stolen.
15. I agree to return the netbook and power cords in good working condition.

Student's Name (Please Print): _____

Student's Signature: _____

Date: _____

Fairfield Township Board of Education District Policy Manual

Instructional Program Promotion / Retention

Series 6000
Policy 6146.3

Date Adopted: September 22, 1999

I Date Revised: March 31, 2010

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The Board recognizes that personal, social, physical and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

The Superintendent of Schools shall direct development of and the Board shall adopt detailed regulations to govern progress of pupils through all grade levels. The regulations shall include:

- A. Standards of proficiency related to district goals and objectives and provision for review of mastery;
- B. Standards of attendance;
- C. Timely efforts to help all pupils achieve acceptable levels of proficiency;
- D. Timely notification to parents/guardians when there is a possibility of failure and immediate consultation with the parent/guardian if the pupil's progress is not sufficient to meet promotion and remediation standards;
- E. Procedures for parents/guardians and adult pupils to appeal promotion/retention decisions;
- F. Procedures for involving parents/guardians in the design of the remedial program and/or the intervention plan.

Parents/guardians will be notified whenever exceptions are contemplated in a pupil's normal progression from level to level. The final decision in all cases will rest with school authorities.

Children shall be placed at the grade level to which they are best suited academically, socially, and emotionally. The educational program shall provide for the continuous progress of children from grade to grade. A small number of children, however, may benefit from staying another year in the same grade. Such retention may be considered in grades kindergarten through eight when:

- A. A student fails two or more major subjects or is working more than one year below grade level;
- B. A student is achieving significantly below ability and district standards set for the grade level based on objective tests and staff surveys;
- C. Retention would have a reasonable chance of benefitting the child;
- D. A student has not been present for a sufficient proportion of the total instructional time as outlined in the regulations for Policy 5113 - Absences & Excuses.

The following are major factors to be considered when the retention of a child is contemplated:

- A. The achievement of minimum proficiency levels in basic communication and mathematics skills;
- B. Continuous achievement and growth in all program areas commensurate with ability and grade level;

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- C. The demonstration of social and emotional maturity necessary for a successful learning experience;
- D. Attendance.

Whenever retention is being considered, the teacher shall confer with the Principal and other appropriate staff. Except in attendance-related cases, the meeting should be held no later than the end of the first semester. The parents/guardians shall be invited to a meeting with the teacher, Principal and other appropriate staff. This meeting shall include an explanation to the parents/guardians of their child's current academic standing in relationship to the group and his/her individual ability. Subsequent meeting will be held in accordance with district regulations pursuant to this policy.

Only in unusual circumstances should a child be retained more than once.

Regulation

Promotion / Retention Requirements (K - 4)

- A. The teacher will provide a yearlong sampling of the child's work. It will be chronological in order to be objective about progress and rate of growth. The comprehensive file must also include test scores, end of level tests, remediation attempts and standardized achievement test data.
- B. Parent/school contact should be anecdotal and documented by date and time of conference. The first achievement notice will be sent home with the second report card.
- C. The teacher will confer with the Guidance Counselor and/or other staff members involved with the student. The Child Study Team will be involved, based on the Guidance Counselor's assessment. Information to be discussed may include:
 - Report card progress
 - Performing on grade level
 - Attendance
 - Intelligence
 - Physical size
 - Standardized Achievement Test results
 - Previous retention
 - History of learning disabilities
 - Motivation to complete academic tasks
 - History of discipline
 - Transiency
 - Immature behavior
 - Parent/school communication
 - Teacher, parent, CST input
 - Student attitude

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- D. The second achievement notice will be sent home with the third report card. The parents/guardians will be invited to a meeting with the teacher, Principal, counselor, and other appropriate staff members by the end of the third marking period. The student's proficiency level, ability to achieve and other relevant information shall be discussed.
- E. A plan shall be developed in consultation with the parents/guardians. Such plans shall establish a time line for future parental contact to report progress.
- F. The decision to retain a student shall be made by the Principal. The parents/guardians will be notified after all pertinent information is collected and reviewed. A decision shall be made before the student's last day of school.

Promotion / Retention Requirements

- A. 80% of all math skills must be mastered at the appropriate grade level as outlined in the attached grade level skill sheets.
- B. Reading levels - see attached required levels.
- C. Miscellaneous Competencies - see attachment.
- D. Kindergarten- Retention in kindergarten will be permitted only in extreme cases. This must be done under the Principal's direction. Consideration for the Transitional First Grade program will be the recommendation. (It is used as an extra year program instead of retention for most children.) Any Child Study Team referrals on kindergarteners must be done by March 15th except in extenuating circumstances, e.g. late transfer into district (April to June).
- E. No more than two retentions in K-5 will be allowed. Following the first retention, the child will be monitored closely. Prior to the second retention, the Child Study Team will be involved with the student.

Promotion / Retention Requirements Minimum Competencies for Reading

The following competencies, listed by grade level, represent the minimum standards of proficiency needed by students in order to be promoted and successfully function at the following grade level:

Kindergarten - Minimum Competencies for Reading Readiness

- A. Successful performance on unit assessments
- B. Show interest in reading activities
- C. Relate information in stories to personal knowledge or experience
- D. Recall information after being read to
- E. Relate a story clearly
- F. Match identical letters (upper with upper case, and lower with lower case)
- G. Associate letters with their sounds and sounds with their letters (consonants only)
- H. Distinguish beginning sounds of words
- I. Recite alphabet without singing
- J. Recognize and name upper case and lower case letters in random order
- K. Recognize and print own name
- L. Recognize familiar signs

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- M. Predict an outcome of a story or picture
- N. Distinguish rhyming words
- O. Recognize sight words from reading series

Grade One

The student must perform satisfactorily at the primer level of the basal text, as evidenced by the following:

- A. 80% accuracy on the primer unit tests (publisher's tests)
- B. 80% accuracy in flash recognition of a primer graded word list
- C. 80% accuracy in reading in context, based on a one hundred word passage at a Grade One level (IRI)

Grade Two

The student must perform satisfactorily at the 2.1 level of the basal text, as evidenced by the following:

- A. 80% average performance on the 2.1 unit tests (publisher's tests)
- B. 95% accuracy in flash recognition of a 2.1 graded word list
- C. 95% accuracy in reading in context, based on a one hundred word passage at the 2.1 level (IRI)

Grade Three

The student must perform satisfactorily at the 3.1 level of the basal text, as evidenced by the following:

- A. 80% average performance on the 3.1 unit tests (publisher's tests)
- B. 95% accuracy in flash recognition of a 3.1 graded word list
- C. 95% accuracy in reading in context, based on a one hundred word passage at the 3.1 level (IRI)

Grade Four

The student must perform satisfactorily at the 4.1 level of the basal text, as evidenced by the following:

- A. 80% accuracy in flash recognition of a high-frequency fourth grade word list
- B. 95% accuracy in reading in context, based on a one hundred word passage at the 4.1 level
- C. 80% average performance on the ESPA weekly skills test

Promotion / Retention Requirements - Minimum Competencies for Mathematics

The following skills listed by grade level represent the minimum competencies for mathematics. Eighty percent of these skills must be mastered at the appropriate grade level.

Kindergarten - Minimum Competencies for Mathematics Readiness

- A. Recognize and name numbers 0 - 20
- B. Use manipulatives to form and identify sets 0 - 20
- C. Count with manipulatives to 20

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- D. Describe, draw and classify shapes
- E. Use manipulatives to sort and classify
- F. Read and interpret simple graphs related to daily activities
- G. Identify concepts showing more, less and the same
- H. Acquire confidence in using mathematics meaningfully
- I. Copy numerals 0 - 20
- J. Recognize number words 1 - 10
- K. Recognize money denominations: penny, nickel, dime and quarter

Grade One

- A. Recognize and compare sets of objects through 100
- B. Add facts through the sum of 12
- C. Subtract facts from 12
- D. Read and write numerals through 100
- E. Problem solve in a realistic setting
- F. Tell time to the hour and half-hour
- G. Count and write the value of a collection of coins to 50¢
- H. Identify and draw basic geometric shapes
- I. Identify fractional parts: halves, thirds, quarters
- J. Write and count by 1's, 5's and 10's
- K. Read pictographs
- L. Complete number and geometric shape patterns

Grade Two

- A. Recognize and compare sets of objects through 100
- B. Add facts through the sum of 12
- C. Add facts through sum of 18
- D. Subtract facts from 18
- E. Problem solve in a realistic setting
- F. Tell time to the hour, half-hour and quarter hour
- G. Calendar - identify and sequence: days and months
- H. Count and write the value of a collection of coins to \$1.00
- I. Add two digits with and without regrouping
- J. Subtract two digits with and without regrouping
- K. Geometry - identify plane shapes and solid figures
- L. Identify and write fractional parts of sets and wholes
- M. Identify and compare units of measure: length, weight and capacity
- N. Add and subtract three digits

Grade Three

- A. Recall addition facts to 20 and subtraction from 20
- B. Compare and order whole numbers
- C. Recognize appropriate use of estimation

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- D. Recognize and name place value to thousands
- E. Problem solve in a realistic setting
- F. Count money and make change to \$2.00
- G. Tell time to the minute
- H. Add and subtract 2 or 3 digit numbers with or without regrouping
- I. Interpret line and bar graphs
- J. Multiply facts through 5, 10
- K. Divide facts thorough 5, 9
- L. Recognize, describe and classify geometric figures
- M. Write fractions and mixed numbers
- N. Identify and compare basic units of measure
- O. Multiply 2 or 3 digits by one digit
- P. Divide 2 or 3 digits by one digit

Grade Four

- A. Recognize and name place values to millions
- B. Recall basic addition and subtraction facts
- C. Add and subtract larger numbers with and without regrouping
- D. Select and use estimation strategies for mental math and problem solving
- E. Problem solve in a realistic setting
- F. Multiply and divide basic facts
- G. Construct and interpret graphs
- H. Recognize, describe and classify geometric figures
- I. Multiply 2 or 3 digits by one digit and two digits
- J. Divide 2 or 3 digits by one digit and two digits
- K. Add/subtract fractions with like denominators
- L. Identify and compare units of measure

Legal References

- NJSA 18A:4-24 Determining efficiency of schools; report to state board 18A:7C-2 Boards of education; establishment of standards
ISA:35-4.9 Pupil promotion and remediation; policies and procedures
NJAC 6A:8-4.1 Statewide assessment system
6A:8-4.2 Documentation of student achievement 6A:8-5.1 Graduation requirements
6A:30-1.1 et seq. Evaluation of the Performance of School Districts 6A:32-14.1 Review of mandated programs and services
Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851 Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible Cross References

5I13, 5I20, 5I24, 6I42, 6I42.2, 6I43, 6I45, 6I46, 6I46.2, 6I47, 6I71.1, 6I71.3

Fairfield Township Board of Education District Policy Manual

Instructional Program Internet Safety

Series 6000
Policy 6142.16

Date Adopted: August 23, 2012

Date Revised:

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In accordance with the requirements of the Federal Child Internet Protection Act (CIPA), and as a school district that receives discounts offered by the E-rate program, the following constitutes the Internet Safety Policy of this district.

The Board of Education shall provide technology protection measures with respect to any of its computers with Internet access that protect against access through such computers to visual depictions that are obscene, child pornography, or harmful to minors.

For the purposes of this policy, “harmful to minors” shall be defined as, “any picture, image, graphic image file, or other visual depiction that:

- Appeals to a prurient interest in nudity, sex, or excretion, taken as a whole and with respect to minors;
- Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and,
- Lacks serious literary, artistic, political, or scientific value as to minors, taken as a whole.”

These protection measures may be disabled during use by an adult, to enable access for *bona fide* research or other lawful purpose.

In addition, this district may monitor the online activities of minors and adults using district computers and/or district equipment that provide Internet and/or Intranet access.

The Superintendent of Schools/designee shall develop and implement curricula to address the security and safety of minors, including, but not limited to:

- Appropriate online behavior, including interacting with other individuals on social networking sites;
- Using chat rooms, email, instant messaging and/or other types of online communication;
- Cyberbullying awareness and response;
- Unauthorized disclosure of a student’s personal information;
- Unauthorized access, such as hacking by students.

Before adopting this Internet safety policy, schools and libraries must provide reasonable notice and hold at least one public hearing or meeting to address the proposal.

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**Instructional Program
Internet Safety**

**Series 6000
Policy 6142.16**

Date Adopted: August 23, 2012

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Legal References

- NJSA 2A:38A-1 et seq. Computer System 2C:20-25 Computer Related Theft
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
18A:36-35 School Internet websites; disclosure of certain student information prohibited
- NJAC 6A:10A-1.1 et seq Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:10A, Appendix A
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
- 17 U.S.C. 101 United States Copyright Law
47 U.S.C. 254(h) Children's Internet Protection Act N.J. v. T.L.O. 469 U.S. 325 (1985)
O'Connor v. Ortega 480 U.S. 709 (1987)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq. Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1111, 3514, 4118.2, 4218.2, 5114, 5124, 5131, 5131.5, 5142, 6142.10, 6144, 6145.3, 6161

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Instructional Program

Series 6000

**Anti-Big Brother Act – Student Use
of District-Owned Electronic Devices**

Policy 6142.17

Date Adopted: November 21, 2013

Date Revised:

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The Board of Education directs the Superintendent of Schools/designee to comply with the provisions of NJSA 18A:36-39 (P.L. 2013, c. 44), otherwise known as the “Anti-Big Brother Act.”

The district may supply or furnish a student or students with an electronic device as described in this policy that may be used outside of the school environment, in connection with the district’s academic program.

The Superintendent of Schools/designee shall direct the appropriate staff members or administrators to provide any student who has been supplied with a district-owned and/or supplied laptop computer cellular telephone, or other electronic device, with written or electronic notification that the electronic device may record or collect information regarding the student’s activity or use of the electronic device if that electronic device is equipped with a camera, global positioning system, or other feature capable of recording or collecting information on the student’s activity or use of the device.

The notification shall include a statement that the school district shall not use any of the capabilities in a manner that would violate the privacy rights of the student or any individual residing with the student. The parent(s)/guardian(s) of the student shall be required to acknowledge receipt of this notification before the student is issued the electronic device.

It shall be understood that this policy does not include limiting or restricting the use of electronic devices in school environments.

The school district shall retain the acknowledgement as long as the student retains the use of the electronic device.

Additionally, all staff members shall be advised of this policy on an annual basis.

Legal References

NJSA 2A:38A-1 et seq. Computer System
18A:36-35 School Internet websites; disclosure of certain student information prohibited
18A:36-39 Anti-Big Brother Act

**PARENT / GUARDIAN AGREEMENT REGARDING THE USE OF
DISTRICT-OWNED ELECTRONIC DEVICES**

I, _____,
(Full Name of Parent/Guardian)

as the parent or guardian of _____,
(Full Name of Student)

have read the attached Anti-Big-Brother Act / Student Use of District Owned Electronic Devices Policy (6142.17). I understand that the Fairfield Township School District will supply my child with an electronic device that may be able to record or collect information regarding my child's activity or use of the electronic device and the electronic device may be equipped with a camera, global positioning system, or other feature capable of recording or collecting information on my child's activity or use of the device.

I also understand that the Fairfield Township School District will not use any of the capabilities in a manner that would violate the privacy rights of my child or any individual residing with him/her.

I have read, understand and agree to allow the school district to furnish my child (named above) with an electronic device that may be able to record or collect information regarding my child's activity or use of the electronic device and that the electronic device may be equipped with a camera, global positioning system, or other feature capable of recording or collecting information on my child's activity or use of this device.

Additionally, my child has also read, understands and agrees to the information contained in this agreement and has signed his/her name below indicating his/her agreement to the terms of this document.

Please sign below and return to your child's school:

Parent/Guardian Signature

Date

Student Signature

Date

**Fairfield Township Board of Education
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**Instructional Program
Curriculum Guides**

**Series 6000
Policy 6143**

Date Adopted: March 31, 2010

Date Revised:

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The Superintendent of Schools shall oversee development of curriculum guides for every course and area of study for every grade level. Each guide shall contain objectives for concepts and skills to be taught and attitudes to be developed; necessary study skills; suggested materials and activities designed to achieve all of these; and evaluation criteria intended to test the extent to which learning objectives have been met.

Teachers shall use the guides as the core of their instructional planning. It shall be the responsibility of the Superintendent of Schools to ensure that curriculum guides are being followed.

A copy of each guide in use shall be kept on file in each school office. Such guides shall be available for public inspection.

Because curriculum guides are the means of implementing instruction in courses adopted by the Board as the curriculum of the district, the Board shall approve any new curriculum guides or any revision to an existing guide before they are put into effect.

Legal References

NJAC 6A:8-1.3 Definitions
6A:8-2.1 et seq. The Core Curriculum Content Standards
6A:8-3.1 et seq. Implementation of the Core Curriculum Content Standards
6A:8-5.1 Graduation requirements
6A:30-1.1 et seq. Evaluation of the Performance of School Districts

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

Possible Cross References

6122, 6140, 6141, 6142, 6142.2, 6147

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Series 6000

Lesson Plans

Policy 6143.1

Date Adopted: November 18, 1998

Date Revised: March 31, 2010

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All teachers are required to maintain and use an updated curriculum guide for preparation of lesson plans for each subject taught. Lesson plans must include objectives that specify what pupils should know, or be able to do, at the completion of that lesson. Lesson plans will also include activities, essential questions, assessment and the New Jersey Core Curriculum Content Standards that are addressed. Lesson plans should be prepared in enough detail with enough clarity to enable a substitute teacher to carry on the program during the absence of a teacher.

When the teacher plans to use materials not included in the curriculum guide, he/she should list these materials in the lesson plan.

The Principal or his/her designee shall check lesson plans on a weekly basis.

Legal References

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

NJAC 6A:8-2.1 et seq. The Core Curriculum Content Standards
6A:8-3.1 et seq. Implementation of the Core Curriculum Content Standards
6A:30-1.1 et seq. Evaluation of the Performance of School Districts

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

Possible Cross References

4115, 4116, 4121, 6010, 6142, 6143

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Controversial Issues

Policy 6144

Date Adopted: March 31, 2010

Date Revised:

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Free discussion of controversial issues-political, economic, social - shall be encouraged in the classroom whenever appropriate for the level of the group.

Issues may be considered controversial which arouse strong reactions, based either on personal conviction or allegiance to a group. School treatment of controversial issues shall be designed to instruct pupils in fair and objective study techniques. The decision on whether a particular controversial issue shall become a matter for school study shall be based on the timelines of the question, the maturity and needs of the pupils and the purposes of the school. Classroom discussions on controversial questions that arise unexpectedly shall be the responsibility of the teacher, who shall provide relevant information on both sides of the question. Such discussions shall be kept free from the assumption that there is one correct answer that should emerge from the discussion and be taught authoritatively to the pupils.

Pupils shall be taught to recognize each other's right to form an opinion on controversial issues, and shall be assured of their own right to do so without jeopardizing their relationship with the teacher or the school.

The Superintendent of Schools shall have the authority to limit or suspend discussion of controversial issues pending a review of the issue/materials. Instructional materials not previously approved must be reviewed by the Superintendent of Schools before being introduced into the classroom.

Legal References

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

18A:36-34 Written approval required prior to acquisition of certain survey information from students

18A:54-20 Powers of board (county vocational schools)

Pupil Protection Rights Amendment - 20 U.S.C. 1232h

Tenure Hearing of William Lee Johnson, Clearview Regional School District, 79 S.L.D. 267;

79 S.L.D. 273 aff'd with deletion of paragraph

Garcetti v. Ceballos 2006 U.S. LEXIS 4341(May 2006)

Possible Cross References

1312, 5145, 6141.2, 6145.3, 6161.1, 6161.2

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Intramural / Interscholastic Competition

Policy 6145.1

Date Adopted: January 26, 2012

Date Revised:

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The Board of Education considers all competitive extracurricular activities--academic, artistic and athletic--an integral part of the total educational program. Competitive activities shall be under the same administration and control as the rest of the school program and closely articulated with it.

Competitive activities can provide pupils with valuable experiences and opportunities. In this district, the emphasis in any competition--intramural or interscholastic--shall be on providing such experiences and opportunities rather than on producing winning teams or providing entertainment. Practice for or performance in any competitive event shall not interfere with the regular educational program.

The Board of Education shall approve all proposed interscholastic competition, either as a schedule or as a discrete event, whichever is appropriate. The Board of Education must approve membership in any leagues, associations and conferences, and any agreements with other schools for a series of games or events. Contests of any kind between and among the schools of the district shall be approved by the Superintendent of Schools.

The Board of Education shall appoint coaches, advisors, physicians and other necessary supervisory personnel upon recommendation of the Superintendent of Schools. The Superintendent of Schools shall also ensure that training programs/regulations are developed for all extracurricular athletic activities and that all physical facilities involved in any competition in which district schools take part shall be adequate, safe and sanitary.

Public recognition shall be given to participants in academic or artistic competitions in the same measure as to athletic competitors. The district's affirmative action resolution and plan for equity in school and classroom practices shall apply to determining eligibility for competition, approval of each competitive activity in which pupils officially represent the district, and district expenditure to provide facilities and coaches.

Parental Consent

No pupil may participate in a school-sponsored physical activity outside the regular physical education curriculum without a signed consent form from a parent/guardian naming the activity and acknowledging that the activity may be hazardous.

Academic Eligibility

Academic standards for eligibility shall be those established by policy 6145 Extracurricular Activities.

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Intramural / Interscholastic Competition

Policy 6145.1

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Attendance Standards

Attendance standards shall be those set in Board of Education policy. In particular, a pupil shall not participate in a performance, exhibition, practice or athletic event unless he/she has been present in school that day or has been absent for an excused reason other than for sickness.

Disciplinary Standards

Disciplinary standards are based on Board of Education policies and the district code of student conduct. Pupils on disciplinary probation or serving a detention or suspension may not practice, perform or compete. The Superintendent of Schools and the building principal shall decide at the end of a probation or suspension whether the pupil may return to practice and competition.

Special Education Pupils

To participate in interscholastic competition, special education pupils must meet the same requirements listed above in conformity with IEPs.

Physical Eligibility

All pupils in grades 6 through 8 participating in intramural or interscholastic athletics must be given a medical examination within 365 days prior to the first practice session, with a health history update if the examination was completed more than 60 days prior to the first practice session of the first sport participated in. The medical examination shall be given at the student's medical home. If a student does not have a medical home, the school physician shall conduct the medical examination. Examinations shall be made available throughout the school year consistent with the district athletic schedule. The examination shall be documented on the form approved by the commissioner of education and include, as a minimum, the components listed in the administrative code. In the event a private physician is used, the medical examination shall not be at the expense of the Board of Education.

The parents/guardians shall be sent written notification signed by the examining physician testifying to the pupil's physical fitness to participate in athletics. The reason for the physician's disapproval of the pupil's participation shall be included in the notification. The health findings of the medical examination for participation in athletics shall be made part of the general health examination record.

The Superintendent of Schools shall present to the Board of Education for adoption procedures for administration of the required medical examination. This examination shall conform to established current state guidelines. The procedures for the medical examination to determine the fitness of a pupil to participate in athletics shall include a form for a medical history to be filled out and returned by a parent/guardian and a form to be filled out by the examining physician.

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Policy 6145.1

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Insurance

The Board of Education will cover each participant in interscholastic football with insurance coverage as recommended by the current insurance carrier. All other interscholastic activities shall be covered at the recommendation of the insurance advisor and Superintendent of Schools.

Parents/guardians shall be strongly encouraged to participate in the supplemental pupil accident insurance program offered by the Board of Education.

Pamphlet on Sudden Cardiac Arrest

In accordance with the provisions of NJSA 18A:40-41, once each school year, the Superintendent of Schools/designee shall distribute to parents/guardians of students participating in school sports, the New Jersey Department of Education's pamphlet on sudden cardiac death. The pamphlet includes a description of early warning signs and privately available screening options.

Good Sportsmanship

The Board of Education believes that instilling habits of good sportsmanship should be one of the primary goals of athletic endeavors and that all district employees should model good behaviors in this area.

It is especially important that the athletic director and coaches accept the responsibility for encouraging young athletes to handle themselves in a sportsmanlike way and be models of self-control and dignity for players and spectators. Coaches shall include discussions on courtesy and sportsmanlike behavior as part of pre-game activities. Student fans shall be reminded that their conduct reflects on the schools of this district and that poor sportsmanship will be disciplined.

Parents/guardians and other adult spectators shall also be encouraged to act as models for young people by demonstrating self-control and dignity at all athletic events.

Unsportsmanlike behavior as exhibited through verbal abuse, rude gestures, taunts, obscenities, thrown objects, etc., shall not be tolerated in students, staff or any persons in attendance at district athletic competitions. Discipline may include, but not be limited to, eviction from the competition and prevention from attending further competitions.

The Superintendent of Schools shall prepare regulations on good sportsmanship and ensure their dissemination to students, parents/guardians and the community.

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Intramural / Interscholastic Competition

Policy 6145.1

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Legal References

NJSA 10:5-1 et seq. Law Against Discrimination

18A:11-3 Voluntary associations regulating conduct of student activities; membership; rules and regulations; appeals

18A:19-14 Funds derived from student activities

18A:35-20 Participation in courses in which verbalization unessential to understanding of subject matter; location of and children in bilingual programs

18A:42-5, -6 Certain student organizations declared harmful

34:13A-1 et seq. New Jersey Employer-Employee Relations

NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education

6A:8-3.2 Career education and counseling

6A:9-5.19 Athletics personnel

6A:16-2.2 Required health services

6A:30-1.1 et seq. Evaluation of the Performance of School Districts

6A:32-9.1 et seq. Athletics Procedures

6A:32-14.1 Review of mandated programs and services

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

20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972

Krupp v. Bd. of Ed. of Union County Reg. H.S. Dist. #1, 278 N.J. Super. 31 (App. Div. 1994) cert. den. 140 N.J. 277 (1994)

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

NJSIAA Constitution, Bylaws, Rules and Regulations

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**Instructional Program
Student Publications**

**Series 6000
Policy 6145.3**

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The Board of Education sponsors pupil publications as important elements of the instructional program. Pupils are encouraged to develop skills of written and verbal communication and to exercise the right to express their opinions freely and responsibly.

The rights of free speech, and free expression of pupils in public school pursuant to the First Amendment of the Constitution of the United States of America, are not automatically coextensive with the rights of adults in other settings and shall be applied in light of the special characteristics of the school environment. The Board of Education reserves the right to exercise pre-publication control over school-sponsored publications through administrative staff and faculty. Pupils shall have the right to appeal the exercise of censorship by school district staff to the Board of Education.

Pupil expression may be restricted if it can be determined that such expression is inconsistent with the basic educational mission of the school district and when censorship action is reasonably related to legitimate educational concerns.

Pupils who violate this policy by expression, publication or distribution of any materials which are biased or prejudiced, vulgar or profane, unsuitable for immature audiences, or which do not meet the school districts high standards of learning and propriety consistent with its educational goals and objectives may be subject to appropriate discipline.

This policy shall be implemented in accordance with regulations to be developed by the Superintendent of Schools. The regulations shall:

- A. Identify school district staff responsible for pupil publications;
- B. Establish procedures for pre-publication review which will include consideration by the faculty of the maturity levels of students and of appropriate standards of journalistic taste; and,
- C. Specify procedures for appeal by pupils to the Board of Education with provisions for prompt decisions to be made at each level.

Legal References

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

Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)
Desilets v. Clearview Regional Board of Education, 137 N.J. 585 (1994)

Possible Cross References

1110, 1111, 1111.2

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Sports-Related Concussions & Head Injuries**

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The Board of Education recognizes that head injuries pose a serious health risk to the students of this district and in particular to student athletes who participate in Interscholastic Athletics.

General Statements

A concussion is caused by a blow or motion to the head or body that disrupts the normal functioning of the brain and can cause significant and sustained neuropsychological impairment, including, but limited to problem solving planning, memory and behavioral problems.

In order to ensure the safety of student athletes, it is imperative that athletes, coaches and parents/guardians are education about the nature and treatment of concussions and other sports-related brain injuries and that all measures are taken to prevent a student athlete from experiencing second-impact syndrome.

In response to this serious health and safety issue, the Commissioner of Education shall annually distribute a brain injury fact sheet to this school district and copies of this fact sheet shall be distributed annually by this district to all student athletes, parents/guardians of student athletes, coaches, athletic directors, school nurses and athletic trainers. The student athlete and his/her parents/guardians both must sign an acknowledgement form indicating the receipt of this fact sheet and that they have read and understood the information provided in it. The district shall keep all such acknowledgements on file for future reference.

Failure to return the signed fact sheet shall disqualify the student athlete from any participation until such time as the signed acknowledgement has been received by the administration.

Any student athlete who sustains or is suspected of have sustained a concussion or other brain injury while engaged in a sports competition or practice shall be immediately removed from the sports competition or practice. A student athlete who is removed from competition or practice shall not participate in further sports activity until he/she is evaluated by a physician trained in the evaluation and management of concussions and received written clearance from the physician to return to competition or practice and provides a written copy of the physician's clearance to the district administration.

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Regulations / Procedures

Any student athlete who sustains or is suspected of have sustained a concussion or other brain injury while engaged in a sports competition or practice shall be immediately removed from the sports competition or practice. A student athlete who is removed from competition or practice shall not participate in further sports activity until he/she is evaluated by a physician trained in the evaluation and management of concussions and received written clearance from the physician to return to competition or practice and provides a written copy of the physician's clearance to the district administration.

All coaches, assistant coaches, school nurses, school / team physicians , athletic directors and licensed athletic trainers must complete an Interscholastic Head Injury Training Program.

The Athletic Head Injury Training Program must include, but not be limited to:

- The recognition of the symptoms of head and neck injuries, concussions, risk of secondary injury, including the risk of second impact syndrome; and,
- Description of the appropriate criteria to delay the return to sports competition or practice of a student –athlete who has sustained a concussion or other head injury.

An Athletic Head Injury Training program such as the National Federation of State High Schools Association online “Concussion in Sports” training program or a comparable program that meets mandated criteria shall be completed by the above named staff. Additional head injury training programs that meet the mandated criteria may be completed by professionals of different levels of medical knowledge and training.

General Information Regarding Sports-Related Concussions & Head Injuries

Prevention

1. Pre-season baseline testing of student athletes.
2. Review of educational information for student athletes on prevention of concussions.
3. Reinforcement of the importance of early identification and treatment of concussions to improve recovery.

Student athletes who are exhibiting the signs or symptoms of a sports-related concussion or other head injuries during practice or competition shall be immediately removed from play and may not return to play that day.

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Possible Signs of Concussion

1. Appears dazed, stunned, or disoriented.
2. Forgets plays, or demonstrates short-term memory difficulty.
3. Exhibits difficulties with balance or coordination.
4. Answers questions slowly or inaccurately.
5. Loses consciousness.

Possible Symptoms of Concussion

1. Headache
2. Nausea/Vomiting
3. Balance problems or dizziness.
4. Double vision or changes in vision.
5. Sensitivity to light or sound/noise.
6. Feeling sluggish or foggy.
7. Difficulty with concentration and short term memory.
8. Sleep disturbance.
9. Irritability

Student athletes must be evaluated by a physician or licensed health care provider trained in the evaluation and management of concussion to determine the presence or absence of a sports-related concussion or head injuries.

To return to practice and competition the student athlete must follow the protocol:

1. Immediate removal from competition or practice. 911 should be called if there is a deterioration of symptoms, loss of consciousness, or direct neck pain associated with the injury.
2. When available the student athlete should be evaluated by the school's licensed healthcare provider who is trained in the evaluation and management of concussions.
3. School personnel (Athletic Director/Building Administrator, Licensed Athletic Trainer, School Nurse, Coach, etc.) should make contact with the student athlete's parent/guardian and inform him/her of the suspected sports-related concussion or head injury.

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4. School personnel coaches, assistant coaches, school nurses, school / team physicians, athletic directors and licensed athletic trainers, building administrators etc.) shall provide the student athlete with Board of Education approved suggestions for management/ medical checklist to provide their parent/guardian and physician or other licensed healthcare professional trained in the evaluation and management of sports related concussions and other head injuries.
5. The student athlete must receive written clearance from a physician, trained in the evaluation and management of concussions that states the student athlete is asymptomatic at rest and may begin the local districts' graduated return-to-play protocol. Medical clearance that is inconsistent with district, policy may not be accepted and such matters will be referred to the school/team physician.

Graduated Return to Competition & Practice Protocol

1. Complete physical, cognitive, emotional, and social rest is advised while the student athlete is experiencing symptoms and signs of a sports-related concussion or other head injury. (Minimize mental exertion, limiting overstimulation, multi-tasking etc.)
2. After written medical clearance is given by a physician trained in the evaluation and management of concussions stating that the student athlete is asymptomatic at rest, the student athlete may begin a graduated individualized return-to-play protocol supervised by a licensed athletic trainer, school/team physician or in cases where the afore mentioned are not available a physician or licensed health care provider trained in the evaluation and management of sports-related concussions. The following steps should be followed:
 - A. Completion of a full day of normal cognitive activities (school day, studying for tests, watching practice, interacting with peers) without re-emergence of any signs or symptoms. If no return of symptoms, next day advance to:
 - B. Light aerobic exercise, which includes walking, swimming, or stationary cycling, keeping the intensity < 70% maximum percentage heart rate: no resistance training. The objective of this step is increased heart rate. If no return of symptoms, next day advance to:
 - C. Sport-specific exercise including skating, and/or running; no head impact activities. The objective of this step is to add movement and continue to increase heart rate. If no return of symptoms, next day advance to:

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- A. Non-contact training drills (e.g., passing drills). The student athlete may initiate progressive resistance training. If no return of symptoms, next day advance to:
- B. Following medical clearance (consultation between school health care personnel, i.e., licensed athletic trainer, school / team physician, school nurse and student athlete's physician), participation in normal training activities. The objective of this step is to restore confidence and to assess functional skills by the coaching staff. If no return of symptoms, next day advance to the return to play involving normal exertion or game activity.
 - In the absence of daily testing by knowledgeable school district staff (i.e. licensed athletic trainer, school / team physician) to clear a student athlete to begin the graduated return-to-play protocol a student –athlete should observe a 7 day rest/recovery period before commencing the protocol. Younger students (K-8) should observe the 7-day rest/recovery period (after they are symptom free at rest) prior to initiating the graduated-return-to play protocol. A physician trained in the evaluation and management of concussion as well as the parents/guardians of the student athlete shall monitor the student athlete in the absence of knowledgeable school district staff (i.e., athletic trainer, school / team physician). School nurses may serve as an advocate for student athletes in communicating signs and symptoms to physicians and parents/guardians.
 - Utilization of available tools such as symptom checklists, baseline and balance testing are suggested.
 - If the student athlete exhibits a re-emergence of any concussion signs or symptoms once they return to physical activity, he/she will be removed from further exertional activities and returned to his/her school/team physician or primary care physician.
 - If concussion symptoms reoccur during the graduated return-to-play protocol, the student athlete will return to the previous level of activity that caused no symptoms.

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Temporary Accommodations for Student athletes with Sports-Related Head Injuries

1. Rest is the best “medicine” for healing concussions or other head injuries. The concussed brain is affected in many functional aspects as a result of the injury. Memory, attention span, concentration and speed of processing significantly impacts learning. Further, exposing the concussed student athlete to the stimulating school environment may delay the resolution of symptoms needed for recovery.
2. Accordingly, consideration of the cognitive effects in returning to the classroom is also an important part of the treatment of sports-related concussions and head injuries.
3. Mental exertion increases the symptoms from concussions and affects recovery. To recover, cognitive rest is just as important as physical rest. Reading, studying, computer usage, testing, texting – even watching movies if a student is sensitive to light/sound – can slow a student's recovery. In accordance with the Centers for Disease Control's toolkit on managing concussions boards of education may look to address the student's cognitive needs in the following ways.
4. Students who return to school after a concussion may need to:
 - Take rest breaks as needed.
 - Spend fewer hours at school.
 - Be given more time to take tests or complete assignments. (All courses should be considered)
 - Receive help with schoolwork.
 - Reduce time spent on the computer, reading, and writing.
 - Be granted early dismissal to avoid crowded hallways.

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Legal References

- NJSA 18A:11-3 Voluntary associations regulating conduct of student activities; membership; rules and regulations; appeals
18A:19-14 Funds derived from student activities
18A:35-20 Participation in courses in which verbalization unessential to understanding of subject matter; location of and children in bilingual programs
18A: 40-41.2 et seq Student Athlete brain injuries
18A:42-5, -6 Certain student organizations declared harmful
34:13A-1 et seq. New Jersey Employer-Employee Relations
- NJAC 6A:7-1.1 et seq. Managing for Equality and Equity in Education
6A:8-3.2 Career education and counseling
6A:9-5.19 Athletics personnel
6A:16-2.2 Required health services
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-9.1 et seq. Athletics Procedures
6A:32-14.1 Review of mandated programs and services
- 20 U.S.C.A. 4071-4074 - Equal Access Act
20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972
Krupp v. Bd. of Ed. of Union County Reg. H.S. Dist. #1, 278 N.J. Super. 31 (App. Div. 1994)
Good News Club v. Milford Central School, 121 U.S. 2093 (2001)
NJSIAA Constitution, Bylaws, Rules and Regulations

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Public Performances & Exhibitions**

**Series 6000
Policy 6145.4**

Date Adopted: March 31, 2010

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While the Board of Education encourages the presentation of performances and exhibitions, displaying the talents and accomplishments of Fairfield Township students, it directs the building and district administration to consider carefully the effects on instructional time of any such proposed activity.

The Principal and directors of activities shall:

1. Maintain high standards of performance and conduct in all programs selected;
2. Review all program materials and offerings in advance of scheduling to determine sound educational value;
3. Consult with the Superintendent of Schools (and through the Superintendent, the Board) on possibly controversial presentations;
4. Make an effort to increase student involvement in planning and make greater use of community resources as opposed to paid professional performances.

When a performance is requested by an organization not connected with the schools, the organization shall pay all expenses.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:42-2 School orchestra

Possible Cross References

1322

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Student Social Events

Policy 6145.7

Date Adopted: March 31, 2010

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The Board of Education believes that social activities in school life assist students in learning how to enjoy worthwhile group events, how to conduct them and how to contribute to the enjoyment of others. Therefore, school groups and classes may hold social events for their membership with proper authorization and under staff supervision, using school facilities.

Three parties per year have been approved by the Board of Education. Parties will take place during the last hour of school prior to dismissal.

The Principal and the teaching staff shall evaluate social events in terms of contributions to student growth and morale, and shall develop procedures for scheduling and conducting such events.

Legal References

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

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**Instructional Program
Graduation Requirements**

**Series 6000
Policy 6146**

Date Adopted: March 31, 2010

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In order to be graduated from the elementary district, and receive a state-endorsed, Board of Education diploma, a pupil must:

- A. Meet both state and district proficiency standards in reading, writing, and mathematics;
- B. Complete successfully the course requirements stated in the administrative code, unless those of the district are greater, in which case the districts standard must be met. The proficiencies required must include the core course proficiencies approved by the State Board of Education.

Successful completion means that the pupil has demonstrated the degree of proficiency required by the district to indicate achievement of the district goals for the particular course, and has attended the required number of course sessions.

A pupil shall not be deemed to have successfully mastered the objectives assigned to a course of study when he/she has been absent more than 30 days in any school year.

Transfer pupils must meet all state and local requirements in order to receive an elementary school diploma.

The Superintendent of Schools shall put into effect the procedures necessary to assess each pupil upon entry into the system, and, annually thereafter, to identify those pupils not meeting the state or district proficiency requirements in reading, writing and mathematics. He/she shall develop the programs necessary to remedy these deficiencies at the lowest possible grade level.

Basic Skills

Pupils who do not pass the New Jersey Assessment of Skills and Knowledge shall be provided appropriate remediation.

Pupils with Limited English Proficiency

Pupils with limited English proficiency must be provided with the program opportunities required by law, and must fulfill the regular state and district requirements for graduation.

Special Education Pupils

A disabled pupil must meet all state and local graduation requirements in order to receive a diploma unless exempted in his/her IEP. An exemption from the proficiencies shall be granted if the pupil's IEP does not include the proficiencies measured by the test.

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By June 30th of a disabled pupil's last year in the elementary program, the pupil's case manager, parent/guardian and teacher(s) shall meet to review the pupil's IEP in view of the transition to the secondary program. Input by appropriate staff from the secondary school shall be part of the review.

The IEP for the pupil exiting the elementary program will address all the elements required in the administrative code. The IEP will include exemptions, if any, from regular education program options or state and local graduation requirements including state assessments.

Proficiency

In consultation with appropriate professional staff, the Superintendent of Schools shall develop and present to the Board of Education, indicators of achievement and standards of proficiency and attendance.

Legal References

NJSA 18A:4-24 Determining efficiency of schools; report to state board 18A:7C-2 Boards of education; establishment of standards
18A:35-4.9 Pupil promotion and remediation; policies and procedures

NJAC 6A:8-4.1 Statewide assessment system
6A:8-4.2 Documentation of student achievement 6A:8-5.1
Graduation requirements
6A:30-1.1 et seq. Evaluation of the Performance of School Districts 6A:32-14.1 Review of mandated programs and services

Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851 Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible Cross References

5113, 5120, 5124, 6142, 6142.2, 6143, 6145, 6146, 6146.2, 6147, 6171.1, 6171.3

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**Instructional Program
Student Progress / Report to Parents**

**Series 6000
Policy 6146.1**

Date Adopted: March 31, 2010

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The Board directs the Superintendent of Schools to develop procedures whereby parents/guardians of pupils will be notified regularly of their child's progress toward achievement of individual and district goals and objectives.

These procedures must include, but not be limited to:

- A. Provision for a translator if a parent/guardian's primary language is other than English;
- B. A District-wide grading system for comparable grade levels. The system shall be both diagnostic and objective;
- C. Scheduling of individual parent-teacher conferences on a regular basis;
- D. Timely notice of possible failure.

Legal References

NJSA 18A:4-24 Determining efficiency of schools; report to state board 18A:7C-2 Boards of education; establishment of standards
18A:35-4.9 Pupil promotion and remediation; policies and procedures

NJAC 6A:8-4.1 Statewide assessment system
6A:8-4.2 Documentation of student achievement 6A:8-5.1
Graduation requirements
6A:30-1.1 et seq. Evaluation of the Performance of School Districts 6A:32-14.1 Review of mandated programs and services

Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851 Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible Cross References

5113, 5120, 5124, 6142, 6142.2, 6143, 6145, 6146, 6146.2, 6147, 6171.1, 6171.3

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**Instructional Program
Promotion / Retention**

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Policy 6146.3**

Date Adopted: September 22, 1999

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The Board recognizes that personal, social, physical and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

The Superintendent of Schools shall direct development of and the Board shall adopt detailed regulations to govern progress of pupils through all grade levels. The regulations shall include:

- A. Standards of proficiency related to district goals and objectives and provision for review of mastery;
- B. Standards of attendance;
- C. Timely efforts to help all pupils achieve acceptable levels of proficiency;
- D. Timely notification to parents/guardians when there is a possibility of failure and immediate consultation with the parent/guardian if the pupil's progress is not sufficient to meet promotion and remediation standards;
- E. Procedures for parents/guardians and adult pupils to appeal promotion/retention decisions;
- F. Procedures for involving parents/guardians in the design of the remedial program and/or the intervention plan.

