

The Somerset Hills School District**Regular Meeting Agenda - April 27, 2022****Executive Session - 5:30 P.M.****Public Input & Action - 7:30 P.M.****Bernards High School Media Center****I. Call to Order & Welcome**

Welcome to a meeting of the Board of Education of Somerset Hills. Please be advised that this and all meetings of the Board are open to the public and media, consistent with the Open Public Meetings Act: (Chapter 231 Laws of 1975), and that advance notice required therein has been provided. This is a meeting of the Board of Education of Somerset Hills at which formal action may be taken. The public will have an opportunity to be heard as shown on the Agenda.

II. Roll Call**III. Executive Session**

WHEREAS the “Open Public Meetings Act:” (Chapter 231 Laws of 1975) authorizes a public body to exclude the public from that portion of a meeting at which specified topics are to be discussed under circumstances where the public consideration of such topics will clearly endanger the public, or where the personal privacy or guaranteed rights of individuals whose activities or affairs are to be discussed would be clearly in danger of unwarranted invasions, and

WHEREAS the matters about to be presented for discussion clearly meet the “circumstances” test of such Act:

RESOLVED that the Board of Education of Somerset Hills now adjourns its public session to reconvene in Executive Session for the purpose of discussing the following: Personnel, Student Matters, Contracts, Negotiations and Litigation.

And, be it further,

RESOLVED that the discussion in Executive Session be disclosed when the Board’s consideration of the subject matter has been closed, or that such matter does not adversely affect the rights of prospective, current, or past public officers, or personnel of the Board, unless such individuals have in writing requested the disclosures of such discussion at a public meeting and provided such a public disclosure will no longer clearly endanger the public interest.

IV. Pledge of Allegiance**V. Roll Call****VI. Report of the Superintendent**

1. *School Law Talks - Teachers: Day 1 through Tenure, and beyond* - Board Attorney, Derlys Gutierrez, Esq.
2. Student Representatives’ Report
3. Board Recognition - Retirees

- WHEREAS, Patricia Barbetta has been employed from October 2016 through June 2022 as a Paraprofessional and;

WHEREAS, Patricia Barbetta exemplified expertise, commitment, and professionalism in her duties;

NOW THEREFORE BE IT RESOLVED, the Somerset Hills School District and Board of Education recognize Patricia Barbetta's retirement effective July 1, 2022, and extend to her congratulations and best wishes for a happy, healthy, and enjoyable retirement.

VII. Public Comments for Actionable Agenda Items

We very much welcome input from the public. Public comments are welcome at this time on any actionable agenda item. Towards the end of the meeting there is a second public forum on any topic. Please state your name and address. Comments are limited to three minutes, but an individual may speak a second time after all others who wish to speak on the topic have been heard. Please understand that our public forums are not structured as question and answer sessions, but are offered as opportunities to share your thoughts with the Board. In instances where the Board feels that there is a misunderstanding or inaccuracy, the Board President or Superintendent may address the comment. In accordance with New Jersey Statute, the Board will not discuss matters regarding specific personnel. Public Comments will be limited to 30 minutes. Thank you for your input.

VIII. Approval of Minutes*

1. Approval of Minutes

Resolved, that the Somerset Hills Board of Education approve the Public Input & Action and Executive meeting minutes for March 16, 2022 and Special Meeting for March 30, 2022.

IX. FINANCE

A. Public Hearing Regarding 2022-2023 Budget

WHEREAS pursuant to N.J.S.A. 18A:22-13, the Board is required to conduct a public hearing for the 2022-2023 budget; and

WHEREAS on March 16, 2022 the Board of Education adopted a preliminary budget for the operation of the Somerset Hills Public Schools during the 2022-2023 school year and submitted it to the County Superintendent of Schools for approval, and

WHEREAS, pending that approval, the budget and notice of a public hearing were advertised in the Bernardsville News and Courier News.

Now, THEREFORE, be it resolved that the Board hereby opens the public hearing on the 2022-2023 Budget.

· Discussion

· Public Comments

· Motion to close the public hearing and adopt the 2022-2023 Budget.

B. Committee Report & Discussion:

C. Finance Action Items:

1. Approve Final 2022-2023 Budget*

Resolved, that the Somerset Hills Board of Education adopt the 2022-2023 Budget as approved by the Executive County Superintendent of Schools in accordance with the statutory deadline and to make all necessary adjustments to the budget to comply with State regulations.

2022-2023	General Fund	Special Revenues	Debt Service	Total
Total Expenditures	\$43,611,513	\$980,357	\$3,087,912	\$47,679,782

Less Anticipated Revenue	\$9,672,811	\$980,357	\$298,483	\$10,951,651
Taxes to be Raised	\$33,938,702	\$0	\$2,789,429	\$36,728,131

BE IT RESOLVED, that the Somerset Hills Board of Education, in the County of Somerset, New Jersey, approves the following capital project and the withdrawal of \$752,787 from the Capital Reserve account to provide funding for the following projects/equipment for the 2022-2023 school year:

Bernards High School Turf Replacement
 District Technology Infrastructure Upgrade
 Bernards High School Interior Door Panic Hardware Replacement (A Wing)
 Bernardsville Middle School Media Center Planning
 Bedwell Elementary Kiln Relocation

Total costs for this project are \$752,787, which represent expenditures for construction elements or projects that are in addition to the facilities efficiency standards determined by the Commissioner as necessary to achieve the New Jersey Student Learning Standards.

BE IT FURTHER RESOLVED, that \$197,820 of Banked Cap will be utilized in the 2022-2023 budget to support employee salaries and benefits costs.