Parents/guardians will be notified whenever exceptions are contemplated in a pupil's normal progression from level to level. The final decision in all cases will rest with school authorities.

Children shall be placed at the grade level to which they are best suited academically, socially and emotionally. The educational program shall provide for the continuous progress of children from grade to grade. A small number of children, however, may benefit from staying another year in the same grade. Such retention may be considered in grades kindergarten through eight when:

- A. A student fails two or more major subjects or is working more than one year below grade level;
- B. A student is achieving significantly below ability and district standards set for the grade level based on objective tests and staff surveys;
- C. Retention would have a reasonable chance of benefitting the child;
- D. A student has not been present for a sufficient proportion of the total instructional time as outlined in the regulations for Policy 5113 – Absences & Excuses.

The following are major factors to be considered when the retention of a child is contemplated:

- A. The achievement of minimum proficiency levels in basic communication and mathematics skills;
- B. Continuous achievement and growth in all program areas commensurate with ability and grade level;

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- C. The demonstration of social and emotional maturity necessary for a successful learning experience;
- D. Attendance.

Whenever retention is being considered, the teacher shall confer with the Principal and other appropriate staff. Except in attendance-related cases, the meeting should be held no later than the end of the first semester. The parents/guardians shall be invited to a meeting with the teacher, Principal and other appropriate staff. This meeting shall include an explanation to the parents/guardians of their child's current academic standing in relationship to the group and his/her individual ability. Subsequent meeting will be held in accordance with district regulations pursuant to this policy.

Only in unusual circumstances should a child be retained more than once.

Regulation

Promotion / Retention Requirements (K – 4)

- A. The teacher will provide a yearlong sampling of the child's work. It will be chronological in order to be objective about progress and rate of growth. The comprehensive file must also include test scores, end of level tests, remediation attempts and standardized achievement test data.
- B. Parent/school contact should be anecdotal and documented by date and time of conference. The first achievement notice will be sent home with the second report card.
- C. The teacher will confer with the Guidance Counselor and/or other staff members involved with the student. The Child Study Team will be involved, based on the Guidance Counselor's assessment. Information to be discussed may include:
 - Report card progress
 - Performing on grade level
 - Attendance
 - Intelligence
 - Physical size
 - Standardized Achievement Test results
 - Previous retention
 - History of learning disabilities
 - Motivation to complete academic tasks
 - History of discipline
 - Transiency
 - Immature behavior
 - Parent/school communication
 - Teacher, parent, CST input
 - Student attitude

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- D. The second achievement notice will be sent home with the third report card. The parents/guardians will be invited to a meeting with the teacher, Principal, counselor, and other appropriate staff members by the end of the third marking period. The student's proficiency level, ability to achieve and other relevant information shall be discussed.
- E. A plan shall be developed in consultation with the parents/guardians. Such plans shall establish a time line for future parental contact to report progress.
- F. The decision to retain a student shall be made by the Principal. The parents/guardians will be notified after all pertinent information is collected and reviewed. A decision shall be made before the student's last day of school.

Promotion / Retention Requirements

- A. 80% of all math skills must be mastered at the appropriate grade level as outlined in the attached grade level skill sheets.
- B. Reading levels – see attached required levels.
- C. Miscellaneous Competencies – see attachment.
- D. Kindergarten – Retention in kindergarten will be permitted only in extreme cases. This must be done under the Principal's direction. Consideration for the Transitional First Grade program will be the recommendation. (It is used as an extra year program instead of retention for most children.) Any Child Study Team referrals on kindergarteners must be done by March 15th except in extenuating circumstances, e.g. late transfer into district (April to June).
- E. No more than two retentions in K-5 will be allowed. Following the first retention, the child will be monitored closely. Prior to the second retention, the Child Study Team will be involved with the student.

Promotion / Retention Requirements Minimum Competencies for Reading

The following competencies, listed by grade level, represent the minimum standards of proficiency needed by students in order to be promoted and successfully function at the following grade level:

Kindergarten – Minimum Competencies for Reading Readiness

- A. Successful performance on unit assessments
- B. Show interest in reading activities
- C. Relate information in stories to personal knowledge or experience
- D. Recall information after being read to
- E. Relate a story clearly
- F. Match identical letters (upper with upper case, and lower with lower case)
- G. Associate letters with their sounds and sounds with their letters (consonants only)
- H. Distinguish beginning sounds of words
- I. Recite alphabet without singing
- J. Recognize and name upper case and lower case letters in random order
- K. Recognize and print own name
- L. Recognize familiar signs

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- M. Predict an outcome of a story or picture
- N. Distinguish rhyming words
- O. Recognize sight words from reading series

Grade One

The student must perform satisfactorily at the primer level of the basal text, as evidenced by the following:

- A. 80% accuracy on the primer unit tests (publisher's tests)
- B. 80% accuracy in flash recognition of a primer graded word list
- C. 80% accuracy in reading in context, based on a one hundred word passage at a Grade One level (IRI)

Grade Two

The student must perform satisfactorily at the 2.1 level of the basal text, as evidenced by the following:

- A. 80% average performance on the 2.1 unit tests (publisher's tests)
- B. 95% accuracy in flash recognition of a 2.1 graded word list
- C. 95% accuracy in reading in context, based on a one hundred word passage at the 2.1 level (IRI)

Grade Three

The student must perform satisfactorily at the 3.1 level of the basal text, as evidenced by the following:

- A. 80% average performance on the 3.1 unit tests (publisher's tests)
- B. 95% accuracy in flash recognition of a 3.1 graded word list
- C. 95% accuracy in reading in context, based on a one hundred word passage at the 3.1 level (IRI)

Grade Four

The student must perform satisfactorily at the 4.1 level of the basal text, as evidenced by the following:

- A. 80% accuracy in flash recognition of a high-frequency fourth grade word list
- B. 95% accuracy in reading in context, based on a one hundred word passage at the 4.1 level
- C. 80% average performance on the ESPA weekly skills test

Promotion / Retention Requirements – Minimum Competencies for Mathematics

The following skills listed by grade level represent the minimum competencies for mathematics. Eighty percent of these skills must be mastered at the appropriate grade level.

Kindergarten – Minimum Competencies for Mathematics Readiness

- A. Recognize and name numbers 0 – 20
- B. Use manipulatives to form and identify sets 0 – 20
- C. Count with manipulatives to 20

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- D. Describe, draw and classify shapes
- E. Use manipulatives to sort and classify
- F. Read and interpret simple graphs related to daily activities
- G. Identify concepts showing more, less and the same
- H. Acquire confidence in using mathematics meaningfully
- I. Copy numerals 0 – 20
- J. Recognize number words 1 – 10
- K. Recognize money denominations: penny, nickel, dime and quarter

Grade One

- A. Recognize and compare sets of objects through 100
- B. Add facts through the sum of 12
- C. Subtract facts from 12
- D. Read and write numerals through 100
- E. Problem solve in a realistic setting
- F. Tell time to the hour and half-hour
- G. Count and write the value of a collection of coins to 50¢
- H. Identify and draw basic geometric shapes
- I. Identify fractional parts: halves, thirds, quarters
- J. Write and count by 1's, 5's and 10's
- K. Read pictographs
- L. Complete number and geometric shape patterns

Grade Two

- A. Recognize and compare sets of objects through 100
- B. Add facts through the sum of 12
- C. Add facts through sum of 18
- D. Subtract facts from 18
- E. Problem solve in a realistic setting
- F. Tell time to the hour, half-hour and quarter hour
- G. Calendar – identify and sequence: days and months
- H. Count and write the value of a collection of coins to \$1.00
- I. Add two digits with and without regrouping
- J. Subtract two digits with and without regrouping
- K. Geometry – identify plane shapes and solid figures
- L. Identify and write fractional parts of sets and wholes
- M. Identify and compare units of measure: length, weight and capacity
- N. Add and subtract three digits

Grade Three

- A. Recall addition facts to 20 and subtraction from 20
- B. Compare and order whole numbers
- C. Recognize appropriate use of estimation

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- D. Recognize and name place value to thousands
- E. Problem solve in a realistic setting
- F. Count money and make change to \$2.00
- G. Tell time to the minute
- H. Add and subtract 2 or 3 digit numbers with or without regrouping
- I. Interpret line and bar graphs
- J. Multiply facts through 5, 10
- K. Divide facts thorough 5, 9
- L. Recognize, describe and classify geometric figures
- M. Write fractions and mixed numbers
- N. Identify and compare basic units of measure
- O. Multiply 2 or 3 digits by one digit
- P. Divide 2 or 3 digits by one digit

Grade Four

- A. Recognize and name place values to millions
- B. Recall basic addition and subtraction facts
- C. Add and subtract larger numbers with and without regrouping
- D. Select and use estimation strategies for mental math and problem solving
- E. Problem solve in a realistic setting
- F. Multiply and divide basic facts
- G. Construct and interpret graphs
- H. Recognize, describe and classify geometric figures
- I. Multiply 2 or 3 digits by one digit and two digits
- J. Divide 2 or 3 digits by one digit and two digits
- K. Add/subtract fractions with like denominators
- L. Identify and compare units of measure
- M. Read and write decimals to hundredths

Legal References

- NJSA 18A:4-24 Determining efficiency of schools; report to state board 18A:7C-2 Boards of education; establishment of standards
18A:35-4.9 Pupil promotion and remediation; policies and procedures
- NJAC 6A:8-4.1 Statewide assessment system
6A:8-4.2 Documentation of student achievement 6A:8-5.1
Graduation requirements
6A:30-1.1 et seq. Evaluation of the Performance of School Districts 6A:32-14.1 Review of mandated programs and services
Wheatley v. Board of Education of City of Burlington, 1974 S.L.D. 851 Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

Possible Cross References

5113, 5120, 5124, 6142, 6142.2, 6143, 6145, 6146, 6146.2, 6147, 6171.1, 6171.3

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Evaluation of Individual Student Progress

Policy 6147.1

Date Adopted: March 31, 2010

Date Revised: August 22, 2013, June 25, 2015,
April 12, 2018

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The Superintendent/Principal, in consultation with the teaching staff, shall develop a marking system to be used uniformly in the same grade level throughout the schools. The system should be clear, easily understood by parents/guardians and pupils, and able to be applied with consistency of interpretation. Evaluation and grading symbols shall be intended to appraise the pupil's progress toward established goals, and shall be a factor in promotion/graduation decisions.

The Board of Education encourages the certified staff, under the direction of the Superintendent/Principal, to employ a comprehensive approach to the use of appraisal and evaluative techniques in monitoring pupil progress, including, but not limited to, recognized standardized achievement testing programs, state assessments written and oral teacher-made tests, performance-based assessments, observation, parent/guardian interviews, formal and informal evaluation techniques, use of cumulative pupil records, and medical examinations.

The Superintendent/Principal shall have the right to review disputed grades and to adjust them.

Testing / State Required Assessments

In addition to testing procedures established in policy 5120 Assessment of Individual Needs, the school district shall establish and maintain a general testing program to:

- A. Improve the instructional program to assist pupils in achieving the Core Curriculum Content Standards;
- B. Measure the needs and progress of individual pupils;
- C. Measure the achievement of grade levels;
- D. Allow comparison of district pupils with national or other norms;
- E. Aid in evaluation of programs.

The district-testing program shall embody at least the tests required by state law. The administration shall continually scrutinize the applicability and effectiveness of tests being used in the district.

School personnel shall not use tests, procedures or other guidance and counseling materials which are differentiated or stereotyped on the basis of race, color, creed, religion, sex, ancestry, national origin or social or economic status.

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In February, 2014, the State Board passed a resolution confirming that the district Board of Education are obligated to implement the CCCS and to “ensure students meet the expectations and proficiency standards as measured by current and future State and local assessments.”

There are no provisions for students or their parents/guardians to “opt-out” of any state-mandated assessments.

Regulation

The Board of Education and the administration strongly encourage student participation in state mandated assessments.

However, the Board of Education recognizes that some families may have questions and concerns about these assessments, and the following regulation shall be followed by throughout the district:

1. Parents/Guardians who choose to refuse participation, must submit a written refusal statement to the Superintendent/Principal two (2) weeks prior to the actual dates of testing, documenting their intention to have their child not participate in state mandated assessments.
2. Students whose parents/guardians have submitted a written statement refusing participation in state mandated assessments. are expected to come to school on the days of testing, where they will be marked present. They will be located in a room with adult supervision that is separate from the testing environment. These non-participating students are to bring an appropriate book to school with them. These students will be required to read quietly during the testing period and an appropriate assignment may be instituted regarding the student’s book.
3. Students whose parents/guardians have not submitted a written statement of refusal and who are not present on the day of the assessment will be marked absent and will sit for state mandated assessments. make-up tests as scheduled.
4. Students whose parents/guardians have submitted a written statement of refusal and who are not present on the day of the assessment will be marked absent. However, these students will not be expected to participate in the assessment on the scheduled make-up tests.
5. Students whose parents/guardians have not submitted a written statement of refusal and who arrive late to school will be marked as such. However, they will be expected to participate in the test make-up period as scheduled.
6. Students whose parents/guardians have submitted a written statement of refusal and who arrive late to school will be marked as such. However, they will not be expected to participate in the test make-up period as scheduled.

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Any requests for surveys, pupil observations, or pupil questionnaires must be forwarded through the office of the Superintendent/Principal for approval before any survey or observation can be conducted.

Individual results of standardized tests, including intelligence tests, shall be made available to parents/guardians upon their request, but shall be considered confidential information to be available only to authorized personnel. District test results shall be discussed in a public meeting.

Grading Criteria

The philosophy of the Board of Education concerning academic achievement is based on the premise that children have diverse capabilities, interests and individual patterns of growth and learning.

Therefore, the Board feels it important that teachers have as much, and as accurate knowledge of each student as is possible through tests and observations of students' intelligence, achievement, work habits, skills, health and home environment.

The Board recognizes that many factors that cannot be clinically tested, such as attitude toward others and work habits, may influence a student's success as much as knowledge of subject areas.

In fairness to all student then, achievement shall be judged in relation to a student's learning capacity, and in terms of his/her degree of mastery of skills, instructional goals and objectives.

Tests, quizzes and other evaluation devices will be administered on a regular basis to generate grades to promote a process of continuous evaluation of student performance to inform the student and his/her parents of his/her progress and to provide a basis for bringing about change in the student's performance, if such a change is deemed necessary.

Grading Scale & Percentage Breakdown

The Preschool and Kindergarten Grading Scale shall consist of the following:

- B – Beginning
- D – Developing
- S – Secure

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The Grading Scale for Grades 1 through 8 shall consist of the following:

- 93 – 100: A
- 85 – 92: B
- 76 – 84: C
- 70 – 75: D
- 69-0: F

Percentage Grading Scale Breakdown

Grades will be based on the following criteria:

- 10%: Homework
- 50%: Tests / Projects
- 30%: Quizzes
- 10%: Participation

Teachers of Preschool and Kindergarten will use the same Percentage Grading Scale as other teachers. In order for a teacher to determine if a child is still at the beginning stage or has moved into the developing stage and so on, the teacher must keep a record of homework, assessments, weekly assessments and participation noting dividing the number current by the total. This will provide a percentage, which will determine the weight of mastery. It is also data to indicate how well the child is doing. Example, if a preschool child has to trace letters for homework, how many times were the assignments submitted: $3 \text{ assignments} / 10 = 3/10 = 0.3$ which states that the child needs to turn in more assignments all of the time would meet the 10% requirement. The same would apply for the other weighted assignment. Therefore, the weighted scale can be used uniformly across the board.

1. A minimum of four (4) test grades, three (3) quiz grades and three (3) alternative assessments, presentations, portfolios, projects, reports per marking period.
2. No single assessment shall be counted as more than one grade. (For example, a book report should not count as two alternative assessment grades)
3. Homework should always serve a valid learning purpose; it should never be used as a punitive measure.
4. Classroom performance, group work, attitude and effort should consist of being present, being prepared, following classroom rules, staying on task and giving your best effort.
5. Explain these grading guidelines to all students at the beginning of the school year. Please provide a copy for parents as well.

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Legal References

NJSA 18A:7C-3, -4, -6, -6.2 Remedial instruction for students not meeting graduation standards
18A:11-1 General mandatory powers and duties
18A:35-4.9 Pupil promotion and remediation, policies and Procedures
18A:36-34 Written approval required prior to acquisition of certain survey information from students

NJAC 6A:7-1.7 Equality in school and classroom practice
6A:8-1.1 et seq. Standards and Assessments
6A:10A-3.1 et seq School districts-led standards-based instruction
6A:16-1.4(c) District policies and procedures
6A:30-1.4 Evaluation process for the annual review
6A:32-2.1 Definitions
6A:32-7.1 Student Records
6A:32-12.2 School-level planning

34 CFR 98 Protection of Pupil Rights
Talarsky v. Edison Township Board of Education, 1977 S.L.D. 862
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1000/1010, 1120, 5113, 5120, 5124, 5125, 5141.3, 6142.6, 6146, 6146.2, 6147

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Instructional Settings / Class Size

Policy 6150/6151

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education recognizes its responsibility to ensure that instructional settings be tailored to suit the changing needs of the student body. As a result the Board welcomes recommendations from faculty, students, staff or community as to ways by which it may improve instructional settings. These might include:

- A. Providing classroom or other instructional space
- B. Revising class size ranges and limits
- C. Permitting scheduling innovations based on individual pupil needs
- D. Arranging team teaching or other means for emphasizing the inter-disciplinary nature of knowledge and the interrelatedness of learning
- E. Involving pupils in directed and self-selected activities
- F. Adapting instruction to diverse pupil learning styles

The Board of Education, however, reserves the right to make the final determination on all matters affecting instructional settings.

The Superintendent of Schools shall recommend for Board approval the number of class sections for each course or grade level. He/she shall take into consideration such factors as student needs, curriculum requirements, types of instructional setting, district finances and space or equipment limitations. Particular attention shall be paid to space-per-pupil requirements of the State Department of Education.

Legal References

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

- NJAC 6A:8-2.1 Authority for educational goals and standards
- 6A:10A et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
- 6A:14-4.7 Program criteria: special class programs, secondary and vocational rehabilitation
- 6A:23-8.3 Commissioner to ensure achievement of the Core Curriculum Content Standards
- 6A:26-2.1 et seq. Long-Range Facilities Plans
- 6A:32-8.2 School enrollment
- 6A:32-8.3 School attendance

Possible Cross References

3240, 5118, 5120, 5145.4, 6150, 6171.4, 7110

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Grouping for Instruction

Policy 6152

Date Adopted: March 31, 2010

Date Revised:

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In order to achieve effective individual learning, grouping arrangements shall be kept flexible in size and membership.

Age or grade differences shall not constitute a barrier to grouping except in classes for the handicapped as prescribed by law. Criteria for grouping should include the student's ability to achieve the learning goals and objectives of the assigned group. Students should be grouped to receive the greatest benefits of the program. Provisions shall be made for altering the grouping as often as necessary.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:8-2.1 Authority for educational goals and standards
6A:10A et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:14-4.7 Program criteria: special class programs, secondary and vocational rehabilitation
6A:23-8.3 Commissioner to ensure achievement of the Core Curriculum Content Standards
6A:26-2.1 et seq. Long-Range Facilities Plans
6A:32-8.2 School enrollment
6A:32-8.3 School attendance

Possible Cross References

3240, 5118, 5120, 5145.4, 6150, 6171.4, 7110

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Series 6000

Student Field Trips

Policy 6153

Date Adopted: September 27, 2001

Date Revised: March 31, 2010

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The Board of Education recognizes that field trips, used as a device for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the school.

For purposes of this policy, a field trip shall be defined as any journey by a group of pupils away from the school premises, under the supervision of a teacher, which is an integral part of an approved course of study and conducted for the purpose of affording a firsthand educational experience not available in the classroom.

Times and locations of field trips shall not be posted on any district web sites.

Educational field trips shall be planned and conducted in accordance with the following guidelines:

1. All trips, and the arrangements/specific itineraries for them, must have advance Board of Education approval. The Superintendent of Schools shall review and approve all trips prior to submitting the request to the Board of Education for final approval.
2. A parental permission slip is required for each child participating in the field trip, including walking excursions. Permission slips shall be forwarded to the school office along with a list of chaperones at least one (1) week prior to the field trip. A final student list and chaperone list must be provided to the school office.
3. The teacher will provide the parents with information concerning the purpose and destination of the trip, transportation and eating arrangements, date and time of departure, estimated time of return and if the trip will extend beyond the school day, in a detailed itinerary.
4. The Board of Education will assume all transportation costs for the field trip.
5. One or more staff members per 10 students will accompany each class on field trips unless otherwise approved by the Superintendent of Schools. Teachers are responsible for informing accompanying adults of their duties and responsibilities. (See Guidelines of Volunteer Chaperones – Policy 6153.1) Parent and staff member chaperones are not permitted to take any children other than those students enrolled in the class.
6. The teacher will review acceptable standards of conduct with the students in advance of the trip. The teacher has primary responsibility for the conduct of the children. Children who cannot be self-controlled or teacher controlled may be excluded from the trip.
7. The teacher planning the trip will be responsible for arranging an appropriate educational experience and supervision for the students who do not participate in the field trip.
8. Students' safety will be a primary consideration. First-aid kits will be provided by the school nurse for all field trips.

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9. The buddy system, or partners, is recommended to assure constant awareness of each child's whereabouts, needs and participation.
10. Should an emergency situation occur, the teacher is responsible for notifying the Superintendent of Schools or designee by telephone as soon as possible.
11. Commercial carriers such as charter buses are to be used at the discretion of the Board of Education.
12. Arrangements for buses are to be made through the school office at least 1 month in advance of the trip. Should commercial carriers be used, 2 months prior notice will be required.
13. If children return to the school from a trip after school hours, the teacher and administrator shall make arrangements for their safe departure home, taking into account the age of the students and the hour.
14. The head chaperone will sign out the school cell phone and/or provide the chaperone's personal cell phone number for emergency contact during the trip.

If Fairfield students would miss a beneficial educational opportunity because due to the late emergence of a field trip opportunity there was no scheduled Board meeting prior to the date of the trip, the Superintendent of Schools may poll the Board Members by telephone or in person. If a majority of the full Board gives its approval when polled, the Superintendent of Schools may give approval for the field trip. A field trip approved in this manner will be memorialized by the Board of Education at the next Board meeting. In no case will this method of approval be used to approve field trips for which adequate time was available to obtain board approval at a regularly scheduled meeting.

Pupil Self-Administration of Medication

The Board shall permit self-administration of medication on field trips for asthma or other potentially life-threatening illnesses by pupils, provided that the Board has received:

1. Written authorization from the pupil's parent(s)/guardian(s) for self-administration;
2. Written certification from the pupil's doctor that the pupil has such a medical condition and can self-administer medication(s); and,
3. Written waiver of liability from the parent(s)/guardian(s) for injury from self-administration of medication(s).

Epinephrine shall be administered via epi-pen to pupils in emergencies on field trips by the school nurse, his/her designee(s), the student's parent/guardian or the student himself/herself as provided by law.

In addition,

1. The nurse's designee must be properly trained by the nurse pursuant to Department of Education/Department of Health protocols.
2. Parents/guardians must consent in writing to the administration of medicine(s) by the designated individual.

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3. There shall be no liability for the district if the Superintendent of Schools informs parents/guardians that said procedures are followed.

Overnight Field Trips

The Board of Education must approve, in concept, all overnight field trips prior to any planning for the event. No employee may solicit students for such trips. The Board does not endorse, support or assume liability for any employee who solicits participation or takes students on trips that have not been approved by the Board. The Board shall not entertain requests for overnight field trips scheduled during vacation periods or after May 15th unless the Board is satisfied that the purpose of the trip is to participate in a recognized academic program or competition that is not available during other periods of the school year.

Approval of overnight field trips will be based on the Board's determination of the degree of educational benefit to be derived from the proposed field trip. The Superintendent of Schools shall develop procedures and regulations for overnight field trips and incorporate the following guidelines in the development of those procedures and regulations:

1. The safety of the students, including appropriate supervision;
2. Accounting of finances;
3. Obtaining permission of parents/guardians to participate in the field trip, including but not limited to written, notarized medical release forms;
4. Means of evaluating the field trip experience by the students, teachers and the administration;
5. Provision for students, during regular school hours, who are unable to attend, to have a suitable educational program in the school;
6. The itinerary must delineate any leisure/free time and it is expected that free time will be minimized so as to enhance the educational value of the trip;
7. Field trips must not conflict with major school events, programs or religious holidays;
8. Adult supervisors/chaperones shall be of the highest moral character and shall be able to impress upon the participating pupils they represent the school district and their behavior as observed by others, will form an impression of the school district;
9. The supervisor of the field trip is properly qualified to lead the trip, is familiar with the planned activities and is knowledgeable with respect to requirements of this field trip policy and implementation of the school district's behavior policy;
10. Chaperones shall not be accompanied by family members unless the family member is also designated as a chaperone or is an eligible student participant;
11. No student is to be denied participation in a required field trip because of the inability to contribute the required monies or because of medical or physical condition without first attempting to make reasonable accommodations.

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Legal References

- NJSA 18A:25-2 Authority over pupils
18A:36-21 through -23 Field trips; costs to be borne by parents or guardians ...
18A:36-35 School Internet web sites; disclosure of certain student information prohibited
18A:39-20.1 Transportation to and from related school activities in private vehicle 18A:40-12.3 through -12.4 Self-administration of medication by pupils; conditions ...
18A:40-12.5 Policy for emergency administration of epinephrine to public school pupils
18A:40-12.6 Administration of epinephrine; primary responsibility; parental consent
- NJAC 6A:27-1.1 et seq. Student transportation
Rhodes v. Caldwell Board of Education, 1981 S.L.D. 140

Possible Cross References

1210, 1230, 3450, 3541.31, 5020, 5136, 5141.21, 6145, 6153.1, 6154

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**Guidelines for Volunteer / Parent
Chaperones on Student Field Trips**

Policy 6153.1

Date Adopted: March 31, 2010

Date Revised:

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Although all chaperones are responsible for supervising and controlling the behavior of students in their charge, no discipline should be administered to any student by anyone other than the teachers who are in charge. Any misbehavior observed by a volunteer chaperone should be controlled to the extent safely possible, then reported to the teacher as soon as possible.

Parent chaperones may not be counted as 1 chaperone per 10 student per the requirements of Policy 6153 – Student Field Trips.

Expenses for chaperones may or may not be included in the cost of the trip, so chaperones may pay their own way. Chaperones are to provide their own lunches.

In addition, all chaperones will agree to the following guidelines:

1. Chaperones may not bring other children who are not members of the group taking the trip.
2. Chaperones may travel in their own cars with prior approval from the Superintendent of Schools. Chaperones may not transport students in their own cars, unless there is an emergency, i.e., sick child, and administration approval has been granted. Any vehicle used to transport pupils shall be properly insured as required by law. In the event that an Administrator cannot be reached in a timely manner, the teacher in charge may grant this approval and inform the school Administration as soon as possible of the situation.
3. Chaperones shall not smoke in front of students and shall not smoke in the vehicle used to transport pupils during the time that the vehicle is being used for the field trip, regardless of whether pupils are present in the vehicle or not.
4. Alcoholic beverages and drugs are strictly forbidden.
5. Chaperones shall stay with their assigned group of students at all times.
6. Chaperones who desire to take their children home before a field trip ends must submit his/her request in writing to the teacher in advance of the trip. The Superintendent of Schools will determine if the request will be honored or denied. The Board assumes no liability for students who are “dismissed early” from the field trip and transported by his/her parents/guardians in private cars.
7. Chaperones must follow a standard of ethics regarding the confidentiality of information that might be learned while supervising children.
8. Chaperones will not bring friends or family members on the field trip nor will they arrange to meet anyone at the destination of the field trip.
9. Chaperones must comply with all requests and directions of the teachers and professional staff.
10. Chaperones may only use cell phones and pagers in emergencies and for required contact with the school authorities as directed by the teacher in charge.

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Legal References

NJSA 18A:25-2 Authority over pupils
18A:36-21 through -23 Field trips; costs to be borne by parents or guardians ...
18A:36-35 School Internet web sites; disclosure of certain student information prohibited
18A:39-20.1 Transportation to and from related school activities in private vehicle 18A:40-
12.3 through -12.4 Self-administration of medication by pupils; conditions ...
18A:40-12.5 Policy for emergency administration of epinephrine to public school pupils
18A:40-12.6 Administration of epinephrine; primary responsibility; parental consent

NJAC 6A:27-1.1 et seq. Student transportation

Rhodes v. Caldwell Board of Education, 1981 S.L.D. 140

Possible Cross References

1210, 1230, 3450, 3541.31, 5020, 5136, 5141.21, 6145, 6153.1, 6154

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Homework / Makeup Work

Policy 6154

Date Adopted: April 26, 2000

Date Revised: March 31, 2010

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The Board of Education believes that homework relevant to material presented in class provides an opportunity to broaden, deepen or reinforce the pupil's knowledge. Teachers must use discretion in deciding the number and length of assignments. The Board encourages the use of interrelated major homework assignments such as term papers, themes and, creative art projects.

Pupils absent for any reason must make up assignments, class-work and tests within a reasonable length of time. In most cases, a reasonable length of time shall be the same number of school days as the days missed.

Pupils being excused for any reason must make arrangements with the teacher of the missed classes in order to make up the work missed. This must be completed prior to the absence from class if the absence is planned.

The Board recognizes the desirability of homework assignments and encourages teachers to assign homework as an aid in their development. Homework should be an application, interpretation or adaptation of a classroom experience. It should be assigned for instructional purposes and not excessive in quantity. Homework shall not be used for punitive reasons.

The type, frequency and quantity of homework assignments should be determined by the needs of the individual student and should not require additional instruction beyond the class period, thereby requiring parents to supplement instruction

Regulations/Procedures

Purpose

1. The main purpose of homework is to reinforce the skills taught in the classroom.
2. It is recognized that achievement is related directly to "time on task" and that homework is an instructional tool that provides an opportunity for children to practice and master necessary skills.

Responsibility of the Teacher

1. To carefully plan homework assignments to reinforce or extend classwork.
2. To explain homework explicitly enough to enable the child to work to the assignment independently.
3. To adjust the homework to the learning needs and abilities of all students.
4. To check homework for completeness and correctness and to consider the completion of homework as a factor in computing report card grades.
5. To refrain from giving homework as punishment.

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Responsibility of the Home

1. To provide the best possible conditions for independent study and completion of homework assignments.
2. To provide regular time in the child's schedule for the completion of home assignments.
3. To regularly inquire about and examine the completed homework.
4. To avoid doing homework assignments for the child.

Frequency of Homework

The amount and frequency of homework should be determined by the teacher with respect to individual students and the particular topics of study. Home assignments may be given up to four times per week. It is recognized that individual learners will take varying amounts of time to complete assignments and that times listed below are meant to represent an approximate amount of time it will take an average learner to complete teacher-assigned homework.

Kindergarten

No formal assignments. From time-to-time, simple responsibilities related to the program may be effectively utilized. Unfinished classwork may be assigned as homework.

First Grade

Fifteen minutes

Second Grade

Twenty minutes

Third Grade

Forty minutes

Fourth Grade

One hour

Fifth & Sixth Grades

One hour and fifteen minutes

Seventh & Eighth Grades

Up to two hours

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:36-14 Religious holidays; absence of pupils on; effect
NJAC 6A:32-10.1 et seq. Summer School Sessions

Possible Cross References

1320, 1322, 5020, 5113, 5121, 5124, 6145, 6153, 6174

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Instructional Program

Series 6000

Instructional Planning / Interdisciplinary Activities

Policy 6156

Date Adopted: March 31, 2010

Date Revised:

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The Superintendent of Schools and staff shall keep abreast of developing technologies and teaching methodologies, investigating those likely to be of benefit to district pupils, and recommending them for Board consideration.

The Board recognizes that district pupils vary in learning styles and in ability. Therefore, the Superintendent of Schools shall ensure that the teaching staff adapts their instructional methods and program to meet identified pupil needs and encourage maximum individual progress.

The Superintendent of Schools shall ensure that district personnel, time and facilities are used in such a way as to provide the most favorable learning environment for all pupils, thus fostering achievement of district goals, objectives and standards.

Because the Board believes that pupils can learn better and faster when the skills learned in one discipline are integrated into another; cross-content programs, projects and units of study shall be encouraged which require the use of reading, writing and mathematics skills in conjunction with other areas of study, such as music, art, science, etc. The Board also encourages programs that call on various skill levels of several grades in one discipline, such as musical presentations, science fairs, and other similar efforts.

Every effort should be made to further district affirmative action/equity goals in developing instructional programs.

The Board directs that instruction be planned and scheduled in such a way that there is minimum disruption of the school day, including movement between classes and conflicting activities.

Legal References

NJSA 18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:46-19.5 Consent of parent or guardian; location of provision of services
18A:46A-5 Consent of parent or guardian; location

NJAC 6A:8-1.1 et seq. Standards and Assessments
6A:14-1.1 et seq. Special Education
6A:15-1.1 et seq. Bilingual Education
6A:26-12.1 et seq. Operation and Maintenance of Facilities

Agostini v. Felton, 521 U.S. 203 (1997), overruling Aguilar v. Felton, 473 U.S. 402 (1985)

Possible Cross References

2224, 4113/4511.4, 5200, 6010, 6130, 6141.4, 6142.2, 6151, 6171.2, 6171.4

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Instructional Program

Series 6000

**Instructional Assignments Prior to
the Beginning of the School Year**

Policy 6157

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education recognizes that there is a benefit to the education of the students of this district when teachers assign or recommend certain reading materials or other projects over the summer in preparation for the school year.

When such assignments or recommendations are made, parents/guardians are urged to cooperate and support the efforts of the teachers making the assignment or recommendation, as these assignments or recommendations are made for the benefit of the students of the district.

In all cases, when students do complete any assignments given prior to the beginning of the school year, the student may be given academic credit or extra credit for any work completed. The Superintendent of Schools/designee shall be responsible for reviewing any assignments made prior to the school year and ensuring that proper academic credit is given to students who complete them.

Legal References

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

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Manual for the Evaluation of Local School Districts

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

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Instructional Services & Resources

Policy 6160

Date Adopted: March 31, 2010

Date Revised:

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The Board believes that personnel and materials appropriate to the needs of the school program must be available to each pupil and teacher.

To be in compliance with the requirements of federal law, the Board of Education directs the Superintendent of Schools to distribute curriculum materials and instructional supplies to the school in such a way that equivalence of such materials is ensured among the grade levels. Staff assignments shall comply with this directive.

When a school fails to achieve adequate yearly progress as defined by the state for two consecutive years, all provisions in federal law shall be followed.

The Board will endeavor to provide the supportive resources and personnel necessary for teachers to implement the approved curriculum in their classrooms and work effectively with children.

It will be the administration's responsibility to set up and maintain such central services for curriculum materials, including audiovisual materials, as are needed, and appropriate channels through which teachers and pupils will be supplied with these resources.

In addition, there will be a media resource center and media specialist to offer children instruction and teachers assistance in selecting and using learning resources.

The instructional materials selected for the school district shall be in accordance with the following guidelines:

1. Instructional materials (print or software, including videos) shall be chosen for the values of interest and enlightenment of all students in the community. Instructional materials shall not be excluded because of the race, nationality, or the political or religious views of the writer.
2. Every effort will be made to provide materials that present all points of view concerning the problems and issues of our time, international, national, and local. Current and proposed curriculum guides, textbooks and materials will be reviewed to detect any bias based on race, sex, religion, national origin, ancestry, or culture. It must also be ascertained whether instructional materials, singly or taken as a whole, fairly depict the contributions of both sexes and the various races, ethnic groups, and the like towards the development of human society. (Books or other reading material of sound factual authority shall not be prescribed or removed from library shelves or classrooms because of partisan doctrinal approval or disapproval.)
3. Censorship of instructional materials may be challenged in order to maintain the school's responsibility to provide information and enlightenment.

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Instructional Services & Resources

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Policy 6160

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Legal References

NJSA 18A:34-1 Textbooks; selection; furnish free with supplies; appropriations

NJAC 6A:7-1.4 et seq. Responsibilities of the district board of education
6A:8-2.1 Authority for educational goals and standards
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-14.1 Review of mandated programs and services

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

Possible Cross References

3220/3230, 4113/4114, 5145.4, 6121, 6141, 6142.2, 6161.1, 6171.3, 6171.4

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Instructional Program

Series 6000

Copyright Policy

Policy 6160.1

Date Adopted: March 31, 2010

Date Revised:

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It is the policy of the Board of Education to adhere to provisions of the United States Copyright Law (Public Law 94-553). The following procedures represent a sincere effort to operate legally and to discourage violation of this law:

- A. Administrators with responsibility for the equipment such as audio and video recorders, computers and any other technology capable of reproducing copyrighted materials will take responsible steps to inform staff of the appropriate and legal application of their use.
- B. Information about Public Law 94-553 will be available to all employees. Ignorance of the law is not an excuse for violation.
- C. No Board of Education facility or equipment may be used to violate copyright laws, regulations or guidelines.
- D. Willful infringement of the law by employees may result in disciplinary action.
- E. Legal and insurance protection will not be extended to employees who willfully violate copyright law and policies.

The Board of Education directs all school personnel to comply with Public Law 94-553, otherwise known as the Copyright Law, which was enacted by the Senate and the House of Representatives of the United States and became law on October 19, 1976. Copying of all copyrighted software, and videotaping material is prohibited by law. Furthermore, all videotaping of broadcast television programs must comply with the guidelines for the Congressional Record, October 14, 1984. The Board directs the Superintendent of Schools to enforce this copyright policy.

Legal References

United States Copyright Law, Title 17, U.S. Code (PL 94-553, 10/19/76)

Agreement on Guidelines for Classroom Copying in Not-for-Profit Educational Institutions, 3/19/76, printed as H.R. 94-1476, pp. 70-71

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Instructional Program

Series 6000

Instructional Materials

Policy 6161.1

Date Adopted: March 31, 2010

Date Revised:

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The Board of Educations believes that instructional materials should support and enrich the curriculum and make possible the achievement of the district's instructional goals. To ensure that the materials used in this district are up-to-date in the factual matter they present and also reflect the district's underlying philosophy of education, the Superintendent of Schools shall develop procedures for continual review of new materials being offered and evaluation of those materials already in use. Materials should be judged against the following criteria:

1. Does the instructional material reflect the district's Affirmative Action policy that prohibits the teaching or encouragement of racial, sexual, religious, ethnic or age bias?
2. Does it stimulate growth in actual knowledge, literary appreciation, aesthetic values and ethical standards?
3. Does it help students develop abilities in critical reading and thinking?
4. Does it provide effective basic or advanced education for the students for whom it is intended?

The list of instructional materials presented for approval should be sufficient in scope to meet the needs of every student in the district.

The review process shall include:

1. Review and recommendation for selection by teaching staff members, particularly those teachers who will be using the materials as in integral part of the instructional program.
2. Review and recommendation for selection by the Superintendent of Schools.

The Board, by law, reserves the right to make the final instructional materials selection decision. However, prior to final adoption, the recommendations resulting from each review will be given thorough consideration.

Legal References

- NJSA 18A:4-25 Prescribing minimum courses of study for public schools; approval of courses of study
18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:34-1 Textbooks; selection; furnished free with supplies; appropriations
18A:35-1 et seq. Curriculum and Courses
P.L. 2005, c. 266 Districts to provide an alternate to dissection
- NJAC 6A:7-1.4 Responsibilities of the district board of education
6A:23-6.1 et seq. Purchase and Loan of Textbooks
6A:32-14.1 Review of mandated programs and services
Comprehensive Equity Plan, State Department of Education
Manual for the Evaluation of Local School Districts
Multi-year Equity Plan for 1996-97 through 1998-99, SDOE Bureau of Equal Educational Opportunity, Doc. #MISM260040699
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1312, 2224, 5145.4, 6000, 6010, 6121, 6140, 6141, 6142.1, 6144, 6161.2, 6163.1

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Complaints Regarding Instructional Materials

Policy 6161.2

Date Adopted: March 31, 2010

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It is recognized that opinions may differ on the appropriateness of any given instructional materials and equipment. Occasionally, an individual or group may find instructional materials used in the school that conflict with their views. Any resident of this district shall have the right to present a request, suggestion, or complaint in reference to subject matter or instructional materials.

The use of challenged materials or equipment by class or school shall not be restricted until a final decision has been reached.

The final decision on controversial reading matter shall rest with the Board after careful examination and discussion of the book or reading matter with school officials or others the Board may wish to involve.

Procedures

The mechanism for the review, appeal and repeal of decisions of the Administration and the Board will be as follows:

Any person who questions the presence of any instructional materials being used in the District shall first discuss the challenged material with the Superintendent of Schools. The challenged material shall remain in use unless and until the Superintendent of Schools directs its removal. If the complainant is not satisfied with the results of the discussion, the complainant must be advised to the following procedures:

1. All questions regarding materials shall be submitted to the Superintendent of Schools in writing. The Superintendent of Schools shall send copies of the statement to the Business Administrator, who will forward copies to the President of the Board of Education.
2. The author, title and publisher, if known, of the challenged material shall be stated in the complaint. The complainant must state whether he/she objects to only part of the material or all of the material. He/she must also state why he/she objects to the indicated inclusions.
3. The complainant's signature and local address and telephone number must appear on the communication. If the complainant is representing an organization, the entire name of the organization along with the local address and telephone number of the organization must be listed.

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Complaints Regarding Instructional Materials

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The Superintendent of Schools and other designated staff members shall constitute a committee of review. The challenged material shall immediately be objectively reviewed. After a thorough consideration, the committee of review shall submit a recommendation to the Board of Education. This recommendation should include a solution and supporting information. The Board will then consider the material, the committee's report and any other factors they deem pertinent and reach a decision on the challenge. That decision shall be made in writing and will be communicated to the complainant and made a part of the Board's minutes.

Legal References

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

Board of Education Island Trees U.F.S.D. v. Pico, 457 U.S. 853 (1982)

Possible Cross References

1312, 2220, 6144, 6161.1

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Child Study Team

Policy 6161.4

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education shall provide the services of Child Study Team personnel in numbers sufficient to ensure implementation of pertinent law and regulation. The Superintendent of Schools shall present to the Board for approval, job descriptions, qualifications and evaluation criteria for positions required, and shall present them to the Board for hiring the best-qualified applicant.

When complete evaluations of pupils are necessary, the Superintendent of Schools shall secure the services of qualified persons or agencies to supplement the district team. Appropriate staff members, such as the nurse and teachers assigned to the pupil, shall also be involved.

Pupils who have been identified by any professional staff member, the parents/guardians of the child, a child welfare agency or by the health services staff as possibly educationally handicapped shall be considered for evaluation.

All students being referred to the Child Study Team by school personnel must first be referred to the Pupil Assistance Committee (F.A.C.T.) for the development of intervention plans prior to Child Study Team referral. Teachers and administrators shall provide intervention resources (e.g. adaptive teaching methods and materials, schedule changes, modified workloads, corrective or remedial instruction, etc.) in order to discover whether an observed difficulty is the result of problems within the educational delivery system. Parents/guardians shall be notified of such interventions and will be asked for input into the development of the intervention plan.

If the problems persist despite these intervention techniques, a formal referral, requiring due process procedures, shall be initiated. The examination of each such pupil shall proceed promptly in strict accordance with law.

Examination of each identified child shall consist of a multi-disciplinary assessment in all areas of suspected disability. Such evaluation shall include at least two assessments and shall be conducted by at least two members of the Child Study Team.

Disaffected Pupils:

The Pupil Assistance Committee shall consider and recommend appropriate remedies and/or programs for pupils exhibiting disaffected behavior patterns.

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**Instructional Program
Child Study Team**

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Policy 6161.4**

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Disruptive Pupils:

All staff members shall be familiar with and implement the discipline policies and procedures adopted by this Board. This implementation will identify the pupil who is disruptive. Staff members shall report the names of pupils who disrupt the educational program to the appropriate administrator who shall initiate actions which will ensure the involvement of the pupil's family and the provision of counseling so as to determine the causes of the pupil's disruptive behavior. The student may be referred to the Pupil Assistance Committee for the development of an intervention plan. Throughout this process, administrators, support staff, teachers, parents/guardians, and if prudent, the pupil are to be involved. If all strategies prove unsuccessful, referral to the appropriate outside agency may be made.

In accordance with state law and Board policy, disruptive pupils whose continuing attendance interrupts the educational program and/or threatens harm to themselves and others may be suspended and considered for expulsion.

Legal References

- NJSA 18A:46-3.1 Regional consultants for hearing impaired; appointment; duties
18A:46-5.1 Basic child study team services; provision by boards of education and state operated programs ...
18A:46-5.2 Participation by parent or guardian
- NJAC 6A:9-13.5 School social worker
6A:9-13.6 Speech-language specialist
6A:9-13.7 Director of school counseling services
6A:9-13.8 School counselor
6A:9-13.9 School psychologist
6A:9-13.10 Learning disabilities teacher-consultant
6A:14-1.1 et seq. Special Education
6A:32-14.1 Review of mandated programs and services
20 U.S.C.A. 1400 et seq. - 1990 Individuals with Disabilities Education Act, P.L. 101-476 (formerly Education for All Handicapped Children Act - Part B)
- 29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

Possible Cross References

4111, 5114, 5120, 5131, 5200, 6010, 6146.2, 6164.4, 6171.4, 6172

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Instructional Program
Community Resources

Series 6000
Policy 6162.4

Date Adopted: March 31, 2010

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The Board will draw on the knowledge and opinions of the community in developing mandated policies and programs in compliance with statute and administrative code, and to aid in meeting the district's identified needs.

The Board of Education encourages local businesses and individual residents who are especially qualified because of training, experience or interest to take an active part in the district's educational programs. Those persons and representatives of businesses identified by the Superintendent of Schools and the staff may be invited to act as advisors in groups or individually in appropriate circumstances and situations.

The district shall also take advantage of the physical and financial resources of the community and of organizations including business when such facilities or locations provide learning and enrichment opportunities not otherwise available to our pupils. Pupil safety shall be a primary concern in making use of such resources.

In accordance with law, the administration shall identify and establish working relationships with community agencies that are involved in evaluation and treatment of drug/alcohol problems.

Legal References

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

NJAC 6A:16-1.1 et seq. Programs to Support Student Development
6A:30-1.4 Evaluation process for the annual review
6A:32-12.1 Reporting requirements

Possible Cross References

1000/1010, 1210, 1220, 1410, 1600, 3280, 4222, 5131.6, 6142.1, 6142.2, 6153, 6164.6,
6171.2, 6171.3, 6171.4, 9420

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Research (Student Surveys)

Policy 6162.5

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education recognizes that educational research can be a valuable tool in identifying and applying strategies to enhance student achievement and in identifying factors that could prevent students from becoming contributing members of society. Surveys among student populations can be an important part of this research.

Students and parents/guardians retain certain rights, however, in the administration of surveys. The Board shall ensure that prior written consent is obtained from parents/guardians or emancipated students before any survey is administered that is funded in whole or in part by any program administered by the United States Department of Education, if the survey (analysis or evaluation) is designed to reveal information on any of the following:

- A. Political affiliations or beliefs of the student or the student's parents/guardians;
- B. Mental and psychological problems of the student or the student's family;
- C. Sex behavior or attitudes;
- D. Illegal, anti-social, self-incriminating, or demeaning behavior;
- E. Critical appraisals of other individuals with whom respondents have close family relationships;
- F. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, or ministers;
- G. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian; or,
- H. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Written informed consent shall also be obtained from parents/guardians or emancipated students prior to the administration of any academic or nonacademic survey, assessment, analysis or evaluation that would reveal the student's social security number.

Parents/guardians shall be given the opportunity to inspect any survey, analysis or evaluation that solicits information in any of the above areas. If parents/guardians object to their child(ren)'s participation in the survey, the child(ren) shall be allowed to opt out.

Prior approval of the Superintendent of Schools is required for all other surveys on topics not listed. Anyone seeking approval of a proposed survey must provide the Superintendent of Schools with details of the survey methodology, its specific educational purpose and a description of how results will be disseminated and applied.

For all surveys the identity of the respondent shall remain confidential.

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Research (Student Surveys)**

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Policy 6162.5**

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This policy and the regulations shall be made available to the public at least annually at the beginning of the school year, especially to parents/guardians and to district staff. The public shall be informed within a reasonable period of time if substantive change is made to policy and regulations. The public shall also be informed of specific or approximate dates, if known, when surveys may be administered.

Legal References

NJSA 18A:36-34 Written approval required prior to acquisition of certain survey information from students

NJAC 6A:16-1.4 District policies and procedures

20 U.S.C.A. 1232g - Family Educational Rights and Privacy Act

20 U.S.C.A. 1232h - Protection of Pupil Rights Amendment

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

In re: Application of Charles V. Reilly, Robert A. Hutton and

Sean Reilly to Contest the Validity of the Enactment of

Assembly Bill 3359 (P.L. 2001, c. 364), Superior Court of New

Jersey, Appellate Division, Docket No. A-0163-02T2, 2003 N.J. Super. Lexis 376

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1140, 1315, 4132, 5020, 5124, 5141.3, 6147.1

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Media Center / Library

Policy 6163.1

Date Adopted: March 31, 2010

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The primary objective of the school's Media Center/Library is to implement, enrich and support the educational program of the school. It is the duty of the Media Center/Library to provide a wide range of materials on all levels of difficulty, with diversity of appeal and the presentation of different points of view.

The library program shall be designed to provide for the recreational and intellectual stimulation of both students and faculty. It shall be an area rich in resources to assist children in learning the techniques of self-study. All faculty members are encouraged to develop units of instruction that will enable students to utilize the resources of the library in their day-to-day work in the classroom.

To this end, the Board of Education reaffirms the objectives of the American Association of School Librarians and the Department of Audio-Visual Instruction and asserts that the responsibility of the school Media Center/Library is:

- To provide materials that will enrich and support the curriculum, taking into consideration the varied interests and maturity levels of the students served;
- To provide materials that will stimulate growth in factual knowledge, library/media center appreciation, aesthetic values and ethical standards;
- To provide materials on opposing sides of controversial issues so that young citizens may develop the practice of critical analysis of all media;
- To provide materials representative of the many religious, ethnic and cultural groups and their contributions to our American heritage;
- To place principle above opinion and reason above prejudice in the selection of materials of the highest quality in order to ensure a comprehensive collection appropriate for the users of the Library/Media Center.

In order to provide the most current materials, the Media Specialist (Librarian) shall arrange for a constant and continuing renewal of the materials. The Media Specialist shall add up-to-date materials and judiciously eliminate materials that no longer meet the needs of the district.

The administration, faculty and student body may suggest desirable additions to the collections. The professional personnel of the library shall recommend purchases to the Superintendent of Schools.

Gifts to the library may be accepted only with the understanding that the disposition of such gifts becomes the prerogative of the Board of Education.

The Board of Education delegates the responsibility for selection of materials to the professional personnel giving consideration to requests from teachers, administrators, students and parents/guardians. Final decisions shall rest with the administration in accordance with Board policy.

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**Instructional Program
Media Center / Library**

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Policy 6161.5**

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Legal References

NJAC 6A:9-13.14 School library media specialist
6A:9-13.15 Associate school library media specialist
6A:9-13.16 Professional librarian

Board of Education Island Trees U.F.S.D. v. Pico, 457 U.S. 853 (1982)

Possible Cross References

1312, 6161.1, 6161.11

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Guidance Services

Policy 6164.2

Date Adopted: March 31, 2010

Date Revised:

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A guidance program shall be incorporated into the district's educational program to aid pupils in making informed and responsible decisions and in using effective decision-making processes. The guidance program shall be developed and coordinated by the Superintendent of Schools in consultation with teaching staff members he/she had identified as possessing necessary skills and abilities, to help pupils acquire the insights and knowledge they need to become autonomous, mature members of adult society in a democratic nation.

The purpose of the guidance program shall be to help pupils in learning to make their own decisions concerning life's many choices-personal, educational, and career/vocational. The guidance program shall provide, as fully as possible, the information needed to make the best decisions concerning the pupil's educational program. Such information shall include facts such as test scores, grades and educational history. Pupil records may also include anecdotes, but shall not carry judgments, opinions and other advice.

Guidance services shall include establishment of a referral system that guards the privacy of the pupil and monitors the efficacy of such referrals, when district resources are not sufficient, as in drug or alcohol counseling.

Legal References

- NJSA 18A:35-4.2 Career development program
18A:36-19 Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
18A:36-19.1 Military recruiters; access to schools and student information directories
18A:38-36 Employment certificates to part-time pupils; revocation
18A:46-5.1 Basic child study team services; provision by boards of education and state operated programs
- NJAC 6A:7-1.7 Equality in school and classroom practices
6A:8-1.1 et seq. Standards and Assessment
6A:9-13.2 Substance awareness coordinator
6A:9-13.7 Director of school counseling services
6A:9-13.8 School counselor
6A:10A-3.1 et seq. School district lead standards-based instruction
6A:10A-4.1 et seq. Role of the Abbott district board of education
6A:14-3.4 Evaluation
6A:16-4.1 Adoption of policies and procedures for the intervention of student alcohol and other drug abuse
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-7.1 et seq. Student Records
6A:32-13.3 Guidance and counseling

Possible Cross References

5000, 5010, 5020, 5113, 5114, 5120, 5124, 5125, 5131.6, 6142.12, 6145, 6146, 6164.4, 6171.1, 6171.2, 6171.4, 6172, 6173

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Series 6000

Intervention & Referral Services

Policy 6164.3

Date Adopted: September 20, 1995

Date Revised: March 31, 2010

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The Board of Education shall provide a program of intervention and referral services for general education pupils who are experiencing personal, interpersonal or academic difficulties to help them function productively and develop positively in the classroom environment.

The Superintendent of Schools shall prepare procedures to:

- A. Identify pupils in need, and plan and provide for appropriate intervention or referral services and/or referral to school and community resources;
- B. Identify the roles and responsibilities of the building staff members who participate in planning and providing intervention and referral services;
- C. Provide support, guidance, and professional development to school staff who identify and refer pupils and to school staff who participate in planning and providing intervention and referral services;
- D. Actively involve parents/guardians in the development and implementation of intervention and referral plans;
- E. Coordinate the access to and delivery of school services for identified pupils;
- F. Coordinate the services of community-based social and health provider agencies; and
- G. Review and assess the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral plan.

The Board shall review and adopt these procedures, and the Superintendent of Schools shall report to the Board on their implementation.

Intervention & Referral Services Team

The Board of Education directs the establishment of an Intervention & Referral Services Team. The purpose of this committee is to assist general education pupils experiencing personal, interpersonal or academic difficulties and to function productively and to develop positively in the classroom and school environment.

The Superintendent of Schools shall develop procedures for determining membership of this committee. Training shall be provided for all new Intervention & Referral Services Team members.

Legal References

NJAC 6A: 16-8.1 et seq. Intervention and Referral Services

Possible Cross References

6161.4

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Special Educational Programs

Policy 6171

Date Adopted: March 31, 2010

Date Revised:

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The regular curriculum of the district's schools is designed to accomplish the district's educational goals and objectives for a thorough and efficient system of education for all pupils.

When necessary, the regular program shall be altered or supplemented or other means used to provide for the identified need of the following pupils:

- A. The classifiable educationally handicapped
- B. The gifted and talented
- C. Those requiring compensatory or remedial programs
- D. The disaffected and alienated
- E. Pregnant pupils
- F. Pupils requiring home instruction
- G. The physically handicapped
- H. Those with limited English proficiency
- I. The disruptive

Legal References

NJSA 10:5-1 et seq. Law Against Discrimination
18A:35-4.9 Pupil promotion and remediation; policies and procedures
18A:35-15 through -26 Bilingual Education Programs
18A:46-1 et seq. Classes and Facilities for Handicapped Children
18A:46A-1 et seq. Auxiliary services

NJAC 6A:8-3.1 et seq. Implementation of the Core Curriculum Content Standards
6A:14-1.1 et seq. Special Education
6A:15-1.1 et seq. Bilingual Education
6A:32-14.1 Review of mandated programs and services

No Child Left Behind Act of 2001, Pub. L. 107-110
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

6142.2, 6171.1, 6171.2, 6171.3, 6171.4, 6172, 6173, 6174, 6178

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Gifted & Talented Program

Policy 6171.2

Date Adopted: March 31, 2010

Date Revised:

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The district shall provide a program of study for exceptionally able (gifted and/or talented) students in grades Kindergarten through 8 who display outstanding intellectual abilities, academic aptitudes, unique creativity, productive thinking, leadership traits or exceptional talent in the visual and performing arts. Students will have opportunities to enhance/expand their basic education and gain further knowledge and proficiency in areas of special interest and ability. The Board of Education recognizes its responsibility to provide continuous, differentiated, and appropriate educational programs for those exceptionally able students, from the standpoint of sound educational practice and in terms of the intent of State and Federal Law.

Programs will be developed to respond to the range of needs and abilities among gifted and talented students. A variety of instructional methods, grouping and schedules shall be used to provide programs designed to encourage creative thinking, problem solving, and research skills in an effort to further develop higher order thinking skills, abilities, interests, and independent learning.

Acknowledging that special abilities and skills appear at different times in the development of many children the district will carry out a broad-based screening of all students at all grade levels (K-8). Recognizing there is a range of abilities among these identified students, this screening will identify exceptionally able students using multiple indicators of academic and creative potential, including but not limited to tests of academic achievement, aptitude and creativity, samples of student work, nominations obtained from teachers, parents, and the students themselves. The screening process will take place each Spring in preparation for the following academic year.

Students moving into the district during the year will be reviewed for participation based on the program criteria from their previous district. As with all students, students new to the district may be recommended to participate in the Spring for the following school year.

The Superintendent of Schools shall coordinate development of criteria to identify gifted and /or talented students and present them to the Board for approval.

The Board directs the Superintendent of Schools to develop educational programs for the gifted and talented that both discover and develop special skills but also provide the opportunity for all students to express their special skills and talents. Such programs shall be developed in consultation with the teaching staff members and involve, whenever possible, parents and the students. All programs shall conform to the guidelines developed by the NJ Department of Education.

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Legal References

- NJSA 18A:35-4.15 through -4.16 Legislative findings and declarations; chess instruction for second-grade pupils in gifted and talented and special education programs ...
18A:61C-1 Program promoting cooperation between high schools and institutions of higher education; establishment; objective; increased availability of college-level instruction; scope
18A:61C-4 Program providing college credit courses for high school students on high school campuses; establishment
- NJAC 6A:8-1.3 Definitions
6A:8-3.1 Curriculum and instruction
6A:8-3.3 Enrollment in college courses
6A:30-1.4 Evaluation process for the annual review
6A:32-14.1 Review of mandated programs and services
- Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1600, 6010, 6121, 6171

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At-Risk & Title I

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Date Adopted: March 31, 2010

Date Revised:

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The district shall comply with all state and federal requirements in developing, implementing, administering and evaluating funded compensatory education programs for pupils determined to be at risk.

Such instructional services and activities shall be designed to improve the level of proficiency in reading, writing, mathematics and other skills of pupils whose academic, social or environmental needs prevent them from succeeding in general school programs. Parents/guardians shall be kept informed of their children's progress and shall be invited to consult with staff on ways to give their children the maximum benefits of such programs.

At least once annually, a public meeting shall be held for the express purpose of informing parents/guardians of the programs and activities provided with the Title I funds. The agenda shall include:

- A. Informing parents/guardians of their right to consult in the design and implementation of the Title I program;
- B. Providing parents/guardians with information about the Title I law, regulations and instructional programs;
- C. Soliciting parents/guardians' input about basic skills improvement programs and related activities;
- D. Providing parents/guardians an opportunity to establish mechanisms for maintaining ongoing communication among parents/guardians, staff and the Board.

The parents/guardians of all eligible children shall be invited to attend.

Mandated Policy Statements in Addition to Parent Consultation

- A. Comparability of personnel
To be in compliance with the requirements of 20U.S.C. 3807, Section 558(2)(B) (Title1), the Board of Education directs the Superintendent of Schools to assign teachers, administrators, and auxiliary personnel to the school in such a way that equivalence of personnel is ensured.
- B. Comparability of materials and supplies
To be in compliance with the requirements of 20U.S.C. 3807, Section 558(2)(B) (Title1), the Board of Education directs the Superintendent of Schools to distribute curriculum materials and instructional supplies to the school in such a way that equivalence is ensured.
- C. Supplement not supplant
The district shall use Title I and/or state compensatory education funds only to supplement and to the extent practical increase the level of funds that would, in the absence of Title I and/or state compensatory education funds, be made

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available for the education of pupils participating in the Title I program. In no case shall Title I and/or state compensatory education funds be used to supplant those non-Title I or non-state compensatory education funds.

Eligibility for State and Federal Funds

The Superintendent of Schools shall ensure that all requirements for receiving state and federal funds shall be fulfilled in an accurate and timely manner.

Control of such funds and title to equipment and supplies purchased with such funds shall remain with the Board of Education. Procurement, control, use and disposition of equipment and supplies purchased with state/federal funds shall be in full compliance with the law.

General

The Superintendent of Schools shall direct appropriate administrative personnel to pursue vigorously all possible sources of funding, either state or federal, that support such compensatory services, and shall keep abreast of all changes in the law that restrict or expand the district's use of state or federal funds.

Programs especially designed for migrant children shall be provided as necessary.

Legal References

NJSA 18A:35-4.9 Pupil promotion and remediation; policies and procedures
18A:59-1 through -3 Apportionment and distribution of federal funds; exceptions

NJAC 6A:32-14.1 Review of mandated programs and services

42 U.S.C.A. 2000d - 2000d4 - Title VI of the Civil Rights Act of 1964

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

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

Possible Cross References

3220/3230, 3514, 5120, 5200, 6122, 6141, 6142.2, 6142.6, 6171.1, 6171.4

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In compliance with state department of education interpretation of the administrative code on special education, the Board adopts the following revision/amendment of its existing policies on providing educational and related services to pupils identified as having educationally disabling conditions as defined in federal and state law.

- A. Exemption of educationally disabled pupils from the high school graduation requirements according to NJAC 6A:14-4.11.

A disabled pupil must meet all state and local high school graduation requirements in order to receive a state-endorsed high school diploma unless exempted in his/her IEP. When a pupil has been exempted from any graduation requirement, his/her IEP shall address alternate requirements to be met. By the year specified in code, the Board shall ensure that all pupils with disabilities participate in statewide assessments with appropriate accommodations or modifications, as determined by the pupil's IEP. If the nature of the pupil's disability is so severe that the pupil is not receiving instruction in any of the knowledge and skills measured by the statewide assessment and the pupil cannot complete any of the questions on the assessment in a subject area with or without accommodations, the pupil shall participate in a locally determined assessment of pupil progress.

By June 30th of a disabled pupil's last year in the elementary program, the pupil's case manager, parent/guardian and teacher(s) shall meet to review the pupil's IEP in view of the transition to the secondary program. Input from appropriate staff from the secondary school shall be part of the review.

The transition plan of the IEP for the pupil entering the secondary program will address all the elements required in the administrative code, including specifically addressing graduation requirements.

A disabled pupil who has not been exempted from the proficiencies or has performed below the state minimum level of pupil proficiency on one or more areas of the state-mandated high school proficiency test may participate in the special review assessment (SRA).

Educationally disabled pupils meeting the standards for graduation according to NJAC 6A:14-4.11 shall have the opportunity to participate in graduation exercises and related activities on a nondiscriminatory basis.

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B. Prevention of needless public labeling of educationally disabled pupils

The Board directs that the names and other personally identifiable data concerning educationally disabled children shall be kept confidential and shall not be included in the public acts and public records of this district. Such names and data shall be reduced to code for inclusion in the public record. A special confidential file shall be maintained listing the names of educationally disabled pupils on whose behalf the Board of Education must take public action. Motions concerning disabled pupils made at public meetings shall be anonymous and referred to this confidential file. This file shall be maintained in accordance with NJAC 6A:32-7.1.

Further, the Board, administrators, faculty and other personnel shall avoid unnecessary and needless public labeling of such pupils. This shall include the avoidance of public address announcements so designating pupils, any open identification of classrooms with signs so designating, or any item of open or general circulation, such as photographs, audio/videotapes, etc., that so designates an individual pupil or class. Pupil records shall be maintained in accordance with NJAC 6A:32-7.4.

C. Compilation, maintenance, access to and confidentiality of pupil records according to NJAC 6A:32-7.4 through -7.6.

To ensure proper accessibility and confidentiality, the records of educationally disabled pupils shall be gathered, updated, maintained, stored, transferred, made accessible and finally disposed of in accordance with the district policy 5125 on pupil records in general. To assure the security of special education records:

1. Provision shall be made for access and security of computer-stored records of educationally disabled pupils;
2. Clerical and secretarial tasks related to such records shall be performed only under the supervision of appropriately certified staff.

As with all pupil records, access shall be guaranteed to persons authorized according to NJAC 6A:32-7.5 within 10 days of the request, but prior to any review or hearing conducted in accordance with state Board of Education regulations.

For the district's general policy and regulation on pupil records see 5125, which deals with all requirements common to disabled and general pupil records including enumeration and description of records, provisions for access, notice to parents/guardians of their rights in regard to the child's records, etc.

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- D. Identification, location and evaluation of potentially educationally disabled pupils, according to NJAC 6A:14-3.3

The Superintendent / Principal shall prepare written procedures for identifying those pupils ages three through 21, including pupils attending nonpublic schools, within the district and may be educationally disabled, regardless of their district of residence. Procedures shall include provision for the referral of pupils who may be experiencing physical, sensory, emotional, communication, cognitive or social difficulties. In order to ensure program placement by a disabled child's third birthday, a written request for initial evaluation shall be forwarded to the district at least 120 days prior to the preschooler attaining age three.

The Board shall ensure that all preschool pupils with disabilities shall have their IEPs implemented no later than their third birthdays. To provide a smooth transition between a child's preschool program and his/her school age program (public or private), particular attention shall be paid to articulation between those programs.

These procedures and arrangements shall be adopted by the Board after review and possible revision. The procedures shall include criteria by which to identify the potentially disabled, and require the participation of staff, parents/guardians and appropriate agencies.

Evaluation and Determination of Eligibility

The evaluation process to determine a pupil's eligibility for educational and related services beyond those available within the regular public school program shall be conducted in strict compliance with the provisions of NJAC 6A:14-2.3, 2.5, 3.4 and 3.5 dealing with:

- Parental notice, notification, consent and involvement, including determination of the parents/guardians' dominant language and necessary accommodations if the language is other than English or if the parents/guardians are deaf;
- An initial evaluation that consists of a multi-disciplinary assessment in all areas of suspected disability and a written report of the results of each assessment;
- Determination that a pupil is eligible for special education and related services when he/she has been identified as having one or more of the fourteen categories of disability described in the administrative code, and the disability adversely affects the pupil's educational performance.

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The Superintendent / Principal shall oversee development of detailed procedures to govern the evaluation process, and shall implement them after they have been reviewed and adopted by the Board.

The Board shall ensure that a variety of assessment tools and strategies shall be applied to gather information to develop and monitor the IEP, including cooperation and input from the parents/guardians. Relevant information shall also be related to enabling the pupil to be involved in and progress in the general education curriculum or, for preschool children with disabilities to participate in appropriate activities.

E. Provision of full educational opportunity to educationally disabled pupils

The Board of Education is responsible for providing education for all children resident in the district. All reasonable efforts will be made to resolve an enrolled child's learning and adjustment difficulties prior to his/her referral to the child study team for screening and/or evaluation. When a pupil is found eligible for special education and related services and the Board of Education cannot provide required instruction and related services from its own resources and facilities, the Board will seek appropriate placement outside the district, and will assume such costs of that placement as are required by law.

The goal of the Board's special education program is to provide full educational opportunity to all educationally disabled resident pupils ages three through 21, as those terms are defined in federal and state law. The Board will make available to parents/guardians of educationally disabled children below the age of three information regarding services available through other state, county and local agencies.

F. Participation of and consultation with the parents of educationally disabled pupils toward the goal of providing full educational opportunity to all educationally disabled pupils ages 3 through 21

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In order to achieve the district's goal of providing full educational opportunity to all educationally disabled pupils in accordance with the administrative code, parent/guardian participation shall be sought in every successive stage of the special education decisional process, pursuant to NJAC 6A:14-2.3 and 2.4. All notifications shall be made and all necessary conferences conducted in the language used for communication by the parent/guardian and the pupil unless it is not feasible to do so, in which case the provisions of administrative code shall be followed.

Written notice to parents/guardians and/or adult pupils shall be provided as follows:

- The Board shall provide written notice no later than 15 calendar days after making a determination;
- The Board shall provide written notice at least 15 calendar days prior to the implementation of a proposed action so that the parents/guardians and/or adult pupil may consider the proposal.

The Superintendent / Principal shall develop and present to the Board for review and adoption procedures for:

1. NJAC 6A 14:2.3 through 2.5 will be followed regarding written notice, consent, provision of information and evaluation.
2. Particularly, parental consent shall be obtained prior to implementation of the initial IEP resulting from evaluation; prior to reevaluation except in the circumstances outlined in code; and prior to the release of pupil records according to NJAC 6:3-6.

Procedures set out in the administrative code shall be followed when parent/guardian cooperation and/or participation cannot be obtained. When necessary, a surrogate parent shall be appointed to ensure the protection of a pupil's rights when the parents/guardians cannot be identified or located or the child is a ward of the State of New Jersey. The district shall select and train such surrogate parents in compliance with the administrative code.

No more than 90 calendar days after parental consent has been received shall be allowed for the evaluation, determination of eligibility and, if the pupil is eligible, the development and implementation of the IEP.

- G. Provision of special services to enable educationally disabled pupils to participate in regular educational programs to the maximum extent appropriate.

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When instruction in health, industrial arts, fine arts, music, home economics, and other education programs is provided to groups consisting solely of pupils with disabilities, the size of the groups and age range shall conform to the requirements for special class programs described in the administrative code.

When pupils with disabilities participate in physical education, intramural and interscholastic sports, on-academic and extracurricular activities in groups consisting solely of pupils with disabilities, the age range and group size shall be based on the nature of the activity, needs of the pupils participating in the activity and the level of supervision required.

The evaluation process to determine a pupil's eligibility for educational and related services beyond those available within the regular public school program shall be conducted in strict compliance with the provisions of the administrative code.

H. Determination of eligibility according to NJAC 6A:14-2.3(i)1 and 3.5 through -3.6

Eligibility for special education and related services shall be determined collaboratively by the parents/guardians; a teacher who is knowledgeable about the pupil's educational performance or district's programs; the pupil, where appropriate; at least one child study team member who participated in the evaluation; the case manager; other appropriate individuals at the discretion of the parent or district; and for an initial eligibility meeting, certified school personnel referring the pupil as potentially disabled, or the school principal or designee if they choose to participate.

A pupil shall be determined eligible and classified for special education and related services when it is determined that the pupil has one or more of the disabilities defined in the administrative code. A pupil shall be determined eligible for speech-language services when he/she exhibits a speech or language disorder as outlined in the administrative code.

I. The individualized education program for each educationally disabled pupil shall be developed in accordance with the provisions of the administrative code, at NJAC_6A:14-3.7.

The Board shall ensure that an IEP is in effect for every pupil in the district who is receiving special education and related services.

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A written individualized education program shall be developed and implemented for each classified pupil and, in accordance with New Jersey law, a review shall be conducted by the appropriate staff members annually or more often, if necessary, to evaluate the disabled pupil's progress and to revise the individualized education program.

Meetings shall be conducted to determine eligibility and to develop, review and revise a pupil's individualized education program. Such meetings shall be scheduled at a mutually agreed upon time and place, and notice of the meetings shall indicate the purpose, time, location and participants. If the parents/guardians cannot attend the meetings, the Superintendent / Principal/designee shall attempt to ensure parental participation, including the use of individual or conference telephone calls.

Documentation shall be maintained of all attempts to secure parent/guardian participation.

Parents/guardians shall receive a copy of the pupil's IEP and of any revisions made to it.

All communication with parents/guardians, including written notice, notifications and required meetings, shall be conducted in the language used for communication by the parent/guardian and pupil unless it is not feasible to do so. This shall include providing foreign language interpreters or translators and sign language interpreters for the deaf at no cost to the parents.

The IEP shall be developed and monitored with the cooperation and input of parents/guardians. In addition to educational programming, the IEP shall provide for necessary disciplinary action and specify graduation requirements when appropriate. Any accommodations and/or modifications for the administration of statewide assessments shall be specified in the IEP.

1. No more than 90 calendar days after parental consent has been received shall be allowed for the evaluation, determination of eligibility and, if the pupil is eligible, the development and implementation of the IEP. The IEP shall be implemented as soon as possible following the IEP meeting.
2. The Board of Education will provide those special education-related services prescribed in the IEP to enable educationally disabled pupils to participate in general educational programs to the maximum extent appropriate. Such education-related services may include transportation, ensuring that hearing aids worn by deaf and/or hard of hearing children in school are functioning properly, etc.

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- J. Protection of pupils' rights in regard to evaluation and reevaluation procedures according to NJAC 6A:14-3.4 and 3.8.

Procedures shall provide all due process protection for the rights of the pupil and his/her parents/guardians whether the pupil is already enrolled in the schools or has been located through the process for identification in the section D of this policy.

In order to achieve the district's goal of providing full educational opportunity to all educationally disabled pupils in accordance with the administrative code, parent/guardian participation shall be sought in every successive stage of the special education decisional process. All notifications shall be made and all necessary conferences conducted in the language used for communication by the parent/guardian and the pupil unless it is not feasible to do so, in which case the provisions of administrative code shall be followed. The Superintendent / Principal shall develop and present to the Board for review and adoption procedures for:

1. Giving notice to parents/guardians and adult pupils in accordance with NJAC 6A:14-2.3 when an initial request is being made for consent to evaluate or when a proposal has been made to initiate or change a classification, evaluation or educational placement of the pupil, or the provision of a free, appropriate education. For each instance, all required information and documentation shall be supplied to the parents/guardians within the timelines set by the administrative code. Particular care must be taken to inform parents/guardians and adult pupils of their right to review all educational records with respect to the identification, evaluation and educational placement of the pupil; to appeal these by requesting a due process hearing; and their rights in regard to free and low cost legal services and legal fees;
2. An independent evaluation at the request of the parent/guardian or adult pupil. In no case, shall the district limit the parents'/guardians' rights to an independent educational evaluation by first conducting an assessment in an area not already assessed by the initial evaluation or reevaluation before the parents'/guardians' request is granted. Such independent evaluation shall be at no cost to the parent/guardian if it is conducted in compliance with administrative code, unless the district Board of Education initiates a due process hearing to show that its evaluation is appropriate and a final determination to that effect is made following the hearing. The IEP team shall consider any independent evaluation submitted to it when making decisions regarding special education and/or related services;
3. Mediation when disputes arise during any stage of the special education process which cannot be settled between the original parties. A due process hearing may be initiated by the Board of Education, a parent/guardian or adult pupil;

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4. Ensuring what all evaluation procedures, including but not limited to observations, tests and interviews used to determine eligibility and placement of disabled pupils, shall comply with the requirements of NJAC 6A:14-3.4, 3.5 and 3.7.

K. Placement of educationally disabled pupils in the least restrictive environment according to NJAC 6A:14-4.2.

Educational placement decisions made for each disabled pupil shall always be, insofar as possible, in the least restrictive environment commensurate with the pupil's educational needs. This means that to the maximum extent appropriate, educationally disabled pupils shall be educated with children who are not educationally disabled. These decisions should be designed to produce a positive effect on the pupil and to ensure the quality of services which he/she requires.

The Superintendent / Principal shall encourage positive attitudes toward the educationally disabled in all district pupils and personnel.

Special classes, separate schooling or other removal of educationally disabled pupils from the regular educational environment shall occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

In order to ensure a continuum of alternative placements, when the Board cannot provide required instruction and related services from its own resources and facilities, it will seek appropriate placement outside the district and will assume such costs of that placement as are required by law.

Placement of a disabled pupil in the least restrictive environment shall be determined annually. Placement shall be provided in appropriate educational settings as close to home as possible. When the IEP does not describe specific restrictions, the pupil shall be educated in the school he/she would attend if not disabled.

L. Establishment and implementation of procedural safeguards according to NJAC 6A:14-2.3 through -2.4 and NJAC 1:6A. The Board of Education directs the Superintendent / Principal to establish and implement the required procedural safeguards.

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Procedural safeguards shall include:

1. Giving notice to parents/guardians per NJAC 6A:14-2.3 when an initial request is being made for consent to evaluate or when a proposal has been made to initiate or change a classification, evaluation or educational placement of the pupil, or the provision of a free, appropriate education. For each instance, all required information and documentation shall be supplied to the parents/guardians within the timelines set by the administrative code. Particular care must be taken to inform parents/guardians of their right to appeal and their rights in regard to legal fees;
2. Seeking consent of parents/guardians to the actions in 1, when such consent is required;
3. Seeking parent/guardian participation in conferences and determinations as specified in 1, and in evaluation of the success of the educational plan for their child. When necessary, conference schedules shall be altered to accommodate working parents/guardians;
4. Mediation when disputes arise during any stage of the special education process which cannot be settled between the original parties.

The Superintendent / Principal shall ensure that the district's special education programs comply with the law in every respect, including fiscal regulations and reports.

These procedures shall provide all due process protection for the rights of the pupil and his/her parents/guardians. Procedures shall be conducted in strict compliance with the provisions of the administrative code dealing with parental notification, consent and involvement, including determination of the parents/guardians' dominant language and necessary accommodations if the language is other than English or if the parents/guardians are deaf.

Discipline

In general, educationally disabled pupils are subject to the same disciplinary constraints and sanctions as nondisabled pupils. However, before disciplinary action is taken against an educationally disabled pupil, consideration must be given to whether the behavior is caused by the disabling condition, whether the program that is being provided meets the pupil's needs, whether a component of the pupil's IEP covers the behavior, or whether the pupil is an immediate danger to himself/herself or others.

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A disabled pupil may be removed for disciplinary reasons from his/her current educational placement to an interim alternative educational setting, another setting, or a suspension without the provision of educational services for up to 10 consecutive or cumulative school days in a school year. Such suspensions are subject to the same district Board of Education procedures as nondisabled pupils. However, at the time of removal, the principal shall forward written notification and a description of the reasons for such action to the case manager.

Procedures for imposing and implementing disciplinary sanctions on educationally disabled pupils, including removal to an interim alternative educational setting, suspension for more than 10 school days in a school year, or expulsion, shall be in strict compliance with the provisions of state and federal law and the administrative code. (See NJAC 6A:14-2.8, 3.7 and Appendix A)

Early Intervention

The Superintendent / Principal or designee shall gather and make available to parents/guardians of disabled children below the age of three information regarding ameliorative services and programs provided by other state, county and local agencies. The procedures for such dissemination shall be reviewed and adopted by the Board.

Preschool Disabled Program

New Jersey code will be followed in regard to providing services to children age 3 to 5 who have disabilities.

Placement in Nonpublic Schools

The Board shall provide a genuine opportunity for the equitable participation of pupils with disabilities who have been enrolled in nonpublic schools by their parents/guardians, in accordance with federal law and regulations. All special education programs and services shall be provided with the consent of parents/guardians.

Pupils shall receive programs and services as specified in NJAC 6A:14-6.1.

Limited English Proficient

Pupils with limited English proficiency may have educationally disabling conditions that must be addressed in order to provide them the full educational opportunity that is the goal of the district for every child. Evaluation procedures shall be selected so that the pupil's cultural background and language abilities are taken into consideration unless it is clearly unfeasible to do so; and shall accurately reflect the pupil's ability rather than the

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implementation of actions under Parent/Guardian Notification, Consent and Participation are to be conducted in the parents/guardians' dominant language, unless that is clearly impossible. In that case, care shall be taken that the facts and procedures are made intelligible to the parents/guardians.

Cooperation with Other Agencies

The Superintendent / Principal shall investigate the possibilities of working with organizations and agencies providing services for the disabled, and shall present feasible programs and relationships to the Board for consideration.

Eligibility for State and Federal Funds

The Superintendent / Principal shall ensure that all requirements for receiving, using and accounting for state and federal funds shall be fulfilled in an accurate and timely manner.

Procurement, control, use and disposition of equipment and supplies purchased with state/federal funds shall be in full compliance with law.

Access

In addition to educational programs, the Board directs that the Superintendent / Principal take into consideration physical access to district facilities for disabled pupils, staff and the community in determining location of programs or planning new facilities per state and federal law.

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Board of Education Policies & Procedures for Eligibility Under Part B of the IDEA for 2016-2017

Part I - Policies

In accordance with Part B of the IDEA and N.J.A.C. 6A:14-1.1, N.J.A.C. 6A:14-1.2(b) and (c), the district Board of Education shall adopt and assure compliance with the following policies:

Policy #1

All students with disabilities, who are in need of special education and related services, including students with disabilities attending nonpublic schools, regardless of the severity of their disabilities, are located, identified and evaluated according to N.J.A.C. 6A:14-3.3.

Policy #2

Homeless students are located, identified and evaluated according to N.J.A.C. 6A:14-3.3, and are provided special education and related services in accordance with the IDEA, including the appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. §§11431 et seq.

Policy #3

Students with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4.

Policy #4

An individualized education program is developed, reviewed, and as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7.

Policy #5

To the maximum extent appropriate, students with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2.

Policy #6

Students with disabilities are included in statewide and district-wide assessment programs, with appropriate accommodations, where necessary according to N.J.A.C. 6A:14- 4.10. All students with disabilities will participate in statewide assessments or the applicable Alternate Proficiency Assessment, in grades 3, 4, 5, 6, 7, 8 and high school in the applicable courses.

Policy #7

Students with disabilities are afforded the procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent, when appropriate.

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Policy #8

The rules set forth in N.J.A.C. 6A:14 ensure a free appropriate public education is available to all students with disabilities between the ages of three and 21, including students with disabilities who have been suspended or expelled from school.

1. The obligation to make a free, appropriate public education available to each eligible student begins no later than the student's third birthday and that an individualized education program (IEP) is in effect for the student by that date;
2. If a child's third birthday occurs during the summer, the child's IEP team shall determine the date when services under the IEP will begin;
3. A free, appropriate public education is available to any student with a disability who is eligible for special education and related services, even though the student is advancing from grade to grade;
4. The services and placement needed by each student with a disability to receive a free, appropriate public education are based on the student's unique needs and not on the student's disability; and,
5. The services and placement needed by each student with a disability to receive a free, appropriate public education are provided in appropriate educational settings as close to the student's home as possible, and, when the IEP does not describe specific restrictions, the student is educated in the school he or she would attend if not a student with a disability.

Policy #9

Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under this chapter will experience a smooth transition and have an individualized education program developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.

Policy #10

Full educational opportunity to all students with disabilities is provided.

Policy #11

The compilation, maintenance, access to and confidentiality of student records are in accordance with N.J.A.C. 6A:32-7.

Policy #12

Provision is made for the participation of students with disabilities who are placed by their parents in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2.

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Policy #13

Students with disabilities who are placed in private schools by the district Board of Education, are provided special education and related services at no cost to their parents according to N.J.A.C. 6A:14-1.1 and N.J.A.C. 6A:14-7.5(b)3.

Policy #14

All personnel serving students with disabilities are highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law, pursuant to N.J.A.C. 6A:14-1.2(b)13.

Policy #15

Pursuant to N.J.A.C. 6A:14-1.2(b)4, the in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified and that appropriate in-service training is provided. The district Board of Education shall maintain information to demonstrate its efforts to:

1. Prepare general and special education personnel with the content knowledge and collaborative skills needed to meet the needs of children with disabilities;
2. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;
3. Acquire and disseminate to teachers, administrators, school Board Members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;
4. Insure that the in-service training is integrated to the maximum extent possible with other professional development activities; and,
5. Provide for joint training activities of parents and special education, related services and general education personnel.

Policy #16

Instructional materials will be provided to blind or print-disabled students in a timely manner.

Policy #17

For students with disabilities who are potentially eligible to receive services from the Division of Developmental Disabilities in the Department of Human Services, the district will provide, pursuant to the Developmentally Disabled Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., and N.J.A.C. 6A:14-1.2(b)17, the necessary materials to the parent to apply for such services.

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Policy #18

When the school district utilizes electronic mail, parents are informed as to whether they may use electronic mail to submit requests to school officials regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education. If this is permitted, parents shall be informed of the procedures to access the electronic mail system and that they may not utilize electronic mail to provide written consent when the district provides written notice and seeks parental consent as required by N.J.A.C. 6A:14-1.2(b)18.

Policy #19

The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each student's IEP pursuant to N.J.A.C. 6A:14-4.5(d).

Policy # 20

The school district has a plan in effect to establish stability in special education programming. The plan takes into account the consistency of the location, curriculum, and staffing in the provision of the special education services as required by N.J.A.C. 6A:14-3.7 (c) 4.

Policy #21

The school district screens students who have exhibited one or more potential indicators of dyslexia or other reading disabilities in accordance with N.J.S.A. 18A:40-5.1 et seq.

Part II – Procedures

In accordance with Part B of the IDEA and N.J.A.C. 6A:14-1.1, N.J.A.C. 6A:14-1.2(b) and (c), the Board of Education shall assure compliance with the following policies and related procedures below:

Policy #1

All students with disabilities, who are in need of special education and related services, including students with disabilities attending nonpublic schools, regardless of the severity of their disabilities, are located, identified and evaluated according to N.J.A.C. 6A:14-3.3, and

Policy #2

Homeless students are located, identified and evaluated according to N.J.A.C. 6A:14-3.3, and are provided special education and related services in accordance with the IDEA, including the appointment of a surrogate parent for unaccompanied homeless youths as defined in 42 U.S.C. §§11431 et seq. and

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Policy #7

Students with disabilities are afforded the procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq. including appointment of a surrogate parent, when appropriate.