2. Approve Travel and Related Expense Reimbursement 2022-2023*

WHEREAS, the Somerset Hills Board of Education recognizes school staff and Board members will incur travel expenses related to and within the scope of their current responsibilities and for travel that promotes the delivery of instruction or furthers the efficient operation of the school district; and

WHEREAS, N.J.A.C. 6A:23B:1.1 et. seq. Requires Board members to receive approval of these expenses by a majority of the full voting membership of the Board and staff members to receive prior approval of these expenses by the Superintendent of Schools and a majority of the full voting membership of the Board; and

WHEREAS, a Board of Education may establish, for regular district business travel only, an annual school year threshold of \$150 per staff member where prior Board approval shall not be required unless this annual threshold for a staff member is exceeded in a given school year (July 1 through June 30); and

WHEREAS, travel and related expenses not in compliance with N.J.A.C. 6A:23B:1.1 et. seq. , but deemed by the Board of Education to be necessary and unavoidable as noted on the approved Board of Education Out of district Travel, and Reimbursement Forms; now THEREFORE, BE IT RESOLVED, the Board of Education approves all travel not in compliance with N.J.A.C. 6A:23B:1.1 et. seq. Education out of District Travel and Reimbursement Forms; and BE IT FURTHER RESOLVED, the Board of Education approves travel and related expense reimbursements in accordance with 6A:23B:1.2 (b), to a maximum expenditure of \$75,000.

3. Board Secretary & Treasurer Reports & Board Certification*

WHEREAS, the Board Secretary has received the Reports of the Secretary and Treasurer for the month of February 2022 showing the following balances:

FUND	Board Secretary Cash Balance (1)	Treasurer Cash Balance (2)
(10) General Fund	\$10,245,702.38	\$10,245,702.38
(20) Special Revenue Fund	(\$65,860.83)	(\$65,860.83)

(30) Capital Projects Fund	\$371,191.25	\$371,191.25
(40) Debt Service Fund	\$1,080,093.96	\$1,080,093.96
Total Government Funds	\$11,631,126.76	\$11,631,126.76

(1) From Secretary's Report (2) From Treasurer's Report

WHEREAS in compliance with N.J.A.C.6A: 23-2.1(c)3 the secretary has certified that, as of the date of the report(s), no budgetary line item account has encumbrances and expenditures which in total exceed the amount appropriated by the district board of education, now, therefore, be it RESOLVED, the Board of Education accepts the above referenced report and certifications and orders that they be attached to and made part of the record of this meeting, and be it FURTHER RESOLVED, in compliance with N.J.A.C.6A: 23-3.11(c) 4, the Board of Education certifies that, after review of the secretary's monthly financial reports (appropriation section) and upon consultation with the appropriate district officials, to the best of its knowledge, no major account or fund has been overexpended in violation of N.J.A.C.6A: 23-2.11(b), and that sufficient funds are available to meet the district's financial obligations for the remainder of the year.

4. Approve 2021-2022 Budget Transfers*

Resolved that the Somerset Hills Board of Education approves the attached list of budget transfers for February 2022.

5. Payment of Bills*

WHEREAS, the Board Secretary has presented attached February 2022 check registers with the recommendation that the checks be paid, and Now, therefore, be it Resolved, that the following bills be paid and an itemized list be filed with the minutes of this meeting:

FUND	
(10) General Fund	\$9,372.62
(20) Special Revenue Fund	\$9,077.75
(30) Capital Projects Fund	—
(40) Debt Service Fund	—
(60) Cafeteria Fund	—
(90) Agency Fund	—
TOTAL	\$18,450.37

6. Payment of Bills*

WHEREAS, the Board Secretary has presented attached March 2022 check registers with the recommendation that the checks be paid, and Now, therefore, be it Resolved, that the following bills be paid and an itemized list be filed with the minutes of this meeting:

FUND	
(10) General Fund	\$2,940,933.79
(20) Special Revenue Fund	\$137,531.09
(30) Capital Projects Fund	—
(40) Debt Service Fund	\$2,248,535.00
(60) Cafeteria Fund	\$79,630.58
(90) Agency Fund	\$1,069,268.29
TOTAL	\$6,475,898.75

7. Approve Parent Organization Fundraiser*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the following parent organization fundraisers for the 2021-2022 school year:

	Organization	School	Event	Date
a	Freshman Class	BHS	Class of 2025 Parent Dinner/Lunch	Spring 2022

8. Approve Special Education Schools*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the following schools for the 2021-2022 school year and/or ESY:

	Student ID#	Provider	Location	Tuition
a	4469898470	Essex Valley School	W. Caldwell, NJ	\$73,449.00 (\$22,442.75 prorated)
b	4169704793	Pillar Elementary School	Livingston, NJ	\$68,236.20 (\$23,503.58 prorated)

9. Approve NJSIG Safety Grant application and award*

Resolved, the New Jersey Schools Insurance Group ("NJSIG") is a school board insurance group authorized by N.J.S.A. 18A:18B-1, et seq. to provide insurance coverage and risk management services for its members;

WHEREAS, the Somerset Hills Board of Education, hereinafter referred to as the "Educational Institution," is a member of NJSIG; and,

WHEREAS, in accordance with NJSIG Policy 3710, the goal of the safety grant program is to provide members the necessary resources to complete risk reduction projects and improve the safety of the population NJSIG members serve.

NOW THEREFORE, BE IT RESOLVED that: 1) The Educational Institution applies for a safety grant through the NJSIG safety grant program for the 2022-2023 fiscal year in the amount of \$9,320.00 for the purposes set forth in their safety grant application, which is attached hereto; and, 2) The Business Administrator or their designee is hereby authorized to take all action necessary to apply for and receive a safety grant award.

10. Approve Transfer of Unspent Bond Proceeds*

Resolved, that the Somerset Hills Board of Education approve to close out the construction project as follows: RESOLUTION CLOSING OUT SCHOOL CONSTRUCTION PROJECT AND TRANSFERRING UNSPENT BOND PROCEEDS OF \$130,023 TO DEBT SERVICE FUND FOR PAYMENT OF PRINCIPAL DUE ON BONDS BE IT RESOLVED BY THE BOARD OF EDUCATION OF SOMERSET HILLS, NEW JERSEY AS FOLLOWS:

A. It is hereby determined that the School Construction Project financed through the issuance of bonds of The Board of Education of the Somerset Hills in the county of Somerset (the "Board of Education" when referring to the governing body and the "School District" when referring to the public body governed by the Board of Education) under the Educational Facilities Construction and Financing Act

(“EFCFA”) and Title 18A, Chapter 24 of the laws of the State of New Jersey pursuant to a proposal adopted by the Board on August 26, 2015, and approved by the affirmative vote of a majority of the legal voters present and voting at an annual School District election held on November 3, 2015 is deemed substantially complete in accordance with N.J.A.C. 6A:26-4.6(a).