Pursuant to 20 U.S.C. §1412(a)(3), procedures to locate students with disabilities (child find) must ensure that:

1. Person(s) responsible to conduct child find activities are identified.
2. Child find activities are conducted for all children ages three through 21, who reside within the district or attend nonpublic schools within the district.
3. Child find activities are conducted at least annually.
4. Child find activities (meetings, printed materials and/or public service announcements) are conducted in the native language of the population, as appropriate.
5. Child find activities address public and nonpublic students, including highly mobile students such as migrant and homeless students.
6. Child find activities for nonpublic school students are comparable to activities conducted for public school students.
7. Child find activities for nonpublic school children provide for consultation with appropriate representatives of the nonpublic school and parents on how to carry out these activities.
8. Child find activities include outreach to a variety of public and private agencies and individuals concerned with the welfare of students, such as clinics, hospitals, physicians, social service agencies and welfare agencies.

Procedures for interventions in the general education program must ensure that:

1. Criteria/steps for initiating interventions in the general education program are identified.
2. Parents, teachers and other school professionals, as appropriate, are informed of the procedures to initiate interventions in the general education program.
3. Activities are in place to determine whether the interventions are effective.
 - School personnel who are responsible for the implementation/evaluation of the interventions are identified; and,
 - The type, frequency, duration and effectiveness of the interventions are documented.

Procedures for referral must ensure that:

1. Steps are in place to refer students after it has been determined that interventions in the general education program are not effective in alleviating the educational difficulties.
2. Steps are in place to refer students directly to the child study team when warranted.
3. Steps are in place to refer students who have a disability but are advancing from grade to grade.
4. Steps for initiating a referral to the child study team by school personnel identify:

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- The information/documentation of student performance required in the referral;
 - Forms, if any, that are to be submitted by school personnel;
 - School personnel who are responsible to process referrals; and,
 - Timelines for processing referrals including the date that initiates the 20-day timeline for conducting the referral/identification meeting.
5. Steps for processing written referrals received from parents identify:
- School personnel who are responsible to process referrals from parents; and,
 - Timelines for processing referrals including the date that initiates the 20-day timeline for conducting the referral/identification meeting.
6. School personnel, parents and agencies are informed of referral procedures.

For students with disabilities potentially in need of a surrogate parent, procedures must ensure that:

1. A surrogate parent is provided to a student in accordance with N.J.A.C. 6A:14-2.2 when:
 - The parent of the student cannot be identified or located.
 - An agency of the State has guardianship of the student and that agency has not taken steps to appoint a surrogate parent for the student.
 - The student is a ward of the state and no State agency has taken steps to appoint a surrogate parent for the student.
 - No parent can be identified for the student in accordance with N.J.A.C. 6A:14-1.3 except a foster parent, the foster parent does not agree to serve as the student's parent and no State agency has taken steps to appoint a surrogate parent for the student.
 - The student is an unaccompanied homeless youth and no State agency has taken steps to appoint a surrogate parent for the student.
2. The district will make reasonable efforts to appoint a surrogate parent within 30 days of its determination that a surrogate parent is required for a student.
3. The district will appoint a person who will be responsible for appointing surrogate parents and overseeing the process. The responsible person will:
 - determine whether there is a need for a surrogate parent for a student;
 - contact any State agency that is involved with the student to determine whether the State has had a surrogate parent appointed for the student; and,
 - make reasonable efforts to select and appoint a surrogate parent for the student within 30 days of determining that there is a need for a surrogate parent for the student.
4. The district will establish a method for training surrogate parents that includes provision of information with respect to parental rights and procedural safeguards available to parents and students in accordance with N.J.A.C. 6A:14.

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- The district will appoint a person that will be responsible for training surrogate parents;
 - The training of surrogate parents will ensure that surrogate parents have knowledge and skills that ensure adequate representation of the child with a disability;
 - The training will be designed to make surrogate parents familiar with State and federal requirements for assessment, individualized education program development, and parental rights with respect to the referral and placement process, including their rights with respect to seeking a due process hearing if they disagree with the local procedure or decisions;
 - Surrogate parents will be provided with copies of: The Parental Rights in Special Education booklet; N.J.A.C. 6A:14; the Special Education Process; Code Training Materials from the Department of Education Website; and other relevant materials; and,
 - Surrogate parents will be provided information to enable them to become familiar with the nature of the child's disability.
5. The district will ensure that:
- All persons serving as surrogate parents have no interest that conflicts with those of the student, he or she represents;
 - All persons serving as surrogate parents possess knowledge and skills that ensure adequate representation of the student;
 - All persons serving as surrogate parents are at least 18 years of age;
 - If the school district compensates the surrogate parent for providing such services, a criminal history review of the person in accordance with N.J.S.A. 18A:6-7.1 is completed prior to his or her serving as the surrogate parent; and,
 - No person appointed as a surrogate parent will be an employee of the New Jersey Department of Education, the district Board of Education or a public or nonpublic agency that is involved in the education or case of the child.

Policy #3

Students with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4.

Procedures

Due to the specificity of the requirements at N.J.A.C. 6A:14-2.5 and 3.4, no additional written procedures are required.

Policy #4

An individualized education program is developed, reviewed, and as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7.

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Procedures

Due to the specificity of the requirements at N.J.A.C. 6A:14-2.6 and 3.7, no additional written procedures are required.

Policy #5

To the maximum extent appropriate, students with disabilities are educated in the least restrictive environment according to N.J.A.C. 6A:14-4.2.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-4.2, no additional written procedures are required.

Policy #6

Students with disabilities are included in statewide and districtwide assessment programs, with appropriate accommodations, where necessary according to N.J.A.C. 6A:14- 4.10. All students with disabilities will participate in statewide assessments or the applicable alternate assessment, in grades 3, 4, 5, 6, 7, 8 and high school in the applicable courses.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-4.10, no additional written procedures are required.

Policy #8

A free, appropriate public education is available to all students with disabilities between the ages of three and 21, including students with disabilities who have been suspended or expelled from school.

Procedures regarding the provision of a free, appropriate public education to students with disabilities who are suspended or expelled must ensure that:

1. School officials responsible for implementing suspensions/expulsions in the district are identified.
2. Each time a student with a disability is removed from his/her current placement for disciplinary reasons, notification of the removal is provided to the case manager.
3. A system is in place to track the number of days a student with disabilities has been removed for disciplinary reasons.
4. Suspension from transportation is counted as a day of removal if the student does not attend school.

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- If transportation is included in the student's IEP as a required related service, the school district shall provide alternate transportation during the period of suspension from the typical means of transportation.
5. Removal for at least half of the school day is reported via the Electronic Violence and Vandalism Reporting System.
 6. If the district has an in-school suspension program, participation in the program is not considered a removal when determining whether a manifestation determination must be conducted if the program provides the following: (For the purpose of documenting all removals, in-school suspension must be reported via the Electronic Violence and Vandalism Reporting System even if services were provided.)
 - Opportunity for the student to participate and progress in the general curriculum;
 - Services and modifications specified in the student's IEP;
 - Interaction with peers who are not disabled to the extent they would have in the current placement; and,
 - The student is counted as present for the time spent in the in-school suspension program.
 7. When a series of short-term removals will accumulate to more than 10 school days in the year:
 - School officials and the case manager consult to determine whether the removals create a change of placement according to N.J.A.C. 6A:14-2.8(c)2;
 - Written documentation of the consultation between school officials and the case manager is maintained;
 - If it is determined that there is no change in placement, school officials, the case manager and special education teacher consult to determine the extent to which services are necessary to:
 - Enable the student to participate and progress appropriately in the general education curriculum; and,
 - Advance appropriately toward achieving the goals set out in the student's IEP; and,
 - Written documentation of the consultation and services provided is maintained.
 8. Steps are in place to convene a meeting of the IEP team and, as necessary or required, conduct a functional behavioral assessment and review the behavioral intervention plan according to N.J.A.C. 6A:14 Appendix A, Individuals with Disabilities Education Act Amendments of 2004 20 U.S.C. §1415\ et seq.

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Procedures regarding the provision of a free, appropriate public education to preschool age students with disabilities must ensure that eligible preschool age children who are not participating in an early intervention program have an IEP in effect by their third birthday. Steps include:

1. Responding to referrals according to N.J.A.C. 6A:14-3.3(e)
2. Having a program in place no later than 90 calendar days from the date of consent.

Procedures regarding the provision of a free, appropriate public education to students with disabilities who are advancing from grade to grade must ensure that a student with a disability, who is advancing from grade to grade with the support of specially designed services, may continue to be eligible when:

1. As part of a reevaluation, the IEP team determines that the student continues to require specially designed services to progress in the general education curriculum; and,
2. The use of functional assessment information supports the IEP team's determination.

Policy #9

Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under this chapter will experience a smooth transition and have an individualized education program developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.

1. A child study team member of the district will participate in the preschool transition planning conference arranged by the designated service coordinator from the early intervention system and will:
 - Review the Part C Individualized Family Service Plan for the child;
 - Provide the parent(s) written district registration requirements;
 - Provide the parents written information with respect to available district programs for preschool students, including general education placement options; and,
 - Provide the parent(s) a form to use to request that the Part C service coordinator be invited to the child's initial IEP meeting.
2. The Part C service coordinator will be invited to the initial IEP meeting for a student transitioning from Part C to Part B.

Policy #10

Full educational opportunity to all students with disabilities is provided, according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3.

Procedures: Due to the specificity of the requirements at N.J.A.C. 6A:14-1.1, no additional written procedures are required.

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Policy #11

The compilation, maintenance, access to and confidentiality of student records are in accordance with N.J.A.C. 6A:32-7.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:32-7, no additional written procedures are required.

Policy #12

Provision is made for the participation of students with disabilities who are placed by their parents in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-6.1 and 6.2, no additional written procedures are required.

Policy #13

Students with disabilities who are placed in private schools by the district Board of Education, are provided special education and related services at no cost to their parents according to N.J.A.C. 6A:14-1.1(d) and N.J.A.C. 6A:14-7.5(b)3.

Procedures

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.1(d) and 7.5(b)3, no additional written procedures are required.

Policy #14

All personnel serving students with disabilities are highly qualified and appropriately certified and licensed, where a license is required, in accordance with State and Federal law.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.2(b)13, no additional written procedures are required.

Policy #15

The in-service training needs for professional and paraprofessional staff who provide special education, general education or related services are identified and that appropriate in-service training is provided. The district Board of Education shall maintain information to demonstrate its efforts to:

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1. Prepare general and special education personnel with the content knowledge and collaborative skills needed to meet the needs of children with disabilities;
2. Enhance the ability of teachers and others to use strategies, such as behavioral interventions, to address the conduct of students with disabilities that impedes the learning of students with disabilities and others;
3. Acquire and disseminate to teachers, administrators, school Board members, and related services personnel, significant knowledge derived from educational research and other sources and how the district will, if appropriate, adopt promising practices, materials and technology;
4. Ensure that the in-service training is integrated to the maximum extent possible with other professional development activities; and,
5. Provide for joint training activities of parents and special education, related services and general education personnel.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.2(b)14, no additional Written procedures are required.

Policy #16

Instructional materials will be provided to blind or print-disabled students in a timely manner.

Instructional materials will be provided to blind or print-disabled students in accordance with a plan developed by the district. The plan will be the Individualized Education Program of each student with a disability, which will set forth the instructional materials needed, how they will be provided, and address any assistive technology needed to permit the student to utilize the materials.

Policy #17

For students with disabilities who are potentially eligible to receive services from the Division of Developmental Disabilities in the Department of Human Services, the district will provide, pursuant to the Uniform Application Act, N.J.S.A. 30:4-25.10 et seq., the necessary materials to the parent to apply for such services.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.2(b)17, no additional written procedures are required.

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Policy #18

When the school district utilizes electronic mail, parents are informed as to whether they may use electronic mail to submit requests to school officials regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education. If this is permitted, parents shall be informed of the procedures to access the electronic mail system and that they may not utilize electronic mail to provide written consent when the district provides written notice and seeks parental consent as required by N.J.A.C. 6A:14.

Procedures:

Due to the specificity of the requirements at N.J.A.C. 6A:14-1.2(b)18, no additional Written procedures are required.

Policy #19

The school district will provide teacher aides and the appropriate general or special education teaching staff time for consultation on a regular basis as specified in each student's IEP.

Procedures: Due to the specificity of the requirements at N.J.A.C. 6A:14-4.5(d), no additional written procedures are required.

Policy #20

The school district has a plan in effect to establish stability in special education programming. The plan takes into account the consistency of the location, curriculum, and staffing in the provision of special education services.

Procedures: Due to the specificity of the requirements in N.J.A.C. 6A: 14-3.7 (c)4, no additional written procedures are required.

Policy #21

The school district screens students who have exhibited one or more potential indicators of dyslexia or other reading disabilities is screened for dyslexia or other reading disability in accordance with N.J.A.C. 18A:40-5.1 et seq. The district board of education shall maintain information to demonstrate its efforts to:

1. Select and implement age-appropriate screening instruments for the diagnosis of dyslexia and other reading disabilities.
2. Ensure that each student enrolled in the district who has exhibited one or more potential indicators of dyslexia or other reading disabilities is screened for dyslexia and other reading disabilities using the selected screening tool no later than the student's completion of the first semester of second grade.
3. Develop a procedure to screen eligible newly-enrolled students in accordance with the legislation.

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4. Ensures the screening is administered by a teacher or other teaching staff member properly trained in the screening process for dyslexia and other reading disabilities; and,
5. Ensures that students who are diagnosed with dyslexia or other reading disability receive appropriate evidence-based interventions.

Legal References

- NJSA** 10:5-1 et seq. Law Against Discrimination
18A:46-1 et seq. Classes and Facilities for Handicapped Children
18A:46A-1 et seq. Auxiliary Services
- NJAC** 5:23-7 Barrier free subcode of the uniform construction code
6A:7-1.7 Equality in school and classroom practices
6A:8-1.2 Scope
6A:8-3.1 Curriculum and instruction
6A:8-4.1 et seq. Implementation of the Statewide Assessment System
6A:8-5.1 et seq. Implementation of Graduation Requirements
6A:9-1.1 et seq. Professional Licensure and Standards
6A:14-1.1 et seq. Special Education
6A:15-1.4 Bilingual programs for limited English proficient students
6A:23-1.1 et seq. Finance and Business Services
6A:26-6.1 et seq. Planning and Construction Standards for School Facilities
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-7.1 et seq. Student Records
6A:32-8.3 School attendance
6A:32-12.1 Reporting requirements
6A:32-14.1 Review of mandated programs and services
- No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
20 U.S.C.A. 1400 et seq. - 1990 Individuals With Disabilities Education Act,
P.L. 101-476 (formerly Education for All Handicapped Children Act--Part B)
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
34 CFR 76.1 et seq. - General Administrative Regulation EDGAR
34 CFR 77.1 et seq. - General Administrative Regulation EDGAR
34 CFR 300 - Assistance to States for the Education of Children with Disabilities
Community School District v. Garrett F., 526 U.S. 66 (1999)
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1120, 4112.2, 4131/4131.1, 5125, 6121, 6145, 9322

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Policy 6171.45

Date Adopted: June 25, 2015

Date Revised:

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When assessments of a pupil have been conducted by or on behalf of this district to determine initial or continuing eligibility for special education and related services as part of an initial evaluation or reevaluation, the student's parents/guardians are entitled by law to request an Independent Educational Evaluation (IEE) of the student if there is disagreement with any assessment conducted by the district. Upon receipt of a request for an IEE the district has the option of to either provide the IEE at no cost to the parents/guardians or to initiate a due process hearing to demonstrate that its evaluation is appropriate.

Upon receipt of a parental request for an IEE, the district shall either provide the parents(s)/guardian(s) with information about where an IEE may be obtained and the criteria specified below in this policy or not later than 20 calendar days after receipt of the parental request for an IEE, request a due process hearing in accordance with the provisions of NJAC 6A:14-2.7, et seq. to show that its evaluation is appropriate.

Criteria for Independent Evaluations at District Expense

- A. An IEE paid for with public funds shall:
 - Be conducted in accordance with the provisions of NJAC 6A:14-3.4; and
 - Be obtained for another public school district, educational services commission, jointure commission, a clinic or agency approved in accordance with the provisions of NJAC 6A:14-5, or private practitioner who is certified and/or licensed, where certification or a license is required.
- B. An independent medical evaluation may be obtained in accordance with the provisions of NJAC 6A:14-5.1(c).
- C. The Board of Education will only pay for an IEE that meets the following additional criteria, unless the parent/guardian can demonstrate to the satisfaction of the Board of Education, that unique circumstances warrant deviation from these criteria when the parent/guardian seeks to utilize an evaluator who is not on the list provided by the district. These criteria are the same as those used by the district in selecting evaluators for district-initiated assessments:
 - Where certification or licensure is required, the evaluator must possess the appropriate certification or license issued by an agency or other applicable licensing body of the State of New Jersey. Where certification or licensure is not required, the parents/guardians must provide the Board of Education with documentation demonstrating that the independent evaluator has appropriate education, training and experience to perform the particular evaluation;

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- The costs of the IEE are reasonable and customary in accordance with item D below;
 - The independent evaluator must be free from any conflict of interest (by way of illustration and not limitation, former employees of this district will not meet this criterion, except where the separation from employment was due to retirement);
 - The parents/guardians must authorize and permit the independent evaluator and members of the Child Study Team to directly communicate and share information with each other. The independent evaluator must also agree to release the assessment information, results and report(s) to this district prior to receipt of payment for services and prior to or contemporaneous with the submission of the report to the parents/guardians;
 - For an independent evaluation, whether paid for with public or private funds, this district will permit the evaluator to observe the pupil in the classroom or other educational setting as applicable. The observation may not exceed 2 hours and a district staff person shall accompany the evaluator for the duration of the observation. The evaluator shall not disrupt the learning process during the observation. The evaluator may clarify following the observation as to whether the day was typical of the student/class. Other questions the evaluator may have as, as a result of the observation may be made to the case manager in writing and the case manager shall follow up and respond as appropriate;
 - The independent evaluator shall communicate at least once with the pupil's case manager for the purpose of obtaining the district's perspective on how the pupil is progressing in his/her current program; and,
 - The evaluator should be located within a 40 mile radius of this district. Evaluators outside of this area will be approved only on an exception basis and the parent/guardian must demonstrate the necessity of using personnel outside of the approved geographic area.
- D. The maximum allowable cost for an IEE will be limited to the reasonable and customary rate within the district or as determined by the Board of Education annually. This rate shall be in the range of what it would cost the Board of Education to provide the same type of assessment through either another public school district, educational services commission, jointure commission, a clinic or agency in accordance with the provisions of NJAC 6A:14-5 or an appropriately certified or licensed private practitioner. The maximum fee shall not be an average of the fees customarily charged in this area, but they shall be established so as to allow parents/guardians to choose from among the qualified professions

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Independent Educational Evaluations

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in this area, while eliminating unreasonably excessive fees. The Board-approved rate shall be provided to the parents/guardians with the district's response to the request for an IEE. The Board of Education shall not be responsible for any costs beyond the IEE, such as transportation, lodging, food, etc.

Parents may provide documentation the Board of Education, demonstrating unique circumstances in order to justify an IEE that exceeds the maximum allowable cost established by the Board of Education. If, in the judgment of the Board of Education or the Superintendent/Principal or his/her designee, there is no justification for the excess cost, the Board of Education will fund the IEE up to the district's maximum allowable cost and, if the parents/guardians do not agree to assume the remaining costs, the Board of Education will initiate a due process hearing as soon as possible, in order to demonstrate that the evaluation obtained by the parents/guardians did not meet the Board of Education's cost criteria.

Additional Considerations

Parents/guardians are entitled to only one (1) IEE paid for by the Board of Education each time the district conducts an evaluation or reevaluation that contains an assessment with which the parents/guardians disagree. One IEE may include multiple assessments, but the parents/guardians must specify all independent assessments sought at the time they request the IEE and the parents/guardians shall not add to the list of desired assessments after the IEE request is submitted.

If the parents/guardians request an IEE, the district may request that the parent explain why they object to the district evaluation. However, the district shall not require such an explanation and shall not delay either providing the IEE or initiating a due process hearing to defend the district evaluation.

Any IEE submitted to the district, including an IEE obtained by the parents/guardians at private expense, shall be considered in making decisions requiring special education and related services.

If an Administrative Law Judge orders that an IEE be conducted, the district, in accordance with the decision or Order of the Administrative Law Judge shall obtain the IEE, and the Board of Education shall pay the cost of the IEE in accordance with the provisions of this policy.

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Legal References

- NJSA 10:5-1 et seq. Law Against Discrimination
18A:46-1 et seq. Classes and Facilities for Handicapped Children
18A:46A-1 et seq. Auxiliary Services
- NJAC 5:23-7 Barrier free sub code of the uniform construction code
6A:7-1.7 Equality in school and classroom practices
6A:8-1.2 Scope
6A:8-1.3 Definitions
6A:8-3.1 Curriculum and instruction
6A:8-4.1 et seq. Implementation of the Statewide Assessment System
6A:8-5.1 et seq. Implementation of Graduation Requirements
6A:9-1.1 et seq. Professional Licensure and Standards
6A:14-1.1 et seq. Special Education
6A:14-2.5 Protection in evaluation procedures
6A:14-2.7 Due process hearings
6A:15-1.4 Bilingual programs for limited English proficient students
6A:23-1.1 et seq. Finance and Business Services
6A:26-6.1 et seq. Planning and Construction Standards for School Facilities
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-7.1 et seq. Student Records
6A:32-8.3 School attendance
6A:32-12.1 Reporting requirements
6A:32-14.1 Review of mandated programs and services
- CFR Section 300.502 Independent educational evaluations
No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.
20 U.S.C.A. 1400 et seq. - 1990 Individuals With Disabilities Education Act,
P.L. 101-476 (formerly Education for All Handicapped Children Act--Part B)
29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
34 CFR 76.1 et seq. - General Administrative Regulation EDGAR
34 CFR 77.1 et seq. - General Administrative Regulation EDGAR
34 CFR 300 - Assistance to States for the Education of Children with Disabilities
(IDEA Regulations)
Agostini v. Felton, 521 U.S. 203 (1997), overruling Aguilar v. Felton, 473 U.S. 402
(1985)
Honig v. Doe, 484 U.S. 305 (1988)
Oberti v. Board of Education of Clementon School District, 995 F.2d 1204,1216-17
Cedar Rapids Community School District v. Garrett F., 526 U.S. 66 (1999)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

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Special Education Medicaid Initiative Program (SEMI)

Policy 6171.6

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education directs the Board Secretary/Business Administrator to oversee and ensure that appropriate steps are taken to maximize its revenue from the Special Education Medicaid Initiative Program (SEMI) by following the policies and procedures as set forth in this policy.

However, the Board of Education also directs that the Board Secretary/Business Administrator may seek, in the prebudget year, a waiver of the requirements of NJAC 6A:23A-5.3 upon demonstration that for the subsequent school year:

- The district projects, based on reliable evidence, that it will have 30 or fewer Medicaid eligible classified students; or
- The district demonstrates that efforts to participate in SEMI would not provide a cost benefit to the district, based on the projection of the district's available SEMI reimbursement for the budget year as set forth in below.

The waiver request must be submitted to the Executive County Superintendent by the date stipulated by law and the Executive County Superintendent shall promptly review the request and render a decision by the date specified by law. If the waiver is not granted, the district shall submit a SEMI action plan to the Executive County Superintendent as required as part of its annual district budget submission or demonstrate to the Executive County Superintendent that the district has achieved maximum participation in the SEMI program in the prebudget year.

As part of the annual budget information, the New Jersey Department of Education shall provide the district with a projection of available SEMI reimbursement for the budget year, as determined by the New Jersey State Department of Treasury's third party administrator for SEMI. The projection shall be based on the following:

- Number of Medicaid eligible students;
- Assumption of 20 services per eligible students per year;
- One IEP meeting per eligible student per year; and,
- Applicable SEMI reimbursement rates.

Beginning with the 2009-10 school year, the district shall recognize as revenue in its annual district budget no less than 90 percent of said projection.

The district may seek approval from the Executive County Superintendent to use its own projection of SEMI reimbursement upon demonstration that the numbers it used in calculating the projection are more accurate than the projection provided.

The district shall strive to achieve maximum participation in the SEMI program. For purposes of this section, "maximum participation" means obtaining a 90 percent return rate of parental/legal guardian consent forms for all SEMI eligible students and the district shall enter all students

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Special Education Medicaid Initiative Program (SEMI)

Policy 6171.6

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following their evaluations into the third-party system to identify the district's universe of eligible students. This can be done without parental/legal guardian consent.

When participating in the SEMI reimbursement program, the district shall comply with program requirements as follows:

- Any service submitted to Medicaid for reimbursement shall be rendered by a Medicaid qualified practitioner, or rendered by a provider under the supervision of a Medicaid qualified practitioner. The following outlines the required documentation for each related service provider:
 - A. Nurses – copy of license (DOE certification is not required for SEMI)
 - B. Occupational Therapist – copy of license and DOE certification
 - C. Physical Therapist – copy of license and DOE certification
 - D. Psychologist – copy of DOE certification
 - E. Social Worker – copy of DOE certification
 - F. Speech Therapist – copy of license, DOE certification, and ASHA certification or Masters Degree in Speech Pathology on or after January 1, 1993.
- Practitioners who are not Medicaid qualified can deliver services under the direction of Medicaid qualified practitioners. These include certified occupational therapist assistants (COTAs), physical therapist assistants (PTAs) and speech correctionists.
- Any direct therapy or other related service shall be prescribed in the related services section of the student's IEP prior to submitting a claim to Medicaid for reimbursement. Delivery of nursing services and dispensing of medication must be referenced in the IEP and supported by physicians' orders or prescriptions. These documents must be maintained on file. Supporting documentation to be maintained by the district shall be the cover/signature page, related services section of the IEP, therapy logs, and the evaluations and assessments conducted by the Medicaid-qualified practitioners.
- Entities where the district has placed SEMI eligible students shall take steps to enable districts to maximize participation, including either logging the eligible services provided directly through the vendor or the sending district, as mutually agreed upon with the district, and obtaining SEMI provider qualification certifications. Every out-of-district placement must provide copies of SEMI provider qualifications, certifications and licenses. This rule applies to the following out-of-district placement options:
 - A. Approved Private Schools for Students with Disabilities;
 - B. Educational services commissions;
 - C. Jointure commissions;
 - D. Vocational half-time programs;
 - E. Department of Education Regional Day Schools; and,
 - F. Special Service School Districts.
- All supporting documentation for a Medicaid claim shall be maintained on file and available for audit or State review for at least seven years from the date of service. Supporting documentation shall include provider certification (current and historical for

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each provider), provider service logs, licenses and certifications, physician authorizations for nursing services, parental/legal guardian consent forms, attendance records, and copies of the student IEP.

If the district has less than 90 percent participation of SEMI eligible students in the 2007-2008 school year or has failed to comply with all program requirements set forth above, the district shall demonstrate a good faith effort to achieve maximum participation and to maximize available SEMI revenue during the 2008-2009 school year by submitting a SEMI action plan to the Executive County Superintendent for review and approval by September 1, 2008. In subsequent years, each district that has less than 90 percent participation of SEMI eligible students in the prebudget year or that has failed to comply with all program requirements set forth above shall submit a SEMI action plan to the Executive County Superintendent for review and approval as part of the district's proposed budget submission.

The SEMI action plan shall include the following components:

- Procedures for obtaining parental/legal guardian consent forms including the Parental/Legal Guardian Consent Best Practices which are available from the Department.
- Establishment of a benchmark for the 2008-09 school year or for the first year that the district does not have an approved waiver pursuant to the provisions of (b) above, whichever is applicable, for obtaining maximum participation of all SEMI eligible students by the start of the subsequent school year.

The benchmarks for the 2008-09 school year or for the first year that the district does not have an approved waiver, whichever is applicable, for achieving maximum participation shall at a minimum close the gap between current participation and maximum participation by 50 percent by the beginning of the subsequent school year.

The benchmarks shall be based on the percentage of parental/legal guardian consent forms collected from eligible students. The number of parental/legal guardian consent forms shall reflect one parental/legal guardian consent form for each eligible student. This should include documentation of parental/legal guardian refusal to give consent.

The district administration shall develop procedures to ensure that:

- All IEP meetings are documented in the third-party administrator's system. IEPs are only claimable if a Medicaid qualified practitioner is present;
- All SEMI eligible services, including services provided by entities where the district has placed SEMI eligible students, are documented in the third-party administrator's system;
- A valid IEP is on file and the IEP date is on file in the third-party administrator's system for each SEMI eligible student for whom parental/legal guardian consent has been obtained; and,

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- Service providers used by the district and entities where the district has placed SEMI eligible students have valid licenses and certifications documenting SEMI provider qualifications on file in the third-party administrator's system.

If the district did not achieve 90% participation or achieve its approved benchmarks in the SEMI program for a given budget year and cannot demonstrate that they fully implemented their Department approved SEMI action plan required above, the district shall be subject to review for the withholding of State aid by the Commissioner pursuant to NJSA 18A:55-3 in an amount equal to the SEMI revenue projection based on their approved benchmark for the budget year, if applicable, less actual SEMI reimbursements for the budget year. The State aid deduction shall be made in the second subsequent year after the budget year.

Legal References

NJSA 18A:55-3 School districts, conditions for receipt of State aid; efficiency standards

NJAC 6A:23A-5.3 Accountability Regulation

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Appeals / Grievances Regarding Section 504 Issues

Policy 6171.7

Date Adopted: March 31, 2010

Date Revised:

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The district does not discriminate on the basis of disability with regard to admission, access to services, treatment or employment in its programs or activities based on the requirements outlined in Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA). The definition of an "individual with a disability" is a person who: has a mental or physical impairment which substantially limits one or more major life activities, such as seeing, hearing, speaking, breathing, learning, or working; or has a record of such impairment; or is regarded as having such an impairment.

The district will evaluate students, identify student eligibility according to 504 law, and provide accommodations so that those eligible receive a free appropriate education. Parents of all students are entitled to and will receive procedural safeguards, including individual notice and an impartial hearing. No discrimination against any person with a disability will be knowingly permitted in any of the programs and practices of the district.

The Board of Education has established the following grievance procedure to resolve complaints of discrimination as mandated by the family education rights and privacy act (FERPA):

Procedural Safeguards Under Section 504 of the Rehabilitation Act of 1973

Section 504 prohibits discrimination against persons with a disability in any program receiving Federal financial assistance. Each parent or guardian of a child being served under 504 or ADA or considered for such service are guaranteed all of the FERPA. These rights include, but are not limited to:

- The right to file a grievance over alleged violation of Section 504;
- The right to be represented by counsel in the impartial hearing process ;
- To receive information in your native language or primary mode;
- The right to have an evaluation that draws information from a variety of sources;
- The right to be notified of any proposed action related to eligibility or 504 plan;
- The right to periodic reevaluations and an evaluation before any significant change in program or eligibility;
- The right for students to be given an equal opportunity to participant in non-academic and extracurricular activities offered by the district

504 Appeals / Grievance Procedure

Appeals of the recommendations of the multi-disciplinary team regarding 504 services will be resolved via mediation wherever possible. The initial level of local mediation will be provided by the Building Principal.

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Appeals / Grievances Regarding Section 504 Issues

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Should an impartial due process hearing be required to resolve the dispute, the appeal will be heard by a Board appointed hearing officer. Hearing request must be made in writing to the District Section 504 Compliance Coordinator.

Definitions

For the purposes of this Policy / Procedure, the following definitions shall apply:

1. A “grievance” is a claim by a student, an employee or representative(s) of the student or an employee based upon an interpretation and/or application that a violation of Section 504 of the Rehabilitation Act of 1973 has occurred. To be considered under this procedure, a “grievance” must be initiated by the student or employee or their representative(s) within thirty (30) days of the time the student or employee knew or should have known of its occurrence.
2. A “grievant” is the person or persons making the claim.

Purpose

The purpose of this procedure is to secure, at the lowest lever, equitable solutions to problems that may arise under the provisions of Section 504 of the Rehabilitation Act of 1973.

Procedure

Step 1

A student or employee grievant and/or their representative(s) shall first discuss the alleged grievance with the Principal/immediate supervisor.

Step 2

If, after consultation with the Principal/immediate supervisor, a satisfactory solution has not been reached within seven (7) calendar days, a written, formal grievance, designating the grievance and all parties to the grievance may be filed with the Principal. The grievant shall state the remedy or solution sought in writing.

The grievant will submit any grievance on the form that accompanies this policy/procedure. This form may be secured at any school office as well as the office of the Affirmative Action Officer. If such written formal grievance is not filed within seven (7) calendar days after the initial discussion in Step 1, the grievance shall be considered to be waived.

Step 3

If the grievant is not satisfied with the disposition of his/her written grievance as noted in Step 2, or if no decision has been remedied within seven (7) calendar days after presentation of the written grievance, he/she may file the grievance in writing with the Superintendent of Schools.

The Superintendent of Schools shall render a decision within twenty (20) calendar days.

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Step 4

If the grievant is not satisfied with the resolution of the grievance at Step 3, then the grievance shall be submitted in writing to the Board of Education within seven (7) calendar days of receipt of the decision of the Superintendent of Schools and the Board of Education shall render a decision in writing within thirty (30) calendar days after the submission of said grievance.

The grievant can request an appearance before the Board of Education. The Board of Education will decide if an appearance is appropriate on a case-by-case basis. The appearance shall be limited to fifteen (15) minutes. When appearance occurs, the Board of Education shall render a decision within thirty (30) calendar days of the appearance.

Legal References:

29 USCA 794 et seq – Section 504 of the Rehabilitation Act of 1973
Americans With Disabilities Act (ADA)

**Fairfield Township School District
Section 504 – Rehabilitation Act of 1973
Grievance Procedure Form (continued)**

Step 3

Date Filed with the Superintendent of Schools: _____

Step 4

Disposition of the Superintendent of Schools

- Granted Remarks: _____
Rejected Remarks: _____
Withdrawn Remarks: _____
Adjusted Remarks: _____
Referred to the Board of Education

Signed: _____ Date: _____

Step 5

Date Filed with the Board Secretary: _____

Disposition of the Board of Education

- Granted Remarks: _____
Rejected Remarks: _____
Withdrawn Remarks: _____
Adjusted Remarks: _____
Date of Appearance of Grievant (if applicable): _____

Signed: _____ Date: _____

Fairfield Township School District
Section 504 – Rehabilitation Act of 1973
Office of Civil Rights Complaint Procedure

If a person believes that any aspect of Section 504 of the Rehabilitation Act of 1973 has been violated, he/she may initiate a complaint to the Office of Civil Rights (OCR). The person or organization filing the complaint need not be the victim of the alleged discrimination; but may issue a complaint on behalf of another person or group. A complaint must be filed within 180 calendar days of the date of the alleged discrimination, unless the time for filing is extended by OCR for good cause. The complaint should be in the form of a letter, explaining:

- Who was discriminated against? (Name, Address, Phone Number)

- In what way? (On the basis of being a “handicapped person” as defined in Section 504, describe how the major life activity of learning is being impacted by your child’s disabling condition)

- When the discrimination took place. (On what date did the alleged act of discrimination take place?)

- State in full what occurred to lead you to believe that your child was discriminated against. Provide names, dates and other forms of information which are available to you, such as supporting documents. If you do not already have your child’s complete pupil record, this would be an important time to request it of your school district.

- Define the desired outcome(s).

- Who can be contacted for additional information? (List the names, addresses, and phone numbers, if available, of any persons having knowledge of the discriminatory treatment.)

- If you have filed a complaint with any other federal, state or local civil rights agencies, please list these.

- Writer’s name, address and phone number (daytime)

Send Letter To:

Officer of Civil Rights, Region II
US Department of Education
26 Federal Plaza
Room 33-130, 02-1010
New York, NY 10278-0082
(212) 264-4633
DT (212) 264-9464

For Technical Assistance
(Not Enforcement) Contact:

Charles Masterton
Equal Opportunity Specialist
(212) 264-6618

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Series 6000

Alternative Educational Programs

Policy 6172

Date Adopted: March 31, 2010

Date Revised: February 28, 2013

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The Board endeavors to provide an educational program adjusted to the needs of the individual child within the financial means of the district. Grouping enables a more efficient use of staff in meeting these needs. Program adaptations provide another means of using staff efficiently and effectively to meet the needs of many children.

When the needs of special individuals or groups cannot be met through adaptation or independent study, the Superintendent of Schools shall investigate and propose to the Board for approval alternative programs and facilities.

Each alternative education program shall fulfill the program criteria that are specified in NJAC 6A:16-9.2 including but not limited to:

- A. A maximum student-teacher ratio of 12:1 for high school programs,
- B. A maximum student-teacher ratio of 10:1 for middle school programs,
- C. An Individualized Program Plan (IPP) shall be developed for each general education student enrolled in the program,
- D. For students with disabilities the alternate education program shall be consistent with the student's Individualized Education Plan (IEP).

Home Schooling

The Board acknowledges the right of parents/guardians to educate their children at home. The Board is not required by law to allow a resident child educated elsewhere than at school to participate in the regular school curriculum or in extracurricular or sports activities. The Board of Education may allow a child educated elsewhere than at school to participate in curricular and extracurricular activities or sports activities and/or loan books or materials to a child educated elsewhere than at school.

In the event the Superintendent of Schools determines there is credible evidence that the parent/guardian is not causing the child to receive equivalent instruction elsewhere than at school, the Superintendent of Schools may request a letter of intent from the parent/guardian confirming the child is receiving equivalent instruction elsewhere than at school. The Superintendent of Schools may report to the appropriate municipal authorities children whom he/she has reason to believe are not receiving an education in accordance with NJSA 18A:38-25. The New Jersey Department of Education encourages the parent/guardian of school-aged children to notify the Superintendent of Schools of the intent to educate said school-aged children elsewhere than at school to avoid questions with respect to compliance with the compulsory education laws of this state.

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Instructional Program
Alternative Educational Programs

Series 6000
Policy 6172

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Required Services to Home Schooled Students

When a student of this district is home schooled, the district shall:

- Provide payment for tuition when a student is enrolled in a shared-time vocational school program. Once a resident student is enrolled in a shared-time vocational school program the student becomes a public school student;
- Review any written request for a special education evaluation and if warranted conduct an evaluation as described in Policy 6171.4 Special Education and in accordance with the federal special education law, Individuals with Disabilities Education Act (P.L. 108-446 §612).

If the student is eligible for special education and related services, the district shall make a free, appropriate public education available only if the student enrolls in the district. If the student does not enroll in the district, but the district chooses to provide services, the district will develop a plan for the services to be provided.

Disruptive/Disaffected Children

The Board of Education recognizes that the active engagement of each pupil is a primary requisite for sound teaching and learning to take place. When a child is unable to benefit from the educational program because he/she is either disruptive or disaffected, then the educational goals of the district for that child will not be realized and the efforts of other pupils may be impeded. In an effort to optimize the educational experience for each child, the Superintendent of Schools shall develop procedures to identify and work with disruptive/disaffected pupils.

When it is determined by the Child Study Team that a disruptive/disaffected pupil is not classifiable, the Board shall consider some other program as an alternative to regular classroom attendance. When the district does not have a suitable alternative program available, the Superintendent of Schools shall recommend to the Board placement in a program of another district.

In accordance with state law and Board policy, disruptive pupils whose continuing attendance interrupts the educational program and/or threatens harm to themselves and others may be suspended and considered for expulsion. (See Policy 5114).

Removal for Weapons Offenses or Assault

Any pupil who is convicted or found to be delinquent for the following offenses shall be immediately removed by the Superintendent of Schools from the district's regular education program for a period of not less than one calendar year and placed in an alternative education school or program pending a hearing before the Board of Education to remove the pupil:

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Series 6000

Alternative Educational Programs

Policy 6172

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- Possessing a firearm on any school property, on a school bus, or at a school sponsored function; or
- Committing a crime while possessing a firearm.

The Superintendent of Schools shall determine at the end of the year whether the pupil is to return to the district's regular education program, in accordance with procedures established by the Commissioner of Education.

Any pupil who assaults a pupil, teacher, administrator, Board member, or other district employee with a weapon other than a firearm on school property, on a school bus, or at a school-sponsored function must be immediately removed from the school's regular education program and placed in an alternative school or program, pending a hearing before the Board. The Superintendent of Schools shall determine when the child shall return to the regular education program.

Potential Dropouts

While statute requires attendance of each pupil only until 16 years of age, it is in the best interests of both pupils and the community that they complete the educational program that will equip them with skills and increase their chances for a successful and fulfilling life beyond the schools.

The Board directs that whenever a pupil wishes to withdraw, or has been identified as a potential withdrawal, effort should be made to determine the underlying reason and the resources of the district should be used to assist the pupil in reaching his/her career goals. No pupil under the age of 18 will be permitted to withdraw without the written consent of a parent/guardian.

The Superintendent of Schools shall develop procedures for withdrawal from school that:

- A. Make counseling services available to any pupil who wishes to withdraw;
- B. Make every effort to satisfy the pupils' future educational needs;
- C. Help the pupil define his/her own educational life goals and help plan the realization of those goals;
- D. Inform the pupil of the high school equivalency program.

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Alternative Educational Programs

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Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:37-1 et seq. Discipline of pupils
18A:38-1, -25 Attendance at school free of charge ...
18A:54-20 Powers of board (county vocational schools)
- NJAC 6A:8-5.1 Graduation requirements
6A:8-5.2 High school diplomas
6A:10A-3.1 et seq School district-led standards-based instruction
6A:10A-4.1 et seq Role of Abbott district board of education
6A:14-1.1 et seq. Special Education
6A:16-5.5 Removal of students from general education for firearms offense
6A:16-5.6 Removal of students from general education for assaults with weapons
6A:16-9.1 et seq. Alternative Education Programs
6A:16-10.1 et seq. Home or Out-of-School Instruction for General Education Students
6A:30-1.4 Evaluation process for the annual review
6A:32-13.1 et seq. Student Behavior
- State v. Vaughn, 44 N.J. 142, 1965
State v. Massa, 95 N.J. Super. 382, 1967
20 USCA Section 8921 Gun Free Schools Act
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

6142.2, 6142.12, 6164.2, 6164.4, 6171.4, 6173

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Alternative Placement Program

Policy 6172.1

Date Adopted: March 31, 2010

Date Revised: December 18, 2014

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Objectives:

1. To address the educational and developmental needs of students who, due to their unacceptable behavior, are currently not being adequately served within the district.
2. To create a better educational atmosphere for enhanced learning for the general population at Fairfield Township School
3. To provide special support and services to help students in the program develop more responsible patterns of behavior.
4. To prepare Fairfield Township School to meet the required Alternative School Program if Abbott district status is granted. (Under NJAC 6A:16-8.1 each Board of Education in an Abbott District shall establish an alternative 6-8 grade school program.)

Brief Description

As defined by the New Jersey Department of Education, alternative education programs offer non-traditional, yet effective learning environments that provide flexible educational objectives closely related to the learning styles and needs of students while still addressing the Core Curriculum Content Standards. Alternative Education programs are not designed to be punitive in nature, nor are they short-term suspension programs.

The program at Fairfield Township School is a single-room, multi-year program for students in grades 6-8 who, through their inappropriate behavior, are not experiencing success in learning.

Small Program Size

Limited to 16 or fewer students.

Staffing

One regular education and one special education inclusion teacher in a class with no more than 16 students.