B. \$130,023 of the bonds issued to finance the School Construction Project that remain unspent and unencumbered are hereby directed to be transferred to the debt service fund for the School District to pay the principal on such bonds as required by EFCFA and N.J.A.C 6A:4.6(c) as part of the 2022-2023 school budget.

C. This resolution shall take effect immediately.

11. Approve 2021-2022 Non-Public Technology Aid*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the use of funds for Non-Public Technology Aid for the following school:

Non-Public School	Description	Amount
Far Hills Country Day	MakerBot Method X - Carbon Fiber Ed -3D	\$ 4,450.00
Far Hills Country Day	MakerBot 9 pack - PLA PVA filament	\$ 550.00
Far Hills Country Day	Cisco Meraki MR56-Wireless Access Point	\$ 3,044.54
Far Hills Country Day	Cisco Meraki MR86-Wireless Access Point-WiFi 6- Cloud-managed	\$ 1,869.97
Far Hills Country Day	Meraki Cisco Meraki Enterprise Cloud Controller License 1 Access Point	\$ 366.72

12. Approve Student Settlement Agreement*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the agreement as per the amended OAL-Docket No: EDS-08019-2021.

X. FACILITIES & OPERATIONS

A. Committee Report & Discussion:

B. Action Items:

1. HIB

Resolved, that the Somerset Hills Board of Education reviewed the Harassment, Intimidation, and Bullying cases presented on March 16, 2022, and upheld the findings and/or consequences recommended by the Superintendent.

- BMS 2021-2022 #17

2. Approve Board of Education Meeting Dates*

Resolved, that the Somerset Hills Board of Education upon the recommendation of the Superintendent, approve the following dates for regular Public Input & Action Meetings for 2022-2023 with a starting time for the public session of 7:30 p.m. except where noted.

If required, special meeting(s) may be scheduled during July and August

August 24, 2022	Public Hearing on Nurse Service Plan & School Safety Report	Wednesday
September 28, 2022		Wednesday
October 19, 2022		Wednesday
November 16, 2022		Wednesday
December 14, 2022		Wednesday
January 4, 2023 (6:00pm)	Reorganization Meeting	Wednesday
January 25, 2023	Public Hearing on Audit	Wednesday
February 22, 2023	Public Hearing on School Safety Report	Wednesday
March 15, 2023		Wednesday
April 26, 2023	Public Hearing on Budget	Wednesday
May 10, 2023	2021-22 Annual School Adoptions & Appointments	Wednesday
June 7, 2023		Wednesday

3. Approve Disposal of Obsolete Technology Equipment

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the disposal of obsolete technology equipment for the 2021 - 2022 school year; list maintained in the Board of Education Office.

XI. CURRICULUM

A. Committee Report & Discussion:

B. Action Items:

1. Approve Field Trips*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the following field trips:

	School	Trip	# of Students	# of Faculty	# of Chaperones
a	BHS	AP Physics - Six Flags Great Adventure: Jackson, NJ	68	2	4
b	BHS	Jazz Ensemble Performance - Crossroads Restaurant: Garwood, NJ	20	2	0
c	BHS	AP Art Design & Art 3H - Hot Sand Glassblowing Studio: Asbury Park, NJ	20	2	0
d	BHS	Madrigals Performance & Adjudication - Rutgers University: New Brunswick, NJ	22	1	1
e	BHS	Band - Music Festival: Dorney Park, Allentown, PA	63	3	2

2. Approve Field Trips

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the following field trips:

	School	Trip	# of Students	# of Faculty	# of Chaperones
a	BES	Meadowbrook Country Day Camp	100	11	17

3. Approve Professional Development*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the following professional development:

	School	Name	Workshop/Conference	Date(s)	Est. Cost
a	District	Schwarz, J.	TOITSS Training	Self Paced	\$3,750.
b	District	Koransky, J.	Special Education Summit	05/13	\$125.
c	District	Barna, L.	TCRWP End-of-Year School Leader Conference	05/12	\$0.
d	District	Walker, J.	Gifted & Talented Symposium	05/18	\$0.
e	District	Barna, L.	Bridging the Gap between Middle & High School	05/20	\$50.
f	District	DeMarco, J.	2022 NJASBO Annual Conference	06/07 - 06/10	\$377.16
g	District	Dempsey, G.	NJSBA Proactive PR Get Ahead of the Controversy	06/10	\$75.
h	District	Frenda, S.	NJSBA Proactive PR Get Ahead of the Controversy	06/10	\$75.
i	District	Santoro, H.	NJSBA Equity Conference	05/20	\$99.
j	District	Santoro, H.	NJSBA Proactive PR Get Ahead of the Controversy	06/10	\$75.
k	BHS	Falzarano, J.	20 Best Technology Tools to Increase Student Learning	05/05	\$279.
l	BHS	Hart, A.	Hot Sand Glassblowing Studio	05/25	\$0
m	BHS	Crisman, G.	Hot Sand Glassblowing Studio	05/25	\$0
n	BHS	Trumpy, F.	Dorney Park	05/27	\$0
o	BHS	Whitlock, C.	AP Chemistry Reader Training	06/03	\$0
p	BHS	Falletta, L.	AP Calculus Reading	06/13 - 06/17	\$0

4. Approve Professional Development

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the following professional development:

	School	Name	Workshop/Conference	Date(s)	Est. Cost
a	BMS	Calabrese, E.	Implementing the Middle School Civics Mandate	05/19	\$11.90
b	BMS	Russo, D.	TCRWP - A Day for Lead Teachers & Coaches to Get Ready for EOY Planning	05/19	\$50.
c	BMS	Habermas, C.	HIB Law: Year in Review	06/15	\$150.
d	BES	O'Day, Lauren	TCRWP - A Day for Lead Teachers & Coaches to Get Ready for EOY Planning	05/19	\$50.

XII. PERSONNEL

A. Committee Report and Discussion.

B. Action Items:

1. Amend Appointment Non-Tenured Certificated Staff*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, amends the approval of the following non-tenured certificated staff for the 2021 - 2022 school year, *subject to further investigation pursuant to law*:

	Name	School	Position	Replace	Level	Step	Salary	Effective
a	Robinson, Carl	BHS	Math	Collins, Kay	MA	15	\$82,675 \$85,175 <i>prorated</i>	4/25/22

2. Approve Appointment Administrator

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the appointment of the following administrator for the 2022- 2023 school year *subject to further investigation pursuant to law*:

	Name	Position	Replace	Salary <i>Prorated</i>	Effective
a	Allen, Jazmyn	Principal - BES	Phelan, A.	\$132,000	9/1/22 <i>Pending Clearance</i>

3. Approve Appointment Non-Certified Staff*

Resolved, that the Somerset Hills Board of Education approve the appointment of the following non-certified staff for the 2022 - 2023 school year, *subject to further investigation pursuant to law*:

	Name	School	Position	Salary	Effective
a	Mehan, Kathy	District	HR Specialist	\$102,000	07/01/2022 <i>Pending Clearance</i>

4. Approve Interpreter/Translator*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the appointment of the following Interpreter/Translator for the 2021 - 2022 school year:

	Name	Position	Rate
a	Acuña, Marixza	Translator /Interpreter	\$59.11/Hr

5. Approve ARP Grant Funded Afterschool Support Program Instructors*

Resolved, that the Somerset Hills Board of Education approve the appointment of the following certificated staff for the 2021 - 2022 school year:

	Name	Program	Effective:	Hourly Rate
a	Anderson, Richard	BHS Math Lab	Monday - Thursday <i>(1 hour per day)</i>	\$59.11
b	Camuto, Lisa	BHS Math Lab	Monday - Thursday <i>(1 hour per day)</i>	\$59.11
c	Falletta, LuAnn	BHS Math Lab	Monday - Thursday <i>(1 hour per day)</i>	\$59.11
d	O'Brien, Kyle	BHS Math Lab	Monday - Thursday <i>(1 hour per day)</i>	\$59.11

6. Approve Overloads*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following overloads for the 2021-2022 school year: BHS

	Course	Teacher	Term	Salary	OVERLOAD Salary prorated
a	Algebra II	Acuña, Heiner	Per Diem	\$63,115	\$578.67
b	Stat & Probability	Anderson, Richard	Per Diem	\$74,105	\$679.43
c	Algebra IIA	Camuto, Lisa	Per Diem	\$76,030	\$697.08
d	Algebra II	Kaufman, Justin	Per Diem	\$62,205	\$570.33
e	Algebra IIA	O'Brien, Kyle	Per Diem	\$66,300	\$607.87

7. Approve Substitutes*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following substitutes for the 2021-2022 school year
subject to further investigation pursuant to law:

	Last Name	First Name	Substitute Position	Certification	Effective
a	Furbish	Mary Ellen	Teacher/Paraprofessional	Standard	04/28/2022
b	Davi	Danielle	Teacher/Paraprofessional	CE	04/28/2022

8. Approve the Attainment of the Superintendents' Merit Goals*

Resolved, that the Somerset Hills Board of Education, with the approval of the County Superintendent, approve the attainment of the Somerset Hills School District Superintendent's 2021 - 2022 Merit Goals.

a.	Identify Improvements to the hiring process
b	Engage the Community in goal setting for the next 3-5 years

9. Accept Resignation*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, accepts the resignation of the following employee:

	Name	School	Position	Effective
a	Duchantier, Cynthia	District	Confidential Secretary	05/06/2022

XIII. POLICY

A. Committee Report and Discussion.

B. Action Items:

1. First Reading*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the first reading of the following bylaw, policy & regulation:

Policy / Regulation #	Title
P5541	Anti-Hazing <i>(M) (New)</i>
P9560	Administration of School Surveys <i>(M) (Revised)</i>
P3421.13 & P4421.13	Postnatal Accommodations <i>(New)</i>

2. Second Reading*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the second reading of the following bylaw, policy & regulation:

Policy / Regulation #	Title
P2415.05	Student Surveys, Analysis, Evaluations, Examinations, Testing, or Treatment <i>(M) (Revised)</i>
P2431.4 & R2431.4	Prevention and Treatment of Sports-Related Concussions and Head Injuries <i>(M) (Revised)</i>
P2451	Adult High School <i>(M) (Revised)</i>

P3233	Political Activities <i>(Revised)</i>
P0000.01 & P0000.03	Bylaw Introductions (Duplicates) - Abolish

XIV. STRATEGIC PLANNING

A. Committee Report & Discussion:

B. Action Items:

1. Approve Strategic Plan Action Plan*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, accept and approve the Somerset Hills Strategic Plan.

XV. SUPPLEMENTARY MATTERS**XVI. PUBLIC COMMENTS**

Public comments are welcome at this time on any topic. Public Comments will be limited to 3 minutes. Please state your name and address. Thank you for your input.

XVII. ADJOURNMENT

***Note:** The areas of permitted voting for the Bedminster district representative of the Board of Education are: (a) Tuition to be charged the sending district by the receiving district and the bill lists or contracts for the purchase, operation or maintenance of facilities, equipment and instructional materials to be used in the education of the pupils of the sending district; (b) New capital construction to be utilized by sending district pupils; (c) Appointment, transfer or removal of teaching staff members providing services to pupils of the sending district, including any teaching staff member who is a member of the receiving district's central administrative staff; (d) Addition or deletion of curricular and extracurricular programs involving pupils of the sending district; (e) Any matter directly involving the sending district pupils or programs and services utilized by those pupils; (f) Approval of the annual receiving district budget; (g) Any collectively negotiated agreement involving employees who provide services utilized by sending district pupils; (h) Any individual employee contracts not covered by a collectively negotiated agreement, if those employees provide or oversee programs or services utilized by sending district pupils; and (i) Any matter concerning governance of the receiving district board of education including, but not limited to, the selection of the board president or vice-president, approval of board bylaws, and the employment of professionals or consultants such as attorneys, architects, engineers, or others who provide services to the receiving district board of education.