Separate Site

As per NJDOE guidelines, the Fairfield Township School program is housed separately from regular education programs for grades 6-8. Currently, it is housed in Building 2 on the school campus. The classroom is double the size of a regular classroom.

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Instructional Program
Alternative Placement Program

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Comprehensive Support Services

Students are eligible for counseling services from the school guidance counselor as well as the ASAP (Alliance for Substance Abuse Prevention) counselor where needed. There is also close cooperation with the local support services including South Jersey Hospital Step Ahead Program and the Guidance Center located in Vineland, New Jersey, New Jersey Division of Child Protection and Permanency (DCP&P), formerly known as the New Jersey Division of Youth and Family Services (DYFS) and other state and county programs and agencies as needed.

Individualized Program Plan (IPP)

An IPP must be developed for each student in the program. The IPP must individualize instruction to student and address Core Curriculum Content Standards.

Placement

Students whom the Principal has determined, that due to their unacceptable behavior, are currently not being adequately served within the district will be placed in the program. It will not be a punitive placement, but will be designed to help students develop the necessary skills to succeed in the regular classroom. Students will be considered for placement based upon the whole of their behavior, and not a one-time incident (unless it is the culminating incident of a series of inappropriate behaviors). Prospective AP candidates will be counseled about the program; their inappropriate behaviors; what corrective actions they can take; and the given the opportunity (at least one week) to correct these behaviors before placement in the Alternative Program. Student's whose IEP indicates inability to benefit, will not be eligible even if their behavior would appear to warrant it. Only students whom the Principal deems are able to benefit from the program will be considered for AP placement.

Transition

The ultimate goal of the Alternative Education program at Fairfield Township School will be to prepare the students to correct their own behavior to enable them to return to the general student population and to enable them to succeed in the traditional school setting. No student will be placed in the program for a specified period of time, although no student will exit the program in under one marking period. Students will only transition out of the program by improving their behavior. The Principal, with the recommendation of the classroom teachers, shall be the sole arbiter of a student's readiness to exit the program.

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Appeal

A parent who is dissatisfied with the decision of the principal on AP placement or exiting may appeal the decision in writing to the Superintendent. The Superintendent will arrange to meet with the parent in a reasonable time and will review the appropriateness of the placement. If the parent is still not satisfied with the results they may appeal the Superintendent's decision to the Board of Education at their next regularly scheduled meeting. The student will remain in the AP program as per the principal's decision during the appeal process.

Personal Development

The AP program at Fairfield Township School will incorporate personal development strategies that address each student's social development and behavior.

Behavior Record Sheets

At the end of each period of the day, teachers' will record and discuss appropriate and inappropriate behavior displayed during the class period. Parents, Principal and Superintendent each will receive a copy of the behavior sheet each day.

Evaluation

A monthly report on the progress of the program will be part of the Principal's monthly report.

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Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:37-1 et seq. Discipline of pupils
18A:38-1, -25 Attendance at school free of charge ...
- NJAC 6A:8-5.1 Graduation requirements
6A:8-5.2 High school diplomas
6A:10A-3.1 et seq School district-led standards-based instruction
6A:10A-4.1 et seq Role of Abbott district board of education
6A:14-1.1 et seq. Special Education
6A:16-5.5 Removal of students from general education for firearms offense
6A:16-5.6 Removal of students from general education for assaults with weapons
6A:16-9.1 et seq. Alternative Education Programs
6A:16-10.1 et seq. Home or Out-of-School Instruction for General Education Students
6A:30-1.4 Evaluation process for the annual review
6A:32-13.1 et seq. Student Behavior
- State v. Vaughn, 44 N.J. 142, 1965
State v. Massa, 95 N.J. Super. 382, 1967
20 USCA Section 8921 Gun Free Schools Act
New Jersey Quality Single Accountability Continuum (NJQSAC)
NJ Department of Children & Families
Division of Child Protection & Permanency (Child Abuse Hotline
(1-877-NJ ABUSE)
Office of Advocacy 1-877-543-7864 or www.nj.gov/dcf

Possible Cross References

6142.2, 6142.12, 6164.2, 6164.4, 6171.4, 6173

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Home Instruction

Policy 6173

Date Adopted: March 31, 2010

Date Revised:

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To provide uninterrupted education for pupils unable to attend their regular classes because of illness, disability, court order or administrative action, the Board of Education shall provide away-from-school instruction when proper application has been made and subject to the following restrictions:

- A. The period of absence must be expected to be longer than two weeks except in special circumstances.
- B. A parent/guardian or appropriate adult authority must be accessible at the site of home instruction and within calling range during the period of instruction.
- C. In cases of illness or disability, medical certification is required both of the necessity for the pupil's absence and his/her fitness to benefit from the instruction.

Each case must be approved by Board of Education action; all requirements for receipt of state aid must be fulfilled.

The Board of Education shall provide home or out-of-school instructional services no later than five (5) days after the student has left the general education program.

Temporary or Chronic Health Condition

The Board of Education is committed to providing home instruction to students who cannot participate in the regular education program due to temporary or chronic health conditions or treatment needs which preclude participation. The Superintendent of Schools and/or designee shall select the instructors and oversee coordination between the home instructor and the regular classroom teacher in determining the student's instructional program. The home or out-of-school instructional services shall meet the minimum standards that are specified in NJAC 6A:16-10.1(c) including but not limited to:

- A. For general education students whose projected confinement will exceed 30 days, the school district shall develop an Individualized Program Plan (IPP) for delivery of instruction. The district shall maintain a record of delivery of instructional services and student progress;
- B. For general education students, the instruction shall meet the Core Curriculum Content Standards. Home instruction shall meet the requirements of the Board of Education for promotion at the grade level. When the provision of home instruction will exceed 60 calendar days, the school physician may refer the student to the child study team for evaluation;
- C. For special education students, the home instruction shall be consistent with the student's Individualized Education Plan (IEP) to the extent appropriate. The home instruction shall meet the Core Curriculum Content Standards. When the provision of home instruction will exceed 30 consecutive school days in a school year, the IEP team shall convene a meeting to review and, if appropriate, revise the student's IEP;

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- D. Teachers providing home instruction shall be appropriately certified for subject, grade level and special needs of the student;
- E. The teacher shall provide one-on-one instruction for no fewer than five hours per week on three separate days of the week.

Reasons Other Than a Temporary or Chronic Health Condition

The district shall provide home or out-of-school instruction for a general education student for reasons other than a temporary or chronic health condition when:

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

The Superintendent of Schools and/or designee shall select the instructors and oversee coordination between the home instructor and the regular classroom teacher in determining the student's instructional program. The home or out-of-school instructional services for reasons other than a temporary or chronic health condition shall meet the minimum standards that are specified in NJAC 6A:16-10.2(d) including but not limited to:

- A. The school district shall develop an Individualized Program Plan (IPP) for delivery of instruction and maintain a record of delivery of instructional services and student progress (the IPP is not required for students on short-term suspension). The IPP shall be developed in accordance with law;
- B. The teacher providing instruction shall be appropriately certified for subject, grade level and special needs of the student;
- C. The teacher shall provide one-on-one instruction with no fewer than 10 hours each week on three separate days;
- D. The instruction shall meet the Core Curriculum Content Standards and Board of Education requirements for promotion and graduation.

A pupil receiving home instruction is not considered absent.

Legal References

NJAC 6A:14-1.1 et seq. Special education
6A:16-4.3 Reporting, notification and examination procedures for students suspected of being under the influence of alcohol or other drugs
6A:16-5.5 Removal of students from general education for firearms offenses
6A:16-5.6 Removal of students from general education for assaults with weapons offenses
6A:16-10.1 et seq. Home or Out-of-School Instruction
8:61-1.1 Attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV)

H.A. v. Board of Education Warren Hills Regional, 1976 S.L.D. 336

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

Somerset County Educational Services Commission v. North Plainfield Board of Education

1999 S.L.D. September 7 State in re G.S. 330 N.J. Super. 338 (Ch. Div. 2000)

Possible Cross References

4112.2, 5113, 5114, 5131, 5131.6, 5131.7, 5134, 5141.2, 6146, 6164.2, 6164.4, 6172

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In response to State directives regarding reopening school with adequate precautions to prevent the spread of this contagious disease, the board shall provide in-person, fully virtual and hybrid learning opportunities for all students. The board of education shall support a program of in-person, fully virtual and hybrid learning that:

- A. Prioritizes the health, safety, and wellness of students and staff;
- B. Maintains the continuity of learning;
- C. Facilitates equity and ease of access to communications and resources;
- D. Flexibly accommodates the needs and varying circumstances of all learners;
- E. Incorporates educators, students, parents/guardians, board members and other community members into the entire analysis and planning cycle.

The virtual learning program may consist of synchronous and asynchronous tools. Synchronous tools provide ways of accessing and providing information that require interaction with others to occur at the same time (i.e., online classrooms, interactive webinars, videoconferencing). Asynchronous tools provide ways of accessing and providing information that does not require interaction with others to occur at the same time (i.e., forums, blogs, email, website links, etc.).

The length of the school day for in-person, fully virtual and hybrid learning programs shall be in accordance with N.J.A.C. 6A:32-8.3, stating that a school day shall consist of not less than four hours, except that one continuous session of two and one-half hours may be considered a full day in kindergarten. District policy 5113 Attendance, Absences and Excuses shall apply and attendance shall be recorded in all educational programs. The attendance and instructional contact time shall accommodate opportunities for both synchronous and asynchronous instruction and ensure that the requirements for a 180-day school year are met.

Additional Anticipated Minimum Standard

The New Jersey Department of Education (NJDOE) Anticipated Minimum Standard provides that, in addition to the methods and considerations explicitly referenced in the NJDOE guidance, *The Road Back: Restart and Recovery Plan for Education*, for scheduling students for in-person, remote, or hybrid learning, families/guardians may submit, and the district shall accommodate, requests for full time remote learning. Such requests may include any service or combination of services that would otherwise be delivered on an in-person or hybrid schedule, such as instruction, behavioral and support services, special education and related services. A family/guardian may request that some services be delivered entirely remotely, while other services follow the same schedule they otherwise would according to the district's reopening plan.

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A. Unconditional Eligibility for Full-Time Remote Learning

All students shall be eligible for full-time remote learning. Eligibility shall not be conditioned on a family/guardian demonstrating a risk of illness or other selective criteria. This includes students with disabilities who attend school in-district or are placed at receiving schools (county special services school districts, educational services commissions, jointure commissions, Katzenbach School for the Deaf, regional day schools, college operated programs, and approved private schools for students with disabilities).

B. Procedures for Submitting Full-Time Remote Learning Requests

Recognizing that planning is required in order to provide continuity in the student’s educational program and arranging the appropriate staff and resources, a family/guardian shall submit a request for full-time remote learning, including requests to begin the school year receiving full-time remote learning and requests to transition from in-person or hybrid services to full-time remote learning during the school year. Procedures for submitting the request are as follows:

1. The request shall be submitted to the principal at least thirty (30) days before the start of the semester;
2. Requests shall be approved fourteen (14) days after the receipt of the request;
3. Questions and concerns may be directed to the principal or his or her designee;
4. The family/guardian shall submit the following information or documentation with their request. The documentation shall not exclude any students from the school’s full-time remote learning option, but rather be limited to the minimum information needed to ensure proper recordkeeping and implementation of successful remote learning:
 - a. Verification of the technology necessary to receive remote instruction (including camera and speaker capability) and assurance that the student will have access to the device for the length of the school day;
 - b. Verification of internet access and/or Wi-Fi sufficient to receive remote instruction;
 - c. (Other specific requirement _____)
 - d. (Other specific requirement _____)
 - e. (Other specific requirement _____)

Families/guardians having limited access to equipment or the internet shall inform the principal or his or her designee. The district shall make a reasonable effort to support the remote instruction by facilitating services and/or providing equipment.

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5. For students with disabilities, the district shall determine if an IEP meeting or an amendment to a student's IEP is needed for full-time remote learning.
6. Families/guardians shall submit a request according to the procedures above for transitioning their student from in-person or hybrid delivery to full-time remote delivery;
7. Families/guardians are expected to cooperate in setting up the transition and may be required to participate in scheduled meetings (in-person or video or tele conferences) during the transition period;
8. School teachers, administrators and other school staff shall endeavor to provide supports and resources to assist families/guardians, particularly those of younger students, with meeting the expectations of the district's remote learning option.

Upon satisfaction of these minimum procedures, the district shall approve the student's full-time remote learning request.

C. Scope and Expectations of Full-Time Remote Learning

A student participating in the board's full-time remote learning option shall be afforded the same quality and scope of instruction and other educational services as any other student otherwise participating in district programs (e.g. students participating in a hybrid model). This includes but is not limited to:

1. Access to standards-based instruction of the same quality and rigor as that afforded all other students of the district;
2. The district shall make its best effort to ensure that every student participating in remote learning has access to the requisite educational technology;
3. Special education services and related services shall be provided to the greatest extent possible.

D. Procedures to Transition from Full-Time Remote Learning to the In-Person Educational Program

A student shall be eligible to transition to the in-person educational program. This will allow families/guardians to make the arrangements needed to effectively serve students' home learning needs and will support educators in ensuring continuity of instruction. The family/guardian shall submit a request to transition from full-time remote learning to the in-person educational program according to the following procedures:

1. The request shall be submitted to the principal at least thirty (30) days before the start of the semester. The principal may consider requests submitted during the semester on a case by case basis;

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2. Requests shall be approved fourteen (14) days after the receipt of the request;
3. Questions and concerns may be directed to the principal or his or her designee;
4. The family/guardian shall submit the following information or documentation with their request. The documentation shall not exclude any students from the school's in-person educational program, but rather be limited to the minimum information needed to ensure proper recordkeeping and implementation of a successful transition to the in-person education program:
 - a. Summary of synchronous and asynchronous learning opportunities successfully completed;
 - b. Summary of synchronous and asynchronous learning opportunities still working through;
 - c. The student shall submit to the COVID screening process upon reentry to the school;
 - d. (Other specific requirement _____)
 - e. (Other specific requirement _____)
 - f. (Other specific requirement _____)
5. Students transitioning to the in-person educational program may be required to submit to an academic assessment prior to being placed in a class. Remediation's shall be provided for students that need them;
6. Families/guardians are expected to cooperate in setting up the transition and may be required to participate in scheduled meetings (in-person or video or teleconferences) during the transition period.

E. Procedures for Communicating District Policy with Families

Teaching staff members and administrators shall provide clear and frequent communication with families/guardians, in their home language, and shall ensure that communication opportunities are as readily accessible as possible. Communication shall include but shall not be limited to, information regarding:

1. Summaries of, and opportunities to review, the district's full-time remote learning policy and attendance policy;
2. Procedures for submitting full-time remote learning requests;
3. Scope and expectations of full-time remote learning;
4. Procedures for transition from full-time remote learning to in-person services and vice-versa;
5. The district's procedures for ongoing communication with families and for addressing families' questions or concerns;
6. Teaching staff members who are teaching remote classes shall have office hours to address questions and concerns. Teachers shall notify the families/guardians of their students regarding the time of the office hours and the method of contact (email, text, video or teleconference).

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F. Reporting

To evaluate full-time remote learning, and to continue providing meaningful guidance for districts, the New Jersey Department of Education (NJDOE) may require districts to report to the NJDOE data regarding participation in full-time remote learning. Data will include the number of students participating in full-time remote learning by each of the following subgroups: economically disadvantaged; major racial and ethnic groups; students with disabilities; and English learners. The chief school administrator shall ensure that such reports are completed efficiently.

Adopted:

Key Words

Virtual Education, Virtual Learning, Remote Education, Remote Learning, Synchronous, Asynchronous, Transition Request

Legal References: N.J.S.A. 18A:6-3 Courses in constitution of United States
N.J.S.A. 18A:33-1 District to furnish suitable facilities; adoption of courses of study
N.J.S.A. 18A:35-1 et seq. Curriculum and courses
N.J.S.A. 18A:35-4.6
through -4.8 Parents Right to Conscience Act of 1979
N.J.A.C. 6A:8-3.1 Curriculum and instruction
N.J.A.C. 6A:8-5.1 Graduation requirements
N.J.A.C. 6A:9B-3.1 et seq. State Board of Examiners and certification
See particularly:
N.J.A.C. 6A:9B-5, -6, -8,
-9, -10, -11, -12, -14
N.J.A.C. 6A:14-3.7 Individualized education program
N.J.A.C. 6A:14-4.1 General requirements
N.J.A.C. 6A:23A-9.5 Commissioner to ensure achievement of the New Jersey Student Learning Standards
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
N.J.A.C. 6A:32-8 et seq. Student attendance and accounting

New Jersey Department of Education: *Clarifying Expectations Regarding Full Time Remote Learning Options for Families in 2020-2021* (Supplementary to *The Road Back: Restart and Recovery Plan for Education*); July 24, 2020.
See:

<https://nj.gov/education/reopening/updates/docs/7.24.20%20RtR%20Fulltime%20Remote%2>

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Possible

<u>Cross References:</u>	*2224	Nondiscrimination/affirmative action
	*6121	Nondiscrimination/affirmative action
	*6122	Articulation
	*6140	Curriculum adoption
	*6142.1	Family life education
	*6142.2	English as a second language; bilingual/bicultural
	*6142.4	Physical education and health
	*6142.6	Basic skills
	*6142.9	Arts
	*6142.12	Career education
	*6146	Graduation requirements
	*6147	Standards of proficiency
	*6164.2	Guidance services
	*6171.1	Remedial instruction
	*6171.2	Gifted and talented
	*6171.4	Special education
	*9130	Committees

*Indicates policy is included in the Critical Policy Reference Manual.

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Early Childhood Education / Preschool

Policy 6178

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education believes that preschool education experiences contribute to later academic success for all children. Therefore, as required by law and subject to available resources, the Superintendent of Schools shall recommend to the Board for approval, programs designed for district three-year old and four-year old preschool children. Programs shall address the needs of children who have been identified as requiring Special Education, as well as those who have not been so identified.

The Superintendent of Schools shall direct development of approved preschool programs. He/she shall ensure adherence to all applicable laws and regulation in pursuing funding at the federal and state levels, as well as from private sources.

Implementing procedures shall address the following:

- A. The preschool curriculum shall consist of developmentally appropriate experiences that provide each child with individual opportunities to develop positive self-esteem, social/emotional growth, language skills, motor development and conceptual skill development.
- B. All preschool programs sponsored by the Board shall be consistent with the overall philosophy of the school district and aligned with the Core Curriculum Content Standards. They shall be coordinated with other relevant district programs such as Special Education and Title I and articulated with the K-8 curriculum.
- C. Each preschool classroom shall be assigned at least one certificated teacher with required training or experience with young children and one instructional aide, as described in administrative code. Class sizes shall not exceed the limits defined in the code, which is a maximum of 15 students in each class.
- D. Proof of immunizations against communicable diseases and examinations shall be in accordance with New Jersey statutes.
- E. Programs shall be designed to include parents/guardians as active participants and provide them with meaningful opportunities to be involved in the educational experiences of their children.

Legal References

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

NJAC 6A:8-2.1 Authority for educational goals and standards
6A:8-3.4 Requirements for Early Childhood Education

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

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Evaluation of the Instructional Program

Policy 6300

Date Adopted: March 31, 2010

Date Revised:

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The Board directs the Superintendent of Schools to develop and implement a systematic short-range and long-range plan for the continuing assessment of the progress of the educational program toward the goals established by the district. To this end, he/she shall recommend methods of assessment indicated by his/her best professional judgment.

The Superintendent of Schools, using district-wide data, may release the results of any evaluation. Parents/guardians may obtain an explanation of the results of their child's assessment results from qualified school personnel.

The Superintendent of Schools shall annually recommend improvements in the program and staff based upon the evaluation of the district's program.

The Board will cooperate with the New Jersey Commissioner of Education in the conduct of such statewide assessment programs as are required by the state Board of Education and shall use the data gained thereby toward the improvement of the schools of this district.

Legal References

NJSA 18A:7A-10 Evaluation of performance of each school
18A:7E-2 through -5 School report card program

NJAC 6A:7-1.4 Responsibilities of the district board of education
6A:8-1.1 et seq. Standards and Assessment
6A:14-4.1(i) General requirements
6A:23-8.3 Commissioner to ensure achievement of the Core Curriculum Content Standards
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A:32-1.2 Definitions

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

Possible Cross References

1000/1010, 1120, 5120, 6000, 6010, 6011, 6141, 6147, 6171.4

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Home of the Jaguars

Property Series 7000



Home of the Jaguars

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Goals & Objectives in Alterations & New Construction

Policy 7010

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education recognizes the importance of planning, developing, and maintaining a physical plant appropriate to the personal and educational needs of the pupils and the educational program needs of the district and the school.

It is the Board's intention to ensure that:

- A. Any new school facilities shall be planned, pursuant to law and regulations, and shall be prepared by a registered architect or professional engineer to reflect current research and recommendations on the relationship of school design and size of the educational program to a positive learning environment;
- B. The school buildings and site shall provide, pursuant to law and regulation, suitable accommodations to carry out the educational program of the school

including
provision for
the
handicapped;

C. The school buildings shall be safe, clean, attractive and in good repair.

Educational specifications shall be prepared in writing under the direction of the Superintendent of Schools and approved by the Board of Education.

The submission of schematic through final plans for school facilities shall be to the Department of Education Bureau of Facility Planning Services in accordance with law.

Legal References

NJSA 18A: 18A-15 Specifications generally
18A: 18A-16 Preparation and approval of plans and specifications for public schoolhouses
18A: 18A-20 American goods and products to be used where possible

Possible Cross References

3510

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Property & Facilities

Series 7000

Service Animals

Policy 7100

Date Adopted: June 25, 2015

Date Revised:

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It is the policy of the Board of Education to provide equal access and reasonable modifications to policies, practices, and procedures for individuals with disabilities to participate in any program, service, activity, or opportunity provided by the Board; and to comply with applicable state and federal law related to service dogs for persons with disabilities, including any such person who is a student at, employed at, and/or visiting the Board's schools or its school grounds. As used in this policy, disability means a physical and/or mental impairment that substantially limits one or more major life activities of an individual.

Visitors, students, faculty, staff, or other persons with a service animal shall be provided with this policy and referred to the district for more information and/or advice on using a service animal in district facilities or on school grounds. Board employees should contact the Superintendent/Principal/designee for more information if necessary.

In accordance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (Revised 2009), and its implementing regulation, New Jersey law and the policy of the Board, a "service animal" is defined as "any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition."

For the purposes of this policy and regulation, a "service animal" shall not be defined as an "emotional support animal" "companion animal," or a "therapy animal." A "companion animal" is prescribed for some disabilities for their calming influence, affection, stability or feeling of security.

For the purposes of this policy and regulation, service dogs are defined as animals trained to do specific "works or tasks" for the benefit of a person with a disability. The work or task that the service animal performs must be directly related to the individual's disability. A service animal is sometimes called an assistance animal. Examples of work or tasks performed by service animals include, but are not limited to:

- Assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the present of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

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Examples that do not constitute “work or tasks,” as those words are defined, include, but are not limited to: crime-deterrent effect of animal’s presence and the provision of emotional support, well-being, comfort, or companionship.

If there are any questions as to whether a dog qualifies as a service animal for purposes of this policy, such determination will be made by the Superintendent/Principal/designee, who shall be permitted to make this determination based on the individual’s response to the following questions:

- Is the animal required because of a disability?
- What work or task has the animal been trained to perform?

Notification of the Board’s decision whether to permit a service animal onto school property shall be made within five (5) business days of receipt of the written request by the student, his/her parents/guardians, the staff member or visitor. Although the Board recommends that all visitors planning a short-term visit to school property provide advance notice in accordance with the foregoing, the Board also recognizes practical limitations with regard to advance notice requirements for short-term visitors.

Accordingly, the Board shall modify this policy for a short-term visitor (e.g., on school grounds to watch a school play or for a basketball game) to exempt him/her from the advance notice requirements of this policy.

The Superintendent/Principal/designee will develop a comprehensive implementation plan addressing service animals in the school. The plan will include training to staff on service animals, the functions that service animals typically perform, and may address any the health and safety issues that might arise when a service animal is in school property. This plan shall be developed and implemented within three (3) months of the date of this policy.

Regulation

The law and this policy distinguish between a “service animal” and a “therapy” or “emotional support” animal. A service animal is individually trained to do work or perform a task for people with disabilities.

Unless the animal is individually trained to do something that qualifies as work or a task, the animal is a pet or support animal and does not qualify for coverage under this policy as a service animal. A pet or support animal may be able to discern that the individual is in distress, but it is what the animal is trained to do in response to this awareness that distinguishes a service animal from an observant pet or support animal.

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Service Animals

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Service Animals Generally Permitted In Facilities and on School Grounds

In accordance with federal and state law, use of a service animal in school facilities and on school grounds, including attendance at a Board-sponsored concert or special events, may not be challenged except if the use of the animal poses a direct threat to the health or safety of other persons, the user/handler is incapable of exercising effective control over the service animal, or if the presence of the service animal will result in a fundamental alteration of the service, program, or activity involved. (Title II of the ADA Regulations, 28 C.F.R. –35.130(b)(7)).

As a result, a service animal must be permitted to accompany any associated person with a disability anywhere in the Board’s facilities and on school grounds that members of the public are allowed, except in areas and situations where it is unsafe to do so or where the presence of the service animal fundamentally alters the nature of the service, program, or activity.

Documents for Service Animals and Their Owners on School Grounds and in Facilities

The Board recognizes that service animals can play an important and necessary role in fostering the independence of some individuals with disabilities. Consequently, a trained animal, under the effective control of the service animal’s user/handler, may be allowed in Board facilities where animals would typically not be permitted. The safety and health of the Board’s Property & Facilities, faculty, staff, and the service animal are important concerns; therefore, only service animals and users/handlers that meet the specific criteria below will be exempt from regulations that otherwise restrict or prohibit animals. The care and supervision of a service animal is the responsibility of the person benefitting from the animal’s services (user/handler).

To maintain the safety and health of the Board’s students, faculty, and staff, requested documents for service animals and their users include the following:

- Dogs must be licensed in accordance with local city or county regulations, which require proof of current rabies vaccination and/or rabies tags.
- Service dogs must be on a leash at all times (except where the dog must perform a task requiring it to travel beyond the length of the restraint, or the owner is unable to maintain the dog on a leash due to a disability).
- The user/handler must be in full control of the animal at all times.
- The user/handler shall answer all questions contained in the Board’s Service Animal Request Form concerning what task or work the service animal has been trained to do for the benefit of the individual with a disability.

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- When entering district facilities or district vehicles with a service animal, the owner is strongly encouraged to use an identifying vest, tag, leash, or other visible method to indicate to the general public that the animal is a service animal.
- The user/handler of a service animal must be responsible for the immediate removal and proper disposal of all fecal matter, urine, and vomit for the health and safety of all members of the campus community.

Students, Faculty, and Staff with Service Animals

Students, faculty, staff, or other persons desiring the use of a service animal in school facilities or on school grounds shall complete the district's Service Animal Request Form and submit it to the Superintendent/Principal/designee, who will evaluate the request and notify the student, faculty, staff, or other person with a service animal within five (5) business days of receipt of the Service Animal Request Form, whether the service animal will be permitted on school property.

Although the Board recommends that all visitors planning a short-term visit to school property provide advance notice in accordance with the foregoing, the Board also recognizes practical limitations with regard to advance notice requirements for short-term visitors. Accordingly, the Board shall modify this policy for a short-term visitor (*e.g.*, on school grounds to watch a school play or for a basketball game) to exempt him/her from the advance notice requirements of this policy.

Expectations of Service Animals and Their Users/Handlers

A person with a disability may be asked to remove his service animal from the premises if: (1) the animal is out of control and the user/handler does not take effective action to control it; or (2) the animal is not housebroken. When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods or services without the animal's presence.

Cleanliness of the service animal is preferred. Daily grooming and occasional baths (at a veterinarian, pet store or owner's home) should keep animal odor to a minimum. Flea control is essential and adequate preventative measures should be taken. If a flea problem develops, it should be dealt with immediately and in an effective manner. Considerations of others must be taken into account when providing maintenance and hygiene of service animals.

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The Board has the authority to require removal of a service animal from its grounds or facilities if the service animal becomes unruly or disruptive, unclean, and/or unhealthy to the extent that the animal's behavior or condition poses a direct threat to the health or safety of others, or otherwise causes a fundamental alteration in the Board's services, programs, or activities. If such behavior persists, the owner (user/handler) may be directed not to bring the animal into Board-controlled areas until the direct threat or fundamental alteration is no longer present.

Areas Restricted to Service Animals

The Board may prohibit the use of service animals in certain locations due to health or safety restrictions or where service animals may be in danger. Such restricted locations include, but are not limited to, food preparation areas, certain research laboratories, mechanical rooms/custodial closets, classrooms with demonstration/research animals, areas where protective clothing is necessary and other areas where the animal's presence may constitute a danger or a fundamental alteration of the program or activity conducted in the area. Access to restricted areas may be granted on a case-by-case basis by contacting the Superintendent/Principal designee.

Conflicting Disabilities

If another person on campus has a covered disability under the ADA and it includes an allergic reaction to animals, and that person has contact with a service animal approved for presence on campus, a request for assistance should be made to the Superintendent/Principal/designee who will consider all facts surrounding the contact and make an effort to resolve the issue.

Board Evaluation Procedures

Should there be questions or concerns about permitting the presence of a service animal in facilities or on school grounds, the matter should be referred to the Superintendent/Principal/designee.

Any questions regarding this policy should be directed to the Superintendent/Principal/designee.

Grievances

In the event of a dispute about a modification relating to a service animal, the concerned party who is a member of the Board's community (faculty, employee, or student) should follow the applicable Board's ADA Accommodation Requests and Appeal/Grievance Procedures, which are available at the Superintendent/Principal/designee. All others should contact the U.S. Office for Equal Opportunity or the New Jersey Division on Civil Rights to file a complaint.

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Removal of Service Animal

As per ADA regulations, there are two reasons for asking a user/handler to remove a service animal or not to bring the service animal on school property. One is where the presence of a service animal poses a “direct threat” to the health and safety of others that cannot be eliminated by a modification of policies, practices, or procedures, or by the provision of an auxiliary aids and services. In determining whether an individual assessment, based on reasonable judgment

that relies on current medical knowledge or on the best available objective evidence, to ascertain: the nature, duration, and severity of the risk: the probability that the potential injury will actually occur: and whether reasonable modification of policies, practices, or procedures or the provision of auxiliary aides or services will mitigate the risk. The second is where the presence of a service animal would “fundamentally alter” the nature of its service, program or activity. If either of these circumstances is present, the service animal may be subject to removal.

Legal References

NJSA 2C:16-1 Bias Intimidation

10:5-1 et seq. Law Against Discrimination

18A:36-20 Discrimination; prohibition

18A:46-13.2-13.5 Permitted access for service animals in school buildings

Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)

State v. Mortimer, 135 N.J. 517 (1994)

20 U.S.C.A. 1681 - Title IX of the Education Amendments of 1972

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

20 U.S.C.A. 1400 et seq. - Individuals with Disabilities Education Act (formerly Education for All Handicapped Children Act)--Part B

42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)

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

Saxe v. State College Area School Dist., 240 F. 3d 200 (3d Cir. 2001)

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

L.W. v. Toms River Regional Schools Board of Education, N.J., No. A-111-05

(Feb. 22, 2007), 2007 N.J. LEXIS 184.

Manual for the Evaluation of Local School Districts

Comprehensive Equity Plan, New Jersey State Department of Education

New Jersey Quality Single Accountability Continuum (NJQSAC)

Title II of the ADA Regulations, 28 C.F.R. –35.130(b)(7)

**FAIRFIELD TOWNSHIP SCHOOL DISTRICT
SERVICE ANIMAL REQUEST FORM**

Date

Staff Student Other Parent(s)/Guardian(s)

Person assisted by animal

Animal Owner Handler (if not person with disability): _____

Type of Animal: Dog Miniature Horse Name of Animal: _____

If it is not readily apparent that the animal qualifies as a "service animal," please answer the following questions:

Is use of the animal required because of a disability? Yes No

What work or task has the service animal been trained to perform?

I have attached the following documentation:

- Proof of current licensure (New Jersey Statutes Annotated. Title 18A. Education. Subtitle 6. Conduct of Schools. Part 4. Special Schools, Classes and Facilities. Chapter 46. Classes and Facilities for Handicapped Children. Article 4. Classification of Handicapped Children; Facilities and Programs.)
- Proof of current vaccinations and immunizations from a licensed veterinarian

I have read and understand the school district's Service Animals Policy (7100). I will abide by the terms of that Policy. I understand that if the service animal is out of control, not housebroken, presents a direct and immediate threat to others in the school, or fundamentally alters the nature of the service, program, or activity that cannot be eliminated by reasonable modifications, the school district may exclude or remove my service animal from its property.

Owner Signature Date Parent/Guardian Signature

Date

School Official Signature

Date

APPROVAL Yes No

Printed Name: _____

Title: _____

Note: This form is valid until the end of the current school year. It must be renewed prior to the start of each subsequent school year or whenever a different service animal will be used.

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Series 7000

Educational Adequacy of Capital Projects

Policy 7101

Date Adopted: March 31, 2010

Date Revised:

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

Projects requiring approval for educational adequacy, as defined in N.J.A.C. 6A:26-5.1 are: new school facilities including pre-fabricated facilities; additions to existing school facilities; alterations to the total number, dimension in volume and/or area, configuration or location of educational spaces or the number of any one kind of educational space; change-of-use that requires certain alterations, or that requires mechanical or electrical changes pursuant to N.J.A.C. 5:23 or these regulations; installation of temporary facilities; and any site or school facility change or alteration for the purpose of making the site and school barrier free and accessible to disabled persons pursuant to N.J.A.C. 5:23 and Section 504 of the Federal Rehabilitation Act of 1973, 29 U.S.C. §794 and the Americans with Disabilities Act, 42 U.S.C. §12101 et seq.

New Jersey Economic Development Authority and non-authority school facilities projects, along with other capital projects, are subject to educational adequacy reviews pursuant to N.J.A.C. 6A:26-5.1(b). The district will submit any plan for change of use of instructional space that is not a capital project to the Executive County Superintendent for approval.

Educational specifications for educational adequacy reviews will be prepared and submitted in accordance with N.J.A.C. 6A:26-5.2. Educational specifications will be prepared in writing describing in detail the educational program activities and requirements for each space proposed in the capital project, and will refer to the Core Curriculum Content Standards wherever appropriate. The educational specifications will include an itemized list of furniture, equipment, and support spaces required to conduct the educational program specified for each space, together with their estimated areas in square feet, as well as an estimate of the total room area required for each space. The educational specifications will also include specific technical and environmental criteria, adjacencies and other requirements for the educational program will be noted and a building space program that indicates the number and area in square feet of each instructional, specialized instructional, administrative and support space in each existing or proposed building included in the capital project.

Schematic plans and other related project documents will be prepared and submitted in accordance with N.J.A.C. 6A:26-5.3.

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Educational Adequacy of Capital Projects

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A project cost estimate on a form provided by the Commissioner of Education, a project schedule, a copy of the dated transmittal letter indicating project document submission to the Executive County Superintendent and a copy of the transmittal letter indicating the date of plan submission to the local planning board (whenever the building footprint, volume, pedestrian or vehicular access are altered by the project) must be submitted to the Division of Facilities and Transportation.

The Director of the Office of Bilingual Education and Equity Issues must receive a completed OEEQ questionnaire, in accordance with Title 6 of the Civil Rights Act of 1964 (42 U.S.C. § 2000a et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) and Title 2 of the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.), from the district and must make a positive recommendation in writing to the Division before schematic plans can be approved for any project that affects the capacity of individual buildings or their sending areas in the district.

In the case of an authority school facilities project, upon completion of detailed plans and specifications, the authority on behalf of the district will apply for final approval of the educational adequacy of the project in accordance with N.J.A.C.6A:26-5.4(a). In the case of a non-authority school facilities project or another capital project, upon the completion of final plans and specifications, the district will apply for final approval of the educational adequacy of the project in accordance with N.J.A.C. 6A:26-5.4(b).

The Division of Facilities and Transportation will collect fees for its reviews according to N.J.A.C. 6A:26-5.5.

Legal References

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

NJAC 6A:26-5.1 et seq. Review of capital projects for educational adequacy

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Fairfield Township Board of Education District Policy Manual

Property & Facilities

Series 7000

Site Selection

Policy 7102

Date Adopted: March 31, 2010

Date Revised:

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In selecting new sites for district facilities, the Board will consider:

- A. Location in relationship to hazards and nuisances.
- B. Size and appropriateness for proposed purpose.
- C. Fairness of price.
- D. A pupil distribution map showing the distribution of residences.
- E. Any existing buildings on the property.
- F. Statements from architects and engineers that the land to be acquired is suitable for the proposed use including environmental suitability.
- G. Recommendations of the Executive County Superintendent and/or the New Jersey Department of Education - Bureau of Facilities Planning.
- H. Recommendations of the local planning board and appropriate state agencies e.g. CAFRA, Pinelands, etc.
- I. The local Master Plan, including the voluntary transfer of development rights program.

The Superintendent of Schools, professional architects and engineers shall ensure that sites are developed in such a way as to enhance the educational program most effectively at the least cost.

The Board shall seek and acquire the review by the New Jersey Department of Education prior to acquiring any site for Board of Education purposes.

Legal References

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

NJAC 6A:26-5.1 et seq. Review of capital projects for educational adequacy

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

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Property & Facilities

Series 7000

Long-Range Facilities Planning

Policy 7110

Date Adopted: March 31, 2010

Dates Revised:

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The Board of Education recognizes that sound planning based on accurate information is essential to the provision of suitable educational facilities. In order to ensure that future district construction is planned on the basis of need, the Board, in accordance with rules of the State Board of Education, will maintain a five-year long range facilities plan and revise it any time construction plans are sent to the Bureau of Facility Planning Services of the New Jersey Department of Education.

The plan will include a thorough description and analysis of local and regional demographic factors that influence general population growth and public school enrollments. The plan will detail substandard spaces in district facilities and the Board's intent to eliminate their use or to bring such spaces into compliance with rules of the State Board of Education.

In order to apprise the Board of facilities needs, the Superintendent of Schools shall cause the development of the long-range facilities plan, which shall include but not be limited to:

- A. Demographic information and enrollment projections
- B. Changes to the education program including but not limited to:
 - 1. Grade organization;
 - 2. Program revision.
- C. A determination of facilities' needs based on:
 - 1. Projected enrollment;
 - 2. Educational program needs;
 - 3. Current school capacity;
 - 4. Physical conditions;
 - 5. Accessibility of facilities to the disabled;
 - 6. Compliance with local, state and federal statutes and codes.
- D. A facilities program plan including but not limited to:
 - 1. Description of any new facilities proposed;
 - 2. Description of any additions to facilities which are proposed;
 - 3. Description of any renovations or modifications to facilities which are proposed;
 - 4. Any additional sites or additions to sites to be acquired;
 - 5. Any improvements to a site;
 - 6. The construction of structures or special facilities on site including:
 - a. Athletic fields,
 - b. Stadium,
 - c. Playgrounds,
 - d. Parking lots,
 - e. Any other special facilities.

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Property & Facilities Long-Range Facilities Planning

Series 7000
Policy 7110

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7. Additions of infrastructure for technology to sites or buildings;
8. Additions to built-in equipment or other furniture and equipment acquired through capital outlay funds;
9. Cost estimates for any item included in the plan;
10. A schedule for any item included in the plan.

In planning for the enlargement or modification of its facilities, the Board shall consider not only the number of children whose educational needs must be met, but also the physical requirements of the program it deems best suited to meet those needs. Each school building and site will provide suitable, barrier-free accommodations to carry out the educational program of the school, including provision for the disabled, pursuant to federal and state law and rules of the State Board of Education.

Substandard Facilities

All existing school facilities will be evaluated annually for their suitability to current district needs. Any facilities found to be substandard according to the administrative code shall be corrected as quickly as possible in compliance with law.

All substandard facilities must be initially approved by the County Superintendent of Schools.

Legal References

- NJSA 18A:7F-7 Appropriation by school district of undesignated fund balance; amounts allowable
18A:7F-26 Distribution of state aid for facilities
18A:7G-1 through -44 et al. Educational Facilities Construction and Financing Act
18A:11-2 Power to sue and be sued; report; census of school children
18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:33-1.1 Substandard facility; approval; inspection; abandonment
- NJAC 5:23-1.1 et seq. Uniform Construction Code
5:23-7.1 et seq. Barrier Free Subcode
6A:10A-1.1 et seq. Improving Standards-Driven Instruction and Literacy and Increasing Efficiency in Abbott School Districts
6A:23-8.1 et seq. Annual Budget Development, Review and Approval
6A:25-1.1 et seq. Qualified Zone Academy Bond Program
6A:26-1.1 et seq. Educational Facilities
6A:30-1.4 Evaluation process for the annual review
6A:32-8.1 et seq. Attendance and Pupil Accounting
6A: 32-12.1 Reporting requirements
6A: 32-12.2 School level-planning
6A: 32-14.1 Review of mandated programs and services
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2240, 2255, 3100, 3260/3270

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Property & Facilities

Series 7000

Annual Building Review

Policy 7113

Date Adopted: March 31, 2010

Date Revised:

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Existing facilities of the school district shall be evaluated annually for safety and structural soundness as required by law, and for suitability to the goals and objectives of the educational program.

The Superintendent of Schools shall include in the report to the Board an itemization of all necessary repairs and alterations with their estimated cost, and suggestions for improved utilization of available space.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:33-1 et seq District to furnish suitable facilities

NJAC 6A:26-12 et seq Operation and maintenance of facilities

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Series 7000

Alterations, Additions, Repairs & Change of Use

Policy 7114.1

Date Adopted: March 31, 2010

Date Revised:

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In considering proposals for alterations, additions or major repairs to the district's existing facilities, the Board may employ the services of a licensed architect as a consultant to help determine:

1. Necessity for the project;
2. Probable cost;
3. Alternatives.

The Superintendent of Schools shall be consulted on all plans and specifications for any remodeling or additions to the schools and shall make recommendations concerning repairs and alterations to buildings, grounds and equipment. All changes of use will be applied for via the New Jersey Department of Education.

All requests for change of use will be applied for to the Department of Education, Bureau of Facility Planning Services via the Executive County Superintendent who shall make a recommendation to the Bureau.

Legal References

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

18A: 33-1. District to furnish suitable facilities; adaptation of courses of study

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Educational Specifications

Policy 7115

Date Adopted: March 31, 2010

Date Revised:

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The Superintendent of Schools shall develop comprehensive educational specifications for new or renovated facilities to be considered by the Board and a licensed architect before plans are drawn. Educational specifications shall include but not be limited to:

- A. Identification of facilities needed
 1. Statement of need;
 2. Enrollment projection by cohort or percent of population method when construction is to accommodate increasing enrollments. Projections must be at least a five-year projection.
- B. Identification of solution
 1. Statement of proposed new construction;
 2. Statement of proposed additions;
 3. Statement of proposed renovations.
- C. Description of activities, physical and environmental features and spatial relationships
 1. Physical aspects – general
 - a. General recommendations,
 - b. Special features,
 - (1) Educational environment
 - (2) Athletic environment
 - (3) Structural environment
 - (4) Electronic and mechanical environment
 - (5) Thermal environment
 - (6) Visual environment
 - (7) Sonic environment
 - (8) Safety and health environment
 2. Physical aspects - specific

For each administrative, educational and auxiliary space there shall be a specification which includes but is not limited to the:

 - a. Number of students housed,
 - b. Number of teachers, aides or other staff housed,
 - c. Approximate square feet,
 - d. Number of similar spaces,
 - e. Spatial relationship to other spaces,
 - f. Description of instructional activities,
 - g. Special features,

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Educational Specifications**

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Policy 7115**

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- (1) Architectural
- (2) Electronic/electrical
- (3) Mechanical
- (4) Specialized equipment

There shall also be a summary chart listing all spaces showing net square feet and a total showing gross square feet.