(cf: P.L.1996, c.103, s.1)

Somerset Hills School District

April 27, 2022

ADDENDUM

IX. FINANCE

13. Approve Bedminster Tuition Rate*

Resolved, that the Somerset Hills Board of Education approve the budgeted tuition rate for the 2022-2023 Bedminster students at Bernards High School in the amount of \$19,200.

XII. PERSONNEL

10. Accept Resignation

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, accepts the resignation of the following employee:

	Name	School	Position	Effective
a	McGinn, Jessica	BMS	Teacher - PE	06/30/2022

11. Approve Internships*

Resolved, that the Somerset Hills Board of Education approve the following internships for the 2022 - 2023 school year:

	Intern	School	Subject	Mentor	Date
a	Bale-Peña, Matthew	District	Administration	Michael Hoppe	2022
b	Campbell, Ellie	BHS	Guidance Department	Sosely, Anna	Fall 2022

12. Approve Family Medical Leave*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approve the following Family Medical Leave of Absence dates for the 2022 - 2023 school year:

	ID	School	Position	Dates for FMLA (Unpaid with Contributory Benefits)	Parenthood Leave (Unpaid with COBRA option)
a	9491	BHS	Teacher MA+30	9/1/2022 thru 11/25/22	11/28/2022 thru start of the second marking period 2023

13. Approve Appointment Non-Tenured Certificated Staff*

Resolved, that the Somerset Hills Board of Education, upon the recommendation of the Superintendent, approves the following non-tenured certificated staff for the 2022 - 2023 school year, *subject to further investigation pursuant to law*:

	Name	School	Position	Replace	Level	Step	Salary	Effective
b	Newman, Amy	BHS	Art	Babicke	MA+15	9	\$74,840	9/1/22

POLICY GUIDE

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M

[See POLICY ALERT No. 226]

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

5541 ANTI-HAZING

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

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

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

1. An individual(s) causes, coerces, or otherwise induces a student to commit an act that violates Federal or State criminal law;
2. An individual(s) causes, coerces, or otherwise induces a student to consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm or is otherwise deleterious to the student's health;
3. An individual(s) subjects a student to abuse, mistreatment, harassment, or degradation of a physical nature, including, but not limited to, whipping, beating, branding, excessive calisthenics, or exposure to the elements;



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Anti-Hazing

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

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

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

The Principal or designee may identify behavior when investigating an alleged incident of hazing indicating harassment, intimidation, or bullying (HIB) pursuant to N.J.S.A. 18A:37-14 et seq. – the New Jersey Anti-Bullying Bill of Rights Act (ABR). If the Principal or designee identifies behavior indicating HIB, the Principal or designee shall ensure a separate investigation is conducted in accordance with the ABR and Policy 5512.



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

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

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

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

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

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

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

Adopted:



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

9560 ADMINISTRATION OF SCHOOL SURVEYS

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

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

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



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- g. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program; or
 - h. Social security number.
 - 2. The school district shall request prior written informed consent at least two weeks prior to the administration of the survey, assessment, analysis, or evaluation.
 - 3. A student shall not participate in any survey, assessment, analysis, or evaluation that concerns the issues listed in A.1. above and N.J.S.A. 18A:36-34.a. unless the school district has obtained prior written informed consent from the student's parent.
- B. Voluntary Survey for Students with Prior Parental Written Notification – N.J.S.A. 18A:36-34.1
 - 1. In accordance with N.J.S.A. 18A:36-34.1 and notwithstanding, N.J.S.A. 18A:36-34 and A. above, or any other law, rule, or regulation to the contrary, if the school district sends prior written notification to the parent of the student, the school district may administer an anonymous, voluntary survey, assessment, analysis, or evaluation to the student which reveals information concerning any of the following issues:
 - a. Use of alcohol, tobacco, drugs, and vaping;
 - b. Sexual behavior and attitudes;
 - c. Behaviors that may contribute to intentional or unintentional injuries or violence; or
 - d. Physical activity and nutrition-related behaviors.



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2. Written notification provided by the school district to the parent of the student shall be delivered to the parent by regular mail, electronic mail, or a written acknowledgement form to be delivered by the student at least two weeks prior to administration of the survey, assessment, analysis, or evaluation. Written notification shall contain, at minimum, the following information:
 - a. A description of the survey, assessment, analysis, or evaluation;
 - b. The purpose for which the survey, assessment, analysis, or evaluation is needed;
 - c. The entities and persons that will have access to the information generated by the survey, assessment, analysis, or evaluation;
 - d. Specific instruction as to when and where the survey, assessment, analysis, or evaluation will be available for parental review prior to its administration;
 - e. The method by which the parent can deny permission to administer the survey, assessment, analysis, or evaluation to the student; a form specifically providing for such denial shall be included with this notice;
 - f. The names and contact information of persons to whom questions can be directed; and
 - g. A statement advising that failure to respond indicates approval of participation in the survey, assessment, analysis, or evaluation.
3. Information obtained through a survey, assessment, analysis, or evaluation administered to a student in accordance with N.J.S.A. 18A:36-34.1 and B. above, shall be submitted to the New Jersey Department of Education and the New Jersey Department of Health. Information may be used to develop public health initiatives and prevention programs. Information shall not be used for marketing or other commercial purposes that are not related to student health.



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C. Violations – N.J.S.A. 18A:36-34.d.

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

D. Compliance with Federal Law

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

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

Adopted:



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Mar 20

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

3421.13 POSTNATAL ACCOMMODATIONS

The Board of Education recognizes teaching staff members may be returning to work shortly after their child's birth and may need to express breast milk during the workday. The Patient Protection and Affordable Care Act (PPACA) amended Section 7 of the Federal Fair Labor Standards Act (FLSA) for nursing mothers to be permitted reasonable break times and a private location to express breast milk for their nursing child for one year after the child's birth.

Every employee position in the school district is designated as either "non-exempt" or "exempt" by the provisions of the FLSA. Generally, a teaching staff member entitled to overtime pay is designated as "non-exempt." A teaching staff member that performs duties that are executive, administrative, or professional in nature and not entitled to overtime pay is designated "exempt." The school district administration shall refer to the comprehensive definitions of "exempt" and "non-exempt" as outlined in 29 C.F.R. 541 et seq. in determining an employee's designation.

A Board of Education is required to provide reasonable break times to non-exempt teaching staff members to express breast milk for their nursing child. The non-exempt teaching staff member shall coordinate such breaks with their immediate supervisor. The non-exempt teaching staff member will not receive compensation during this break time unless the break time is during a non-exempt teaching staff member's compensated break time.

A Board of Education is not required under the FLSA to provide such breaks to exempt teaching staff members. However, exempt teaching staff members may take such breaks provided the breaks are coordinated with their immediate supervisor. If this break is taken during the exempt teaching staff member's duty free lunch period or duty free break period during the workday, the exempt teaching staff member will not be reduced in compensation.

The Principal or the nursing mother's immediate supervisor, in consultation with the school nurse, will designate a lactation room that is shielded from view and free from intrusion from co-workers and the public. The location must be functional as a space for expressing breast milk and shall include an electrical outlet, a chair, and nearby access to running water. If the space is not dedicated to



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the nursing mother's use, it must be available when needed. A space temporarily converted into a lactation room or made available when needed by a nursing mother is sufficient; however, a bathroom, even if private, is not a permissible location under the FLSA.

All exempt and non-exempt teaching staff members are required to sign-out of work to begin the break to express breast milk and shall sign-in when they return to work after the break. The break shall be for a reasonable amount of time. For compensation purposes, the immediate supervisor shall forward all sign-in and sign-out information relative to break times for nursing mothers under the FLSA to the School Business Administrator/Board Secretary.

Fair Labor Standards Act – 29 U.S.C. 201 et seq.

Patient Protection and Affordable Care Act – P.L. 111-148

N.J.S.A. 26:4C-1 through 26:4C-3

Adopted:



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SUPPORT STAFF MEMBERS

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Postnatal Accommodations

Mar 20

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

4421.13 POSTNATAL ACCOMMODATIONS

The Board of Education recognizes support staff members may be returning to work shortly after their child's birth and may need to express breast milk during the workday. The Patient Protection and Affordable Care Act (PPACA) amended Section 7 of the Federal Fair Labor Standards Act (FLSA) for nursing mothers to be permitted reasonable break times and a private location to express breast milk for their nursing child for one year after the child's birth.

Every employee position in the school district is designated as either "non-exempt" or "exempt" by the provisions of the FLSA. Generally, a support staff member entitled to overtime pay is designated as "non-exempt." A support staff member that performs duties that are executive, administrative, or professional in nature and not entitled to overtime pay is designated "exempt." The school district administration shall refer to the comprehensive definitions of "exempt" and "non-exempt" as outlined in 29 C.F.R. 541 et seq. in determining an employee's designation.

A Board of Education is required to provide reasonable break times to non-exempt support staff members to express breast milk for their nursing child. The non-exempt support staff member shall coordinate such breaks with their immediate supervisor. The non-exempt support staff member will not receive compensation during this break time unless the break time is during a non-exempt support staff member's compensated break time.

A Board of Education is not required under the FLSA to provide such breaks to exempt support staff members. However, exempt support staff members may take such breaks provided the breaks are coordinated with their immediate supervisor. If this break is taken during the exempt support staff member's duty free lunch period or duty free break period during the workday, the exempt support staff member will not be reduced in compensation.

The Principal or the nursing mother's immediate supervisor, in consultation with the school nurse, will designate a lactation room that is shielded from view and free from intrusion from co-workers and the public. The location must be functional as a space for expressing breast milk and shall include an electrical outlet, a chair, and nearby access to running water. If the space is not dedicated to



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the nursing mother's use, it must be available when needed. A space temporarily converted into a lactation room or made available when needed by a nursing mother is sufficient; however, a bathroom, even if private, is not a permissible location under the FLSA.

All exempt and non-exempt support staff members are required to sign-out of work to begin the break to express breast milk and shall sign-in when they return to work after the break. The break shall be for a reasonable amount of time. For compensation purposes, the immediate supervisor shall forward all sign-in and sign-out information relative to break times for nursing mothers under the FLSA to the School Business Administrator/Board Secretary.

Fair Labor Standards Act – 29 U.S.C. 201 et seq.

Patient Protection and Affordable Care Act – P.L. 111-148

N.J.S.A. 26:4C-1 through 26:4C-3

Adopted:



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Student Surveys, Analysis, and/or Evaluations,
Examinations, Testing, or Treatment

Jan 22

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[See POLICY ALERT Nos. 222 and 226]

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

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

A. Definitions

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

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

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

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



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

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

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

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

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

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

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



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3. The parent shall have the right, upon request, to inspect any instrument used in the collection of personal information from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose), before the instrument is administered or distributed to their student pursuant to 20 USC §1232h(c)(1)(F)(i).
 - a. The district shall provide reasonable access to such instrument within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(F)(ii).
- C. Protection of Students' Privacy in Examination, Testing, or Treatment with Prior Consent - 34 CFR §98.4
 1. In accordance with 34 CFR §98.4(a) no student shall be required, as part of any program funded in whole or in part by a program of the USDOE, to submit without prior consent to psychiatric examination, testing, or treatment, or psychological examination, testing, or treatment, in which the primary purpose is to reveal information concerning one or more of the following:
 - a. Political affiliations;
 - b. Mental and psychological problems potentially embarrassing to the student or the student's family;
 - c. Sex behavior and attitudes;
 - d. Illegal, anti-social, self-incriminating, and demeaning behavior;
 - e. Critical appraisals of other individuals with whom the student has close family relationships;
 - f. Legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers; or