Legal References

- NJSA 18A:7G-1 through -44 et al. Educational Facilities Construction and Financing Act
18A:18A-16 Preparation and approval of plans and specifications for public schoolhouses
18A:18A-16.1 Regulations; construction standards for school buildings
18A:18A-17 Facilities for handicapped persons
18A:33-1 District to furnish suitable facilities; adoption of courses of study
18A:46-13 Types of facilities and programs
18A:46-14 Enumeration of facilities and programs
18A:46-15 Facilities and programs; approval by commissioner; special classes for handicapped children; review; improvement
- NJAC 5:23-7.1 et seq. Barrier Free Subcode
6A:26-1.1 et seq. Educational Facilities
- 29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

2240, 7100

Fairfield Township Board of Education District Policy Manual

Property & Facilities

Series 7000

Public Participation

Policy 7120

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education wishes to have input from all parties interested in planning and construction of new facilities and major alterations. Therefore, the Superintendent of Schools shall develop procedures for encouraging parents, staff and community members to participate in all four stages of school construction:

1. Identifying school building needs;
2. Planning the school plant;
3. Constructing the buildings;
4. Accepting and using the plant.

Legal References

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

NJAC 6A:26 Educational facilities

Possible Cross References

7115

Fairfield Township Board of Education District Policy Manual

Property & Facilities

Series 7000

Gifts, Grants & Donations

Policy 7230

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education accepts its responsibility to provide from public funds sufficient supplies and equipment for an effective instructional program. The Board recognizes, however, that from time to time individuals or organizations in the community may wish to contribute additional supplies or equipment to enhance or extend the instructional program.

The Board may accept by resolution duly passed at a public meeting any gift or grant of land, with or without improvement, and of money or other personal property, except that the Superintendent of Schools may accept on behalf of the Board any such gift less than \$1,000.00 in value. Grants of land are subject to the appropriate legal limitations and approvals.

The Board reserves the right to refuse to accept any gift that does not contribute toward the achievement of the goals of this district or any gift the ownership of which would tend to deplete the resources of the district. The Board shall not provide public monies for the purchase of any school property on a matching fund basis.

Any gift accepted by the Board shall become the property of the Board, may not be returned without the approval of the Board, and shall be subject to the same controls and regulations as are other properties of the Board. The Board shall be responsible for the maintenance of any gift it accepts, subject to any joint agreement with another governmental body.

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

The Superintendent of Schools shall:

1. Counsel potential donors on the appropriateness of contemplated gifts and encourage such donors to choose as gifts supplies or equipment not likely to be purchased with public funds;
2. Encourage individuals and organizations considering a contribution to the schools to consult with him/her or before appropriating funds to that end;
3. Report to the Board all gifts that have been accepted on behalf of the Board;
4. Acknowledge the receipt of any gift accepted by the Board; and
5. Prepare fitting means for recognizing or memorializing gifts to the school district.

Fairfield Township Board of Education District Policy Manual

Property & Facilities
Gifts, Grants & Donations

Series 7000
Policy 7230

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Legal References

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

NJAC 6A:26-7.4 Approval of land acquisition

Possible Cross References

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

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Disposition of Property

Policy 7300

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education believes that the efficient administration of the district requires the disposition of property and goods no longer necessary for school purposes. The Board directs the periodic review of all district property and authorizes the disposition by sale, donation, or discard of any property no longer required for the maintenance of the educational program or the efficient management of the school district.

Real estate property shall be disposed of by sale or otherwise, in accordance with N.J.S.A. 18A:20-5. The Board may, by resolution and by sealed bid or public auction, authorize the sale of its personal property not needed for school purposes. If the estimated fair value of the property to be sold exceeds fifteen percent of the bid threshold in any one sale and it is neither livestock nor perishable goods, it shall be sold at public sale, together with a description of the items to be sold and the conditions of sale, shall be published once in an official newspaper. By resolution of the Board, the purchasing agent may include the sale of personal property no longer needed for school purposes as part of specifications to offset the price of a new purchase.

Personal property may be sold to the United States, the State of New Jersey or to any body politic in the State of New Jersey, or to any foreign nation which has diplomatic relations with these United States by private sale without advertising for bids.

Notwithstanding anything to the contrary in this policy, property acquired with federal funds for use in a federally funded program will be disposed of in accordance with applicable law and guidelines.

The Superintendent of Schools shall develop regulations for the disposition of district property that provide for the review of the continued usefulness of all property in conjunction with the periodic inventory of property; the recommendation for Board designation of property for sale, donation, or discard; and the disposition of property in a fair and open manner consistent with the public interest.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:18A-45 Manner and method of sale
18A:20-6 et seq Sale at public sale

NJAC 6A:26-7.4 Approval for the disposal of land, including rights or interest therein , or ...

Fairfield Township Board of Education District Policy Manual

Property & Facilities

Series 7000

Bids

Policy 7400

Date Adopted: March 31, 2010

Date Revised:

Page 1 of 1

The Business Administrator/Board Secretary shall be responsible for performing or supervising all the steps of the bid solicitation process in accordance with the law. The steps include:

1. Advertisement and solicitation;
2. Provision of plans and specifications;
3. Notification of time for preparation of bids;
4. Receiving deposits from bidders when required;
5. Determining qualifications of bidders;
6. Receiving and opening bids;
7. Notifying bidders of awarding of contract.

The Board reserves the right to refuse all bids.

Legal References

NJSA 10:5-1 et seq. Law Against Discrimination
18A:18A-1 et seq. Public Schools Contracts Law
18A:18A-21 et seq Bids

Fairfield Township Board of Education District Policy Manual

Property & Facilities

Series 7000

Contracts

Policy 7420

Date Adopted: March 31, 2010

Date Revised:

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The Solicitor shall be responsible for reviewing all construction contracts to be entered into by the Board. In general, all contracts or agreements, which require public advertisement for bids, shall be awarded to the lowest responsible bidder. However, the Board of Education reserves the right to reject all bids.

Only the Board can approve such contracts.

Legal References

NJSA 18A:18A-1 et seq. Public Schools Contracts Law
18A:19-1 et seq. Expenditure of Funds; Audit and Payment of Claims

NJAC 6A:23-7.1 et seq. Management of Public School Contracts
6A:23A-6.10 Financial system and payment approval process

Fairfield Township Board of Education District Policy Manual

Property & Facilities

Series 7000

Change Orders

Policy 7430

Date Adopted: March 31, 2010

Date Revised:

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After the contract has been signed, only the Board of Education can issue a change order. This holds true whether or not the change would add to the cost of the project.

Contract change orders may be approved by the Board of Education in an amount up to and including 20 percent of the award amount, which includes the amount encumbered pursuant to NJAC 6A:26-4.8(c), but for no more than the approved referendum amount for a capital project funded in whole or in part by bond proceeds, when necessitated by one of the following:

- A. Emergencies consistent with NJSA 18A:18A-7;
- B. Unforeseeable physical conditions; or
- C. Minor modifications to the scope of the project that achieve cost savings, improve service or resolve construction conditions.

All other change orders shall be approved by the NJ Department of Community Affairs, Division of Codes and Standards or its local designee for inspections in accordance with NJAC 6A:26-4.9.

In cases of emergency or when deemed necessary for the timely and orderly completion of a project, in which delays could be caused by obtaining Board approval; Board Members may be polled for their approval. At a minimum, the Board President, Vice President and members of the Buildings and Grounds Committee will be polled for their approval of emergency change orders. In all cases, the full Board will approve change orders at the next regular Board meeting, including those approved by polling the Board.

The Board directs the Superintendent of Schools to report any significant changes in the scope of the project to the public. The Superintendent of Schools may elect to make such reports at a regularly scheduled meeting of the Board of Education or by other appropriate means.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:18A-7 Emergency contracts

NJAC 6A:23-7.1et seq. Management of Public School Contracts
6A:26-4.9 Submission of change orders

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Property & Facilities

Series 7000

Protection & Guarantees

Policy 7440

Date Adopted: March 31, 2010

Date Revised:

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Included in construction contracts shall be provisions to protect the district from monetary loss or from loss due to the project not being completed according to the terms of the contract. Such provisions should include:

- A. Surety bonds;
- B. Guarantee of safe working conditions during construction;
- C. Contractor's insurance during construction;
- D. Guarantees for adjustments and corrections after completion;
- E. Guaranteed completion date.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
- 18A:18A-40 et seq Form and execution of contracts and bonds

- NJAC 6A:23-7.2 Acceptance of bonds under the Public School Contracts Law
- 6A:27-9.5 Bidder's guarantee
- 6A:27-9.6 Performance surety bond

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Property & Facilities

Series 7000

Insurance During Construction

Policy 7443

Date Adopted: March 31, 2010

Date Revised:

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Contractors who submit a quote or bid to the Board of Education must also submit a copy of their Certificate of Insurance with the bid or quote.

The successful bidder's Certificate of Insurance will be filed in the Board Secretary/Business Administrator's Office for a period of one year following the completion of the work.

The minimum accepted Certificate of Insurance will be \$100,000 - \$300,000 Bodily Injury and \$50,000 Property Damage.

Legal References

- NJSA 18A:11-1 General mandatory powers and duties
18A:18A-40 et seq Form and execution of contracts and bonds
- NJAC A:23-7.2 Acceptance of bonds under the Public School Contracts Law
6A:27-9.5 Bidder's guarantee
6A:27-9.6 Performance surety bond

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Property & Facilities

Series 7000

Security of School Property & Facilities

Policy 7445

Date Adopted: March 31, 2010

Date Revised:

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The Board of Education believes that the buildings and facilities of this district represent a substantial community investment. The Board directs the development and implementation of a plan for district security to protect that investment.

The district security program will include the maintenance of facilities secure against unwelcome intrusion; protection against fire hazards and faulty equipment; and the observation of safe practices in the use of electrical, plumbing, and heating equipment. The Board directs close cooperation of district officials with local law enforcement officers, fire fighters, the sheriff's office, and insurance company inspectors.

Personal access to school buildings and grounds outside the hours school is in session shall be limited to personnel whose employment requires their presence in the facility. An adequate key control system will be established to limit building access to authorized personnel and guard against the potential of intrusion by unauthorized persons who have obtained keys improperly.

Building records and funds shall be kept in a safe place and under lock and key as appropriate and necessary.

Protective devices, including those designated for electronic devices, designed to be used as safeguards against illegal entry and vandalism may be installed when appropriate. The Board may approve the employment of security guards in situations in which special risks are involved.

Legal References

NJSA 2A:53A Negligence and other torts
18A:11-1 General mandatory powers and duties
18A:17-42 through -45 Public School Safety Law
18A:37-3 Parental liability

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Property & Facilities

Series 7000

School Security Program

Policy 7446

Date Adopted: May 11, 2023

Date Revised:

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The safety of students, staff members, and visitors on school grounds is an important concern for the Board of Education.

School Resource Officer Program

The Board of Education authorizes a School Resource Officer Program in partnership with the municipality and local law enforcement. The Program is designed for municipal officials, law enforcement officers, and school authorities to work together to identify major problems faced by their schools and to create a more secure school environment through the presence of law enforcement officers within the school district. A School Resource Officer assigned to the school district shall remain an employee of the State Police and its Police Department.

The School Resource Officer may be a full-time Police Officer or a Class Three Special Law Enforcement Officer employed by the municipality in accordance with the provisions of N.J.S.A. 40A:14-146.11. A School Resource Officer is a fully certified LEO (Law Enforcement Officer) certified by the P.T.C. (Police Training Commission). A Class Three special law enforcement officer may be employed only to assist the local law enforcement unit with security duties and shall not supplant a law enforcement officer employed pursuant to the provisions of N.J.S.18A:17-43 or a safe schools resource officer employed pursuant to the provisions of section 3 of P.L.2005, c.276 (C.18A:17-43.1).

Class Three Special Law Enforcement Officer Program

The Board of Education authorizes a Class Three Special Law Enforcement Officer who is authorized to exercise full powers and duties similar to those of a permanent regularly appointed full-time police officer while providing security at a public-school during hours when school is normally in session or when occupied by students or school staff members. The use of a firearm by a Class Three Officer is authorized pursuant to the provisions of N.J.S.A. 40A:14-146.14. A Class Three Officer shall not carry a firearm except when engaged in the actual performance of the Officer's official duties as a School Resource Officer and when specifically authorized by the Chief of Police or in the absence of the Chief, a designee.

The Board of Education and the municipality shall enter into a partnership agreement that sets forth the respective obligations of the municipality, local law enforcement, and the school district. The agreement shall include, but is not limited to, the following terms: the number of

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Property & Facilities

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School Security Program

Policy 7446

Date Adopted:

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police officers assigned to the school district; the school(s) to be covered; the days of police coverage in the school district; the process for the Police Department to assign and the process for the Board of Education to approve a School Resource Officer(s); the duties of the assigned School Resource Officer(s); the reporting requirements for the School Resource Officer; and the financial obligations of the parties. The School Resource Officer Program Agreement and the Class Three Enforcement Officer Program shall be approved by the Board of Education.

A School Resource Officer who is a full-time Police Officer or a Class Three Special Law Enforcement Officer must comply with all statutes and codes regarding their law enforcement status and all other statutory and administrative code responsibilities.

School District Employed Security Officers – (Unarmed and/or Armed)

The Board of Education authorizes the employment of school district security officers. The district's security officers will be required to wear Board-approved uniforms and shall work in cooperation with the school administration to provide security services on school grounds. The security officers will be provided the necessary equipment to perform the security functions assigned by the administration. The Superintendent of Schools may recommend for Board approval a school security officer who was a law enforcement officer who retired in good standing and has a valid permit to carry a handgun issued pursuant to N.J.S.A. 2C:58-4, and a permit to possess a handgun in a school building or on school grounds during his/her workday provided the employee meets the exception to N.J.S.A. 2C:39-5 outlined in N.J.S.A. 2C:39-6(l).

In order for a school security officer to be authorized to carry a handgun in a school building or on school grounds, the school security officer must provide the Superintendent of Schools with documentation supporting compliance with the requirements of N.J.S.A. 2C:39-6(l), including, but not limited to, a copy of an identification card issued by the Superintendent of the State Police permitting the retired officer to carry a handgun in accordance with N.J.S.A. 2C:39-6(l)(4). The identification card shall be valid for one year from the date of issuance, valid through the State, not transferable to any other person, and shall be carried at all times on the person of the retired law enforcement officer while the officer is carrying a handgun. The retired law enforcement officer shall produce the identification card for review on the demand of any law enforcement officer or authority.

The Superintendent of Schools will contact the Superintendent of the State Police to confirm the issuance of the identification card permitting the retired officer to carry a handgun in accordance with N.J.S.A. 2C:39-6(l)(4). The Superintendent of Schools will also submit the identification card to the school district's insurance company to ensure the Board of Education has the appropriate insurance for a school security officer to carry a handgun in accordance with this Policy. The school security officer's authorization to carry a handgun in school buildings and on school grounds will be dependent upon receipt of written confirmation from the school district's insurance company that sufficient insurance coverage, as determined by the Board, will be provided to the school district and school employees should any liability arise from the school security officer's handgun. The inability to obtain sufficient insurance coverage may

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independently form the basis for denial of a school security officer's authorization to carry a handgun in school buildings and on school grounds.

The appointment and authorization for a school security officer to carry a handgun in school buildings and on school grounds must be recommended by the Superintendent and approved by the Board of Education. Any authorization will only be for the time period the New Jersey State Police issued identification card is valid and under no circumstances will the authorization exceed one year. The Superintendent of Schools, if recommending a school staff member be authorized to carry a handgun in school buildings and on school grounds, will provide the Board of Education with a copy of all the information submitted by the school security officer in support of the application, any documentation from law enforcement agencies, and information from the district's insurance company. The Board of Education may approve the Superintendent's recommendation after review of the documentation, and upon such approval, the Superintendent of Schools will provide written authorization to the school security officer along with any conditions on the authority to carry a handgun in school buildings or on school grounds. The Superintendent of Schools or designee will inform local law enforcement officials of any school district security officer(s) authorized to carry a handgun in school buildings or on school grounds. A school security officer authorized to carry a handgun is not authorized to carry a handgun in school buildings or on school grounds beyond the hours of the officer's workday or work assignment.

A school security officer approved and authorized by the Board of Education to carry a handgun in school buildings and on school grounds must comply with all applicable New Jersey laws, including but not limited to: N.J.S.A. 2C:39-4; N.J.S.A. 2C:39-5; N.J.S.A. 2C:39-6; and N.J.S.A. 2C:58-4.]

This Policy will be reviewed and approved by the Board attorney for compliance with applicable statutes and administrative code provisions before initial adoption and subsequent re-adoptions by the Board.

N.J.S.A. 2C:39-4; 2C:39-5; 2C:39-6; 2C:58-4;
40A:14-146.10; 40A:14-146.11;
40A:14-146.14

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Naming of School Facilities

Policy 7550

Date Adopted: March 31, 2010

Date Revised:

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The right to name schools, rooms, facilities, offices, athletic fields, special purpose areas and/or other district property rests with the Board of Education. Buildings, rooms, facilities and/or other district property may or may not be named at the Board's sole discretion.

Names proposed shall be free from biases, prejudices and political and religious connotations. In selecting a name, the Board shall not discriminate because of gender, race, sexual orientation, creed or national origin.

If named for a person, that person should have been a former school district educator or administrator, local resident, Board Member, county resident, or an employee of the school district who has had significant beneficial effect on the school system and its students. However, names of inspiring national or international persons are also allowable.

Names may be submitted by individuals, organizations, committees or the Board itself. For the purposes of this policy, these individuals or groups shall be referred to as the "sponsor." In order to be considered, the sponsor must identify the importance and relevancy of the name submitted for consideration.

Sponsors shall present their proposal to the Superintendent of Schools, who in turn will present it to the Board of Education for consideration. The Board will consider all names submitted. By majority vote of the full Board of Education at a regularly scheduled meeting, the Board may accept or reject the proposed name.

Once the Board has approved a name submitted for a school, room, facility, office, athletic field, special purpose areas and/or other district property, the Board will determine the advisability of conducting an appropriate public ceremony and/or if a plaque, monument, painting, sign, or engraving of the name selected should be placed on the facility.

The expenses incurred for any plaque, monument, painting, sign, or engraving of the name selected and/or its installation may be borne by the Board of Education or the sponsor, at the sole discretion of the Board.

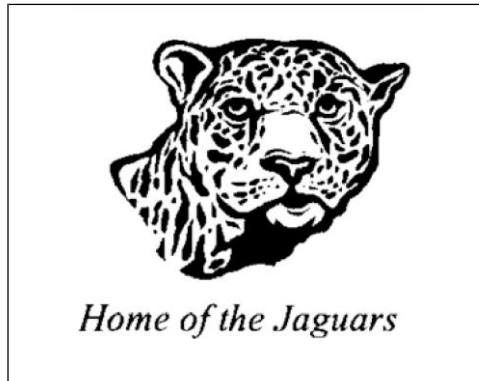
Legal References

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

Fairfield Township Board of Education

District Policy

Manual



Bylaws of the Board of Education Series 9000



Home of the Jaguars

**Fairfield Township
Board of Education
District Policy Manual
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Bylaws of the Board of Education

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Role of the Board of Education

Policy 9000

Date Adopted: November 19, 2009

Date Revised:

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The Constitution requires the Legislature to “provide for the maintenance and support of a thorough and efficient system of free public schools”. The Legislature, therefore, has sought to maintain in the management of schools an appropriate balance between local authority and initiative on the one hand, and State control and supervision on the other hand.

The State Department of Education, consisting of the State Board of Education and the Commissioner of Education, with his/her staff, has been created by the Legislature to exercise general control and supervision of public education. The school district has similarly been created as a unit for the exercise of local authority and initiative as defined in Title 18A of New Jersey statutes. Other sections of the statutes state or imply that a local Board of Education or school district have full power to operate the public school program in its charge as it deems fit in compliance with state and federal mandates and pertinent laws of the governing entity.

The Board of Education shall be a body corporate and shall be known as the Board of Education.

The Board of Education shall organize and operate in the manner provided by law and shall have all the powers as are now or may hereafter be provided by law.

In the interpretation of the powers and duties of the Board, it is understood that the Board shall act as a governing body in the determination of general policies for the control, operation, maintenance and expansion of the school district. The details of the administration of these policies shall be the responsibility of the Superintendent of Schools and his/her administrative staff. The Board functions only when it is in session.

The Board of Education sees these as its required functions:

A. Legislative or policy-making

The Board is responsible for the development of policy and for the employment of a Superintendent of Schools who shall carry out its policies through the development and implementation of regulations/procedures.

B. Appraisal

The Board is responsible for evaluating the effectiveness of its policies and their implementation.

C. Educational Planning

The Board is responsible for reviewing and approving the district curriculum.

D. Provision of financial resources

The Board has major responsibilities for the adoption of a budget that will provide the wherewithal in terms of buildings, staff, materials, and equipment to enable the school system to carry out its functions.

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Role of the Board of Education

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E. Interpretation

The Board is responsible for providing adequate and direct means for keeping the local community informed about the school and for keeping itself and the school staff informed about the concerns and opinions of the public.

The Board believes that, by diligently exercising these functions, it will be able to provide, within the financial limitations set by the community, the best educational opportunities available for our children.

The Board shall exercise its powers through the legislation of bylaws and policies for the organization and operation of the school district.

The Board shall be responsible for the operation of the school but shall delegate the administration to the Superintendent of Schools, who shall be appointed by a recorded roll call majority vote of the full Board.

Legal References

NJSA	18A:10-1	Constitution of Boards of Education
	18A:11-1	General mandatory powers and duties
	18A:12-21 et seq.	School Ethics Act
	18A:17-15	Appointment of superintendents; terms
	18A:33-1	District to furnish suitable facilities; adoption of courses
	18A:34-1	Textbooks; selection; furnished free with supplies
	18A:36-2	Time when schools are open; determination
NJAC	6A:4-1.1 et seq.	Appeals
	6A:8-1.1 et seq.	Standards and Assessments
	6A:28-1.1 et seq.	School Ethics Commission
	6A:30-1.1 et seq.	Evaluation of the Performance of School Districts
	6A:32-1.1 et seq.	School District Operations
	6A:32-3.2	Requirements for the Code of Ethics for school board members and charter school board of trustees members

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Bylaws of the Board of Education

Series 9000

**Role of the Board of Education Member /
Limits of Authority**

Policy 9010 / 9011

Date Adopted: November 19, 2009

Date Revised:

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It is understood that the members of the Board have authority only when acting as a Board legally in session. The Board shall not be bound in any way by any action or statement on the part of any individual Board Member except when such statement or action is in pursuance of specific instructions from the Board.

All powers of the Board of Education lie in its actions as a duly constituted quorum acting at a legal meeting of the Board. Individual Board Members lack authority over district affairs.

The Board shall make its members, the district staff, and the public aware that only the Board, acting as a duly constituted quorum at a legal meeting, has authority to take official actions. All other actions, whether individual or collective, have no legal basis.

The Board shall be responsible for the operation of the schools but shall delegate the administrative function to the Superintendent of Schools, who shall be appointed by a recorded roll call majority vote of the whole number of members of the Board. All policies of the Board will be enforced by the Superintendent of Schools who will be accountable to the Board of Education.

No Board Member, by virtue of his/her office, shall exercise any administrative responsibility with respect to the daily operation of the school or school district or command the services of any school employee.

Board Members visiting the schools for any reason shall observe the requirements stipulated in Policy 1250 – Visitors to the School.

The Board may hear appeals and complaints in grievance and disciplinary actions as defined in their policies and by the law.

Legal References

NJSA 18A:11-1	General mandatory powers and duties
18A:12-21 <u>et seq.</u>	School Ethics Act
NJAC 6A:28-1.1 <u>et seq.</u>	School Ethics Commission

Possible Cross References

1250, 9020, 9271

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Bylaws of the Board of Education

Series 9000

**Public Statements Made by
Board of Education Members**

Policy 9020

Date Adopted: November 19, 2009

Date Revised:

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The Board of Education recognizes that arbitrary or independent actions of Board Members can produce serious consequences for the effectiveness of school operations. An essential quality of a good Board Member is a deep sense of loyalty to associates and to group decisions cooperatively reached.

All public statements in the name of the Board of Education shall be issued by the Board President, or if appropriate, by the Superintendent of Schools at the direction of the Board President. No individual Board Member shall make public statements in the name of the Board.

No Board Member shall make public statements that contradict the policies and actions of the Board, or that may jeopardize the ability of the Board to act effectively.

Board Members should emphasize to the media, public officials or individual citizens that Board Members may only speak as private citizens unless empowered by the Board to speak for it.

Board Members are entitled to express themselves publicly on any matter, including issues involving the Board and the school district. Individual Board Members cannot, however, express the position of the Board except as expressly authorized, in accordance with Board policy. A Board Member shall not represent his or her personal opinion as the position of the Board and shall include in all formal expressions in which his or her Board affiliation is likely to be recognized, such as letters to government officials or newspapers, speeches to organizations, and the like, a statement that the opinions expressed do not necessarily represent those of the Board.

Legal References

NJSA 18A:11-1

General mandatory powers and duties

18A:42-4

Distribution of literature to candidacy, Board Issues or other public question to be submitted at election; prohibited

Possible Cross References

1100, 1110, 9010, 9271, 9326.5

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Bylaws of the Board of Education

Series 9000

Organization of the Board of Education

Policy 9100

Date Adopted: November 19, 2009

Date Revised: January 24, 2013

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The organization meeting of the Board of Education shall be held during the first week of January following the November election, and no later than 8:00 p.m. but if no quorum is present at the time the meeting is called, the meeting may be recessed until 9:00 p.m. If a quorum is not present by 9:00 p.m., the members present may adjourn the meeting to reconvene no later than 8:00 p.m. of another day, but not later than 3 days after the originally scheduled meeting.

Legal References

NJSA 18A:7A-10 First regular meeting of the Board
18A:10-3(c) Organization deadline
10A:10-5 Organization meeting as business meeting

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Bylaws of the Board of Education

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Membership & Terms of Office

Policy 9110

Date Adopted: November 19, 2009

Date Revised:

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The Board of Education shall be comprised of nine (9) members who are qualified voters and residents of the school district, and who are elected by the voters of the district, at the annual School Board election.

The term of a Board Member shall be three years, except that a member appointed to fill a vacancy shall serve until the organization meeting following the next annual election. If he/she has been appointed to fill a vacancy occurring within 60 days immediately preceding such election to fill a term extending beyond such election, he/she shall serve until the organization meeting following the second annual election next succeeding the occurrence of the vacancy. All members shall serve after the expiration of their respective terms until the appointment and qualification of their successors.

Legal References

NJSA 18A:11-1
18A:12-11

General mandatory powers and duties
Election and Number of Board Members; terms

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education

Series 9000

Qualifications of Board of Education Members

Policy 9111

Date Adopted: November 19, 2009

Date Revised: January 26, 2012, March 27, 2014

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A Board Member must be a citizen and resident of the district, and must have been such at least one year immediately preceding his/her becoming a member. He/she must be at least 18 years of age and be able to read and write, shall not be interested directly in any contract or claim against the Board, and be a registered voter.

A member of the Board of Education must possess the qualifications required by law and shall be bound by the provisions of the School Ethics Act.

A Board Member:

- Must be a citizen of the United States of America and have been so for at least one year immediately preceding his/her election or appointment;
- Reside within the confines of this district and have been such for at least one year immediately preceding his/her election or appointment;
- Must be at least 18 years of age;
- Shall not have any legal claim against the Board of Education;
- May not have been convicted of a felony;
- Must be able to read and write;
- Must be registered to vote in this district and must not be disqualified from voting pursuant to the provisions of NJSA 19:4-1; and,
- Cannot concurrently hold office as Mayor or a member of the governing body of Fairfield Township.

Criminal Background Check

Within 30 days of his/her election or appointment to the Board of Education, each Board Member shall undergo a criminal background check investigation for the purpose of ensuring that the member is not disqualified for membership due to a conviction of a crime or offense pursuant to NJSA 18A-12-1. Individuals who do not complete the process or whose background checks reveal conviction(s) for any of the offenses listed in the statute are ineligible to serve.

Any newly elected/appointed Board Member who can truthfully swear or affirm that he/she possesses the qualifications of membership prescribed by law, including a specific declaration that he/she is not disqualified as a voter pursuant to R.S.19:4-1 and a specific declaration that he/she is not disqualified due to a conviction of a crime or offense listed in NJSA 18A:12-1, may take the oath of office notwithstanding that results of the criminal history background investigation required by NJSA 18A:12-1.2 are not yet available.

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Qualifications of Board of Education Members

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Policy 9111

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Board Members who have not submitted fingerprints to the Commissioner should be reminded of their statutory obligation to do so.

The Board of Education may, at its sole discretion, reimburse the member for the cost of the criminal history check, including all costs for administering and processing.

Legal References

NJSA 18A:11-1	General mandatory powers and duties
18A:12-1	Qualifying Oaths of Board Members
18A:21 et seq	School Ethics Act

Possible Cross References

9270

Fairfield Township Board of Education District Policy Manual

**Bylaws of the Board of Education
Elections**

**Series 9000
Policy 9112**

Date Adopted: November 19, 2009

Date Revised:

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Elections of Board Members shall be in accordance with law. Three members of the Board shall be duly chosen each for a full term. Other members, as may be necessary to replace members who will vacate unexpired terms, shall be duly chosen at an annual election on the date prescribed by law.

The Board of Education encourages the participation of as many voters as possible to participate in the annual school election by the use of various communications methods as permitted by law.

Legal References

NJSA 18A:11-1
18A:12-11

General mandatory powers and duties
Election and Number of Board Members; terms

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Bylaws of the Board of Education

Series 9000

Filling Vacancies

Policy 9113

Date Adopted: November 19, 2009

Date Revised:

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The Board shall fill vacancies created by the resignation, removal by the Board for cause, or death of a serving member, or when a member ceases to be a qualified resident of the district. The vacancy shall be filled within 65 days as prescribed by law.

Procedures by which to select the persons to fill such vacancies shall include advertisement of the vacancy in suitable local media, and interviews with interested parties conducted in public by the Board acting as a committee of the whole.

The person appointed shall serve until the next organizational meeting of the Board of Education, following the next annual School Board Election. If he/she is appointed to fill a vacancy occurring within 60 days immediately preceding such election to fill a term extending beyond such election, he/she shall serve until the organizational meeting following the second School Board Election as outlined in NJSA 18A:12-15.

The Executive County Superintendent is empowered to fill any vacancies that the Board fails to fill within 65 days; those caused by the voters' failure to elect a member, or those caused by the removal of a member because of lack of qualification, some flaw in the election, or when a recount or contested election fails to elect a member. The Executive County Superintendent may also appoint enough members to make up a quorum.

Vacancies filled by special election or the Commissioner of Education are covered under NJSA 18A:12-15.

In the event that the office of President or Vice President shall become vacant, the Board shall, within 30 days thereafter, fill the vacancy for the unexpired term. If the Board fails to fill such vacancy within said time, the Executive County Superintendent shall fill the vacancy for the unexpired term.

Legal References

NJSA 18A:6-56	Election of members of representative assembly
18A:11-1	General mandatory powers and duties
18A:12-1	Qualifications of Board Members
18A:12-3	Removal of members
18A:12-7	Type I District
18A:12-15	Vacancies Type II District
18A:13-11	Vacancies of Board – Filling
18A:38-8.1	Additional member of Board in each sending district
19:27A-1 et seq	Uniform Recall Election Law

Possible Cross References

9111, 9114

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Resignation from Office

Policy 9114

Date Adopted: November 19, 2009

Date Revised:

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The resignation of a member of the Board shall become effective on the date specified by the resigning member in his/her official notification to the majority of the other Board Members. This resignation may not be rescinded once tendered.

The resignation of an officer of the Board from his/her office shall become effective by official Board motion and the affirmative vote of a majority of the total Board Membership at a legally convened meeting.

If the Board fails to fill the office of President or Vice President within 30 days thereafter, the Executive County Superintendent shall fill the vacancy for the unexpired term.

Legal References

NJSA 18A:11-1
18A:15

General mandatory powers and duties
Vacancies

Silverstein 1998

Possible Cross References

9113

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Removal from Office

Policy 9114.5

Date Adopted: November 19, 2009

Date Revised:

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A President or Vice President who shall refuse to perform a duty imposed upon him/her by this title may be removed by the majority vote of all the members of the Board. This action requires a recorded roll-call majority vote of the full membership of the Board of Education.

The Board may remove a fellow member who shall fail to attend three consecutive regular meetings, without good cause by the affirmative vote of a majority of the full Board provided that such action shall have been proposed at the preceding meeting of the Board and provided that notice of such action has been given to the absent member in advance of the meeting for which such action has been proposed. This action requires a recorded roll-call majority vote of the full membership of the Board of Education.

Legal References

NJSA 18A:11-1

18A:12-3

18A:15

General mandatory powers and duties

Removal of members

Vacancies

Possible Cross References

9114

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Oath of Office

Policy 9115

Date Adopted: November 19, 2009

Date Revised:

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Before entering the duties of his/her office the Board Member shall take and subscribe the oaths prescribed by the statute and file the same with the Board Secretary.

Legal References

NJSA 18A:11-1

General mandatory powers and duties

18A:12-1

Qualifying Oaths of Board Members

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Election & Appointment of Officers

Policy 9120

Date Adopted: November 19, 2009

Date Revised:

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Election of officers shall be by plurality vote of the Board. Officers shall serve for one year and until their respective successors are elected and shall qualify. Appointees may be appointed at the organization meeting, but if the Board shall fail to hold said election as prescribed by law, the Executive County Superintendent shall appoint from among the members of the Board a President and Vice President.

An officer of the Board shall serve for one year and/or until his respective successors are elected. In addition, an officer of the Board may be removed by a majority vote of the full membership of the Board, should he/she refuse to perform the duties of his/her office. This action requires a recorded, roll-call majority vote of the full membership of the Board of Education.

In the event that the office of President or Vice President shall become vacant, the Board shall, within 30 days thereafter, fill the vacancy for the unexpired term. If the Board fails to fill such vacancy within said time, the Executive County Superintendent shall fill the vacancy for the unexpired term.

If the Board President or Vice President resigns his/her seat as a member of the Board of Education, the newly appointed Board Member shall not assume the role of the President or Vice President, unless elected to do so by the Board. In all cases, upon the resignation or removal of the President or Vice President, an election will be held at the meeting in which the resignation or removal was acted on, a special meeting or the next meeting of the Board of Education to elect a President or Vice President.

Legal References

NJSA 18A:11-1

General mandatory powers and duties

18A:15-1

President and Vice President election

Possible Cross References

9121, 9122

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President

Policy 9121

Date Adopted: November 19, 2009

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A President shall be elected by a roll call majority vote of the full Board at the annual organization meeting.

The President shall preside at all meetings of the Board and shall perform other duties as directed by statute, State Department of Education regulations, and the Board of Education. In carrying out these responsibilities, the President shall:

- Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the Board of Education;
- Consult with the Superintendent of Schools on the Board's agendas;
- Appoint Board committees and chairpersons;
- Call such meetings of the Board as he/she may deem necessary upon at least two day's notice (in accordance with law - NJAC 6:3-1.2);
- Be an ex officio member of all Board committees;
- Confer with the Superintendent of Schools on crucial matters that may occur between Board meetings;
- Approve all bills for expenses or charges incurred with the authority of the Board including expenses of individual Board Members;

As presiding officer at all meetings of the Board, the President shall:

- Call the meeting to order at the appointed time;
- Be responsible for the orderly conduct of all Board meetings;
- Announce the business to come before the Board in its proper order;
- Enforce the Board's policies relating to the order of business and the conduct of meetings;
- Recognize persons who desire to speak and protect the speaker who has the floor from disturbance or interference;
- Explain what the effect of a motion would be if it is not clear to every member;
- Restrict discussion to the question when a motion is before the Board;
- Answer all parliamentary inquiries, referring questions of law to the Board Attorney.

The President shall have the right, as other Board Members have, to offer resolutions, discuss questions and vote.

Legal References

NJSA	18A:6-20	Right to testify
	18A:6-54	Representative assembly; organization
	18A:13-12	Organization of Board
	18A:15-1	President and Vice President - election
	18A:19-9	Compensation of teachers
NJAC	6A:32-3.1	Special meetings of the Board

Possible Cross References

1120, 9020, 9130, 9322

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Vice President

Policy 9122

Date Adopted:

Date Revised:

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A Vice-President shall be elected by a roll call majority vote of the full Board at the organizational meeting.

In case of the absence or disability of the President, the Vice President shall perform the duties of the President. In case of absence or disability of both the President and Vice President, the Board shall choose a President pro-tempore, who shall perform all the duties of the President.

In case of the resignation or removal of the President, the Vice President shall perform the duties of the President until such time as the Board conducts a special election to name a new President. This election shall take place at the meeting in which the resignation or removal was acted on, a special meeting or the next meeting of the Board of Education.

Legal References

NJSA	18A:6-20	Right to testify
	18A:6-54	Representative assembly; organization
	18A:13-12	Organization of Board
	18A:15-1	President and Vice President - election
	18A:19-9	Compensation of teachers
NJAC	6A:32-3.1	Special meetings of the Board

Possible Cross References

1120, 9020, 9130, 9322

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Board Secretary

Policy 9123

Date Adopted: November 19, 2009

Date Revised:

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A Secretary shall be appointed by a recorded roll call majority vote for a term to expire not later than the following June 30th, except as subject to the tenure laws, but he/she shall continue to serve after the expiration of his/her term until his/her successor is appointed and qualified. The Board Secretary shall:

- Provide adequate notice of all public meetings (including the organization meeting) of the Board to the members and those requesting notice in accordance with law.
- Record the minutes of all proceedings of the Board and the results of annual or special school elections.
- Post and give notice of annual and special elections.
- Post and maintain a schedule of the regular meetings of the Board.
- Be responsible for all duties concerning school Board elections as specified in NJSA 19:60-1 et seq.
- Collect tuition fees and other monies due to the Board and transmit them to the Treasurer.
- Examine and audit all accounts and demands against the Board, present them to the Board at its meetings, indicate the Board's approval and send them to the Treasurer for payment.
- Keep accounts of the school district's financial transactions including a correct detailed account of all expenditures.
- Report to the Board at each regular meeting the amount of the total appropriations and cash receipts for each account, the amounts of warrants drawn against each account, and the amounts of orders or contractual obligations incurred and chargeable against each account.
- Keep all contracts, records and documents belonging to the Board.
- Give the Board a detailed report of its financial transactions at the close of each fiscal year and file a copy with the Executive County Superintendent.
- Report to the Commissioner annually the amount of unpaid school debt, the interest rate payable, the dates of issue and the due dates of bonds or of the indebtedness.
- Prepare a summary of the annual audit and recommendations prior to the meeting of the Board to act thereon and supply copies of the summary to interested persons.
- Perform such other duties as may be required by the Board.

Legal References

NJSA 18A:17-5 Appointment of Board Secretary; term. Compensation, vacancy

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Series 9000

Treasurer of School Monies

Policy 9125

Date Adopted: November 19, 2009

Date Revised:

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There must be a Treasurer of School Monies in every school district who shall receive, hold in trust, and disburse all school monies.

The Treasurer of School Monies of each school district shall be the Treasurer of the monies of the municipality unless the Board of Education shall designate the tax collector of the municipality as such Treasurer provided. However, if both the Treasurer of the municipality and the tax collector of the municipality submit written notifications to the Board that they do not want to serve as Treasurer of school monies, the Board shall appoint any other suitable person except a member or employee of the Board, with a term of office fixed by the Board as such Treasurer.

The municipality has no control over the monies belonging to the school district and in the hands of the Treasurer.

The Board of Education shall provide a surety bond in the amount prescribed in NJAC 6A:23-2.5 for the Treasurer. The auditor shall verify the adequacy of the Treasurer's surety bond which is required by NJSA 18A:17-32, and shall include appropriate comment, and a recommendation, if needed, in the annual school report.

The Treasurer shall receive from the Board of Education such compensation as the Board shall determine.

The money or funds of the Board in the custody of its Treasurer of School Monies shall be expended by such Treasurer by, and only by, warrants, each made payable to the order of the person entitled to receive the amount thereof and specifying the object for which it is issued, signed by the President and Secretary of the Board, and the Treasurer of School Monies:

1. After audit of the account or demand to be paid, by the secretary after approval by the Board, or
2. In accordance with payrolls duly certified as provided by this title,
3. For debt service.

Payment of the compensation of teachers and other employees may be made on the basis of payrolls certified by the President and Secretary of the Board, stating the names and amounts to be paid to each, and delivered to the Treasurer of School Monies.

The Treasurer shall keep records of sums received and paid on books provided for that purpose.

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The Treasurer shall render to the Board monthly, and at such other times as shall be requested by the Board, reports giving a detailed account of all receipts, the amounts of all warrants signed by him/her since the date of his/her last report, the accounts against which, and the purposes for which, the warrants were drawn and the balance to the credit of each account. At the close of the school year and not later than August 1st of each year he/she shall render an annual report showing the amounts received and disbursed by him/her for school purposes during said year. A duplicate whereof shall be filed with the Executive County Superintendent in the manner and form prescribed by the Commissioner.

Legal References

NJSA 18A:16-1	Officers and employees
18A:17-31 et seq	Treasurer of School Monies
18A:19-1	Expenditure of funds on warrant only

Possible Cross References

9126

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Bylaws of the Board of Education

Series 9000

Attorney - Legal Services

Policy 9126

Date Adopted: June 25, 2009

Date Revised: November 19, 2009

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1. The School Board Attorney (Solicitor) shall be selected by the Board of Education and employed at will.
2. When changing solicitors, whether by Board non-renewal or other reasons, the Board Secretary will publish an appropriate Request for Proposals (RFP) and the Board will choose among the respondents based on cost and other appropriate factors.
3. The Attorney, through the procedure described below, will advise the Board as to proper and legal and contractual procedures in which the Board or its representatives must take action or make a decision.
4. The Attorney shall act as counsel for the Board in prosecuting and defending any action or suit in which the Board is involved and perform such other legal services as the Board may from time to time subscribe.
5. The Attorney shall be accessible for consultation with the Superintendent of Schools or the Board President when the need arises through the procedure described below.

Procedures for Consultation with the School Attorney

In accordance with NJAC 6A:23A-5.2 of the School District Accountability, Efficiency, and Budgeting Procedures, the Fairfield Township Board of Education establishes the following procedures that, while recognizing that legal services are an integral part of the governance of a school district, ensure these legal services are employed prudently, ethically and frugally.