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- g. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program.
- D. Protections of Students' Rights for Surveys, Analysis, or Evaluation - 20 USC §1232h
 - 1. In accordance with 20 USC §1232h(b) no student shall be required, as part of any applicable program, to submit to a survey, analysis, or evaluation, without prior consent, that reveals information concerning:
 - a. Political affiliations or beliefs of the student or the student's parent;
 - b. Mental and psychological problems of the student or the student's family;
 - c. Sex behavior or attitudes;
 - d. Illegal, anti-social, self-incriminating, or demeaning behavior;
 - e. Critical appraisals of other individuals with whom the student has close family relationships;
 - f. Legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers;
 - g. Religious practices, affiliations, or beliefs of the student or student's parent; or
 - h. Income, (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program).
 - 2. Parents' or Emancipated Students' Right to Opt Out - 20 USC §1232h(c)(2)



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- a. The district shall provide notice and offer an opportunity for parents to opt their student out or for emancipated students to opt out of participation in the following activities:
 - (1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).
 - (2) The administration of any survey containing one or more of the items listed in D.1. above.
 - (3) Any nonemergency, invasive physical examination or screening that is:
 - (a) Required as a condition of attendance;
 - (b) Administered by the school and scheduled by the school in advance; and
 - (c) Not necessary to protect the immediate health and safety of the student, or of other students.
 - b. The district shall directly notify parents at least annually at the beginning of the school year of the specific or approximate dates during the school year when activities described in D.2.a. above are scheduled or expected to be scheduled in accordance with 20 USC §1232h(c)(2)(B).
3. Exceptions – 20 USC §1232h(c)(4)
- a. The provisions of 20 USC §1232h do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:



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- (1) College or other postsecondary education recruitment, or military recruitment in accordance with Policy 9713;
 - (2) Book clubs, magazines, and programs providing access to low-cost literary products;
 - (3) Curriculum and instructional materials used by schools in the district;
 - (4) Tests and assessments used by schools in the district to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
 - (5) The sale by students of products or services to raise funds for school-related or education-related activities; and
 - (6) Student recognition programs.
- b. The provisions of this Policy:
- (1) Shall not be construed to preempt applicable provisions of New Jersey law that require parental notification; and
 - (2) Do not apply to any physical examination or screening that is permitted or required by an applicable New Jersey law, including physical examinations or screenings permitted without parental notification.



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

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

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

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

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

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

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

The Protection of Pupil Rights Amendment (PPRA)

20 USC §1232h

34 CFR Part 98

Elementary and Secondary Education Act of 1965 (20 USC 2701 et seq.) as
amended by the Every Student Succeeds Act

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

Adopted:



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Prevention and Treatment of Sports-Related
Concussions and Head Injuries

Jan 22

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

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

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

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

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

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



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Prevention and Treatment of Sports-Related Concussions and Head Injuries

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

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

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

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



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Prevention and Treatment of Sports-Related Concussions and Head Injuries

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

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

Adopted:



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Prevention and Treatment of Sports-Related
Concussions and Head Injuries

Jan 22

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

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

A concussion is a traumatic brain injury caused by a blow or motion to the head or body that disrupts the normal functioning of the brain and can cause significant and sustained neuropsychological impairments including, but not limited to, problem solving, planning, memory, and behavioral problems. Allowing a student to return to athletic competition or practice before recovering from a concussion increases the chance of a more serious brain injury. The following procedures shall be followed to implement N.J.S.A. 18A:40-41.1 et seq. and Policy 2431.4.

A. Athletic Head Injury Safety Training Program

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

B. Prevention

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



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Prevention and Treatment of Sports-Related Concussions and Head Injuries

2. The Principal or designee will review educational information for students participating in athletic competition or practice on the prevention of concussions.
3. All school staff members, students participating in athletic competition or practice, and parents of students participating in athletic competition or practice shall be annually informed through the distribution of the NJDOE Concussion and Head Injury Fact Sheet and Parent/Guardian Acknowledgement Form and other communications from the Principal and coaches on the importance of early identification and treatment of concussions to improve recovery.

C. Signs or Symptoms of Concussion or Other Head Injury

1. Possible signs of concussions may be observed by coaches, athletic trainer, school or team physician, school nurse, or other school staff members. Possible signs of a concussion may be, but are not limited to:
 - a. Appearing dazed, stunned, or disoriented;
 - b. Forgetting plays or demonstrating short-term memory difficulty;
 - c. Exhibiting difficulties with balance or coordination;
 - d. Answering questions slowly or inaccurately; and/or
 - e. Losing consciousness.
2. Possible symptoms of concussion shall be reported by the student participating in athletic competition or practice to coaches, athletic trainer, school or team physician, school nurse, and/or parent. Possible symptoms of a concussion may be, but are not limited to:
 - a. Headache;
 - b. Nausea/vomiting;



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- c. Balance problems or dizziness;
- d. Double vision or changes in vision;
- e. Sensitivity to light or sound/noise;
- f. Feeling sluggish or foggy;
- g. Difficulty with concentration and short-term memory;
- h. Sleep disturbance; or
- i. Irritability.

D. Medical Attention for a Student Suspected of a Concussion or Other Head Injury

1. A student who participates in athletic competition or practice and who sustains or is suspected of having sustained a concussion or other head injury while engaged in an athletic competition or practice shall be immediately removed from athletic competition or practice.
 - a. A staff member supervising the student during the athletic competition or practice shall immediately contact the school physician, athletic trainer, or school nurse to examine the student.
 - (1) The school physician, athletic trainer, or school nurse shall determine if the student has sustained or may have sustained a concussion or other head injury. The school physician, athletic trainer, or school nurse shall determine if emergency medical responders shall be called to athletic competition or practice.
 - (2) In the event the school physician, athletic trainer, or school nurse determine the student did not sustain a concussion or other head injury, the student shall not be permitted to participate in any further athletic competition or practice until written medical clearance is provided in accordance with E. below.