1. The Solicitor will only attend Board meetings when so directed by the Superintendent of Schools or the Board President.
2. Legal advice shall not be sought for management decision or for readily available information contained in district materials such as policies, administrative regulations or guidance available through professional source materials.
3. All requests for legal advice shall be initiated in writing.
4. Only the Superintendent of Schools and the Board President, when he/she deems it warrants doing so, may request the initial legal advice directly from the Solicitor. They shall do so in writing. The Superintendent of Schools shall log his requests and the Board President shall notify the Superintendent of Schools of his/her requests in writing so they are properly entered into the Legal Contact Log.
5. All requests for legal advice by Board Members or administrative staff must be made in writing to the Superintendent of Schools.
 - A. All written requests will be maintained on file in the district office.
 - B. The Superintendent of Schools shall note on the written request whether, in his/her opinion, the request warrants contacting the Solicitor.
 - 1) Board Members may, by their own decisions, seek further advice from the Solicitor after the Superintendent of Schools has attempted to answer their requests.

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- 2) If the Board Member does seek further advice, he/she must report the length of the conversation and the required log details as listed in Paragraph 6 (below), in writing to the Superintendent of Schools for recording in the legal log.
- 3) Administrative staff may not seek legal counsel from the Board Solicitor without the prior written approval of the Superintendent of Schools. Approvals must be kept on file in the district office with the original request to contact counsel.
6. The Superintendent of Schools is directed to keep a log of all legal counsel contact, including the name of legal counsel contacted, district person making the contact, date of contact, issue discussed, length of contact, and likelihood of follow-up research.
7. The District Business Administrator or designee shall compare all legal bills to the legal counsel contact log and any variances shall be investigated and resolved.

Contracts for legal services should comply with payment requirements and restrictions pursuant to NJSA 18A:19-1 et seq., and as follows:

- A. Advance payments shall be prohibited;
- B. Services to be provided shall be described in detail in the contract;
- C. Invoices for payment shall itemize the services provided for the billing period; and,
- D. Payment shall only be for services actually provided.

Legal References

NJSA	18A:16-1	Officers and employees
	18A:19-1	Expenditure of funds on warrant only
NJAC	6A:23A-5.2	Additional Measures To Ensure Effective and Efficient Expenditures Of District Funds

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Auditor

Policy 9127

Date Adopted: November 19, 2009

Date Revised:

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The Auditor shall conduct the necessary investigation, accounting and checking of those accounts, bills, revenues, etc., essential to the public statement of the financial status of the Board for the school year as demanded by the Department of Education rules of audit. The audit shall be completed not later than three months after the end of the school fiscal year.

Each annual audit shall include an audit of the books, accounts, monies, and a verification of all cash and bank balances of the Board and of any officer or employee thereof and of monies derived from activities of any organization of public school pupils conducted under the auspices of the Board, from the date of the last annual audit to the date of the current audit.

The report of each annual audit shall be filed by the public school accountant making the same, with his/her recommendations to the Board of Education. The Auditor shall within five days thereafter file two duplicate copies thereof certified under his/her signature in the office of the Executive County Superintendent.

The Secretary of the Board shall prepare or have prepared a synopsis or summary of the annual audit and recommendations, prior to the meeting of the Board of Education to take action thereon.

Within 30 days following receipt of the report of the annual audit, the Board of Education of the district shall, at a regularly scheduled public meeting, cause the recommendations of the Auditor to be read and to be discussed. The discussion shall be duly noted in the official minutes of said meeting.

In the event of the resignation or dismissal of the Board Secretary/Business Administrator or the Treasurer, or any other individual charged with the responsibility of handling school funds, the Auditor shall be asked to review the appropriate books within a thirty (30) day period.

Legal References

NJSA 18A:23-1 through -9 Annual Audit

Possible Cross References

9123, 9125

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education Committees

Series 9000
Policy 9130

Date Adopted: April 26, 2000

Date Revised: November 19, 2009

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In order to use the time, effort and expertise of the members of the Board effectively, the Board shall operate under a committee system and monthly pre-Board Meeting work session.

All committees serve as sources for legislative and administrative recommendations for the Board. The orderly conduct of the committee meetings shall involve not only the procedures for the fact-finding, deliberative and/or advisory results for which the committee is charges, but also the organization of procedural rules as follows:

1. The development of a calendar of meeting dates within the indicated time frame that is logically spaced, allowing sufficient time for development of all aspects of anticipated results;
2. The locations and/or facilities to house the meetings;
3. The time all meetings are to begin;
4. The length of time each meeting will ordinarily be expected to last;
5. The dates at which time progress reports shall be made to the Board with the opportunity for new data to be given to the committee;
6. The circumstances under which the public will be brought into the committee as either consultants or observers;
7. The extent of the Board President's, Superintendent's, or School Business Administrator's participation as ex officio members.

Committee meetings of less than a quorum of the members of the Board shall not require advance notice to the public, the preparation and distribution of an agenda or formal recording of minutes.

Standing Committees

The Board may authorize the establishment of such standing committees from among its membership as it finds necessary to study operations in specific areas and to make recommendations for Board action. The following rules will govern the appointment and function of such committees:

- A. The committee shall be established through action of the Board.
- B. The committee chairperson and members shall be appointed by the Board President.
- C. The committee may make recommendations for Board action, but it may not act for the Board.
- D. The Board President and Superintendent of Schools shall be ex officio members of all standing committees.
- E. The committee chairperson, with the assistance from the office of the Superintendent of Schools, shall schedule all meetings.
- F. In emergency situations pertaining to specific committee affairs, the Superintendent of Schools will advise the Board President and committee chair of action anticipated or taken.

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Policy 9130**

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Special Committees

Special committees may be created for special assignments. The same rules shall apply to special committees as apply to standing committees, except that they shall be dissolved upon completion of their assignment.

Ad Hoc Committees

Ad Hoc committees shall be appointed by the President to research specific problems before deliberation by the full Board. The same rules shall apply to Ad Hoc committees as apply to standing committees, except that they shall be dissolved upon completion of their assignment.

Committee of the Whole

The Board reserves the right to meet and work as a committee of the whole in informational, discussion, and exploratory sessions. No official action shall be taken at these meetings, unless so advertised.

All meetings shall be held in accordance with the provisions of the Open Public Meetings Act.

Legal References

NJSA	10:4-6 et seq	Open Public Meetings Act
	18A:10-6	Board Meeting Public; Frequency; etc - Quorum
	18A:11-1	General Mandatory Powers and Duties
NJAC	6A:28-1.1 et seq	School Ethics Commission
		School Ethics Commission Advisory Opinion A01-93
		School Ethics Commission Advisory Opinion A10-93
		School Ethics Commission Advisory Opinion A33-95
		School Ethics Commission Advisory Opinion A02-00
		School Ethics Commission Advisory Opinion A14-00

Possible Cross References

1220, 9121, 9320

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Series 9000

Voting Designation

Policy 9140.1

Date Adopted: June 19, 1991

Date Revised: November 19, 2009

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There are circumstances where a Board Member and an employee (usually the Superintendent of Schools) of this school district attend meetings at which a vote is taken that may encumber the Board of Education.

In such cases, the Board Member designated for attendance at such meetings will vote as per the philosophy of the entire Board. In the absence of the Board Member, the Superintendent of Schools or his/her designee is authorized to vote on behalf of the Board.

Legal References

NJSA 18A:11-1

General Mandatory Powers and Duties

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Consultants to the Board – Professional Services

Policy 9150

Date Adopted: November 19, 2009

Date Revised:

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In order to pursue its educational mission and to protect the public's financial investment in the schools, the Board may, from time to time, engage the services of qualified professional consultants to provide new insights and ideas for dealing with especially difficult problems and/or to provide special services that the staff is unable to provide.

The Board will not contract for vague services such as undefined "management studies," and all proposals will be submitted to the school solicitor for review before a contract for consulting services is signed. The Superintendent of Schools will establish procedures necessary for an efficient working relationship between the consultant and the Board and/or staff members.

Professional services contracts shall be issued in a deliberative and efficient manner such as through a Request For Proposal (RFP) based on cost and other specified factors or another comparable process that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement.

Professional services contracts shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct.

District employees and individual Board Members are prohibited from contracting with consultants without the written approval of the Board of Education.

The Board shall fix compensation for consultant services.

Legal References

NJSA 18A:11-1	General Mandatory Powers and Duties
18A:18A-5(a)(1)	Professional Services

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Negotiations / Consultation

Policy 9150.1

Date Adopted: November 19, 2009

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The Board of Education recognizes its duty to negotiate in good faith regarding terms and conditions of employment with the majority representatives of its unionized employees. To effectuate this responsibility, the Board shall appoint a Negotiations Committee(s) to represent it in negotiations with employee organizations, but the entire Board retains the authority to review and to accept or reject any tentative agreement(s) reached by its Negotiations Committee(s).

The Board's Negotiations Committee(s) may include Board Members, administrators, and such outside negotiations experts as designated by the Board; however, the number of Board Members assigned to any such committee shall not constitute a majority of the Board. The Board, at its discretion, shall appoint one member of the committee to serve as the Board's chief spokesperson.

The Board, in consultation with administrators and the Negotiations Committee(s) shall set bargaining goals and parameters for any settlement.

Members of the committee(s), other Board Members and administrators shall not have the authority to negotiate with any employees or representatives of employees regarding any matters currently the subject of negotiations without the express consent of the committee.

The committee(s) shall regularly report to the Board in executive session, the progress of negotiations and may seek additional direction or advice from the full Board, the administrative staff, or any outside negotiations expert designated by the Board.

The Board shall provide committee members and other interested Board Members with the opportunity to attend labor relations training programs. To keep the full Board informed of the process, members attending such programs will report to the Board at the first Board meeting following the program.

The Superintendent of Schools and the Board President shall act as spokespersons for contacts with the public and the press regarding negotiations. Board Members shall refer all inquiries concerning negotiations to the Board President. No Board Member other than the Board President has the authority to discuss any aspect of negotiations without the express consent of the Board.

Legal References

NJSA 18A:11-1

18A:18A-5(a)(1)

General Mandatory Powers and Duties

Professional Services

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Public Relations Initiatives & Services

Policy 9160

Date Adopted: November 19, 2009

Date Revised:

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The Board of Education recognizes that the use of public relations initiatives is an integral part of the governance of the school district it serves and that public relations activities must be used prudently, ethically and only to further the educational program of the district.

The Board of Education shall annually approve a maximum dollar limit to be used for public relations activities of the district as defined in NJAC 23A-9.3(c)14, and each type of professional service, with appropriate notification to the Board of Education if it becomes necessary to exceed the established maximum dollar limit. Upon such notification, the Board of Education may adopt a specified dollar amount of increase to the amount established. Such increase shall be approved by formal action of the Board of Education.

Professional Public Relations Services

Professional services contracts for public relations services shall be issued in a deliberative and efficient manner such as through a Request For Proposal (RFP) based on cost and other specified factors or other comparable process that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement.

Professional services contracts for public relations services shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct.

District employees and Board Members are prohibited from contracting with professional public relations firms or using in-house resources for personal gain or promotion.

Publications

District publications shall be produced and distributed in the most cost-efficient manner possible that will enable the district to inform and educate the targeted community. The use of expensive materials or production techniques where lower cost methods are available, such as the use of multi-color glossy publications instead of suitable, less expensive alternatives, is prohibited.

The Board of Education prohibits the distribution, via mass mailings or other means to the district community at large, publications that include the picture(s) of any members of the Board of Education within 90 days before any election in which any Board Member is seeking any elective office or any election relating to district operations held in the district.

Any publication(s) distributed by the Board of Education via mass mailings or other means to the district community at large within 60 days before any election in which any Board Member is seeking any elective office or any election relating to district operations held in the district must be submitted to the Executive County Superintendent for review prior to distribution to ensure that the public funds are being expended in a reasonable and cost-effective manner.

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Public relations activities, such as booths at statewide conferences, marketing activities and celebrations for opening schools and community events and TV productions that are not part of the instructional program or do not provide, in a cost-effective way, information about district or Board operations to the public, and are excessive in nature are prohibited.

All activities involving promotional efforts to advance a particular position on school elections or any referendums are prohibited.

Nothing herein shall preclude the Board of Education from accepting donations or volunteer services from community members, education foundations and local business owners to conduct or assist in public relations services. Examples include, but are not limited to:

- A. Providing district flyers, newsletters or other materials containing district related information of public concern to local businesses, public meeting places or other local organizations to display or make available for dissemination;
- B. Making district related information of public concern available to local newspapers to publish related articles; and,
- C. Utilizing volunteer services of local community members, district employees, members of parent organizations or local businesses with expertise in related areas such as printing, advertising, publishing or journalism.

Legal References

NJSA	18A:16-1	Officers and employees
	18A:19-1	Expenditure of funds on warrant only
NJAC	6A:23A-5.2	Additional Measures To Ensure Effective and Efficient Expenditures Of District Funds
	6A:23A-9.3(c)14	Public Relations Expenses

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education

Series 9000

Orientation & Training of Board Members

Policy 9200

Date Adopted: November 19, 2009

Date Revised: January 26, 2012

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Orientation of Board Members

The Superintendent of Schools shall prepare materials to introduce new Board Members to the operating procedures of the district and the details of the curriculum.

As required and stipulated by law, all newly elected and reelected Board Members shall attend New Jersey School Boards Association (NJSBA) training within the timeframes established by law.

Sufficient funds shall be allocated to reimburse new board members for attending NJSBA training.

Code of Ethics Training

The Board shall ensure that all Board Members receive and review a copy of the Code of Ethics for School Board Members. Training as required by the administrative code shall be scheduled to familiarize Board Members with the contents and requirements of the Code of Ethics.

Annually, at a public Board Meeting, all Board Members will review and discuss the Code of Ethics in accordance with the School Ethics Act, C. 178, P.L. 2001.

Inservice Development

State, regional and national workshops, conventions, conferences and seminars developed by associations such as the New Jersey School Boards Association, the National School Boards Association, the New Jersey Association of School Administrators, etc., provide unique opportunities for Board Members to broaden their understanding of their responsibilities, learn new skills and techniques for coping with them, and keep up to date on educational trends.

Within one year after being newly elected or appointed or being re-elected or re-appointed to the Board of Education, a Board Member shall complete a training program on harassment, intimidation, and bullying in schools, including the district's responsibilities as required by law (N.J.S.A. 18A:37-13 et seq.). Board Members are required to complete the program only once (N.J.S.A. 18A:12-33).

Therefore, the Board recommends that, in addition to sending the mandated delegate to the New Jersey School Boards Association's Delegate Assemblies, the Board send representatives to such educational conferences, workshops, conventions and seminars as it shall decide upon each year.

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education
Orientation & Training of Board Members

Series 9000
Policy 9200

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The same regulations regarding travel arrangements and reimbursement developed for other district-paid attendance at such events shall apply (See Policy 3335 – Travel Expenses).

District representatives who attend such events, shall prepare reports for the Board and the district as a whole. The report shall be presented at a regular meeting of the Board within a month of the Board Member's return.

Legal References

NJSA	18A:6-45 through - 50	NJSBA Established
	18A:11-1	General Mandatory Powers and Duties
	18A:12-24.1	Code of Ethics for Board Members
	18A:12-33	Training Program for Board Members
	18A:17-20.3	Evaluation of Superintendents; Board Training
NJAC	6A:28-1.2	Definitions
	6A:28-1.6	Board Member Training
	6A:32-3.2	Requirements for the Code of Ethics
	6A:32-4.3	Evaluation of Chief School Administrator

Possible Cross References

1500, 2131, 3335, 9250, 9271

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education

Series 9000

Board Member Attendance at National Conventions

Policy 9240

Date Adopted: June 12, 1985

Date Revised: November 19, 2009

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No more than four (4) Board Members will attend a national convention in any one year.

A Board Member may not attend a national convention two (2) years in succession.

If an emergency arises whereby a Board Member scheduled to attend a national convention cannot attend and an alternate takes his/her place, the alternate shall disqualify himself/herself in the subsequent year, should four (4) Board Members who did not attend wish to attend the national convention.

A Board Member must have completed one (1) year of current service on the Board of Education to be eligible for a national convention.

Legal References

NJSA 18A:11-1

General Mandatory Powers and Duties

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education
Expenses

Series 9000
Policy 9250

Date Adopted: November 19, 2009

Date Revised:

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Board Members may not receive payment for their services. With Board approval, they may be reimbursed for out-of-pocket expenses incurred on Board business.

Sufficient money will be allocated to reimburse Board Members for expenses incurred attending required orientation sessions.

Such expenses must be approved by a motion of the Board in advance of the expenditure in accordance with law and Policy 3335 – Travel Expenses. Such expenses shall be for the Board Member only, and shall be itemized and documented.

Prior to each trip, the Board Secretary/Business Administrator will review legally allowable expenses with the Board.

Reimbursements shall not exceed legally established limits.

Legal References

NJSA	18A:2-1	Power to Effectuate Action
	18A:4-23	Supervision of Schools; Enforcement of Rules
	18A:4-24	Determining Efficiency
	18A:11-1	General Mandatory Powers & Duties
	18A:12-4	Compensation of Members
	18A:12-21 et seq	School Ethics Act
	18A:12-24.1	Code of Ethics
NJAC	6A:23A-5.8	Out of State and High Cost Travel
	6A:23A-7.1 et seq	Travel Reimbursement
	PL 2005 c.132	Appropriations Act
	PL 2007 c.52 A5	Various Accountability Measures
		Anthony Esgro, Luis Perez, Clifford Meeks and Frank Speziali, Glassboro Board of Education, CO7-97, March 30, 1998
		NJ Department of Treasury NJOMB Circular A-87

Possible Cross References

3335, 3571, 9200, 9270

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education

Series 9000

Reservation Commitments

Policy 9250.1

Date Adopted: November 19, 2009

Date Revised:

Page 1 of 1

In the event that unusual circumstances make it impossible for a Board Member to attend a Board-related function for which reservations have been obtained or financial commitments made, it shall be the responsibility of that member to notify the appropriate administrative office of the change in plans in order that a refund be obtained or so that a substitute member may have the opportunity to attend the function.

Legal References

NJSA 18A:11-1

General Mandatory Powers and Duties

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education

Series 9000

Conflict of Interest

Policy 9270

Date Adopted: March 22, 2000

Date Revised: November 19, 2009

Page 1 of 2

The Board of Education accepts the responsibility of governing the operation of the district in the best interests of the total community. Individual members shall all subscribe to the philosophy and guidelines for action outlined by Policy #9271 (Code of Ethics for School Board Members). The Board as a body, and the members individually, wish at all times to avoid attitudes and actions that might give rise to public questioning of the integrity of any Board decision.

Therefore:

- A. No Board Member shall hold any form of paid employment with the district while he/she is serving, nor for six months after leaving office;
- B. No relative as defined by law of a serving Board Member shall be considered for any paid employment in the district. Pre-existing employment shall not be affected. Where such pre-employment exists, the Board Member shall take no active part in contract negotiations, nor shall he/she discuss the vote on the resulting contract, or any other agreement entered into between the Board and the relative. For the purposes of this policy, relative shall be defined as “ an individual’s spouse, by marriage or civil union pursuant to NJSA 37:1-33, domestic partner as defined in NJSA 26:8A-3, or the individual's or spouse's parent, child, sibling, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, whether the relative is related to the individual or the individual's spouse by blood, marriage or adoption.
- C. When a relative of a Board Member is employed by the Board, that Board Member shall take no active part in contract negotiations, nor any other agreement entered into between the Board and the relative, nor any action concerning that specific employee.
- D. No Board Member will accept gratuities or favors for himself/herself or on behalf of relatives that are offered by a vendor or contractor to the district. Should a Board Member learn that such a situation exists between a relative and a vendor or contractor to the district, he shall recognize that the Board deems this to represent the appearance of conflict of interest. The Board Member shall refrain from voting on matters pertaining to that vendor/contractor, and enter the reason for his/her abstention in the minutes;
- E. No Board Member shall be a contractor for goods or services to the district during the Board Member’s term or for six months after leaving office.
- F. In the event a Board Member is employed by a corporation or business or has secondary interest in a corporation or business which furnishes goods or services to the school district, the Board Member shall declare that interest and refrain from debating or voting upon the question of contracting with the company.
- G. Employees of the school district are precluded from serving on the Board by statute which makes it unlawful for a Board member to receive compensation or reward for services to the district.
- H. No Board Member having immediate family members employed by the district shall participate in decisions affecting the terms and/or conditions of employment, salary, benefits, appointment, dismissal, etc., of the Superintendent of Schools.

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education Conflict of Interest

Series 9000
Policy 9270

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It is not the intent of this policy to prevent the district from contracting with corporations or businesses because a Board Member is an employee of the firm. The policy is designed to prevent placing a Board Member in a position whereby his/her interest in the public schools and his/her interest in his/her place of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even when no such conflict may exist.

Legal References

NJSA	18A:6-8	Interest of School Officers in Sale of Supplies
	18A:6-8.4	Right to Hold Elective/Appointive Office
	18A:4-24	Determining Efficiency
	18A:12-1.1	Ineligibility for Appointment to Paid Office
	18A:12-2	Inconsistent Interests or Office Prohibited
	18A:12-21 et seq	School Ethics Act
	18A:52:13D-12 et seq	Legislative Findings – Conflict of Interest
NJAC	6A:4-1.1 et seq	Appeals
	6A:28-1.1 et seq	School Ethics Commission
	6A:32-3.2	Requirements for Code of Ethics for Board Members
	6A:23A-1.2 et seq	Fiscal Accountability Definitions
	6A:23A-6.2 et seq	Accountability - Nepotism

Visoticky v. City Council of Garfield 113 NJ Super 263 App Div 1971

Vittoria v. W. Orange Bd of Ed. 122 NJ Super 340 App Div 1973

Elms v. Mt Olive Bd of Ed 1977 SLD 713

Scola v. Frinwood Bd of Ed 1978 SLD 413

Salerno v. Old Bridge Twp Bd of Ed 1984 SLD April 23

Scannella v. Scudillo School Ethics Decision Complaint No. C-14-93

School Ethics Commission Advisory Opinion A01-93

School Ethics Commission Advisory Opinion A10-93

School Ethics Commission Advisory Opinion A33-95

School Ethics Commission Advisory Opinion A02-00

School Ethics Commission Advisory Opinion A14-00

Possible Cross References

4112.8, 4212.8, 9271

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education

Series 9000

Code of Ethics for Board of Education Members

Policy 9271

Date Adopted: September 22, 1999

Date Revised: November 19, 2009

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The members of the Board of Education recognize that they hold authority not as individuals but as members of the Board. In order to make a clear public statement of its philosophy of service to the pupils of the district, the Board adopts this Code of Ethics:

- A. I will uphold and enforce all laws, state Board rules and regulations, and court orders pertaining to schools. Desired changes should be brought about only through legal and ethical procedures.
- B. I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools which meet the individual needs of all children regardless of their ability, race, creed, sex or social standing.
- C. I will confine my Board action to policymaking, planning and appraisal and I will help to frame policies and plans only after the Board has consulted those who will be affected by them.
- D. I will behave toward my fellow Board Members with the respect due their office--demonstrating courtesy, decorum and fair play at all public meetings and in all public statements.
- E. I will refrain from inappropriate conduct in public meetings and in making public statements, refraining from any disparagement of my fellow Board Members or others on a personal, social, racial or religious basis.
- F. I will carry out my responsibility, not to administer the schools, but, together with my fellow Board Members, to see that they are well run.
- G. I will recognize that authority rests with the Board of Education and will make no personal promises nor take any private action which may compromise the Board.
- H. I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
- I. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. But in all other matters, I will provide accurate information and, in concert with my fellow Board Members, interpret to the staff the aspirations of the community for its schools.
- J. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the Superintendent of Schools.
- K. I will support and protect school personnel in proper performance of their duties.
- L. I will refer all complaints to the Superintendent of Schools and will act on such complaints at public meetings only after failure of an administrative solution.

The Board shall see that all members of the Board receive training in understanding and adhering to this code of ethics and shall discuss it annually at a regularly scheduled public meeting.

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education
Code of Ethics for Board of Education Members

Series 9000
Policy 9271

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Legal References

NJSA	18A:11-1	General Mandatory Powers / Duties
	18A:12-2	Inconsistent Interests or Office Prohibited
	18A:12-21 et seq	School Ethics Act
	18A:12-24 et seq	Conflict of Interest
NJAC	6A:4-1.1 et seq	Appeals
	6A:28-1.1 et seq	School Ethics Commission
	6A:32-3.2	Requirements for Code of Ethics for Board Members
	6A:23A-1.2 et seq	Fiscal Accountability Definitions
	6A:23A-6.2 et seq	Accountability - Nepotism

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

Possible Cross References

4112.8, 4212.8, 9270

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education

Series 9000

Negotiations / Personnel Matters

Policy 9271.1

Date Adopted: November 19, 2009

Date Revised:

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It will be the policy of the Fairfield Township Board of Education that all information pertaining to negotiations and/or personnel matters, whether with collective bargaining units or individual employees, will be treated with the highest degree of confidentiality.

Sharing or discussing such information with anyone other than members of the Board of Education or appropriate administrative personnel (Superintendent of Schools, Principal, and Board Secretary/Business Administrator) will be considered a violation of this policy and the Code of Ethics for Board of Education Members. Upon review and a majority vote of the Board of Education, any violation of this policy will be referred to the New Jersey School Department of Education's Ethics Committee.

It will also be the policy of the Board of Education that the designated media spokesperson for the district during negotiations shall be the Board President or the Superintendent of Schools. All inquiries directed by the media in negotiations matters shall be referred to these individuals.

Legal References

NJSA	18A:11-1	General Mandatory Powers / Duties
	18A:12-2	Inconsistent Interests or Office Prohibited
	18A:12-21 et seq	School Ethics Act
	18A:12-24 et seq	Conflict of Interest
NJAC	6A:4-1.1 et seq	Appeals
	6A:28-1.1 et seq	School Ethics Commission
	6A:32-3.2	Requirements for Code of Ethics for Board Members
	6A:23A-1.2 et seq	Fiscal Accountability Definitions
	6A:23A-6.2 et seq	Accountability - Nepotism

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education

Series 9000

Prohibition of "Pay-to-Play"

Policy 9272

Date Adopted: November 19, 2009

Date Revised:

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The Board of Education wishes to maintain honest and ethical relations with vendors and to avoid any appearance of impropriety or favoritism in its contracting practices. Therefore the Board of Education prohibits "pay-to-play."

The Board of Education will not vote upon or otherwise participate in the awarding of any contract in the amount of \$17,500 to any individual, firm, partnership, corporation, association or other business entity which has contributed funds including campaign contributions to that member of the Board of Education within the previous one-year period pursuant to P.L. 1973, c.83 (NJSA 19:44A-1 et. seq.).

Contributions to any Board Member from any individual, firm, partnership, association, or other business entity doing business with the school district are prohibited during the term of a contract, pursuant to P.L. 1973, c.83 (NJSA 19:44A-1 et. seq.).

When a business entity referred to above is a natural person, a contribution by that person's spouse or child that resides therewith shall be deemed to be a contribution by the business entity. Where a business entity is other than a natural person, a contribution by any person or the business entity having an interest therein shall be deemed to be a contribution by the business entity.

The disclosure requirement set forth in section 2 of P.L. 2005, c. 271 (NJSA 19:44A-20.26) also shall apply when the contract is required by law to be publicly advertised for bids.

Contributions that are prohibited include cash contributions, in-kind contributions, pledges to make contributions of any kind to a candidate for or holder of public office, or any other thing of value pursuant to P.L. 1973, c.83 (NJSA 19:44A-1 et. seq.).

Not later than 10 days prior to entering into any contract having an anticipated value in excess of \$17,500, except for a contract that is required by law to be publicly advertised for bids, any business entity bidding thereon or negotiating therefore, shall submit along with its bid or price quote, a list of political contributions made by the corporation, its principals and employees, or others on its behalf, along with the date and amount of each contribution and the name of the recipient of each contribution. If the required list of contributions is missing, incomplete or untimely, the contract is void *ab initio*, as a material defect that invalidates the contract.

In addition, the business entity may be subject to a fine imposed by the New Jersey Election Law Enforcement Commission.

Provisions of this ban on pay-to-play will not apply to a contract when a public emergency requires the immediate delivery of goods or services.

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education
Prohibition of "Pay-to-Play"

Series 9000
Policy 9272

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The Board of Education directs the Board Secretary/Business Administrator to file this policy with the N.J. Secretary of State, Office of Secretary of State, Laws & Commission Section, (P.O. Box 300, Trenton, NJ, 08625-0300), to inform vendors of the requirements of this policy, and to keep the Board of Education informed about the implementation of this policy.

This policy shall not apply to a contract when a district emergency requires the immediate delivery of goods or services.

Legal References

NJSA	18A:11-1	General Mandatory Powers / Duties
	18A:12-21 et seq	School Ethics Act
	19:44-1 et seq	Fair & Open Procurement Process
	19:44A:20.26	Political Contributions
NJAC	6A:4-1.1 et seq	Appeals
	6A:28-1.1 et seq	School Ethics Commission
	6A:32-3.2	Requirements for Code of Ethics for Board Members
	6A:23A-1.2 et seq	Fiscal Accountability Definitions
		Manual for the Evaluation of Local School Districts
		New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

9270, 9271

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education

Series 9000

Governance

Policy 9300

Date Adopted: November 19, 2009

Date Revised:

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Three functional activities are recognized in respect to policies of the Board:

1. Legislative

Planning is basic to all activity. It is that function which makes policies, selects an executive, and delegates to the executive the placing of plans and policies into operation, and provides the financial means for their execution.

2. Executive

The executive function is that which is concerned with the placing into operation the plans and policies, keeping the Board of Education informed, and furnishing creative leadership to the Board of Education and to the profession.

3. Appraisal – Appraisal is the function which attempts, through careful examination and study of facts and conditions, to determine the efficiency of operation of the general activities, and the worth and value of results of the activities in relation to the efficiency and value of instruction.

The Board of Education reserves to itself the legislative and appraisal functions, and shall make periodically such appraisal. The executive function shall be completely delegated to the Superintendent of Schools. The Superintendent of Schools shall be completely responsible for devising ways and means for executing efficiently the policies adopted by the Board of Education.

Legal References

NJSA 18A:11-1

General Mandatory Powers / Duties

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education

Series 9000

**Development, Distribution &
Maintenance of Policy Manual**

Policy 9310

Date Adopted: November 19, 2009

Date Revised: November 19, 2009

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The Board of Education desires to make this manual of Bylaws and Policies a useful guide to all members of the Board, and the administration of this district; therefore, copies of this manual shall be given to the following people: Board Members, Superintendent of Schools, Principal, Board Secretary, and Board Attorney. It shall be accessible on the district website for access by bargaining units and the general public.

Copies of this manual shall be numbered and a record maintained by the Board Secretary as to the placement of each copy. Copies of revised pages will be furnished to the holders of copies as changes are made.

The manual of bylaws, policies and procedures shall be considered a public record and shall be open for inspection in the Board offices during regular office hours, in accordance with the Open Public Records Laws and regulations.

The Superintendent of Schools shall maintain an orderly plan for the promulgation of policies to staff members who are affected by them and shall provide easy accessibility to an up-to-date collection of bylaws and policies for all employees of the school system. In addition, he/she is designated to review existing policies in light of Board actions and in light of revisions to state statutes and procedures, and to recommend such changes as may be desirous to maintain the Board Manual of Bylaws, Policies and Procedures in a current status.

Each holder of a policy manual shall return the same to the Board Secretary upon the termination of his/her service with the district.

The Superintendent of Schools shall maintain a master policy manual that shall be the official record of the bylaws, policies and procedures adopted by the Board.

No copies of individual policies or sections of the manual will be made by any holder of a copy of the manual without the approval of the Superintendent of Schools and then, in that case, copies will be made in accordance with the provisions of Policy 9330 Public Access to Board of Education Records.

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties
18A:17-20	Superintendents – Powers / Duties
NJ Dept of State – School District Records	
Matawan Teachers Assn v Bd of Ed 233 NJ Super 504 App Div 1988	

Possible Cross References

2210, 9000, 9311, 9314, 9322, 9323/9324

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education

Series 9000

Formulation, Adoption & Amendment of Policies

Policy 9311

Date Adopted: October 24, 1983

Date Revised: February 8, 1989, November 19, 2009

Page 1 of 2

Introduction

In formulating any policy, the Board of Education has pledged to consider the will and needs of the community within the parameters of New Jersey law. The passage of time and changing circumstances may alter the community's point of view. Changes in the law may alter what is allowable or what is required.

Except for policy actions to be taken on emergency measures, the adoption of Board policies shall follow this sequence that will take place at two consecutive regular meetings of the Board.

1. Proposed new or revised policies shall be placed in their entirety on the agenda, and formally introduced at both meetings. It shall be noted on the agenda and in the minutes whether it is the first "reading" or second "reading" of the proposal(s). During the first and second "readings" of any new or revised policies, a copy of these new or revised policies shall be available for reference, but it shall not be necessary for the entire text of the policies to be read.
2. Discussion and final action by the Board on a policy shall occur after the second "reading."
3. At least two (2) weeks shall elapse between the meeting at which policy proposals are first placed on the agenda and the meeting at which the final vote to adopt or not to adopt occurs.

Final Action

1. Prior to enactment, all policy proposals shall be titled and coded as appropriate to subject and in conformance with the codification system used in the Board Policy Manual.
2. Insofar as possible, each policy statement shall be limited to one subject.
3. Policies and amendments adopted by the Board shall be part of the minutes of the meeting at which they are adopted and shall also be included in the policy manual of the district as soon as possible.
4. Policies and amendments to policies shall be effective immediately upon adoption unless a specific effective date is provided in the adopted resolution.

Emergency Procedures

On matters of unusual urgency, the Board may waive the two (2) week limitation and take immediate action to adopt new or revised existing policies. When such immediate action is necessary, the Superintendent of Schools shall inform affected groups or individuals of the new or revised policies within three (3) working days after adoption.

Fairfield Township Board of Education District Policy Manual

**Bylaws of the Board of Education
Formulation, Adoption & Amendment of Policies**

**Series 9000
Policy 9311**

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In the interest of efficient administration, the Superintendent of Schools shall have the power to decide all matters of detail that may arise for which no specific provision is made in the policies adopted by the Board, but no emergency action shall constitute official Board policy. Whenever possible, the Superintendent of Schools shall consult with the Board President prior to such emergency action. The Superintendent of Schools shall present the matter at the next Board meeting so the Board can consider policy to deal with that situation in the future.

The Board reserves to itself the final determination of what shall be the official policy of the school district.

Continual Review of Board Policies

The Board directs the Superintendent of Schools to develop procedures for continuous orderly review of the policies in the Board policy manual during the time provided for “policy” on the agenda of the regular Board meeting. Each policy shall be reviewed at least once every five years. Any necessary revisions shall be made in conformity with Board policy #9311 – Formulation, Adoption and Amendment of Policy.

When deemed appropriate and/or as required by regulations, the Board of Education will seek the input of the community prior to the development and implementation of the policy.

If the terms of the policy are not affected by the changes in law, and the policy still reflects the intent of the Board in the matter, then the policy shall be officially readopted as of that date.

The Board directs the Superintendent of Schools to review the rules and regulations implementing any revised or altered policy to ensure that they conform to the intent of the policy as revised or changed.

The Board of Education shall develop and implement a five year review cycle to ensure that all policies and bylaws of the district are current with present practice and statute.

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties
18A:17-20	Superintendents – Powers / Duties
47:1A-1 et seq	Public Records
NJ Dept of State – School District Records	
Matawan Teachers Assn v Bd of Ed 233 NJ Super 504 App Div 1988	
New Jersey Quality Single Accountability Continuum (NJQSAC)	

Possible Cross References

2210, 9000, 9310, 9314, 9322, 9323/9324

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education

Series 9000

Formulation, Adoption & Amendment of Bylaws

Policy 9312

Date Adopted: November 19, 2009

Date Revised:

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The Board of Education's bylaws are rules designed to organize and control its internal operations. Some bylaws are set by statute. Others may be formulated and adopted at its option by the Board of Education itself as long as they are in harmony with the intent and specifics of the statutes.

In its deliberations leading to the establishment or amendment of its bylaws, the Board's central concern will be for increased efficiency and effectiveness in carrying out its legally mandated tasks.

The Board will formulate and adopt a bylaw safeguarding the right of Board Members to be informed of and to participate fully in the discussion of each proposed new or amended bylaw.

Proposed new bylaws and suggested amendments to or revisions of existing bylaws shall be adopted by a majority vote of all members of the Board during the second of two regularly scheduled meetings of the Board.

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties
18A:17-20	Superintendents – Powers / Duties
47:1A-1 et seq	Public Records
NJ Dept of State – School District Records	
Matawan Teachers Assn v Bd of Ed 233 NJ Super 504 App Div 1988	
New Jersey Quality Single Accountability Continuum (NJQSAC)	

Possible Cross References

2210, 9000, 9310, 9314, 9322, 9323/9324

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education

Series 9000

**Formulation, Adoption & Amendment
of Administrative Regulations**

Policy 9313

Date Adopted: November 19, 2009

Date Revised:

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The Board of Education shall delegate to the Superintendent of Schools the function of specifying required actions and designing the detailed arrangements under which the schools will be operated. Such rules and detailed arrangements shall constitute the administrative regulations governing the schools.

The administrative regulations must be in every respect consistent with the policies adopted by the Board. The Board itself will formulate and adopt administrative regulations only when specific state laws require Board adoption or when the Superintendent of Schools recommends Board adoption.

These administrative rules and regulations must be consistent with Board contracts and policies, the law rulings of the Commissioner of Education, and rules of the State Board of Education.

In the development of rules, regulations, and procedures for the operation of the school system, the Superintendent of Schools shall include at the planning stage, whenever appropriate, those employees who will be affected by such provisions.

Such rules and regulations shall be binding on all employees unless or until the Board should vote to change or rescind any such rule or regulation following its presentation at a public meeting of the Board. The Board itself will adopt administrative regulations when specific state laws require Board adoption, and may do so when the Superintendent of Schools recommends Board adoption.

The Board reserves the right to review and request revisions of administrative regulations should they, in the Board's judgment, be inconsistent with the policies adopted by the Board.

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties
18A:17-20	Superintendents – Powers / Duties
47:1A-1 et seq	Public Records
NJ Dept of State – School District Records	
Matawan Teachers Assn v Bd of Ed 233 NJ Super 504 App Div 1988	
New Jersey Quality Single Accountability Continuum (NJQSAC)	

Possible Cross References

2210, 9000, 9310, 9314, 9322, 9323/9324

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**Adoption & Amendment of
Administrative Regulations**

Policy 9313.1

Date Adopted: November 19, 2009

Date Revised:

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The Board does not adopt administrative regulations unless specifically required to do so by law, or unless requested to do so by the Superintendent of Schools, or as required by negotiated agreements with employee organizations, in which case, any such regulation shall be subject to amendment as provided in any such agreement. Adoption and amendment of such Board adopted regulations shall be by the same procedure as that specified for policies in 9311.

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties
18A:17-20	Superintendents – Powers / Duties
47:1A-1 et seq	Public Records
NJ Dept of State – School District Records	
Matawan Teachers Assn v Bd of Ed 233 NJ Super 504 App Div 1988	
New Jersey Quality Single Accountability Continuum (NJQSAC)	

Possible Cross References

2210, 9000, 9310, 9314, 9322, 9323/9324

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Suspension of Policies, Bylaws & Regulations

Policy 9314

Date Adopted: October 24, 1983

Date Revised: June 12, 1985, November 19, 2009

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The Board of Education has developed a careful and deliberate process of formulating and adopting its policies and bylaws. Requests for suspension of any existing policy or bylaw should receive the same careful consideration.

Therefore:

- A. Any request for a waiver of policy or bylaw shall be considered in light of the policy or bylaw itself, rather than any particular circumstances of the moment.
- B. The Board shall decide whether the policy or bylaw still reflects the considered intent of the Board. If it does, the suspension will be denied and the policy or bylaw reaffirmed in the minutes.
- C. If the policy or bylaw does not reflect the intent of the Board, then the policy shall be waived by a majority vote of the members of the Board present and voting and development of a revised policy or bylaw shall become the Board's prime policy priority.

Development of a new policy shall become the Board's prime policy priority. In the event of an emergency requiring immediate action, the Superintendent of Schools shall have the authority to waive policy or regulation in the single instance. In such cases, the Superintendent of Schools shall report the instance to the Board President immediately, and request reconsideration of the policy at the next regular meeting.

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties
47:1A-1 et seq	Public Records
NJ Dept of State – School District Records	
Matawan Teachers Assn v Bd of Ed 233 NJ Super 504 App Div 1988	
New Jersey Quality Single Accountability Continuum (NJQSAC)	

Possible Cross References

2210, 9000, 9310, 9314, 9322, 9323/9324

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Bylaws of the Board of Education Meetings

Series 9000
Policy 9320

Date Adopted:

Date Revised:

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The Board of Education shall organize annually at a date and time specified by law at which time newly appointed members shall take office.

During its organization meeting, the Board shall elect one of its members as President and another as Vice President; officially select a depository and Treasurer of school monies; appoint a Secretary to the Board and an auditor; and establish the time and place of Board meetings for the ensuing year.

The Board may conduct such other business as it deems desirable.

Regular Meetings

The time and place of the regular business meetings of the Board of Education shall be established at the organization meeting.

The Board of Education shall conduct its business in public in accordance with the provisions of the New Jersey Open Public Meetings Act.

The Board of Education will consider and act upon matters within its authority as prescribed by the statutes, the rules and regulations of the State Board of Education, and its own policies.

Special Meetings

Special meetings of the Board shall be held whenever called by the President or upon the signed petition of a majority of the whole number of members of the Board.

Special meetings of the Board of Education shall be held in public in accordance with the provisions of the New Jersey Open Public Meetings Act. The notice and purpose of all special meetings shall be given to all Board Members and the public. Public discussion shall be limited to those items on the agenda.

Adjourned Meetings

An adjourned meeting is the continuation of the meeting from which there was an adjournment. At the adjourned meeting the business interrupted by the adjournment motion is the first order of business after the reading of the minutes.

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Meetings**

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Policy 9320**

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Legal References

NJSA 10:4-6 et seq
10:4-9.1
18A:10-3
18A:10-4
18A:10-5
18A:10-6

NJAC 6A:32-3.1

Possible Cross References

1120, 2240, 9321

Open Public Meetings Act
Electronic Notice of Meetings
First Regular Board Meeting
Secretary to Give Notice
Organization Meeting as Business Meeting
Board Meetings
Special Meetings of the Board

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Series 9000

Time, Place & Notification of Meetings

Policy 9321

Date Adopted: September 27, 2007

Date Revised: November 19, 2009

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Regular meetings of the Board of Education shall be held on dates and at times and places determined by the Board of Education at its annual organization meeting. Special meetings shall be called by the Board of Education secretary at the request of the president or upon a petition signed by a majority of the Board of Education members, and shall commence no later than 8 PM.

Adequate Notice

Adequate notice shall be given for all regular and special meetings. Adequate notice for regular meetings shall be in accordance with the annual notice provisions set forth below. Adequate notice for special meetings generally means written advance notice of at least 48 hours, giving the time, date and location, and, to the extent known, the agenda of the meeting. The notice must state whether formal action may or may not be taken at the meeting. The notice must be:

- A. Prominently posted in at least one public place reserved for such announcements;
- B. Communicated to at least two newspapers designated by the Board of Education because they have the greatest likelihood of informing the Board of Education's public; and
- C. Filed with the clerk of the municipality.

The Board of Education may hold an emergency meeting without providing adequate public notice if:

- A. Three-quarters of the members present vote to do so; and
- B. The meeting is required to deal with matters of such urgency and importance that delay would be likely to result in substantial harm to the public interest; and
- C. The meeting will be limited to discussion of and action on these matters; and
- D. Adequate notice of such meeting is provided as soon as possible following the calling of such meeting; and
- E. One of the following:
 1. Either the Board of Education could not reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided; or
 2. The need could have been foreseen in time but the Board of Education failed to give adequate notice.

Announcement of Adequate Notice/Statement of Compliance

At the beginning of every meeting, the presiding officer must announce that adequate notice of the meeting was provided and must specify the time, place and manner in which the notice was provided. However, if adequate notice was not provided, the presiding officer must say so, and in addition, must state:

- A. The nature of the matter of urgency or importance for which the meeting without adequate notice was called; and
- B. The nature of the substantial harm to the public interest likely to result from a delay in holding the meeting; and

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- C. That the meeting will be limited to discussion of and action on such matters of urgency and importance; and
- D. The time, place, and manner in which some notice of the meeting was provided; and,
- E. Either of the following:
 - 1. That the need for such meeting could not reasonably have been foreseen at a time when adequate notice could have been provided, and why this was so; or
 - 2. That such need could reasonably have been foreseen in time for adequate notice, but nevertheless such notice was not provided, and the reasons why.

Annual Notice

Annual notice of the year's regular meeting schedule must be posted publicly and sent to at least two newspapers and the municipal clerk within seven days following the annual organization meeting. This notice should contain the location of each meeting to the extent it is known as well as the time and date.

If the schedule is revised at all, notice must be given within seven days of the revision.

The annual schedule serves as sufficient notice of any regularly scheduled meeting as long as it contains the proper date and location. If most meetings are on a regularly scheduled basis, whether they are formal sessions or study sessions, the notice requirement can be largely met through the once-a-year schedule.

Both the annual schedule of meetings, any revisions to that schedule, and notices of any additional meetings must be sent to any person upon request and upon prepayment of a sum set by the Board of Education. Requests to be on the mailing list for notices can be made on an annual basis and are renewable each reorganization meeting.

Adjournment

The Board of Education may at any time recess or adjourn to an adjourned meeting at a specified date and place.

The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was acted upon.

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Legal References

NJSA 10:4-6 et seq

10:4-9.1

18A:10-3

18A:10-4

18A:10-5

18A:10-6

NJAC 6A:32-3.1

Open Public Meetings Act

Electronic Notice of Meetings

First Regular Board Meeting

Secretary to Give Notice

Organization Meeting as Business Meeting

Board Meetings

Special Meetings of the Board

Possible Cross References

1120, 2240, 9320

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Public & Executive Sessions

Policy 9322

Date Adopted: November 19, 2009

Date Revised: January 26, 2012

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The Board of Education shall officially transact all business at a legal meeting of the Board in accordance with New Jersey law.

All meetings of the Board of Education shall be open to the public with the exception of meetings to discuss:

- A. Any matter which by the express provision of state or federal law or rule of court shall be rendered confidential;
- B. Any matter in which the release of information would impair a right to receive federal funds;
- C. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy, unless the individual (or all of the individuals) concerned shall request in writing that the same be disclosed publicly. This includes information contained in public records, and any reports or recommendations concerning a specific individual (see Policy 1120 for “needless public labeling”);
- D. Any collective bargaining agreement or the terms and conditions that are proposed for inclusion in any collective bargaining agreement, including the actual negotiating sessions with representatives of employee groups;
- E. Any matter involving the purchase, lease or acquisition of real property (land or buildings) with public funds, where it could adversely affect the public interest if discussion of such matters were disclosed;
- F. The tactics and techniques used in protecting the safety and property of the public, provided that their disclosure could impair such protection;
- G. Any investigation of violations or possible violations of law;
- H. Any pending or anticipated litigation or contract negotiations other than collective bargaining, and any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his/her ethical duties as a lawyer;
- I. Any matter involving employment, appointment, termination, terms and conditions of employment, evaluation, promotion or disciplining of any prospective or current public employee or officer unless all the individual employees whose rights could be adversely affected request in writing that the matter be discussed at a public hearing;
- J. Any deliberations occurring after a public hearing that may result in the imposition of a specified civil penalty or loss of license to an individual.

Such sessions shall be closed to the public and press, shall be declared so by a formal motion at a public meeting. Minutes taken at such meetings shall remain confidential only so long as their publication would defeat the purpose of the executive session. That such a meeting will be

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Public & Executive Sessions**

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Policy 9322**

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or was held shall be recorded in the minutes of the preceding or subsequent regular meeting. Board Members and other persons attending the session are honor-bound not to disclose the topic or details of any discussions during the executive session.

The Board may invite staff members or others to attend executive sessions at its discretion.

When public employees make statements pursuant to their official duties; in the classroom, at Board meetings, and at other meetings related to educational issues affecting the district, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline.

No official action shall be taken during executive sessions, except such as may be sanctioned by law. To take final action on any matter discussed, the Board shall convene or reconvene in open session.

The minutes of all executive sessions must be approved by a majority vote of the full Board of Education at the following, regularly scheduled meeting of the Board of Education.

Public Participation

Meetings of the Board are open to the public and all members of the community should feel free to attend. A time for public discussion of agenda items shall be included in the order of business at an appropriate time. The Board President has the discretion to limit the time an individual may speak based upon the available time on the agenda. Where possible, notice of time limits will be given at the beginning of the meeting.

Brief comments on any matter of interest to the district should be reserved for the time provided in the order of business.

Provision may be made for the introduction by a member of the public of business not on the agenda when the matter is of such urgency or wide interest that delaying consideration of it until the next meeting would not be in the public interest.

No member of the public is permitted to present orally or discuss at an open meeting of the Board complaints against individual employees or students of the district.

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Grievances or complaints that have not previously been considered through administrative channels shall not be acted upon by the Board.

Legal References

NJSA	2C:33-8	Disrupting Meetings
	10:4-6 et seq	Open Public Meetings Act
	18A:10-6	Board Meetings
	18A:11-1	General Mandatory Powers / Duties
	47:1A-1 et seq	Public Records
NJAC	6A:32-12.1	Reporting Requirements

Rice v. Union City Board of Education, 143 NJ Super 64 (1978)
5 USC Section 552 as amended by Public Law
No. 104-231, 110 Stat. 3048 Freedom of Information Act
Garcetti v. Ceballos 2006 US LEXIS 4341 (May 2006)
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1120, 3570, 6142.10, 9121, 9271, 9323/9324, 9326, 9330

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**Electronic Communications
Among Board Members**

Policy 9322.1

Date Adopted: November 19, 2009

Date Revised: April 12, 2018

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The Board of Education believes that electronic communication among its members and the administration is an efficient and convenient way to exchange information, but must not be misused to deliberate issues that are appropriately discussed only in a public meeting. Therefore, Board Members and administrators shall exercise caution when communicating between and among themselves via electronic messaging services including, but not limited to, Internet Web Forums and Internet Chat Rooms. Board Members should understand at all times that these communications represent permanent school district records that can be subject to public disclosure. Electronic messaging communication shall conform to the same standards of judgment, propriety and ethics as other forms of Board-related communication (committee meetings, telephone calls, etc.). Board Members shall adhere to the following guidelines when communicating electronically:

- A. Board Members shall not use any electronic messaging service as a substitute for deliberations at Board meetings. The Open Public Meetings Act defines a “meeting” as any gathering attended by, or open to the members of a public body, held with the intent to discuss or act as a unit upon the specific public business of that body.
- B. Board Members shall be aware that any attachments received or prepared for use in Board business are likely to be regarded as public records that may be inspected by any person upon request, unless otherwise made confidential by law.
- C. Board Members shall avoid reference to confidential information about employees, students or others in communications because of the risk of improper disclosure.
- D. Board Members shall adhere to the district “acceptable use” policy in all communications and shall refrain from sending inappropriate, profane, harassing or abusive Emails.

Email Accounts for Board Members

The district shall assign an email account to each Board Member to be used for allowable communications only. This email account shall be used only by the assigned Board Member and only for Board business and communications.

Board Members are urged to review all email communications made to their respective email accounts regularly, in order to be kept fully informed.

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Policy 9322.1

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Under most instances, Board Members will be excluded from receiving email messages directed to staff members or groups of staff members, unless particular email communications are deemed to be appropriate to be distributed to Board Members by the Superintendent /Principal.

Board Members shall not use their assigned email account to communicate with staff members directly to discuss district business. Conversely, staff members shall not use their assigned email account to communicate with Board Members directly to discuss district business. Board Members or staff members who receive such email communications shall notify the Superintendent /Principal immediately.

Email communications using such email accounts are subject to the provisions of the Open Public Records Act – NJSA 47:2A-1, et. seq.

Social Networking Websites

The Board of Education is aware of the importance of maintaining proper decorum in the on-line, digital world as well as in person. Board Members must conduct themselves in ways that do not distract from or disrupt the educational process, and/or the business of the district. Board Members are cautioned against improper fraternization with students or staff members using social networking websites on the Internet. Board Members may not list current students or staff members as “friends” on social networking sites.

Legal References

NJSA	10:4-6 et seq	Open Public Meetings Act
	18A:10-6	Board Meetings
	18A:11-1	General Mandatory Powers / Duties
	18A:12-21 et seq	School Ethics Act
	19:44-1 et seq	Fair & Open Procurement Process
	47:1A-1 et seq	Public Records
NJAC	6A:28-1.1 et seq	School Ethics Commission
	6A:32-3.2	Requirements for Code of Ethics for Board Members

Possible Cross References

1120, 3570, 6142.10, 9121, 9271, 9323/9324, 9326, 9330

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Organization Meeting

Policy 9322.3

Date Adopted: January 27, 1999

Date Revised: November 19, 2009

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The annual organizational meeting shall be held at a date and time specified by law.

The suggested Order of Business shall be as follows, unless altered by the chairperson or a majority of those present and voting:

1. Flag Salute
2. Call to Order
3. Roll Call
4. Reading of Open Public Meetings Act
5. Report of Election Results
6. Installation of New Members
7. Nominations and Election of President
8. Nominations and Election of Vice-President
9. Naming of Official Newspapers of Record
10. Establishment of Official Depositories
11. Approval of Officers and Officials for Signing Drafts on Official Depositories
12. Establishment of Monthly Meeting Dates, Time and Place
13. Appointment of School Solicitor
14. Appointment of Treasurer of School Monies
15. Appointment of School Auditor
16. Appointment of Architect
17. Appointment of Business Administrator / Board Secretary
18. Appointment of Brokers of Record
19. Adoption of Rules, Regulations, Bylaws and Policies
20. Appointment of School Physician
21. Appointment of Affirmative Action Officer
22. Appointment of Benefits Consultant
23. Appointment of Technology Consultant
24. Adoption of Curricula and Textbooks
25. Adoption of NJSBA Code of Ethics
26. Appointment of Delegates to Cumberland County School Board Association
27. Appointment of Delegates to New Jersey School Board Association
28. Appointment of Board Committees
29. Appointment of Child Study Team
30. Designation of Health Insurance / Prescription Plans
31. Appointment of Labor Relations Consultant
32. Appointment of Regulatory Services Consultant
33. Appointment of Pest Control Company
34. Designation of Account Signatories
35. Appointment of District 504 Plan Officer
36. Appointment of Health Safety Compliance Officer

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Policy 9322.3

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37. Appointment of ADA Coordinator
38. Appointment of Free & Reduced Lunch Appeal Officer
39. Appointment of Custodian of School Records
40. Appointment of Public Agency Compliance Official
41. Appointment of Attendance Officer
42. Appointment of IPM Coordinator
43. Appointment of Qualified Purchasing Agent
44. Approval of Petty Cash Funds
45. Adjournment

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
10:4-9.1	Electronic Notice of Meetings
18A:10-3	First Regular Board Meeting
18A:10-4	Secretary to Give Notice
18A:10-5	Organization Meeting as Business Meeting
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties

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**Agenda Preparation / Advance
Delivery of Meeting Materials**

Policy 9323 / 9324

Date Adopted: November 19, 2009

Date Revised:

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The Superintendent of Schools, in consultation with the Board President shall prepare the agenda for all meetings of the Board. In doing so, they shall consult the Board Secretary.

Items of business suggested by any Board Member, staff member, or citizen of the district may be included at the discretion of the Superintendent of Schools. The agenda shall allow time for the remarks of citizens, staff members or pupils who wish to speak briefly before the Board.

The Board shall follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present and voting. At a regularly scheduled meeting, notice of which has been provided in the annual schedule of meetings, items of business not on the agenda may be discussed and acted upon if a majority of the Board present and voting agrees to consider them. However, existing Board policies and bylaws may not be revised or new ones adopted unless the proposals are on the written agenda.

The Board of Education will provide an agenda of the topics called upon for any and all special or emergency meetings. The Board will also make note of any action that will be taken but this action is solely at the discretion of the Board.

The agenda together with supporting materials, shall be distributed to Board Members sufficiently prior to the Board meeting to permit Board Members to give items of business careful consideration. The agenda shall also be made available to the press, representatives of the community, staff groups, and others upon request.

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
18A:10-4	Secretary to Give Notice
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties
18A:12-21 et seq	School Ethics Act

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Meeting Conduct

Policy 9325

Date Adopted: November 19, 2009

Date Revised: July 9, 2020

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All actions of the Board of Education shall be taken only in official Board meetings called, scheduled and conducted according to these bylaws and the New Jersey State statutes.

Orderly Procedure

In order to provide for orderly discussion and careful consideration of questions and to expedite business, it is understood that the following procedures will be followed during meetings of the Board:

1. Members wishing to speak will address the President and be recognized.
2. Any person wishing to address the Board shall be given the opportunity provided his/her remarks are relevant to the subject being considered and provided he/she does not become personal or abusive. It shall be the responsibility of the President to place any restriction on the time that may be allotted to a speaker. This time will be provided in public comment.
3. Members of the Board and the Superintendent of Schools shall address the President and be recognized in their participation in questions being discussed by the Board. The Board, through the President, may call upon other officers of the Board or consultants to participate in the discussion of questions at any time.

Board Actions

All actions of the Board of Education shall be taken only during official Board meetings called, scheduled and conducted according to these bylaws and New Jersey statutes.

When a question is submitted to vote, every member present shall vote upon it, unless excused by the Board or when a Board Member abstains as stipulated in Policy 9325.4 – Voting Methods.

Public Participation

In order to insure full dissemination of its official actions, to apprise the public of the school and the educational program, and to hear the views of the public, the Board of Education shall provide a period of public participation in each of its regular and special meetings. The Board reserves the right to establish rules for the conduct of such public participation.

Code of Conduct for Remote Meetings

Recognizing that, owing to the COVID-19 pandemic and Governor Murphy's Executive Order #107 and subsequent guidance from the Division of Local Government Services of the New Jersey Department of Community Affairs, the Fairfield Township School Board will be conducting its meetings exclusively using remote communications equipment for the foreseeable future.

The members of the Fairfield Township School Board of Education also recognize that, in keeping with the School Ethics Act, we wish to command the respect and confidence of the people at all times, to avoid conduct which is a violation of the public trust, and to avoid creating any justifiable impression that such trust is being violated.

Therefore, the members of the Fairfield Township School Board of Education voluntarily agree to the following Code of Conduct for Remote Meetings of the Board and its committees.

1. We will keep our meetings focused on the issues and items delineated in the meeting agenda.
2. We will respect the role of the meeting presider, the board secretary, and the superintendent, in accordance with our bylaws.
3. We will focus on the business of the meeting without distraction or multi-tasking.
4. Prior to the meeting, we will test-run our equipment to ensure a smooth call to order.
5. We will endeavor to join the meeting from a quiet location.
6. We will dress, speak, and act in a professional manner.
7. In order to be fully present for the members of our public, and for consistency among all board members, all those on the virtual dais will use video unless it is impossible to do so, utilizing a well-lit space with the camera at or close to eye-level.
8. We will silence our microphones or mute our outgoing audio unless speaking.
9. The presiding officer will ensure that all members on the virtual dais who wish to contribute to discussion, in the proper course of the agenda, will have the opportunity to do so.
10. All speakers will identify themselves prior to making remarks.
11. Public comment will be conducted in accordance with our bylaws. Only the presiding officer responds to comments from the public. The presiding officer, if he or she deems it appropriate, may invite a person on the virtual dais to respond to a comment from a member of the public.
12. All members who participate in Executive Session will do so behind closed doors without any non-members of the board being present.
13. Those participating in Executive Session will use remote access methods that do not allow non-board members to hear or see the proceedings.
14. No portion of the proceedings of Executive Session shall be recorded, photographed, or otherwise reproduced in a visual or audio format by anyone.
15. Upon adjournment, all members will leave the meeting promptly.

Legal References

NJSA 10:4-6 et seq
18A:10-4
18A:10-6
18A:11-1

Open Public Meetings Act
Secretary to Give Notice
Board Meetings
General Mandatory Powers / Duties

Possible Cross References

1000/1010, 1100, 1100.1, 1250, 9020, 9271, 9325.4

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Quorum

Policy 9325.1

Date Adopted: November 19, 2009

Date Revised:

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Five (5) members present shall constitute a quorum of the Board of Education. In the event a quorum is not present at the hour of convening, the meeting may be recessed to a time not later than 9:00 PM of the same day.

The Board will wait up to 30 minutes beyond the designated time to ensure that a quorum of its members are in attendance. If, after that time has elapsed, a quorum is not available, the meeting will be rescheduled.

If a quorum is not then present, the members may adjourn the meeting to commence on a later day within seven days.

In the event that any meeting of the Board is rescheduled due to lack of a quorum of the Board or for any other reason, the public will be given appropriate notice of the date, time and location of the rescheduled meeting.

Legal References

NJSA 10:4-6 et seq
18A:10-6
18A:11-1

Open Public Meetings Act
Board Meetings
General Mandatory Powers / Duties

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Regular Meeting / Order of Business

Policy 9325.2

Date Adopted: April 2, 2009

Date Revised: November 19, 2009

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The order of business for regular meetings of the Board of Education shall be as follows, unless altered by the chairperson or a majority of those present and voting:

1. Call to Order
2. Pledge to the Flag
3. Reading of Open Public Meetings Act
4. Roll Call
5. Approval of Minutes of Previous Meeting(s)
6. Public Participation
7. Board Secretary / Business Administrator's Report
8. Approval of Bills
9. Superintendent of Schools' Report
10. Educational Highlights / Presentations / Recognition
11. Committee Reports
12. Adjournment

The Board of Education may take action on any subject within the agenda or additional matters that it deems appropriate.

At its discretion, the Board may alter the order of business of any meeting.

Special Meetings

The order of business for special meetings of the Board of Education shall be as follows, unless altered by the chairperson or a majority of those present and voting:

1. Call to Order
2. Pledge to the Flag
3. Reading of Open Public Meetings Act
4. Roll Call
5. Objections to the validity of the meeting (presiding officer)
6. Transaction of business of which meeting was called
7. Adjournment

Legal References

NJSA 10:4-6 et seq	Open Public Meetings Act
18A:10-4	Secretary to Give Notice
18A:10-6	Board Meetings
18A:11-1	General Mandatory Powers / Duties

Possible Cross References

1000/1010, 1100, 1100.1, 1250, 9020, 9271, 9325.4

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Bylaws of the Board of Education
Parliamentary Procedure

Series 9000
Policy 9325.3

Date Adopted: November 19, 2009

Date Revised:

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In the conduct of its business, the procedure of the Board will be governed by the educational laws of the State, by principles and rules set forth in the Board of Education Bylaws, or otherwise by *Robert's Rules of Order*.

Legal References

NJSA 18A:10-6
18A:11-1

Board Meetings
General Mandatory Powers / Duties

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Series 9000

Voting Methods

Policy 9325.4

Date Adopted: November 19, 2009

Date Revised:

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Official actions may be taken only at a regular monthly or special meetings at which a quorum is present. All motions shall require for adoption a simple majority vote of those present and voting (minimally, a majority of the quorum), except as provided by statute. Abstentions shall not be counted as votes, but shall be recorded and are deemed to count as no vote at all.

A vote can be conducted by voice, show of hands or roll call, provided that the vote of each member is recorded, except where a recorded roll call majority is required by statute. Proxy voting is prohibited. Any member may request that the Board be polled.

It shall be the responsibility of the President to certify the results of every matter voted upon by the Board. He/she may at his/her discretion poll the members of the Board to be certain of the outcome of the vote.

The Board Secretary will record, by name, the individual votes of Board Members each time a roll call vote is taken. This record will be made a part of the minutes of the meeting.

Under certain circumstances, a Board Member may abstain from voting. An abstention shall be so recorded and shall not be counted as either an affirmative or a negative vote. Abstentions are to be so recorded, regardless of whether a person speaks for or against a motion prior to stating his/her wish to abstain. The silence of a member on any vote shall be recorded as an abstention.

A Board Member may and should abstain from voting only when his/her vote would create a conflict of interest for the member and/or the Board. In all other instances, each Board Member shall be required to vote on all matters brought before the Board.

Actions requiring a two-thirds vote of the full membership of the Board of Education include the following:

- A. Placement of a contract following failure to receive responsible bids on two occasions. (NJSA 18A:18A-5(c))
- B. Adopting a refunding bond ordinance. (NJSA 18A:24-61.4)
- C. Selling or exchanging refunding bonds. (NJSA:18A24-61.9)
- D. Authorizing to negotiate, award or enter into a contract or agreement after the Board has solicited and received at least three quotations on materials, supplies or equipment for which a state contract has been issued, and the lowest responsible quotation is at least 10% less than the cost charged under the state contract. (NJSA 18A:18A-5(e))
- E. Determining the necessity to raise funds for capital project(s) in Type II districts having a Board of School Estimate. (NJSA 18A:22-27)

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Bylaws of the Board of Education Voting Methods

Series 9000
Policy 9325.4

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- F. Permitting the private sale of certain bonds if no legally acceptable bid is received by a Type II district. (NJSA 18A:24-45(c))

Actions involving holding a meeting, notwithstanding the failure to provide adequate notice shall require an affirmative vote of three-quarters of the members present. (NJSA 10:4-9(b))

Actions requiring a recorded roll-call majority vote of the full membership of the Board of Education include the following:

- A. Adopting or altering a course of study. (NJSA 18A:33-1)
- B. Appointment and fixing of the term of Superintendent of Schools. (NJSA 18A:17-15), Board Secretary (NJSA 18A:17-5), Assistant or Acting Board Secretary. (NJSA 18A:17-13)
- C. Appointing or removing an Assistant Superintendent of Schools. (NJSA 18A:17-16)
- D. Appointment or transfer of a teaching staff member. (NJSA 18A:25-1; 18A:27-1)
- E. Approval of employee salary deductions for governmental bonds. (NJSA 18A:16-8)
- F. Disposition or exchange of lands owned by the Board of Education. (NJSA 18A:20-5, 18A:20-8)
- G. Selection of textbooks. (NJSA 18A:34-1)
- H. Restoration or removal following suspension of the Superintendent of Schools, Principal, Teacher or Instructional Aide. (NJSA 18A:25-6)
- I. Withholding, for inefficiency or other good cause, a prescribed employment or adjustment salary increment. (NJSA 18A:29-14)
- J. Admission after October 1st of a pupil who has never attended public or private school. (NJSA 18A:38-6)
- K. Appointing a School Business Administrator. (NJSA 18A:17-14.1); appointing or removing and fixing the salary of a Business Administrator. (NJSA 18A:17-25)
- L. Decision to establish with other school district(s), a county audiovisual educational aids center (NJSA 18A:51-1); application for membership in an already established county audiovisual educational aids center. (NJSA 18A:51-11)
- M. Determining sufficiency of charges warranting dismissal or reduction in salary of a tenured employee. (NJSA 18A:6-11)
- N. Removal of the President or Vice President of the Board. (NJSA 18A:15-2)
- O. Purchase of bonds or other obligations as securities. (NJSA 18A:20-37)
- P. Sale of bonds or other obligations purchased as securities. (NJSA 18A:20-39)
- Q. Adoption of school budget to be submitted to voters. (NJSA 18A:22-32)
- R. Adoption of school budget in Type II districts with a Board of School Estimate. (NJSA 18A:22-26)
- S. Approval of capital construction projects. (NJSA 18A:7G-1 et seq)
- T. NJAC 6A:26-1.1 et seq)
- U. Authorization of school bonds. (NJSA 18A:24-10)

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Additional Legal References

NJSA 18A:11-1

General Mandatory Powers / Duties

Aurentz v Little Egg Harbor Twp Planning Bd 171 NJ Super Law Div 1979

King v. Asbury Park Bd of Ed 1939-49 SLD 20

Matawan Teachers Assn v Bd of Ed 223 Super 504 App Div 1988

Lincoln Park Bd of Ed v Boonton Bd of Ed 97 NJAR 2d EDU July 24

Little Ferry Bd of Ed v Ridgfield Park Bd of Ed 97 NJAR 2d EDU July 24

Green Twp Bd of Ed v Newton Bd of Ed 97 NJAR 2d EDU August 5

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Bylaws of the Board of Education

Series 9000

Persons Addressing the Board of Education

Policy 9325.5

Date Adopted: November 19, 2009

Date Revised:

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Prior to addressing the Board, each speaker is requested to state his/her name, address and nature of his/her remarks.

At the discretion of the Board President and if confirmed by a majority vote of Board Members present, public remarks may be limited to a specific amount of time.

Legal References

NJSA 18A:11-1

General Mandatory Powers / Duties

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Bylaws of the Board of Education
Adjournment

Series 9000
Policy 9325.6

Date Adopted: November 19, 2009

Date Revised:

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The Board may at any time recess or adjourn to an adjourned meeting at a specified date and place. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was acted upon.

Legal References

NJSA 18A:10-6
18A:11-1

Board Meetings
General Mandatory Powers / Duties

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education

Series 9000

Minutes

Policy 9326

Date Adopted: September 20, 1995

Date Revised: November 19, 2009

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The minutes of all meetings of the Board of Education shall be sufficiently detailed to serve as documentation of Board compliance with New Jersey statutes and administrative code.

The minutes of the meetings of the Fairfield Township Board of Education shall include the following:

- A. The classification (regular, adjourned or special), date and place of meeting;
- B. The call to order stating time, person presiding and his/her office;
- C. The record of the roll call of Board Members;
- D. A notation of the presence of the Superintendent of Schools, Board Secretary/Business Administrator, administrators and the public;
- E. The flag salute;
- F. Announcement of notification listing the newspapers by name (or explaining lack of notification);
- G. A record of any corrections to the minutes of the previous meetings and the action approving them;
- H. A record of all communications presented to the Board. All correspondence with the Board must be addressed through the Board Secretary. Correspondence on behalf of an organization must come on that organization's letterhead and title of the signer must appear. If the letter states the official position of an organization, the correspondence should include the date action was taken;
- I. The subjects considered at the meeting;
- J. A record of each motion placed before the Board, the result of the vote, and the vote of each member.
- K. Temporary notes written by the Board Secretary/designee as an administrative convenience in the preparation of Board minutes and notes written by a school official or Board Member for his/her personal convenience are not public records and are not open for public inspection.

A copy of the minutes of the previous meeting shall be provided to all Board Members along with agenda materials.

The minutes shall be filed permanently for reference purposes.

All reports requiring Board action, resolutions, agreements and other written documents shall be placed in the files of the Board Secretary and/or the Superintendent of Schools as a permanent record.

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**Bylaws of the Board of Education
Minutes**

**Series 9000
Policy 9326**

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Minutes of Closed Meetings

Minutes of any closed meetings or executive sessions of Board Meetings must be made available to the public as soon as the reason for confidentiality no longer applies. When a closed meeting deals with more than one privileged matter, the minutes shall be prepared in such a way that each matter can be separated and disclosed in a timely manner. Minutes of closed meetings and executive sessions will be dated to reflect when they were released to the public.

The minutes of any closed meetings shall include:

- A. A statement of the reason(s) for the closed meeting or executive session which will be compliant with the most recent rulings of the Department of Education;
- B. A record of all members present;
- C. A description of the reason for entering into an executive session and the exception from the Open Public Meetings Law supporting the decision for the executive session;
- D. All minutes of closed meetings and executive sessions shall be filed securely apart from the minutes of regular meetings of the Board of Education.

Public Access to Minutes

Minutes of all regular meetings shall be available to the public for inspection within two weeks of the meeting at which they were approved.

The approved minutes of the Board shall be shown to the public upon request in the presence of the Board Secretary/Business Administrator or his/her designee. Requests for copies of minutes as approved by the Board at a regular meeting shall be honored in accordance with the Open Public Records Act. The Board will charge a fee for copies of the minutes as provided by law.

Any member of the public wishing to audio or video record a Board of Education meeting shall give notice in writing to the Board Secretary/Business Administrator prior to the meeting to be recorded.

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**Bylaws of the Board of Education
Minutes**

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Policy 9326**

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Legal References

NJSA	18A:10-6 et seq	Open Public Meetings Act
	18A:11-1	General Mandatory Powers / Duties
	18A:17-7	Secretary to Give Notices / Keep Minutes
	47:1A-1 et seq	Examination/Copies of Public Records OPRA
NJAC	6A:8-4.3	Accountability
	6A:30-1.4	Evaluation Process for Annual Review
	6A:32-12.1	Reporting Requirements
	6A:23A-1.2 et seq	Fiscal Accountability Definitions

Exec Order No. 9 Sept 30, 1963 modified by Exed Order No. 11 Nov 15, 1974
Maurice River Bd of Ed v Maurice River Teachers Assn 193 NJ Super 488
App Div 1984

Matawan Ed Assn v. Matawan-Aberdeen Ed Bd 121 NJ Super 328

Liebeskind v Mayor & Mun Coun of Bayonne 265 NJ Super 389 400-401 App
Div 1993

Atlantic City Convention Cntr Auth v South Jersey Publishin Co Inc 135 NJ
53 1994

Manual for the Evaluation of Local School Districts

NJ Dept of State Div Archives & Records Management School District
Records Retention Schedule

Robt Wayne Tarus v Boro of Pine Hill et al NJ Supreme Court A-93-2005
decided March 7, 2007

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3570, 9123, 9330

Fairfield Township Board of Education District Policy Manual

**Bylaws of the Board of Education
Chain of Command**

**Series 9000
Policy 9326.3**

Date Adopted: November 19, 2009

Date Revised: February 16, 2017

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The Board of Education recognizes that at times problems and complaints may arise. It is the Board's intention to attempt to resolve these matters promptly and efficiently. Employees, parents and/or community members, and Board Members are to follow the "chain of command" in order to resolve issues in a professional manner. In addition to being an efficient and professional means for problem resolution, the "chain of command" provides for courtesy and respect among all those who are involved in the complaint or problem.

Employees

Employees who have a concern or complaint, about policies, procedures, practices or any issue arising in the school are directed to refer them to the Chief School Administration for discussion and resolution. The employee is expected to take this step before bringing the matter directly to the Board of Education. In the event that the resolution offered by the Chief School Administrator does not satisfy the employee, the employee may then present his/her case to the Board of Education in writing.

The Board may elect to invite the employee to a meeting with a committee of the Board or regularly scheduled meeting of the entire Board, at its sole discretion. Should the employee circumvent the "chain of command" by bringing his/her complaint directly to the Board or an individual Board Member, the Board or the Board Member will refer the employee to attempt to resolve the issue with the Chief School Administrator. In such cases, the Board will not act on the employee's complaint until after resolution has been attempted between the employee and the Chief School Administrator.

Failure on the part of the employee to follow this procedure may result in a letter of reprimand being placed in the employee's personnel file.

Parents and/or Community Members

Parents and/or community members who have a concern or complaint, about policies, procedures, practices or any issue arising in the school are directed to refer them to the Chief School Administration for discussion and resolution. Parents and/or community members are expected to take this step before bringing the matter directly to the Board of Education. In the event that the resolution offered by the Chief School Administrator does not satisfy the parent(s) or community members, the parent(s) or community members may then present the matter directly to the Board of Education. The Board suggests that the matter should be made in writing and that it be presented in a timeframe that will allow the Board to review the matter before acting on it at a regularly scheduled meeting.

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education Chain of Command

Series 9000
Policy 9326.3

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The Board may elect to invite the parent(s) and/or community member(s) to a meeting with a committee of the Board or regularly scheduled meeting of the entire Board, at its sole discretion. Should the parent(s) and/or community member(s) circumvent the “chain of command” by bringing the complaint directly to the Board or to an individual Board, the Board or Board Member will refer the parent(s) and/or community member(s) to attempt to resolve the issue with the Chief School Administrator. In such cases, the Board will not act on the parent(s) and/or community member(s) complaint until after resolution has been attempted between the employee and the Chief School Administrator.

Board Members

Board Members who have a concern or complaint, about policies, procedures, practices or any issue arising in the school are directed to refer them to the Chief School Administration for discussion and resolution. In the event that the resolution offered by the Chief School Administrator does not satisfy the Board Member, the Board Member may then present the matter directly at a regularly scheduled Board meeting. As a professional courtesy, it is suggested that the matter be discussed with the Board President prior to the Board meeting.

Legal References

NJSA 18A:11-1 General mandatory powers and duties
18A:27-4 Power of boards of education to make rules governing employment

Possible Cross References

2224, 3320, 5145.4, 6121

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education

Series 9000

**Public Statements at Board
of Education Meetings**

Policy 9326.5

Date Adopted: November 19, 2009

Date Revised:

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It is the policy of the Board of Education that a copy of any statement read by a member of the public at a public Board meeting shall be requested of the individual reading such a statement.

Such copy of any statement read shall be filed as a part of the official minutes of the Board meeting and shall so serve as an accurate report of what was, in fact, read.

In the event that a copy of a statement to be read or having been read is not available for any reason, the Board Secretary shall be advised to record simply that the individual, by name, read a prepared statement concerning a particular topic and did not make a copy available to the Board.

In any case where a particular student is discussed, it shall be the procedure that no names or designations that would identify a student or class be used. The Superintendent of Schools is directed to devise methods to protect the identity of the student by using other identification means both in public meetings and in executive sessions of the Board of Education.

Legal References

NJSA 18A:11-1
18A:42-4

General mandatory powers and duties
Distribution of literature to candidacy, Board Issues or
other public question to be submitted at election;
prohibited

Possible Cross References

1100, 1110, 9010, 9020, 9271

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education Challenge

Series 9000
Policy 9327

Date Adopted: November 19, 2009

Date Revised:

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When any action of the Board is challenged by any person on the grounds it was taken at a meeting in violation of the Open Public Meetings Act, the Board may cure the alleged defect by action taken at a public meeting to which adequate advance notice has been given or, where circumstances warrant, at a duly convened special meeting. Such action shall not be mere ratification of the prior act; the Board shall consider the matter fully and record its action as if for the first time. Absent a declaration of the Superior Court that the initial action is void, however, the action shall be considered to have been taken at the meeting at which it was first acted upon.

Legal References

NJSA 10:4-6 et seq
18A:11-1

Open Public Meetings Act
General Mandatory Powers / Duties

Fairfield Township Board of Education District Policy Manual

Bylaws of the Board of Education

Series 9000

Public Access to Board of Education Records

Policy 9330

Date Adopted: November 19, 2009

Date Revised:

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In accordance with the provisions of P.L. 2001, c.404, the Board of Education will provide reasonable access, inspection, copying and examination of all public records except those specifically exempted by law.

For the purpose of this policy, Board records shall be defined as, “any paper, written or printed book, document drawing, map, plan, photograph, microfilm, data processed or image processed, stored or maintained electronically or by sound-recording or in a similar device or any copy thereof, that has been made, maintained or kept on file in the course of the Board’s official business and/or that has been received in the course of the Board’s official business.”

Exemptions

Documents, records and/or information that are exempted from public access include:

1. In general, the portion of any document that discloses the social security number, credit card number, unlisted telephone number or driver license number of any person;
2. Personnel or pension records, except an individual’s name, title, position, salary, payroll record, length of service, date of separation and the reason therefore, and the amount and type of any pension received are considered government records;
3. Inter-agency or intra-agency advisory consultative or deliberative material;
4. Any record within the attorney-client privilege;
5. Administrative or technical information regarding computer hardware, software or networks that, if disclosed, would jeopardize computer security;
6. Emergency or security information or procedures for any building or facility that, if disclosed, would jeopardize security;
7. Information that, if disclosed would give an advantage to competitors or bidders;
8. Information relating to any sexual harassment complaint;
9. Information relating to any grievance filed by or against an individual in connection with collective negotiations;
10. Information that is a communication between the Board and its insurance carrier, administrative service organization or risk management office; and
11. Information that is to be kept confidential pursuant to a court order.

Custodian of Board Records

The Custodian of Board Records shall be the Board Secretary/Business Administrator.

Responsibility of the Custodian of School Records

The Custodian of Board Records must permit Board records to be inspected, examined, and copied during regular business hours. The district position of Board Secretary/Business Administrator is officially designated by this action as custodian of Board records. The Board Secretary/Business Administrator is required to keep and maintain all records and documents belonging to the Board except those required by the Treasurer of School Monies.

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Public Access to Board of Education Records

Policy 9330

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Timely Access

In general, the Custodian of Board Records has a duty to provide access to a Board record in a timely manner. However, there may be instances where the requested record(s) may be archived. In that case, the Custodian of Board Records will attempt to provide the requested record(s) within seven (7) business days after receiving the request. In general, failure to respond within seven (7) business days may be deemed a denial of the request.

Redaction of Records

In general, before providing public access, the Custodian of School Records has a duty to redact any information that discloses the social security number, credit card number, unlisted telephone number, driver license number and/or other exempted information.

Form for Requesting Records

The custodian shall adopt a form for the public to use to make requests for Board records. The form must provide the following:

1. Space for the name, address and telephone of the requestor;
2. Space for a brief description of the record sought;
3. Space for the custodian to indicate which record will be made available, and fees (if any), to be charged;
4. Specific directions and procedures for requesting the record;
5. A statement as to whether prepayment of fees (if any) are required;
6. An indication that, in general, the custodian has seven (7) business days after receiving the request to respond;
7. A statement of the requestor's right to challenge a decision denying access and the procedure for filing an appeal;
8. Space for the requestor to sign and date the form;
9. Space for the custodian to sign and date the form if the request is fulfilled or denied.

Fees Charged for Copying Records

The Board may assess fees for providing copies of records. If the Custodian of School Records can demonstrate that the actual cost for duplicating a record exceeds these rates, he/she shall charge the actual cost per page. Under certain circumstances, special service fees may also be charged.

Appeal of Denial or Access to Records

A person who is denied access to a Board Record may file suit in Superior Court or may file a complaint with the Government Records Council within the New Jersey Department of Community Affairs.

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Bylaws of the Board of Education
Public Access to Board of Education Records

Series 9000
Policy 9330

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Legal References

NJSA 10:4-6 et seq. Open Public Meetings Act
18A:4-14 Uniform system of bookkeeping for school districts
18A:7A-11 Annual report of local school district; contents; annual report of commissioner; report on improvement of basic skills
18A:11-2 Power to sue and be sued; reports; census of school
18A:17-7 through -12 Secretary to give notices and keep minutes, etc.
18A:17-28(e) Duties of business manager
18A:17-35 Records of receipts and payments
18A:17-36 Accounting; monthly and annual reports
18A:17-46 Act of violence; report by school employee; notice of action taken; annual report
18A:36-19 Pupil records; creation, maintenance and retention, security and access; regulations; nonliability
47:1A-1 et seq. Examination and copies of public records ("Open Public Records Act")
47:3-15 et seq. Destruction of Public Records Law

NJAC 2:36-1.1 et seq. Child Nutrition Programs
6A:16-5.3 Incident reporting of violence, vandalism and substance abuse
6A:23-2.1 et seq. Double Entry Bookkeeping and GAAP Accounting in Local School Districts
6A:27-7.9 Vehicle records
6A:30-1.1 et seq. Evaluation of the Performance of School Districts
6A: 32-7.1 et. seq. Student Records
6A:32-12.2 School level planning
15:3-2.1 et. seq. Records Retention

Annual Data Collection Plan, New Jersey State Department of Education Records Retention Schedule, New Jersey State Department of Education

Matawan Regional Teachers Association v. Matawan-Aberdeen Bd. of Ed., 212 N.J. Super. 328 (Law Div. 1986)

Laufgas v. Barnegat Twp. Bd. of Ed., 1987 S.L.D. 2442, aff'd St. Bd. 1988 S.L.D. 2496
Horner v. Kingsway Regional, 1990 S.L.D. 752 Beatty v. Chester Bd of Ed, 1999 S.L.D. (Sept.)

Manual for the Evaluation of Local School Districts

New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

3570, 4112.6, 4212.6, 5125, 9330

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Bylaws of the Board of Education

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Membership in Organizations

Policy 9340

Date Adopted: November 19, 2009

Date Revised:

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The Board of Education shall be a member of the New Jersey School Boards Association, the County School Boards Association and such other associations as shall be determined by the Board of Education annually.

Legal References

NJSA 18A:11-1

18A:6-45

18A:6-50

General Mandatory Powers / Duties

NJSBA Established

NJSBA Dues

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Bylaws of the Board of Education
Legislative Program

Series 9000
Policy 9360

Date Adopted: November 19, 2009

Date Revised:

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To ensure that the Board has the opportunity to make its views known to the elected representatives of the district at the local, state and national level, the Superintendent of Schools is directed to notify the Board of any pending legislation that might affect the district.

Legal References

NJSA 18A:11-1

General Mandatory Powers / Duties

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Bylaws of the Board of Education

Series 9000

Board of Education Self-Evaluation

Policy 9400

Date Adopted: April 2, 2009

Date Revised: November 19, 2009

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The members of the Board of Education shall conduct an annual self-evaluation each year to determine the degree to which they are meeting their responsibilities as Members of the Board of Education and the needs of their educational community. This self-evaluation shall be positive, frank and honest, and shall be used to establish priorities for action and specific goals and objectives to strengthen the operation of the Board.

The Board shall use a multifaceted self-evaluation instrument. This function shall be the responsibility of the Board President.

Legal References

NJSA 18A:11-1

General Mandatory Powers / Duties

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Bylaws of the Board of Education

Series 9000

**Recognition of Retired Employees
& Board of Education Members**

Policy 9420

Date Adopted: November 19, 2009

Date Revised:

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Wishing to recognize the loyalty and service of long-time employees and Board Members with a tangible proof of appreciation, the Board directs the Superintendent of Schools to procure appropriate certificates, or other appropriate symbols of recognition for employees who are retiring from active employment in the district and Board Members who have completed their appointed or elected terms of office. Recognition is to be made on a non-discriminatory basis.

Legal References

NJSA 18A:11-1

General Mandatory Powers / Duties