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2. The staff member supervising a student who has been removed from athletic competition or practice in accordance with D.1. above or another staff member shall contact the student's parent and the Principal or designee as soon as possible after the student has been removed from the athletic competition or practice.
 - a. A parent shall monitor their student for symptoms of a concussion or other head injury upon receiving such notification.
- E. Medical Examination and Written Medical Clearance
1. A student who was removed from athletic competition or practice in accordance with D.1. shall not participate in further athletic competition or practice until:
 - a. The student is examined by a physician or other licensed healthcare provider trained in the evaluation and management of concussions;
 - b. The student receives written medical clearance from a physician trained in the evaluation and management of concussions to return to competition or practice; and
 - c. The student returns to regular school activities and is no longer experiencing symptoms of the injury while conducting those activities.
 2. The student's written medical clearance from a physician must indicate a medical examination has determined:
 - a. The student's injury was not a concussion or other head injury, the student is asymptomatic at rest, and the student may return to regular school activities and is no longer experiencing symptoms of the injury while conducting those activities; or
 - b. The student's injury was a concussion or other head injury and the student's physician will monitor the student to determine when the student is asymptomatic at rest and



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

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

F. Graduated Return to Athletic Competition and Practice Protocol

1. The return of a student to athletic competition and practice shall be in accordance with the graduated, six-step "Return to Play Progression" recommendations and any subsequent changes or updates to those recommendations as developed by the Centers for Disease Control and Prevention.

a. Back to Regular Activities (Such as School)

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

b. Light Aerobic Activity

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



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c. Moderate Activity

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

d. Heavy, Non-Contact Activity

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

e. Practice and Full Contact

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

f. Athletic Competition

The student may return to athletic competition or practice.

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



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

1. The concussed brain is affected in many functional aspects as a result of the injury. Memory, attention span, concentration, and speed of processing significantly impact learning. Further, exposing the concussed student to the stimulating school environment may delay the resolution of symptoms needed for recovery. Accordingly, consideration of the cognitive effects in returning to the classroom is also an important part of the treatment of sports-related concussions and head injuries.
2. To recover, cognitive rest is just as important as physical rest. Reading, studying, computer usage, testing, texting, and watching movies if a student is sensitive to light/sound can slow a student's recovery. The Principal or designee may look to address the student's cognitive needs as described below. Students who return to school after a concussion may need to:
 - a. Take rest breaks as needed;
 - b. Spend fewer hours at school;
 - c. Be given more time to take tests or complete assignments (all courses should be considered);
 - d. Receive help with schoolwork;
 - e. Reduce time spent on the computer, reading, and writing; and/or
 - f. Be granted early dismissal from class to avoid crowded hallways.

Adopted:



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[See POLICY ALERT Nos. 221 and 226]

2451 ADULT HIGH SCHOOL

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

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

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

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

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

a1. Be a New Jersey resident **at least sixteen years of age;**

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



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

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

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

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

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

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



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

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

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

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

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

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

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



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- b2. If the evaluation was made more than three years prior to application to the adult high school, the IEP may not serve as a guide for the **individual's** ~~adult's~~ instructional program at the adult high school. **The individual shall be referred to the IEP team for a reevaluation in accordance with N.J.A.C. 6A:14 - Special Education.**
2. For an individual who previously had a 504 Plan, the Principal of the adult high school shall request, with the written consent of the individual, the most recent 504 Plan for the individual from the high school of last attendance, provided the evaluation was made within the last year. The school district shall determine if the 504 Plan needs to continue, be discontinued, and/or updated. The Principal of an adult high school may request a doctor's note with a rationale and treatment plan to verify the continued need for the 504 Plan.
3. An individual with a disability who does not qualify for special education and related services, pursuant to N.J.A.C. 6A:14, N.J.A.C. 6A:20-2.4(a), and C.1. above, and who does not have a previous 504 Plan shall be counseled regarding educational options that would lead to a high school diploma.

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

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

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



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- a. **Students who are enrolled in the adult high school and** ~~are When an adult is~~ unable to pass the Statewide assessment **for graduation test, pursuant to N.J.A.C. 6A:8-5.1,** ~~there shall receive be~~ further evaluation through the **portfolio appeal process,** ~~Alternative High School Assessment pursuant to N.J.A.C. 6A:8-5.1; Standards and Assessments.~~
 - b. **ELLs who are enrolled in the adult high school and** ~~When limited English proficient adults are~~ unable to pass the Statewide assessment **for graduation test, required at N.J.A.C. 6A:8-5.1,** ~~they shall receive be~~ further **evaluation** ~~evaluated through the Alternative High School Assessment pursuant to N.J.A.C. 6A:8-5.1(h), and shall demonstrate English language fluency on a New Jersey Department of Education State-approved English proficiency assessment as a requirement for graduation. The portfolio appeals process shall be undertaken in the ELL's native language, when available.~~
2. When operating an adult high school, the Board shall **ensure that students** meet the requirements for high school graduation pursuant to N.J.A.C. 6A:8-5 and ~~Policy 5460.~~
 3. The staff of the adult high school shall distribute to each entering **student** ~~adult~~ a copy of all State and local adult high school graduation requirements. At the beginning of each course, all **students** ~~adults~~ shall receive a list of proficiencies required for the successful completion of the course.
 4. Successful completion of the requirements **set forth** ~~as outlined in N.J.A.C. 6A:20-2.54(a) and (b), D.1. and D.2. above, and the requirements those established by the Board, of Education~~ shall be required as conditions for awarding a locally issued, State-endorsed diploma.
 5. The Board shall not issue **a State-endorsed** ~~an adult high school diploma without State approval of the adult high school program and without signed verifications for all credit awarded for experience and an official transcript(s) being on file.~~



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

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

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

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

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

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

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

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

H. Staffing – N.J.A.C. 6A:20-2.98

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



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

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

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

~~Monitoring – N.J.A.C. 6A:20-2.10~~

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

N.J.S.A. 18A:7C-8; 18A:38-16; 18A:48-1; 18A:50-1 et seq.
N.J.A.C. 6A:20-2.1 et seq.

Adopted:



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TEACHING STAFF MEMBERS

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Political Activities

Jan 22

[See POLICY ALERT No. 226]

3233 POLITICAL ACTIVITIES

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

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

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

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



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

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

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

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

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

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

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

Green Township v. Rowe, Superior Court of New Jersey - Appellate Division
A-2528-98T5

Adopted:

