

### 1000 ADMINISTRATION

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## 1100 SCHOOL ORGANIZATION

The Board of Trustees directs the establishment and implementation of an organizational plan for the management and control of school operations. The plan will require the identification and resolution of problems at appropriate organizational levels. All references to school administrators in policies or regulations shall be construed to mean that administrator or his/her designee.

All members and employees of this Board are directed to observe faithfully the chain of communications established by the school organizational plan. In general, a problem should be identified and its resolution attempted at the level most immediate to the problem's origin. When a resolution cannot be found at that level, remedy may be sought through appropriate resolution and remediation procedures.

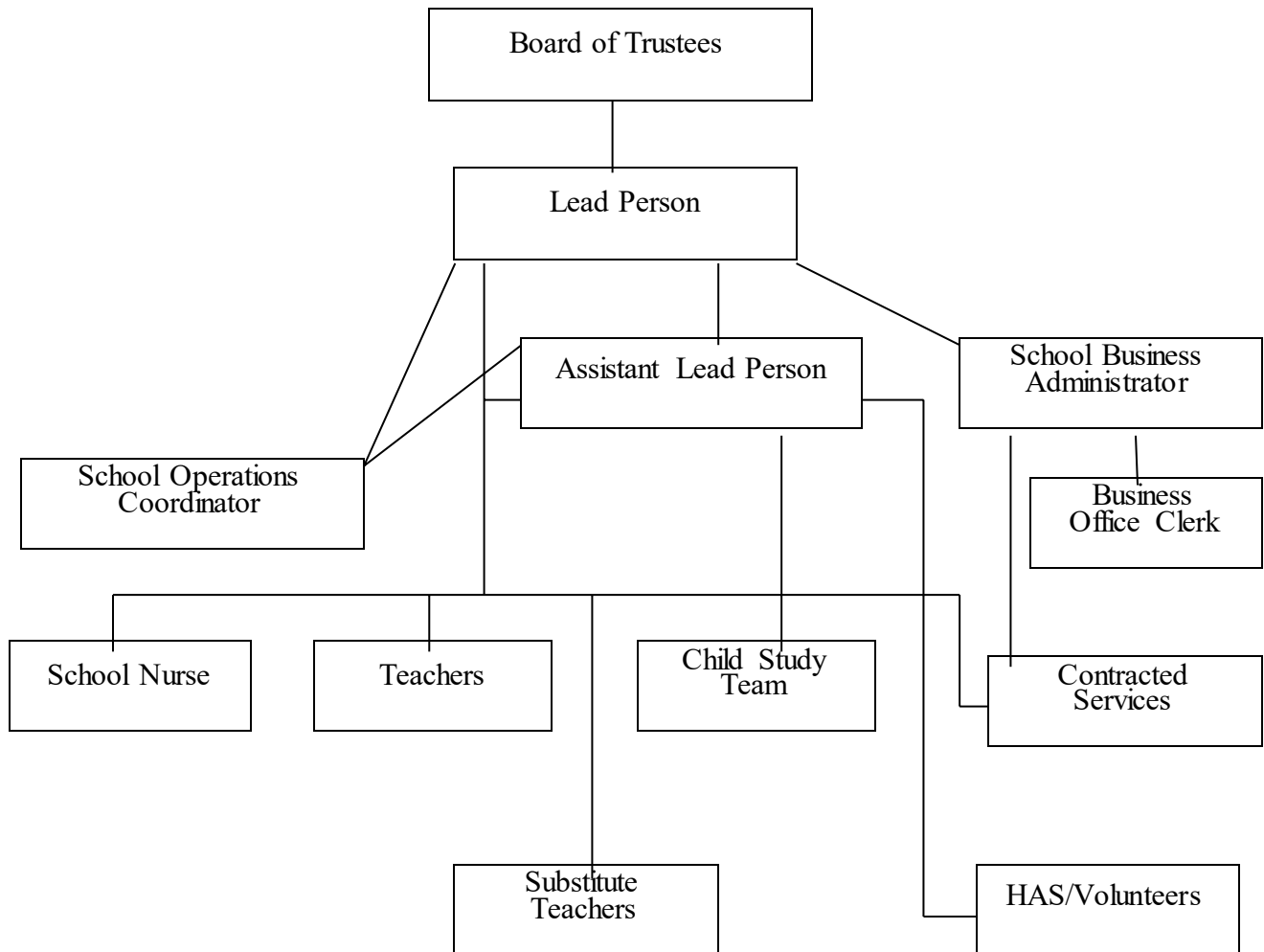
The Board expressly disapproves of any attempt to expedite the resolution of a problem by disregard of the organizational plan and the appropriate processes. A staff member's persistent disregard for the established management organization of this school in violation of this policy will be considered an act of insubordination subject to discipline.

N.J.S.A. 18:11-1; 18A:27-4

Adopted: 17 May 2018



## 1110 ORGANIZATIONAL CHART



Adopted: 17 May 2018



## 1120 MANAGEMENT TEAM

The Board of Trustees recognizes the value of a system of management organization that enhances communication among administrators and between the administration and the Board, encourages a shared responsibility for educational policy decisions, and provides for the equitable resolution of conflicts.

The Board directs the Lead Person to establish a management team that includes the Lead Person and those administrative, supervisory, and support staff members who are responsible for employee evaluation, the adjudication of grievances, supervision of employees, or recommendations regarding the employment of employees.

The Lead Person shall institute a management team system that will provide a means for:

1. Submitting recommendations to the Board on issues of educational policy;
2. Addressing the economic concerns and working conditions of management team members, including their job descriptions, evaluation, salaries, fringe benefits, promotions, assignments, and transfers;
3. The development of administrative procedures; and
4. The consideration of such additional and appropriate issues as may be identified by the Lead Person or the management team.

N.J.S.A. 18A:11-1; 18A:27-4

Adopted: 17 May 2018



## 1130 STAFF LIAISON COMMITTEES

The Board of Trustees encourages the Lead Person to maintain close liaison with staff members in order to coordinate school programs and operations, to consult with appropriate staff members in developing administrative regulations and formulating recommendations for Board consideration, and to detect and resolve problems as they may arise.

The Lead Person is authorized to establish such staff liaison committees as he/she may deem necessary.

No staff liaison committee can be delegated the authority to make decisions or take action that is reserved to the Board or the Lead Person. Committee reports and recommendations may be advisory only.

Adopted: 17 May 2018



## 1140 AFFIRMATIVE ACTION PROGRAM

The Board of Trustees shall adopt and implement written educational equality and equity policies in accordance with the provisions of N.J.A.C. 6A:7 – Managing For Equality And Equity In Education.

The Board's affirmative action program shall recognize and value the diversity of persons and groups within society and promote the acceptance of persons of diverse backgrounds regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status. The affirmative action program will also promote equal educational opportunity and foster a learning environment that is free from all forms of prejudice, discrimination, and harassment based upon race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status in the policies, programs, and practices of the Board of Trustees.

The Board shall inform the school community it serves of these policies in a manner including, but not limited to, the school's customary methods of information dissemination. The Board shall develop a Comprehensive Equity Plan once every three years, which shall identify and correct all discriminatory and inequitable educational and hiring policies, patterns, programs, and practices affecting its facilities, programs, students, and staff.

The Board shall assess the school's needs for achieving equality and equity in educational programs based on an analysis of student performance data such as: National Assessment of Educational Progress and State assessment results, Pre-Kindergarten through grade twelve promotion/retention data, Pre-Kindergarten through grade twelve completion rates; re-examination and re-evaluation of classification and placement of students in special education programs if there is an over representation within certain groups; staffing practices; student demographic and behavioral data; quality of program data; and stakeholder satisfaction data prior to developing the Comprehensive Equity Plan. The purpose of the needs assessment is to identify and eliminate discriminatory practices and other barriers in achieving equality and equity in educational programs.

The Board shall annually designate a member of its staff as the Affirmative Action Officer and form an Affirmative Action Team, of whom the Affirmative Action Officer is a member, to coordinate and implement the requirements of N.J.A.C. 6A:7 – Managing For Equality And Equity in Education. The Board shall assure that all stakeholders know who the Affirmative Action Officer is and how to access him or her.



The Affirmative Action Officer shall have a New Jersey standard certification with an administrative, instructional, or educational services endorsement, pursuant to N.J.A.C. 6A:9B et seq. The Affirmative Action Officer shall: coordinate the required professional development training for certificated and non-certificated staff pursuant to N.J.A.C. 6A:7-1.6; notify all students and employees of school grievance procedures for handling discrimination complaints; and ensure the school grievance procedures, which include investigative responsibilities and reporting information, are followed.

The Affirmative Action Team shall: develop the Comprehensive Equity Plan pursuant to N.J.A.C. 6A:7-1.4(c); oversee the implementation of the school's Comprehensive Equity Plan pursuant to N.J.A.C. 6A:7-1.4(c); collaborate with the Affirmative Action Officer on coordination of the required professional development training for certificated and non-certificated staff pursuant to N.J.A.C. 6A:7-1.6; monitor the implementation of the Comprehensive Equity Plan; and conduct the annual school internal monitoring to ensure continuing compliance with State and Federal statutes governing educational equality and equity, pursuant to N.J.A.C. 6A:7-1.4(d).

The Board shall provide professional development training to all certificated and non-certificated school staff members on a continuing basis to identify and resolve problems associated with the student achievement gap and other inequities arising from prejudice on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status. All new certificated and non-certificated staff members shall be provided with professional development training on educational equality and equity issues within the first year of employment. Parents and other community members shall be invited to participate in the professional development training.

The Commissioner or his/her designee shall provide technical assistance to local schools for the development of policy guidelines, procedures, and in-service training for Affirmative Action Officers so as to aid in the elimination of prejudice on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status.

N.J.A.C. 6A:7-1.4; 6A:7-1.5; 6A:7-1.6

Adopted: 17 May 2018



## 1210 BOARD-LEAD PERSON RELATIONS

The Board of Trustees believes that it is the primary duty of the Board to establish policies and the primary duty of the Lead Person to implement and administer those policies.

The Lead Person, as Chief Administrative Officer of the school, is the primary professional advisor to the Board. Policy should not be adopted or revised without consultation with the Lead Person.

The Lead Person is responsible for the development, supervision, and operation of the school program and facilities and will be given latitude to implement and administer policies in accordance with such standards as may have been set forth in the policies. The Lead Person will discharge his/her responsibility in part through the establishment and promulgation of administrative regulations.

In evaluating the effectiveness of Board policy in meeting the goals of the school, the Board will request the Lead Person to make appropriate inquiries, investigations, and reports.

Adopted: 17 May 2018





## 1220 EMPLOYMENT OF LEAD PERSON

The Board of Trustees vests the primary responsibility for the administration of this school in a Lead Person and recognizes the appointment of a person to that office is one of the most important functions this Board can perform. The Lead Person shall have a seat on the Board of Trustees and the right to speak on matters at meetings of the Board (pursuant to N.J.S.A. 18A:17-20.a or N.J.S.A. 18A:17-20.b), but shall have no vote.

### Recruitment Procedures

The Board shall actively seek the best qualified and most capable candidate for the position of Lead Person. The Board may use a consultant service to assist in the recruitment process. Recruitment procedures may include, but are not limited to, the following activities:

1. The preparation of a new or a review of an existing written job description;
2. Preparation of informative material describing the school and its educational goals and objectives;
3. Where feasible, the opportunity for applicants to visit the school;
4. Establish an interview process that encourages the candidate and the Board members to have a meaningful discussion of the school's needs and expectations. The Board members shall review and discuss the candidate's credentials, qualifications, educational philosophy, and other qualities and expertise he/she can offer to the school;
5. Solicitation of applications from a wide geographical area; and
6. Strict compliance with law and Policy 1530 on equal employment opportunity.

### Qualifications

The candidate must possess or be eligible for a valid New Jersey administrative certificate endorsed for school administrator, principal or a provisional school administrator's or principal's endorsement in accordance with N.J.A.C. 6A:9B-12.4 et seq. and must qualify for employment following a criminal history record check.



### Employment Contract

A person appointed Lead Person must enter an employment contract with the Board.

The employment contract with the Lead Person must be approved with a recorded roll call majority vote of the full membership of the Board at a public Board meeting.

In the event there is a Lead Person vacancy at the expiration of the existing contract, only the Board seated at the time of the expiration of the current Lead Person's contract may appoint and approve an employment contract for the next Lead Person.

In the event there is a Lead Person vacancy prior to the expiration of the existing contract, the Board seated at the time the position becomes vacant may appoint and approve an employment contract for the next Lead Person.

### Disqualification

Any candidate's misstatement of fact material to qualifications for employment or the determination of salary will be considered by this Board to constitute grounds for dismissal.

### Certificate Revocation

In accordance with N.J.A.C. 6A:23A-3.1(e)(12), in the event the Lead Person's certificate is revoked, the Lead Person's contract is null and void.

N.J.S.A. 18A:16-1; 18A:17-15; 18A:17-20; 18A:17-20.1;  
18A:17-20.2; 18A:17-20.2a; 18A:17-20.3

N.J.A.C. 6A:9B-12.3; 6A:9B-12.4; 6A:23A-3.1; 6A:23A-3.2

Adopted: 17 May 2018

Amended: \_\_\_\_\_



## 1230 LEAD PERSON'S DUTIES

### Function

The Lead Person shall serve as Chief Executive and Administrative Officer of the school by implementing policies established by the Board of Trustees and by discharging the duties imposed on his/her office by law.

### Authority

The Lead Person shall be the Chief School Administrator of the school and principle advisor to the Board. He/She may delegate to an appropriate school official any duty not reserved to the Lead Person by law, but may not delegate the responsibility for duties mandated by law.

### Work Relationships

The Lead Person shall report directly to the Board and shall directly or indirectly supervise all persons employed by the Board.

### Duties and Responsibilities

- A. In the discharge of his/her responsibility as principle advisor to the Board, the Lead Person shall:
1. Ensure all aspects of school operation comply with Board policy, State law and school contracts;
  2. Report to the Board on the needs of the school;
  3. Advise the Board of any changes or additions that should be made to its policies;
  4. Provide the Board with such information as may be needed to ensure the making of informed decisions; and
  5. Perform such other duties as may be assigned by the Board.
- B. In the discharge of his/her responsibility for the implementation of the operational action plan of the school, the Lead Person shall:
1. Prepare, promulgate, and maintain a manual of administrative regulations;



2. Evaluate the future needs of the school and recommend a school action plan including goals, objectives, and priorities to the Board;
  3. Maintain written objectives to implement the school action plan adopted by the Board;
  4. Evaluate progress toward the attainment of the school action plan and report thereon to the Board; and
  5. Report to the Commissioner and the County Superintendent on or before August 1 of each year matters relating to the school in the manner and form prescribed by the Commissioner.
- C. In the discharge of his/her responsibility as the administrator of the instructional program, the Lead Person shall:
1. Establish and maintain a written instructional plan for the school consistent with the educational goals adopted by the Board;
  2. Coordinate the proper implementation of the instructional plan as it applies to the school;
  3. Evaluate at least annually the effectiveness of the program of studies and recommend such changes and additions as may be required to improve its effectiveness;
  4. Evaluate the performance of students in relation to other public schools, as well as in relation to State and national standards;
  5. Report periodically to the Board, as directed by the Board, on the condition of the educational program and facilities in the school; and
  6. Keep informed regarding current research in the field of education and inform the Board as appropriate.
- D. In the discharge of his/her responsibility for the direction and welfare of students, the Lead Person shall:
1. Strive to motivate students to achieve their individual best;
  2. Create a climate of respect for authority and discipline in the school;



3. Report to the Board at its next meeting the suspension of a student; and
  4. Recommend any changes in the program of student management and support as necessary to respond to school needs.
- E. In the discharge of his/her responsibility for the supervision of school employees, the Lead Person shall:
1. Recommend to the Board all properly certified candidates for employment, assignment, or transfer;
  2. Assign staff so as to achieve maximum effectiveness in the attainment of educational goals;
  3. Train staff as necessary to implement approved changes in the curriculum or instructional methods of the school;
  4. Evaluate the effectiveness of staff members in the performance of their assigned tasks;
  5. Recommend changes in staffing patterns based on the evaluation of staff and program effectiveness; and
  6. Discipline staff as required and report to the Board forthwith any suspension of a teaching staff member.
- F. In the discharge of his/her responsibility for the maintenance of the physical plant, the Lead Person shall:
1. Strive to make efficient use of resources in the daily operations of the school;
  2. Assign support staff so as to achieve maximum effectiveness from the facilities of the school;
  3. Train support staff as necessary to maintain the facilities and to avoid safety and environmental hazards; and
  4. Evaluate the effectiveness of the school facilities in housing the instructional program and recommend to the Board such changes and improvements as may be required.



- G. In the discharge of his/her responsibility for the management of the school business affairs, the Lead Person shall:
1. Supervise the preparation of the annual budget and recommend its adoption to the Board;
  2. Implement the budget adopted by the Board;
  3. Establish sufficient fiscal controls to ensure that school funds are expended wisely and efficiently; and
  4. Report to the Board at its next meeting any expenditure in excess of a budgeted line item.
- H. In the discharge of his/her responsibility as liaison officer to the public, the Lead Person shall:
1. Strive to interpret the needs of the school to the public and the concerns of the public to the Board;
  2. As appropriate, involve members of the public in the review of school needs, community needs, and the operation of the school programs;
  3. Keep the public informed about the accomplishments and challenges of the school;
  4. Cooperate with the news media; and
  5. Work effectively with municipal government officials and public agencies concerned with the welfare of students.

### Evaluation Criteria

The Lead Person will be evaluated in accordance with Policy No. 1240 and this job description.

N.J.S.A. 18A:7A-11; 18A:17-17; 18A:17-18; 18A:17-20; 18A:17-21;  
18A:22-8.1; 18A:27-4.1; 18A:37-4  
N.J.A.C. 6A:8-3.1; 6A:32-4.1; 6A:32-12.2

Adopted: 17 May 2018



## 1240 EVALUATION OF LEAD PERSON

The purpose of the annual evaluation is to promote professional excellence and improve the skills of the Lead Person, improve the quality of the education received by the students in the schools, and provide a basis for the review of the Lead Person's performance.

This Policy and Regulation 1240 shall be developed by the Board of Trustees after consultation with the Lead Person and shall include, but not be limited to:

1. Determination of roles and responsibilities for the implementation of the annual evaluation policy and procedures;
2. Development of a job description and evaluation criteria based upon the Board of Trustees' local goals, program objectives, policies, instructional priorities, State goals, statutory requirements, and the functions, duties, and responsibilities of the Lead Person;
3. Specification of data collection and reporting methods appropriate to the job description;
4. Provisions for the preparation of an individual professional growth and development plan based in part upon any need(s) identified in the evaluation. The plan shall be mutually developed by the Board of Trustees and the Lead Person; and
5. Preparation of an annual performance report by a majority of the full membership of the Board of Trustees and an annual summary conference between a majority of the total membership of the Board of Trustees and the Lead Person.

There shall be an annual summary conference between the Board of Trustees, with a majority of its total membership present, and the Lead Person which shall be held before the annual performance report is filed. The conference shall be held in executive session, unless the Lead Person requests that it be held in public. The conference shall include, but not be limited to, review of the following:

1. Performance of the Lead Person based upon the Board approved job description;



2. Progress of the Lead Person in achieving and/or implementing the school's goals, program objectives, policies, instructional priorities, State goals, and statutory requirements; and
3. Indicators of student progress and growth toward program objectives.

The annual performance report shall be prepared by July 1 by a majority of the Board of Trustees' total membership and shall include, but not be limited to:

1. Performance area(s) of strength;
2. Performance area(s) needing improvement based upon the job description and evaluation criteria set forth in N.J.A.C. 6A:10-8.1(c)2;
3. Recommendations for professional growth and development;
4. A summary of indicators of student progress and growth, and a statement of how the indicators relate to the effectiveness of the overall program and the Lead Person's performance; and
5. Provision for performance data not included in the report to be entered into the record by the Lead Person within ten teaching staff member working days after the report's completion.

The evaluation procedure for a nontenured Lead Person shall be completed by July 1 each year.

Each newly appointed or elected Board of Trustees member shall complete a New Jersey School Boards Association training program on the evaluation of the Lead Person within six months of the commencement of his or her term of office pursuant to N.J.S.A. 18A:17-20.3.b.

The rules in N.J.A.C. 6A:10-1.1 et seq. shall not override any conflicting provision(s) of a collective bargaining agreement or other employment contracts entered into by a school in effect on July 1, 2013. No collective bargaining agreement entered into after July 1, 2013 shall conflict with the educator evaluation system established pursuant to N.J.A.C. 6A:10-1.1 et seq. or any other specific statute or regulation, nor shall topics subject to collective bargaining involve matters of educational policy or managerial prerogatives.





The Board of Trustees shall add to the Lead Person's personnel file all annual performance reports and supporting data, including, but not limited to, indicators of student progress and growth. All information contained in the annual performance reports and all information collected, compiled, and/or maintained by employees of the Board of Trustees for the purposes of conducting the educator evaluation process pursuant to N.J.A.C. 6A:10-1.1 et seq. shall be confidential. Such information shall not be subject to public inspection or copying pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. Nothing contained in N.J.A.C. 6A:10-1.1 et seq. shall be construed to prohibit the New Jersey Department of Education from, at its discretion, collecting evaluation data pursuant to N.J.S.A. 18A:6-123.e or distributing aggregate statistics regarding evaluation data.

The Board President, or the Board President's designee, shall oversee the annual evaluation of the Lead Person. The Board of Trustees may hire a qualified consultant to assist or advise in the evaluation process; however, the evaluation itself shall be the responsibility of the Board of Trustees.

Policy and Regulation 1240 shall be distributed to the Lead Person upon adoption by the Board. Amendments to this Policy and Regulation shall be distributed within ten working days after adoption.

The provisions of this Policy, Regulation, and N.J.A.C. 6A:10-8.1 et seq. are the minimum requirements for the evaluation of a Lead Person.

N.J.S.A. 18A:17-20.3; 18A:6-117 through 18A:6-129  
N.J.A.C. 6A:10-1.1 et seq.; 6A:10-8.1 et seq.

Adopted: 17 May 2018



## 1260 INCAPACITY OF LEAD PERSON

The Board of Trustees will appoint, by the affirmative votes of a majority of the members of the full Board, and fix the compensation of an Acting Lead Person to serve when the Lead Person is so incapacitated as to render him/her unable to perform the duties of the office of Lead Person.

The Lead Person will be deemed to be incapacitated when:

1. The Lead Person is absent on disability leave of a projected duration of one hundred eighty days or more; or
2. The Lead Person is certified incapacitated by a physician in accordance with Board Policy No. 3161; or
3. The Lead Person has been suspended with pay; or
4. The Lead Person has been suspended without pay pending the resolution of tenure charges.

The Acting Lead Person shall discharge the duties of the office until the Lead Person returns, resigns, or is removed from the position. The acts of the Acting Lead Person shall be legal and binding as if done by the Lead Person. The Acting Lead Person shall not acquire tenure in the position of Lead Person.

N.J.S.A. 18A:16-1.1; 18A:17-15

Adopted: 17 May 2018



### 1310 EMPLOYMENT OF SCHOOL BUSINESS ADMINISTRATOR/ BOARD SECRETARY

The Board of Trustees shall appoint a qualified and capable person to fill a vacancy in the position of School Business Administrator/Board Secretary. An appointment shall be made within a reasonable time after the occurrence of the vacancy and by the recorded roll call vote of a majority of the full Board. No person shall act as School Business Administrator/Board Secretary or perform the duties of a School Business Administrator/Board Secretary, as prescribed by the rules and regulations of the State Board of Education, unless he/she holds such a certificate.

All candidates for the position of School Business Administrator/Board Secretary must produce evidence of their training and/or experience in the fields of: economics; law; accounting; organizational theory; management or administration; finance; and other responsibilities as outlined in the job description or required by the Board.

A candidate for the position of School Business Administrator/Board Secretary shall be recommended to the Board by the Lead Person. The Board of Trustees will appoint a suitable person who holds the appropriate certificate as prescribed by the State Board of Education. The appointment of the School Business Administrator/Board Secretary shall be made by the Board, which shall also fix the compensation to be paid to the School Business Administrator/Board Secretary.

Any candidate's misstatement of fact material to qualifications for employment or the determination of salary will be considered by this Board to constitute grounds for dismissal.

N.J.S.A. 18A:16-1; 18A:17-5; 18A:17-14.1 et seq.  
N.J.A.C. 6A:9B-12.7

Adopted: 17 May 2018



### 1320 DUTIES OF SCHOOL BUSINESS ADMINISTRATOR/BOARD SECRETARY

The School Business Administrator/Board Secretary shall strive to achieve school goals for students by providing leadership and supervision in the school program of fiscal management and in other assigned programs, and by acting as a proper model for staff and students both in and outside the school.

In order to achieve the functions of the position, the School Business Administrator/Board Secretary shall work cooperatively with the school administrative staff to:

1. Establish and maintain long-range and other fiscal plans;
2. Prepare the annual budget based upon school resources and needs;
3. Ensure that all school fiscal, insurance, custodial-maintenance, food, and transportation services comply with the policies of the Board and the regulations of the school;
4. Ensure the proper functioning and evaluation of school personnel assigned to his/her areas of responsibility;
5. Manage efficiently the school systems of accounting, purchasing, investment, insurance, plant construction, plant operation and maintenance, transportation, and food services;
6. Strive to increase the capability of the staff assigned to his/her area of responsibility through consultation and in-service training;
7. Analyze the effectiveness of school programs in his/her area of responsibility and recommend changes in program direction, staffing, or management strategies as necessary;
8. Strive to increase the efficient use of school resources in his/her area of responsibility;
9. Help to interpret the budget and the school affairs under his/her supervision to interested members of the school community;
10. Strive to develop personal capabilities in financial strategies and supervisory methods;



11. Strive to conduct himself or herself in a proper manner at all times;
12. Be responsible for the conduct of all duties legally assigned to his/her position including:
  - a. Providing adequate notice of all public meetings of the Board to the members and to those requesting notice in accordance with law, N.J.S.A. 10:4-8d, 10:4-19; 18A:10-4, 18A:17-7;
  - b. Recording the minutes of all proceedings of the Board and the results of annual or special school elections, N.J.S.A. 18A:17-7;
  - c. Collecting tuition fees and other moneys due the Board and transmitting them to the Treasurer of School Moneys, N.J.S.A. 18A:17-8;
  - d. Examining and auditing all accounts and demands against the Board, presenting them to the Board at its meetings, indicating the Board's approval and sending them to the Treasurer for payment, N.J.S.A. 18A:17-8, 18A:19-4;
  - e. Keeping accounts of the school's financial transactions including a correct detailed accounting of all expenditures, N.J.S.A. 18A:17-8;
  - f. Reporting to the Board at each regular meeting, but not more often than once per month, the amount of the total appropriations and cash receipts for each account, and the amounts of warrants drawn against each account, and the amounts of orders or contractual obligations incurred and chargeable against each account, N.J.S.A. 18A:17-9;
  - g. Keeping all contracts, records, and documents belonging to the Board, N.J.S.A. 18A:17-9;
  - h. Giving the Board a detailed report of its financial transactions at the close of each fiscal year and filing a copy with the County Superintendent, N.J.S.A. 18A:17-10;
  - i. Reporting 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 other indebtedness, N.J.S.A. 18A:17-12;



- j. Preparing a summary of the annual audit and recommendations prior to the meeting of the Board to act thereon and supplying copies of the summary to interested persons, and to prepare the Comprehensive Annual Financial Report (CAFR) N.J.S.A. 18A:23-4;
  - k. Subscribe to bonds, notes, contracts, and other legal instruments of the Board for which the signature of the Secretary is required, N.J.S.A. 18A:24-32; and
  - l. Sign all school warrants and certify to the payroll, N.J.S.A. 18A:19-1, 19-9.
13. Perform such other duties as may be required by the Board or Lead Person.

The School Business Administrator/Board Secretary shall be directly responsible to the Lead Person for the performance of his/her assigned duties and responsibilities as School Business Administrator and to the Board for the performance of his/her legal duties as Board Secretary.

Adopted: 17 May 2018



## 1330 EVALUATION OF THE SCHOOL BUSINESS ADMINISTRATOR

The Lead Person will evaluate the performance of the School Business Administrator, tenured or nontenured, in order to assist both the Board and the School Business Administrator in the proper discharge of their responsibilities and to provide the school with efficient and effective services.

The evaluation of the School Business Administrator will consist of an assessment, by the Lead Person, of the School 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 Lead Person may, in his/her discretion, consult with staff members assigned to work with the School Business Administrator.

The Board and the Lead Person will annually establish procedures for the evaluation of the School Business Administrator. Such procedures may include, but need not be limited to, an informal conference with the School Business Administrator for the purpose of discussing his/her job performance, a written evaluation report to which the School Business Administrator may add comments, and the establishment of a written plan for performance improvement and growth. The School Business Administrator will be evaluated by the Lead Person no later than April 30th.

Adopted: 17 May 2018



## 1331 EVALUATION OF THE BOARD SECRETARY

The Board of Trustees will evaluate the performance of the Board Secretary in order to assist both the Board and the Board Secretary in the proper discharge of their responsibilities and to provide the school with efficient and effective services.

The evaluation of the Board Secretary will consist of an assessment, by members of the Board, of the Board Secretary's performance of the duties specified in the job description as they relate to the function of Board Secretary approved by the Board. Reference will be made to the report of the auditor. The Board may, in its discretion, consult with staff members assigned to work with the Board Secretary. If the Board Secretary also serves as School Business Administrator, the Lead Person shall evaluate the individual with regard to those duties and responsibilities.

The Board will annually establish procedures for the evaluation of the Board Secretary. Such procedures may include, but need not be limited to, an informal Board conference with the Board Secretary for the purpose of discussing his/her job performance, a written evaluation report to which the Board Secretary may add comments, and the establishment of a written plan for performance improvement and growth. The Board Secretary will be evaluated by the Board no later than April 30th.

Adopted: 17 May 2018





### 1350 INCAPACITY OF SCHOOL BUSINESS ADMINISTRATOR/BOARD SECRETARY

The Board of Trustees will appoint, by the affirmative votes of a majority of the members of the full Board, and fix the compensation of an Acting School Business Administrator/Board Secretary to serve when the School Business Administrator/Board Secretary is so incapacitated as to render him/her unable to perform the duties of the office of School Business Administrator/Board Secretary.

The School Business Administrator/Board Secretary will be deemed to be incapacitated when:

1. The School Business Administrator/Board Secretary is absent on disability leave of a projected duration of one hundred eighty days or more; or
2. The School Business Administrator/Board Secretary is certified incapacitated by a physician in accordance with Board Policy No. 3161; or
3. The School Business Administrator/Board Secretary has been suspended with pay; or
4. The School Business Administrator/Board Secretary has been suspended without pay pending the resolution of tenure charges.

The Acting School Business Administrator/Board Secretary shall discharge the duties of the office until the School Business Administrator/Board Secretary returns, resigns, or is removed from the position. The acts of the Acting School Business Administrator/Board Secretary shall be legal and binding as if done by the School Business Administrator/Board Secretary. The Acting School Business Administrator/Board Secretary shall not acquire tenure in the position of School Business Administrator/Board Secretary.

N.J.S.A. 18A:16-1.1; 18A:17-5

Adopted: 17 May 2018



## 1400 JOB DESCRIPTIONS

The Board of Trustees shall adopt job descriptions for the positions of Lead Person, School Business Administrator/Board Secretary, and each supervisory position. The Lead Person shall prepare, approve, and disseminate to the Board job descriptions for all other employment positions created by the Board.

All job descriptions will be written and will be based on the outcome and process goals developed by the Board and, as appropriate to the position, on program objectives. Each job description will specify:

1. The qualifications and specific certificate and endorsement required for the position;
2. The function, duties, and responsibilities of the position;
3. The extent and the limits of the position holder's authority;
4. The work relationships between the position holder and other employees of the school; and
5. Any background experiences, personal qualities, and individual achievements that the Board prefers in a person appointed to the position.

Job descriptions will be reviewed periodically.

N.J.A.C. 6A:32-4.1; 6A:32-4.4; 6A:32-4.5; 6A:32-5.1

Adopted: 17 May 2018



## 1510 AMERICANS WITH DISABILITIES ACT

It is the policy of the Board of Trustees that no qualified individual with a disability will, on the basis of disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in employment or under any program, activity, or services sponsored by this Board. The Board will comply with the Americans with Disabilities Act of 1990, as amended by the Americans with Disabilities Amendments Act of 2008 (hereafter referred to as the Act).

Notice of Board Policy 1530 – Equal Employment Opportunities and Board Policy 5750 – Equal Educational Opportunity will be included in the Board policy manual, posted throughout the school, and referenced in any school statement regarding the availability of employment positions or educational services.

### Employment

No employee or candidate for employment will be discriminated against in recruitment, hiring, advancement, discharge, compensation, job training, transfer, or any other term, condition, or privilege of employment solely on the basis of a disability, provided the employee or candidate can, with or without reasonable accommodation, perform the essential functions of the position sought or held.

No candidate for employment will be required to answer a question or submit to an examination regarding a disability except as such disability relates directly to perform job-related functions. No candidate will be discriminated against on the basis of a disability that is not directly related to the essential function of the position for which he/she has applied.

Reasonable accommodations, not directly affecting the educational and/or instructional program, will be made to accommodate employment conditions to the needs of qualified individuals with disabilities, such accommodations may include, but are not limited to: making existing facilities used by employees readily assessable to and usable by individuals with disabilities, job restructuring, part-time modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

The school will furnish appropriate auxiliary aids and services where necessary to afford individuals with disabilities an equal opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by the school.



### Facilities Maintenance and Accessibility

No qualified individual with a disability will, because of the school's facilities being inaccessible or unusable by disabled persons, be denied the benefits of, be excluded from participation in or otherwise be subjected to discrimination under any program or activity offered by the Board. No new facilities will be constructed that do not fully comply with the Act. Alterations to existing facilities or part thereof, will be altered in such a manner to the maximum extent feasible, that the facilities are readily accessible and usable by individuals with disabilities who have a need to access Board facilities.

The school will maintain facilities and equipment required by the Act to be readily accessible to and usable by persons with disabilities.

### Service, Program, and Activity Access

The school will make reasonable accommodations so that services, programs, and activities are readily accessible and usable by qualified individuals with disabilities. The school is not required to provide personal devices or services of a personal nature to qualified individuals with disabilities.

### Evaluation and Compliance

The Lead Person or designee will evaluate school programs and practices on nondiscrimination, in accordance with law, and will report to the Board accordingly. Assurances of compliance will be submitted as required by law.

The school, with the assistance of interested persons, who may include individuals with disabilities or members of organizations representing individuals with disabilities, or other interested community members and staff, will evaluate its current services, policies, practices, and the effects thereof with regard to the requirements of the Act and make necessary modifications to meet the Act requirements. If such modifications would result in a fundamental alteration of the nature of the affected program or activity, or undue financial or administration burden, the school will provide access through means which would not result in a fundamental alteration or undue financial or administrative burden. 28 CFR §35.150(a)

For a period of at least three years following completion of the self-evaluation, the school will maintain on file, available for public inspection, a list of those interested persons consulted, a description of the areas examined and problems identified, and modifications made.



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Americans with Disabilities Act

Enforcement - 28 CFR §35.107

The Board will designate the Assistant Lead Person as school coordinator for matters dealing with ADA compliance. The school coordinator can be contacted at the following address or telephone number:

Office Address: 20 Valley Road

Clifton, New Jersey 07013

Telephone Number: 973-278-7707

Grievance procedures are outlined in Regulation 1510.

### Guarantee of Rights

The Board will not interfere, directly or indirectly, with any person's exercise or enjoyment of the rights protected by the Act.

The Board will not discriminate against any person for that person's opposition to any act or practice made unlawful by law or this Policy or for that person's participation in any manner in an investigation or proceeding arising under the Act.

The school is not required to permit an individual to participate in or benefit from the school's services, programs, or activities when that individual poses a direct threat to the health or safety of others.

### Notice

Policy and Regulation 1510 will be available to any member of the public in the school's Policy and Regulation Manual.

42 U.S.C. 12101 (Americans with Disabilities Act of 1990, as amended)

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

N.J.S.A. 18A:18A-17

N.J.A.C. 6A:14-1 et seq.

34 CFR Part 104

Adopted: 17 May 2018



## 1523 COMPREHENSIVE EQUITY PLAN

The Board of Trustees shall submit a Comprehensive Equity Plan based on an assessment of the school's needs for achieving equity in educational programs that includes a cohesive set of policies, programs, and practices that ensure high expectations and positive achievement patterns and equal access to education opportunity for all learners, including students and teachers.

The Board's obligation to be accountable for the requirements in N.J.A.C. 6A:7 is not precluded or alleviated by any rule or regulation of any organization, club, athletic association, or other league or group.

The Comprehensive Equity Plan shall include the following:

1. An assessment of the school's needs for achieving equity in educational programs. The assessment shall include staffing practices, quality-of-program data, stakeholder-satisfaction data, and student assessment and behavioral data disaggregated by gender, race, ethnicity, limited English proficiency, special education, migrant, date of enrollment, student suspension, expulsion, Child Study Team referrals, preschool through grade twelve promotion/retention data, preschool through grade twelve completion rates, and re-examination and re-evaluation of classification and placement of students in special education programs if there is overrepresentation within a certain group;
2. A description of how other Federal, State, and school policies, programs, and practices are aligned to the Comprehensive Equity Plan;
3. Progress targets for closing the achievement gap;
4. Professional development targets regarding the knowledge and skills needed to provide a thorough and efficient education as defined by the Core Curriculum Content Standards; differentiated instruction and formative assessments aligned to Core Curriculum Content Standards; and high expectations for teaching and learning; and
5. Annual targets addressing school needs in equity in school and classroom practices that are aligned to professional development targets.

A Comprehensive Equity Plan shall be written every three years and the Board of Trustees shall initiate the Comprehensive Equity Plan within sixty days of its approval and shall implement the plan in accordance with the timelines approved by the New Jersey Department of Education.



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Comprehensive Equity Plan

In the event the Board of Trustees does not implement the Comprehensive Equity Plan within one hundred eighty days of its approval date, or fails to report its progress annually, sanctions deemed to be appropriate by the Commissioner of Education or his/her designee shall be imposed, and may include action to suspend, terminate, or refuse to award continued Federal or State financial assistance, pursuant to N.J.S.A. 18A:55-2.

N.J.A.C. 6A:7-1.9

Adopted: 17 May 2018



## 1530 EQUAL EMPLOYMENT OPPORTUNITIES

The Board of Trustees shall, in accordance with law, guarantee equal employment opportunity throughout the school.

The Board shall ensure all persons shall have equal and bias free access to all categories of employment and equal pay for equal work in this school without regard to the candidate's race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability, pursuant to N.J.A.C. 6A:7-1.1. The school's employment applications and pre-employment inquiries conform to the guidelines of the New Jersey Division of Civil Rights.

The Board will use equitable practices that prevent imbalance and isolation based on race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability among the school's certificated and non-certificated staff and within every category of employment, including administration. Promotions and transfers will be monitored to ensure non-discrimination.

The Board shall not assign, transfer, promote or retain staff, or fail to assign, transfer, promote or retain staff, on the sole basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability or socioeconomic status, pursuant to N.J.A.C. 6A:7-1.1.

The Board will target underutilized groups in every category of employment. The Board will provide among the faculty of each school role models of diverse racial and cultural backgrounds.

The Board shall not enter into a contract with a person, agency, or organization that discriminates in employment practices or in the provision of benefits or services, on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability, either in employment practices or in the provision of benefits or services to students or employees, pursuant to N.J.A.C. 6A:7-1.1.

The Lead Person shall promulgate a complaint procedure for the adjudication of disputes alleging violation of the law prohibiting discrimination in employment or this policy.

The Board shall not discriminate against any person for that person's exercise of rights under the laws prohibiting discrimination in employment or this policy.

N.J.S.A. 18A:6-5; 18A:6-6; 18A:28-10; 18A:29-2

N.J.A.C. 6A:7-1.1 et seq.; 6A:7-1.8

Adopted: 17 May 2018





## 1540 ADMINISTRATOR'S CODE OF ETHICS

### Definitions

"Administrator" means any employee of this school who holds a position that:

1. Requires certification with the endorsement of school administrator, Principal, or School Business Administrator;
2. Does not require certification but is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by the local school; or
3. 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 local school.

"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 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 person to whom the administrator is legally married and any dependent child of the administrator residing in the same household.

### Code of Ethics

No administrator or member of his/her immediate family shall have an interest in a business organization or engage in any business, 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 him/herself, a member of his/her immediate family, or any other person.



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Administrator's Code of Ethics

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, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his/her independence of judgment in the exercise of official duties. No administrator shall act in his/her official capacity in any matter where he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the administrator or a member of his/her immediate family.

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

No administrator or member of his/her immediate family or 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 which 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 all 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 which he/she receives or acquires in the course of and by reason of his/her office, for the purpose of securing financial gain for him/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 an interest shall represent any person or party other than the Board of Trustees or this school in connection with any cause, proceeding, application or other matter pending before this school or in any proceeding involving this school, except that this provision shall not be deemed to prohibit representation within the context of official labor union or similar representational responsibilities.

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



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Administrator's Code of Ethics

Each administrator shall annually, in accordance with N.J.S.A. 18A:12-25 and 18A:12-26, law, file with the Commissioner a disclosure statement report regarding potential conflicts of interest and with the School Ethics Commission a financial disclosure statement.

N.J.S.A. 18A:12-21 through 18A:12-34  
School Ethics Policy Guideline 1

Adopted: 17 May 2018



## 1550 EQUAL EMPLOYMENT/ANTI-DISCRIMINATION PRACTICES

The Board of Trustees shall, in accordance with State statutes and administrative code and Federal law and regulations, strive to overcome the effects of any previous patterns of discrimination in school employment practices and shall systematically monitor school procedures to ensure continuing compliance with anti-discrimination laws and regulations.

The Board will ensure all persons regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status shall have equal and bias-free access to all categories of employment in the public educational system of New Jersey, pursuant to N.J.A.C. 6A:7-1.1.

The Board will not enter into any contract with a person, agency, or organization that discriminates on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status, either in employment practices or in the provision of benefits or services to students or employees. In addition, the Board will encourage minority businesses, women's business enterprises, and labor surplus area firms to submit bids to be considered for the awarding of contracts.

The Board shall not assign, transfer, promote or retain staff, or fail to assign, transfer, promote or retain staff, on the sole basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status.

The Board shall ensure equal pay for equal work among members of the school's staff, regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status, pursuant to N.J.A.C. 6A:7-1.1.

N.J.S.A. 10:5-4

N.J.A.C. 6A:7-1.1 et seq.; 6A:7-1.8

Adopted: 17 May 2018



## 1570C INTERNAL CONTROLS – CHARTER SCHOOL

As a condition of receiving charter school aid, the charter school shall establish specific policies and procedures on internal controls designed to provide management with reasonable assurance that the charter school's goals and objectives will be met and that meet the requirements of N.J.A.C. 6A:23A-22.6 through N.J.A.C. 6A:23A-22.15. 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 N.J.A.C. 6A:23A-22 shall be established together with other internal controls contained in N.J.A.C. 6A and other law and regulations, required by professional standards including auditing standards generally accepted in the United States under Generally Accepted Accounting Principles (GAAP), standards contained in Government Auditing Standards (GAS) issued by the Comptroller General of the United States, and as deemed necessary and appropriate by charter school management. The charter school may submit a written request to the Commissioner to approve an alternative system, approach, or process for implementing the internal controls required in N.J.A.C. 6A:23A-22. 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).

The charter school shall evaluate business processes annually and allocate available resources appropriately in an effort to establish a strong control environment. In accordance with the provisions of N.J.A.C. 6A:23A-22.13, the School Business Administrator/Board Secretary 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 charter school resources, assessed vulnerability, and associated cost-benefit.

The charter school shall establish Standard Operating Procedures (SOPs) for each task or function of the business operations of the charter school. The SOP Manual shall include sections on each routine task or function as outlined in N.J.A.C. 6A:23A-22.14(b). 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.

N.J.A.C. 6A:23A-22.12; 6A:23A-22.13; 6A:23A-22.14

Adopted: 17 May 2018



## 1581 VICTIM OF DOMESTIC OR SEXUAL VIOLENCE LEAVE

In accordance with the provisions of N.J.S.A. 34:11C-1 et seq., an employee who was a victim of an incident of domestic violence as defined in Section 3 of P.L.1991, c.261 (C.2C:25-19) or a sexually violent offense as defined in Section 3 of P.L.1998, c.71 (C.30:4-27.26), or whose child, parent, spouse, domestic partner, or civil union partner was a victim shall be entitled to unpaid leave of no more than twenty days in one twelve-month period, to be used in the twelve-month period following any incident of domestic violence or any sexually violent offense as provided in N.J.S.A. 34:11C-1 et seq.

For the purposes of N.J.S.A. 34:11C-1 et seq. and this Policy, an "employee" means a person who is employed for at least twelve months by the Board of Trustees, with respect to whom benefits are sought under N.J.S.A. 34:11C-1 et seq. – "NJ SAFE Act" for not less than 1,000 hours during the immediately preceding twelve-month period.

For the purposes of N.J.S.A. 34:11C-3 and this Policy, each incident of domestic violence or any sexually violent offense shall constitute a separate offense for which an employee is entitled to unpaid leave, provided the employee has not exhausted the allotted twenty days for the twelve-month period. The unpaid leave may be taken intermittently in intervals of no less than one day, as needed for the purpose of engaging in any of the following activities as they relate to the incident of domestic violence or a sexually violent offense:

1. Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's child, parent, spouse, domestic partner, or civil union partner;
2. Obtaining services from a victim services organization for the employee or the employee's child, parent, spouse, domestic partner, or civil union partner;
3. Obtaining psychological or other counseling for the employee or the employee's child, parent, spouse, domestic partner, or civil union partner;
4. Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's child, parent, spouse, domestic partner, or civil union partner from future domestic or sexual violence or to ensure economic security;



5. Seeking 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 or sexual violence; or
6. Attending, participating in, or preparing for a criminal or civil 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.

An eligible employee may elect, or the Board of Trustees may require the employee, to use any of the accrued paid vacation leave, personal leave, or medical or sick leave (in accordance with the provisions of N.J.S.A. 18A:30-1) during any part of the twenty-day period of unpaid leave provided under N.J.S.A. 34:11C-1 et seq. In such case, any paid leave provided by the Board, and accrued pursuant to established policies of the Board, shall run concurrently with the unpaid leave provided under N.J.S.A. 34:11C-1 et seq. and, accordingly, the employee shall receive pay pursuant to the Board's applicable paid leave policy during the period of otherwise unpaid leave. If an employee requests leave for a reason covered by both N.J.S.A. 34:11C-1 et seq. and the "Family Leave Act," P.L.1989, c.261 (C.34:11B-1 et seq.) or the Federal "Family and Medical Leave Act of 1993," Pub.L.103-3 (29 U.S.C. § 2601 et seq.), the leave shall count simultaneously against the employee's entitlement under each respective law.

Leave granted under N.J.S.A. 34:11C-1 et seq. and this Policy shall not conflict with any rights pursuant to the "Family Leave Act," P.L.1989, c.261 (C.34:11B-1 et seq.), the "Temporary Disability Benefits Law," P.L.1948, c.110 (C.43:21-25 et seq.), or the Federal "Family and Medical Leave Act of 1993," Pub.L.103-3 (29 U.S.C. § 2601 et seq.).

Prior to taking this leave an employee shall, if the necessity for the leave is foreseeable, provide the Lead Person with written notice of the need for the leave. The notice shall be provided as far in advance as is reasonable and practical under the circumstances.

Nothing contained in N.J.S.A. 34:11C-1 et seq. and this Policy shall be construed to prohibit the Lead Person from requiring that a period of this leave be supported by the employee with documentation of the domestic violence or a sexually violent offense which is the basis for the leave. If documentation is required, the employee shall be regarded as having provided sufficient documentation if the employee provides one or more of the following:

1. A domestic violence restraining order or other documentation of equitable relief issued by a court of competent jurisdiction;



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Victim of Domestic or Sexual Violence Leave

2. A letter or other written documentation from the county or municipal prosecutor documenting the domestic violence or a sexually violent offense;
3. Documentation of the conviction of a person for the domestic violence or a sexually violent offense;
4. Medical documentation of the domestic violence or a sexually violent offense;
5. Certification from a certified Domestic Violence Specialist or the director of a designated domestic violence agency or Rape Crisis Center, stating that the employee or employee's child, parent, spouse, domestic partner, or civil union partner is a victim of domestic violence or a sexually violent offense; or
6. Other documentation or certification of the domestic violence or a sexually violent offense provided by a social worker, member of the clergy, shelter worker, or other professional who has assisted the employee or employee's child, parent, spouse, domestic partner, or civil union partner in dealing with the domestic violence or a sexually violent offenses.

For the purposes of N.J.S.A. 34:11C-1 et seq. and this Policy, "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; and "designated domestic violence agency" means a county-wide organization with a primary purpose 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.

For the purposes of N.J.S.A. 34:11C-1 et seq. and this Policy, "Rape Crisis Center" means an office, institution, or center offering assistance to victims of sexual offenses through crisis intervention, medical and legal information, and follow-up counseling.

The Board shall display conspicuous notice of its employees' rights and obligations pursuant to the provisions of N.J.S.A. 34:11C-1 et seq., in such form and in such manner as the Commissioner of Labor and Workforce Development shall prescribe, and use other appropriate means to keep its employees so informed.





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Victim of Domestic or Sexual Violence Leave

No provision of N.J.S.A. 34:11C-1 et seq. and this Policy shall be construed as requiring or permitting the Board to reduce employment benefits provided by the Board or required by a collective bargaining agreement which are in excess of those required by N.J.S.A. 34:11C-1 et seq. Nor shall any provision of N.J.S.A. 34:11C-1 et seq. be construed to prohibit the negotiation and provision through collective bargaining agreements of leave policies or benefit programs which provide benefits in excess of those required by N.J.S.A. 34:11C-1 et seq. This provision shall apply irrespective of the date that a collective bargaining agreement takes effect.

Nothing contained in N.J.S.A. 34:11C-1 et seq. and this Policy shall be construed as permitting the Board to:

1. Rescind or reduce any employment benefit accrued prior to the date on which the leave taken pursuant to N.J.S.A. 34:11C-1 et seq. commenced; or
2. Rescind or reduce any employment benefit, unless the rescission or reduction of the benefit is based on changes that would have occurred if an employee continued to work without taking the leave provided pursuant to N.J.S.A. 34:11C-1 et seq.

All information and/or documentation provided to the Board or Lead Person pursuant to N.J.S.A. 34:11C-1 et seq., any information regarding a leave taken pursuant to N.J.S.A. 34:11C-1 et seq., and any failure of an employee to return to work, shall be retained in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is required by a Federal or State law, rule, or regulation.

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

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

Adopted: 17 May 2018



### 1631 RESIDENCY REQUIREMENT FOR PERSON HOLDING SCHOOL OFFICE, EMPLOYMENT, OR POSITION

Every person holding an office, employment, or position in a school shall have his or her principal residence in New Jersey in accordance with the provisions of N.J.S.A. 52:14-7.

For the purpose of this Policy, “school district” means any local or regional school district established pursuant to Chapter 8 or Chapter 13 of Title 18A of the New Jersey Statutes and any jointure commission, county vocational school, county special services district, educational services commission, educational research and demonstration center, environmental education center, and educational information and resource center.

For the purpose of this Policy, a person may have at most one principal residence and the State of a person's principal residence means the State where the person spends the majority of his or her nonworking time, which is most clearly the center of his or her domestic life, and which is designated as his or her legal address and legal residence for voting. Having a home in New Jersey is not significant enough by itself to meet the principal residence requirement of the law. The fact that a person is domiciled in New Jersey shall not by itself satisfy the requirement of principal residency.

A person, regardless of the office, employment, or position, who holds an office, employment, or position in the school on September 1, 2011, but does not have his or her principal residence in New Jersey on September 1, 2011, shall not be subject to this residency requirement of N.J.S.A. 52:14-7 while the person continues to hold office, employment, or position without a break in public service of greater than seven days.

A person may request an exemption from the provisions of N.J.S.A. 52:14-7 on the basis of critical need or hardship. The request shall be made to a five-member committee established in accordance with the provisions of N.J.S.A. 52:14-7 to consider applications for such exemptions. The decision on whether to approve an application from any person shall be made by a majority vote of the members of the committee, and those voting in the affirmative shall so sign the approved application. If the committee fails to act on an application within thirty days after the receipt thereof, no exemption shall be granted and the residency requirement of N.J.S.A. 52:14-7 shall be operative.

Any person holding or attempting to hold an office, employment, or position in violation of N.J.S.A. 52:14-7 shall be considered as illegally holding or attempting to hold the office, employment, or position; however, the person shall have one year from the time of taking the office, employment, or position to satisfy the requirement of principal residency. If such person fails to satisfy the requirement of principal residency as defined in N.J.S.A. 52:14-7 after the



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Residency Requirement for Person Holding School  
Office, Employment, or Position

365-day period, that person shall be deemed unqualified for holding the office, employment, or position. The Superior Court shall, in a civil action in lieu of prerogative writ, give judgment of ouster against such person, upon the complaint of any officer or citizen of the State, provided that any such complaint shall be brought within one year of the alleged 365-day period of failure to have his or her principal residence in this State.

Notice of the residency requirements as outlined in N.J.S.A. 52:14-7 and this Policy should be provided to all existing persons holding office, employment, or a position in the school and to candidates seeking to hold office, employment, or a position in the school.

N.J.S.A. 52:14-7

Adopted: 17 May 2018



### 2000 PROGRAM

<u>Number</u>	<u>Title</u>
2110	Philosophy of Education/School Mission Statement (M)
2132	School Goals and Objectives
2200	Curriculum Content (M)
2210	Curriculum Development (M)
2220	Adoption of Courses (M)
2230	Curriculum Guides (M)
2240	Controversial Issues
2260	Affirmative Action Program for School and Classroom Practices (M)
2270	Religion in the School
2310	Student Grouping
2312	Class Size
2330	Homework
2340	Field Trips
2360	Use of Technology
2361	Acceptable Use of Computer Networks/Computers and Resources (M)
2411	Guidance Counseling (M)
2412	Home Instruction Due to Health Condition (M)
2415	No Child Left Behind Programs (M)
2415.01	Academic Standards, Academic Assessments, and Accountability (M)
2415.02	Title I – Fiscal Responsibilities (M)
2415.04	Title I – School-Wide Parental Involvement (M)
2415.05	Student Surveys, Analysis and/or Evaluations (M)
2415.06	Unsafe School Choice Option (M)
2415.20	No Child Left Behind Complaints (M)
2416	Programs for Pregnant Students (M)
2417	Student Intervention and Referral Services (M)
2418	Section 504 of the Rehabilitation Act of 1973 – Students (M)
2422	Health and Physical Education (M)
2423	Bilingual and ESL Education (M)
2428.1	Standards-Based Instructional Priorities
2430	Co-Curricular Activities (M)
2432	School Sponsored Publications
2440	Summer Session
2460	Special Education (M)
2464	Gifted and Talented Students (M)
2466	Needless Public Labeling of Students with Disabilities (M)
2467	Surrogate Parents and Foster Parents (M)



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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<u>Number</u>	<u>Title</u>
2468	Independent Educational Evaluations
2481	Home or Out-of-School Instruction for a General Education Student for Reasons Other Than a Temporary or Chronic Health Condition (M)
2510	Adoption of Textbooks
2520	Instructional Supplies (M)
2530	Resource Materials
2531	Use of Copyrighted Materials
2560	Live Animals in School
2610	Educational Program Evaluation (M)
2622	Student Assessment (M)
2624	Grading System
2632	Annual Reports



## 2110 PHILOSOPHY OF EDUCATION/SCHOOL MISSION STATEMENT

### Mission Statement

The mission of the Classical Academy Charter School is to ensure that all of our students achieve academic excellence, are ready for the rigors of higher education, and master essential skills that prepare them for the economic, social and civic challenges of a 21st century, global society.

The key factors that we believe will help deliver the mission are:

- A rigorous academic core curriculum aligned to the New Jersey Student Learning Standards;
- An instructional delivery system that includes differentiated instruction, student empowerment, teaming, and learning centers supplemented with classroom-based technology;
- Supporting entrepreneurial endeavors integrated into the curriculum;
- Providing learning opportunities that are embedded in meeting the needs of “real life” situations;
- Supporting a high level of parental and community involvement;
- Integration of a web-based student information system that allows parents to communicate with the school and track their child's progress;
- Implementing a decentralization of services and shared decision making by all professionals within the school.

### Vision Statement

“We are currently preparing students for jobs that don't yet exist; using technologies that haven't yet been invented; in order to solve problems we don't even know are problems yet.”

Quotation by:

Richard Riley, Secretary of Education under Clinton



Our mission presents a clearly articulated vision that will promote authentic student achievement because it communicates our commitment to an inquiry based curriculum that engages students through a cyclical process of thoughtful discourse, abstract conceptualization, active experimentation, concrete experience, and reflection. This process is scaffolded in each of our courses within the framework of a cognitive apprenticeship method of instruction.

Through the process of asking meaningful questions, investigating and experimenting with knowledge, creating new hypotheses, discussing hypotheses with peers, and reflecting upon their feedback, our students are able to understand subject matter more deeply and comprehend its application to the real world. Research supports that when students are able to construct their own learning, through a process of disciplined inquiry and cognitive apprenticeship, they are enhanced intellectually and academic achievement is realized.

Adopted: 17 May 2018



### 2132 SCHOOL GOALS AND OBJECTIVES

The Board adopts the following goals and objectives for the operation of the educational program of the school:

#### Academic Goals

1. To use best practices, formative and summative assessments, and learning teams to increase/maintain the percentage of all students, including all subgroups, achieving proficiency on Statewide assessments.
2. The Classical Academy Charter School will cultivate a supportive learning environment for students through the use of a rigorous, academic core curriculum delivered by highly qualified teachers who incorporate innovative and differentiated teaching methods to accommodate students' varying learning styles and participate in rigorous professional development opportunities.
3. The Classical Academy Charter School will maintain a safe, kind, and positive learning community that continually fosters the core values of respect and responsibility for both students and adults alike.
4. The Classical Academy Charter School will develop and maintain a strong governing body that reflects representation of all stakeholders.
5. Students will be allowed to construct and demonstrate understanding of key content and skills learned through an art form.
6. The instructional methodology and model will allow students to see how experts organize and solve problems, thus working toward developing mastery and expertise in all content areas.
7. Students at Classical Academy Charter School will meet or exceed State standards for mastery of language arts and math. Students will become the facilitators of their own learning through circles of inquiry and an apprenticeship model of teaching. Teachers will engage in circles of inquiry and reflective practice in order to improve their pedagogy and praxis.





### Non-Academic Goals

1. Hire and retain a cadre of high-quality, mission aligned teachers - Hire highly effective teachers who share the school's mission, and are prepared for the demands of longer work hours, detailed lesson planning, and the meticulous assessment design and sophisticated data analysis that the job will require.
2. Classical Academy Charter School will maintain organizational strength by demonstrating fiduciary and financial responsibility.
3. Classical Academy Charter School will show high levels of daily attendance and student retention.
4. Stakeholder Satisfaction - All stakeholders will be satisfied with Classical Academy Charter School's progress towards its mission and vision. Implement/maintain a model of school, family, and community partnerships that is designed to engage, guide, energize, and motivate students to produce their own academic successes.
5. Creating and Maintaining Diversity within the Board of Trustees - Both the Founding and the subsequent Board of Trustees will be composed of members who will deliver necessary skills towards the mission and vision of the school.
6. Classical Academy Charter School will maintain a professional learning community for its faculty.

N.J.A.C. 6A:32-12.2

Adopted: 17 May 2018



### 2200 CURRICULUM CONTENT

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

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

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

The Lead Person is responsible for implementing the curriculum approved by the Board.

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

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

1. Place a premium on inquiry based instruction and social engagements;
2. Maintain a commitment to our instructional methodology;
3. Prepare students for the real world with higher order thinking skills;
4. Instruction in workplace readiness skills, visual and performing arts, comprehensive health and physical education, language arts literacy, mathematics, science, social studies, and World Languages;



5. Guidance and planning for all students;
6. A continuum of educational programs and services for all children with disabilities, in accordance with Policy and Regulation 2460;
7. Bilingual education, English as a Second Language, and English language services for students of limited English language proficiency, when the number of such students so necessitates, in accordance with Policy 2423;
8. Programs and services for students at risk who require remedial assistance in accordance with Policies 2414 and 2415;
9. Equal educational opportunity for all students in accordance with Policies 2260, 5750, and 5755;
10. Career awareness and exploration as required, and vocational education as appropriate;
11. Educational opportunities for students with exceptional abilities;
12. Instruction in accident and fire prevention;
13. A substance abuse prevention program;
14. A program for family life education; and
15. Programs that encourage the active involvement of representatives from the community, business, industry, labor and higher education in the development of educational programs aligned with the standards.

N.J.S.A. 18A:6-2; 18A:6-3; 18A:35-1 et seq.  
N.J.A.C. 6A:8-1.1 et seq.; 6A:14 et seq.  
New Jersey Core Curriculum Content Standards

Adopted: 17 May 2018



## 2210 CURRICULUM DEVELOPMENT

The Board of Trustees is committed to the continuing improvement of the educational program of the school. To this end, the curriculum shall be evaluated and modified in accordance with a plan for curriculum development.

As educational leader of the school, the Lead Person shall be responsible to the Board for the development of curriculum and shall establish procedures for curriculum development that ensure the effective participation of teaching staff members, students, the community at large, and members of the Board.

All curricula will be fully documented both electronically and in hard copy. The Lead Person shall establish and maintain a Scope and Sequence document that illustrates the manner in which the curriculum addresses the New Jersey Student Learning Standards as students' progress from grade to grade over the course of the educational program.

All lesson and unit plans shall be documented in a standardized electronic format as per a template established by the Lead Person. Hard copies of lesson and unit plans shall be maintained in a centralized location in the school.

The Lead Person may conduct experimental programs that are not part of the duly adopted curriculum and are deemed to be necessary to the continuing growth of the instructional program; he/she shall report to the Board any such pilot program conducted, along with its objectives, evaluative criteria, and costs, before each such program is initiated.

The Lead Person shall report to the Board periodically on all progress in curriculum development.

Adopted: 17 May 2018



### 2220 ADOPTION OF COURSES

The Board of Trustees shall provide a comprehensive instructional program to serve the educational needs of the children of this school by the adoption of courses of study.

For purposes of this policy, a “course of study” means the planned content of a series of classes, courses, subjects, studies, or related activities.

No course of study will be taught in this school unless it has been formally adopted by the Board. The Board shall determine which units of the instructional program constitute courses of study and are thereby subject to the adoption procedures of the Board.

The Lead Person is responsible for the continuous evaluation of the courses of study against the educational goals of the Board and shall recommend to the Board such new or altered courses of study as are deemed to be in the best interests of the students of this school. The Lead Person's recommendation will include the following information about the proposed course of study:

1. The specific objective of the course of study and the relationship of the course to the educational goals adopted by the Board;
2. The applicability of the course to students and an enumeration of those groups of students to be affected by it;
3. A description of course content, including any instructional method that departs significantly from the ordinary and is an integral part of the course of study;
4. A rationale for the course in terms of the goals of this school and a justification of the course, especially when it is proposed to take the place of an existing course of study;
5. The resources that implementation of the course will require, including textbooks, material, equipment, and specially trained personnel;
6. The course proficiencies to be mastered by students;
7. The methods and standards by which the efficacy of the course will be monitored and evaluated; and
8. A developmental history of the course and, where available, information on its use elsewhere.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Adoption of Courses

The Lead Person shall maintain a current list of all courses of study offered by this school and shall provide each member of the Board with a copy.

N.J.S.A. 18A:4-25; 18A:4-28; 18A:33-1; 18A:35-1 et seq.  
N.J.A.C. 6A:7-1.1 et seq.; 6A:8-4.1; 6A:8-4.4

Adopted: 17 May 2018



## 2230 CURRICULUM GUIDES

The Board of Trustees directs the preparation of a guide for each approved course of study in order to direct and assist teaching staff members toward the attainment of goals addressed by that course.

Each curriculum guide will contain, as appropriate to the course of study, content standards; objectives, concepts, and skills to be taught; attitudes and appreciations to be developed; suggested activities designed to achieve the objectives; suggested methods of instruction; performance indicators; evaluation criteria intended to test the extent to which learning objectives have been achieved; and a reading list of supplemental titles for the guidance of teachers.

The curriculum guides will be the basic instructional tool for each course of study.

Each teacher shall conduct the course of study as required by the curriculum guide. Any deviation from the content of the guide must be approved by the Lead Person in advance of its implementation.

The Lead Person shall be responsible for the preparation of curriculum guides, and shall develop a plan for such preparation that includes the participation of appropriate staff members and resource personnel; the participation of members of the community; the participation of students at appropriate grade levels; continuing research in instructional methods, materials, and activities; systematic review of all curriculum guides to ensure their continuing usefulness in achieving goals set by the Board; and a system of administrative review to ensure that curriculum guides are being followed by teaching staff members to the degree of conformity desired by the Board.

All new curriculum guides and revisions of existing guides shall be submitted to the Board for approval before they are implemented.

Copies of all current curriculum guides shall be kept on file in the office of the Lead Person.

N.J.S.A. 18A:33-1

Adopted: 17 May 2018



## 2240 CONTROVERSIAL ISSUES

The Board of Trustees believes that the consideration of controversial issues has a legitimate place in the instructional program of the school. Properly introduced and conducted, the consideration of such issues can help students learn to identify important issues, explore fully and fairly all sides of an issue, weigh carefully the values and factors involved, and develop techniques for formulating and evaluating positions.

For purposes of this policy a controversial issue is a topic not expressly enumerated in the course guide as appropriate for the course of study.

The Board will permit the introduction and proper educational use of controversial issues provided that their use in the instructional program is related to the instructional goals of the course of study and level of maturity of the students. The discussion of controversial issues must not tend to indoctrinate students or persuade them to a particular point of view. Instead, teachers must encourage fair presentation and open-mindedness and the free exchange of ideas in a spirit of scholarly inquiry, drawing upon information and insights from the widest feasible range of resources.

When the consideration of controversial issues have not been specified in the course guide, the Board will permit the instructional use of only those issues that have been approved in advance by the Lead Person.

The discussion of controversial issues in the classroom will be conducted in an unprejudiced and dispassionate manner and cannot be allowed to disrupt the educational process. In the discussion of any issue, a teacher may express a personal opinion, provided the expression is characterized as personal opinion and does not attempt to persuade students to the teacher's point of view.

The Lead Person shall assist teaching staff members in developing a sensitivity to the occurrence of controversial issues in the context of the curriculum and developing techniques for the management of controversial issues that do not stifle a spirit of free inquiry.

Adopted: 17 May 2018





## 2260 AFFIRMATIVE ACTION PROGRAM FOR SCHOOL AND CLASSROOM PRACTICES

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

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

The Board of Trustees shall ensure that the school's curriculum and instruction are aligned to the State's Core Curriculum Content Standards and address the elimination of discrimination by narrowing the achievement gap, by providing equity in educational programs and by providing opportunities for students to interact positively with others regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status, by:



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

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



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

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

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

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

Adopted: 17 May 2018



## 2270 RELIGION IN THE SCHOOL

The Board of Trustees recognizes that religious belief and disbelief are matters of personal conviction rather than governmental authority and the students of this school are protected by the First Amendment of the United States Constitution and by Article I, Paragraph 4 of the New Jersey State Constitution from the establishment of religion in the school. School officials will be neutral in their treatment of religion in the school, showing neither favoritism toward nor hostility against religious expression. Accordingly, devotional exercises will be permitted in this school. The following activities will be permitted in the school provided the activity is consistent with current United States Supreme Court decisions regarding the relationship between government and religion: prayer during instructional time; organized prayer groups and activities; religious expression and prayer in classroom assignments; student assemblies and extra-curricular events; prayer at graduation; baccalaureate ceremonies; devotional exercises; and other prayer and/or religion related activities. The school will not permit an activity if the activity advances or inhibits any particular religious expression that is protected by the First Amendment of the United States Constitution.

The Board believes that an understanding of religions and the contributions that religion has made to the advancement of civilization is essential to the thorough education of young people and to their appreciation of a pluralistic society. To that end, the curriculum may be developed to include, as appropriate to the various ages and attainments of the students, instruction about the religions of the world.

The Board also acknowledges the degree to which a religious consciousness has enriched the arts, literature, music, and issues of morality. The instructional and resource materials approved for use in the school frequently contain religious references or concern moral issues that have traditionally been the focus of religious concern. That such materials may, therefore, be religious in nature shall not, by itself, bar their use by the school. The Board directs that teaching staff members employing such materials be neutral in their approach and avoid using them to advance or inhibit religion in any way.

The Board recognizes that religious traditions vary in their perceptions and doctrines regarding the natural world and its processes. The curriculum is chosen for its place in the thorough and efficient education of the children of this school, not for its conformity to religious principles. Students should receive unbiased instruction in the school so that they may privately accept or reject the knowledge so gained in accordance with their own religious tenets.

U.S. Const. Amend. 1

U.S. Department of Education - Guidance on Constitutionally Protected  
Prayer in Public Elementary and Secondary Schools – February 7, 2003

N.J. Const. (1947) Art. 1, para. 4

N.J.S.A. 18A:35-4.6 et seq.; 18A:36-16

Adopted: 17 May 2018



## 2310 STUDENT GROUPING

The Board of Trustees believes that each student should be provided with the instruction that will best suit his/her intellectual, physical, emotional, and social capabilities. The Board authorizes the Lead Person to develop a schedule and class organization that will provide for the placement of students in instructional groups that will offer them the greatest educational benefit.

The grouping of students should be flexible and should take into consideration the age, mental ability, past academic record, emotional needs, physical maturity, and interests of each student.

Adopted: 17 May 2018



## 2312 CLASS SIZE

The Board of Trustees directs that the number of students assigned to any one class be governed by considerations of instructional quality and economy of operation.

A desired range for the minimum and maximum number of students that shall be assigned to regular classes shall be established by the Lead Person.

Adopted: 17 May 2018



## 2330 HOMEWORK

The Board of Trustees acknowledges the educational validity of work assigned to students for completion outside the classroom as an adjunct to and extension of the instructional program of the school.

The Lead Person shall develop regulations for the assignment of homework according to these guidelines:

1. Homework should be a properly planned part of the curriculum, extending and reinforcing the learning experience of the school;
2. Homework should help children learn by providing practice in the mastery of skills, experience in data gathering and integration of knowledge, and an opportunity to remediate learning problems;
3. Homework should help develop the student's responsibility and provide an opportunity for the exercise of independent work and judgment;
4. The number, frequency, and degree of difficulty of homework assignments should be based on the ability and needs of the student and take into account other activities that make a legitimate claim on the student's time;
5. As a valid educational tool, homework should be clearly assigned and its product carefully evaluated and that evaluation should be reported to the student;
6. The school should recognize the role of parent(s) or legal guardian(s) by suggesting ways in which parent(s) or legal guardian(s) may assist the school in helping a child carry out assigned responsibilities;
7. Homework should always serve a valid learning purpose; it should never be used as a punitive measure.

Adopted: 17 May 2018



### 2340 FIELD TRIPS

The Board of Trustees recognizes that field trips properly planned and integrated with the curriculum are an educationally sound and important part of the program of the school that can supplement and enrich classroom instruction by providing learning experiences in an environment outside the school.

For purposes of this policy, a field trip means any journey by a group of students away from the school premises, under the supervision of a teacher, and integrally related to an approved course of study.

The Board of Trustees shall approve all proposed field trips.

The Board may authorize field trips for which all or part of the costs are borne by the students' parent(s) or legal guardian(s), except that no student in a special education class or student unable to pay the cost assessed shall be prohibited from attending a field trip. (N.J.S.A. 18A:36-21)

The determination of a student's inability to pay will be based upon the student's eligibility for free and reduced meals in accordance with Board Policy No. 8540.

Students on field trips remain under the supervision of this Board and are subject to its rules and regulations.

A student who violates rules or disregards the authority of supervisors on a field trip significantly endangers the safety of other students and may be summarily dismissed from the trip. The teaching staff member in charge will make arrangements for the dismissed student's transportation to home or school as appropriate. The cost of any such transportation will be borne by the parent(s) or legal guardian(s) of the student. The Board reserves the right to take further disciplinary measures in accordance with Policy No. 5600.

The Lead Person shall prepare regulations for the operation of field trips that ensure that the safety and well-being of students shall be protected at all times; that parental permission is sought and obtained before any student may be removed from the school for a field trip; that each field trip is properly planned, integrated with the curriculum, and followed up by appropriate activities that enhance its usefulness; that the effectiveness of field trip activities are monitored and continually evaluated; that teachers are allowed a considerable degree of flexibility and innovation in planning field trips; that no field trip will be approved unless it contributes to the achievement of specified instructional objectives; and that teachers are not permitted to make on-site alterations to a trip itinerary, except where the health, safety or welfare of students is imperiled or where changes or substitutions beyond the control of the teacher have frustrated the purpose of the trip.

N.J.S.A. 18A:36-21 et seq.; 18A:53-2

Adopted: 17 May 2018





## 2360 USE OF TECHNOLOGY

The Board of Trustees recognizes the use of technology in the educational process is an essential part of the schooling experience. Technology is to be viewed as a resource to enhance the learning process among other resources available to teachers and students. In addition, technology can be used to enhance the administration of the school. In order to provide direction and meaning to the use of technology as an instructional resource, the Board encourages and supports staff use of technology as a component of the learning process.

For purposes of this policy “technology” includes, but is not limited to, the use of computers and computer peripherals, communications networks, access to databases and libraries of information and the integration of audio, video, multimedia devices and media for purposes of teaching and learning.

The Lead Person, in consultation with teaching and support staff, shall recommend to the Board the acquisition of appropriate technology to best implement the curricular, instructional, and administrative program of the school. The Lead Person shall prepare a technology plan for the school to encompass the following:

### Curricular, Instructional and Administrative Need

The technology plan shall define the curricular, instructional and administrative need for technological equipment and media for the school.

### In-service Education

The Board shall provide opportunities for school staff to participate in in-service programs on hardware or software programs to be used in the execution of educational and administrative tasks. In-service programs may be provided in or out of the school.

### Standards, Codes and References

All technology installations shall conform to the industry standards and applicable Federal, State and local statutes and codes.

### Facilities Planning

In all facilities projects involving new constructions, additions, and renovations the Lead Person or designee shall ensure the plans include provisions for current and future technology needs in terms of the structural, electric/electronic, mechanical, acoustical and visual systems of the building(s). All educational specifications shall include features required for the use of instructional technology.



### Computers

The school will provide support or maintenance agreements for specified brands of computers. All other computers purchased or donated will be subject to repair only when non-allocated funding is available and therefore may remain unrepaired until funding is available.

### Computer Software Acquisition and Upgrading

The school will only support the specified upgrades and training. Staff members shall not purchase software that has not been included on a list of specified software or has been approved by the Lead Person or designee.

The Lead Person will recommend the purchase of upgrades to software as needed. An evaluation of upgrades shall be made by appropriate personnel and no upgrade shall be purchased without the express approval of the Lead Person or designee.

### Site Licenses

In the case where more than one copy of a software program is required, the Lead Person or designee shall attempt to acquire or negotiate a site license with the software developers. In the event a site license is not possible, vendors shall be sought who will provide multiple copies at a discounted cost.

### Software Copyright

All employees shall strictly adhere to the copyright laws of the United States. No software shall be copied and/or distributed except in accordance with these laws. All software placed on media workstations or any network with public access shall be copy protected by the Lead Person or designee, who shall assure that individuals who have access to such programs shall not copy them without authorization.

### Internal Communication (School)

The school shall provide communication by a variety of means.

### External Communications

The Board encourages the use of external communications so the school may utilize the vast resources of external databases and communicate with other schools, external agencies, and businesses throughout the world. Gateways to such communications will be supported by the school. The use of particular gateways shall be approved by the Lead Person or designee. The Lead Person or designee shall be responsible for the installation of software in school owned computers and/or computer systems that prevents access to gateways and Internet sites that have material considered by the Lead Person or designee to be inappropriate for use by students.



### Computer Laboratories and Distributed Computing

In order to provide teacher, staff, and student access to computers, the Board directs that provisions be made to provide computer access in computer laboratories, classrooms, and school libraries/media centers.

### Audio/Video

All audio and/or video materials shall be used in accordance with the copyright laws of the United States. Teachers, students, or staff who create audio or video materials containing the voices or images of the individuals involved shall obtain proper releases from those individuals, their parent(s) or legal guardian(s) for instructional use within the school.

### Informing Parents, Legal Guardians and Interested Parties

Upon request, the Building Principal shall make available to parent/legal guardians the computer hardware and software used in the school in order that a computer purchased privately for home use may be compatible with the computer and software the student uses in the school setting.

### Technology Coordination

The Lead Person shall appoint a designated staff member to assure the technology needs of the school are met in the most efficient manner possible at the lowest costs available to meet specified needs.

### Broadcast Rights and Copyrights

The Board specifically retains the Broadcast rights and copyrights to all materials created by employees of the Board as part of their responsibilities to the Board. Any financial remuneration for the use of such materials shall be retained by the Board.

### Computer Security

A designated staff member shall develop security procedures to include, but not be limited to, the following areas:

1. Physical Security of Equipment

All computer equipment shall be maintained in a secure manner appropriate to its location.



2. Data Security

- a. Back-up procedures for system files, libraries, and data shall be practiced in a timely fashion.
- b. Disaster recovery plans shall be kept up-to-date at all times.
- c. Password protection shall be in place and updated periodically.
- d. Resource security shall be in place to prevent unauthorized access to system files, libraries, and data.

3. Employee Training

All new employees having, as part of their job responsibilities, access to computers and information systems will be trained in the proper security procedures outlined above.

All employees having, as part of their job responsibilities, access to computers and information systems will be kept up-to-date on current security procedures for equipment and data.

4. Transaction Audit Trail

Appropriate procedures will be maintained in order to monitor system activity and users, as necessary.

5. Security Officer

The Lead Person shall designate a staff member as the school's Computer Security Officer to monitor system security procedures.

### Use of Facsimile (FAX) Machines

Fax machines provide a useful means of communicating and shall be subject to the same rules that apply to the use of telephones. All incoming faxes shall be considered confidential mail. No disclosure of the contents of any fax shall be made except to the individual for whom the fax is intended. Any individual violating this confidentiality shall be subject to discipline as provided by the policies and regulations of the Board.

N.J.A.C. 6A:26-6.1 et seq.  
17 U.S.C. 101 et seq.

Adopted: 17 May 2018



## 2361 ACCEPTABLE USE OF COMPUTER NETWORKS/ COMPUTERS AND RESOURCES

The Board of Trustees recognizes as new technologies shift the manner in which information is accessed, communicated, and transferred; these changes will alter the nature of teaching and learning. Access to technology will allow students to explore databases, libraries, Internet sites, and bulletin boards while exchanging information with individuals throughout the world. The Board supports access by students to these information sources but reserves the right to limit in-school use to materials appropriate for educational purposes. The Board directs the Lead Person to effect training of teaching staff members in skills appropriate to analyzing and evaluating such resources as to appropriateness for educational purposes.

The Board also recognizes technology allows students access to information sources that have not been pre-screened by educators using Board approved standards. The Board therefore adopts the following standards of conduct for the use of computer networks and declares unethical, unacceptable, or illegal behavior as just cause for taking disciplinary action, limiting or revoking network access privileges, and/or instituting legal action.

The Board provides access to computer networks/computers for educational purposes only. The Board retains the right to restrict or terminate student access to computer networks/computers at any time, for any reason. School personnel will monitor networks and online activity to maintain the integrity of the networks, ensure their proper use, and ensure compliance with Federal and State laws that regulate Internet safety.

### Standards for Use of Computer Networks

Any individual engaging in the following actions when using computer networks/computers shall be subject to discipline or legal action:

- A. Using the computer networks/computers for illegal, inappropriate or obscene purposes, or in support of such activities. Illegal activities are defined as activities that violate Federal, State, local laws and regulations. Inappropriate activities are defined as those that violate the intended use of the networks. Obscene activities shall be defined as a violation of generally accepted social standards for use of publicly owned and operated communication vehicles.
- B. Using the computer networks/computers to violate copyrights, institutional or third party copyrights, license agreements or other contracts.



- C. Using the computer networks in a manner that:
1. Intentionally disrupts network traffic or crashes the network;
  2. Degrades or disrupts equipment or system performance;
  3. Uses the computing resources of the school for commercial purposes, financial gain, or fraud;
  4. Steals data or other intellectual property;
  5. Gains or seeks unauthorized access to the files of others or vandalizes the data of another person;
  6. Gains or seeks unauthorized access to resources or entities;
  7. Forges electronic mail messages or uses an account owned by others;
  8. Invades privacy of others;
  9. Posts anonymous messages;
  10. Possesses any data which is a violation of this Policy; and/or
  11. Engages in other activities that do not advance the educational purpose for which computer networks/computers are provided.

### Internet Safety Protection

As a condition for receipt of certain Federal funding, the school shall be in compliance with the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and has installed technology protection measures for all computers in the school, including computers in media centers/libraries. The technology protection must block and/or filter material and visual depictions that are obscene as defined in Section 1460 of Title 18, United States Code; child pornography, as defined in Section 2256 of Title 18, United States Code; are harmful to minors including any pictures, images, graphic image file or other material or visual depiction that taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or depicts, describes, or represents in a patently offensive way, with respect to what is suitable for minors, sexual acts or conduct; or taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.



This Policy also establishes Internet safety policy and procedures in the school as required in the Neighborhood Children's Internet Protection Act. Policy 2361 addresses access by minors to inappropriate matter on the Internet and World Wide Web; the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; unauthorized access, including "hacking" and other unlawful activities by minors online; unauthorized disclosures, use, and dissemination of personal identification information regarding minors; and measures designed to restrict minors' access to materials harmful to minors.

Notwithstanding blocking and/or filtering the material and visual depictions prohibited in the Children's Internet Protection Act and the Neighborhood Children's Internet Protection Act, the Board shall determine other Internet material that is inappropriate for minors.

In accordance with the provisions of the Children's Internet Protection Act, the Lead Person or designee will develop and ensure education is provided to every student regarding appropriate online behavior, including students interacting with other individuals on social networking sites and/or chat rooms, and cyberbullying awareness and response.

The Board will provide reasonable public notice and will hold one annual public hearing during a regular monthly Board meeting or during a designated special Board meeting to address and receive public community input on the Internet safety policy - Policy and Regulation 2361. Any changes in Policy and Regulation 2361 since the previous year's annual public hearing will also be discussed at a meeting following the annual public hearing.

The school will certify on an annual basis, that the school, including media centers/libraries, is in compliance with the Children's Internet Protection Act and the Neighborhood Children's Internet Protection Act and the school enforces the requirements of these Acts and this Policy.

### Consent Requirement

No student shall be allowed to use the school's computer networks/computers and the Internet unless they have filed a consent form signed by the student and his/her parent(s) or legal guardian(s).

### Violations

Individuals violating this Policy shall be subject to the consequences as indicated in Regulation 2361 and other appropriate discipline, which includes but are not limited to:



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Acceptable Use of Computer Networks/  
Computers and Resources

1. Use of the network 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 from school;
7. Expulsion from school; and/or
8. Legal action and prosecution by the authorities.

N.J.S.A. 2A:38A-3

Federal Communications Commission: Children's Internet Protection Act

Federal Communications Commission: Neighborhood Children's Internet Protection Act

Adopted: 17 May 2018





## 2411 GUIDANCE COUNSELING

The Board of Trustees requires that a planned program of guidance and counseling be an integral part of the educational program of the schools to assist students in making and implementing informed educational and occupational choices including academic, career and personal/social development.

A program of guidance and counseling, including developmental career guidance and exploration, shall be offered to all students in this school and shall be conducted by teaching staff members certified as guidance counselors and/or Child Study Team members.

The Lead Person is directed to implement a guidance program that carries out the purposes of this policy and:

1. Involves teaching staff members at all appropriate levels;
2. Honors the individuality of each student;
3. Is integrated with the total educational program;
4. Is coordinated with available resources of the community;
5. Provides for cooperation of school staff with parents and shares parents' concern for the development of their children;
6. Provides for the means of sharing information among appropriate staff members in the student's interest;
7. Is available equitably to all students and prohibits biased counseling and the use of materials that discriminate among students on the basis of their race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation, gender, gender identity or expression, socioeconomic status, or disability; and
8. Establishes a referral system that utilizes all the aid the schools and community offer, guards the privacy of the student, and monitors the efficacy of such referrals.

N.J.A.C. 6A:19-1.2; 6A:8-2.2

N.J.A.C. 6A:7-1.7; 6A:8-3.2

Adopted: 17 May 2018



### 2412 HOME INSTRUCTION DUE TO HEALTH CONDITION

The Board of Trustees shall provide instructional services to an enrolled student, whether a general education student or special education student age three to twenty-one, when the student is confined to the home or another out-of-school setting due to a temporary or chronic health condition or a need for treatment that precludes participation in their usual education setting, whether general or special education.

A parent's request for home instruction shall include a written determination from the student's physician documenting the projected need for confinement at the student's residence or other treatment setting for more than ten consecutive school days or twenty cumulative school days during the school year. The written determination from the student's physician shall be forwarded to the school physician, who shall either verify the need for home instruction or provide reasons for denial. The parent shall be notified concerning the school physician's verification or reasons for denial within five school days after receipt of the written determination by the student's physician.

The school shall be responsible for the costs of providing instruction in the home or out-of-school setting either directly, or through online services, including any needed equipment, or through contract with another school Board of Trustees, Educational Services Commission, Jointure Commission, or approved clinic or agency. The school shall provide instructional services within five school days after receipt of the school physician's verification or, if verification is made prior to the student's confinement, during the first week of the student's confinement to the home or out-of-school setting.

The home or out-of-school instruction shall meet the minimum standards as required in N.J.A.C. 6A:16-10.1(c). The school shall establish a written plan for delivery of instruction and maintain a record of delivery of instructional services and student progress. The teacher providing instruction shall be a certified teacher. The teacher shall provide instruction for the number of days and length of time sufficient to continue the student's academic progress and dependent upon the student's ability to participate.

For a student with disabilities, the home instruction shall be consistent with the student's Individualized Education Plan (IEP) to the extent appropriate, and shall meet the Core Curriculum Content Standards. When the provision for home instruction for a student with disabilities will exceed thirty consecutive school days in a school year, the IEP team shall convene a meeting to review and, if appropriate, revise the student's IEP.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Home Instruction Due to Health Condition

For a student without disability, the home instruction shall meet the Core Curriculum Content Standards, and the requirements of the Board for promotion to the next grade level. When the provision for home instruction for a student without disability will exceed sixty calendar days, the school physician shall refer the student to the Child Study Team for evaluation, pursuant to N.J.A.C. 6A:14.

The Board reserves the right to withhold home instruction when the reason for the student's confinement is such as to expose a teacher to a health hazard or dangerous home situation; when a parent or other adult twenty-one years of age or older, who has been designated by the parent, is not present during the hours of instruction; or when the condition of the student is such as to preclude benefit from such instruction.

Students on home instruction will be accounted for on the attendance register as required by the Department of Education. The name of a student on home instruction will not be released at a public Board meeting or placed in a public record.

N.J.S.A. 18A:38-1 through 18A:38-25  
N.J.A.C. 6A:14-4.8; 6A:14-4.9; 6A:16-10.1

Adopted: 17 May 2018



## 2415 NO CHILD LEFT BEHIND PROGRAMS

The No Child Left Behind Act (NCLB) of 2001 is a reauthorization of the Elementary and Secondary Education Act (ESEA)/Improving America's Schools Act (IASA) 1994, providing funds to help all New Jersey's school children achieve, at a minimum, proficiency in the State standards. NCLB embodies four key principles or pillars of education reform: accountability, flexibility, choice, and methodology. The Board of Trustees elects to augment the instructional program of students by projects supported by Federal funds allocated under NCLB and the school will comply with the requirements of all the programs authorized by NCLB.

The school may be eligible for several grant programs funded through NCLB, including, but not limited to, Title I through Title VI. Many of the Titles of NCLB have several parts and subparts that provide a funding source for specific purposes.

### Application Procedure

The school will submit an annual No Child Left Behind Consolidated Formula Subgrant Application to the New Jersey Department of Education (NJDOE). The school's application shall include all information required by the NJDOE and NCLB for the school to be considered for funding under NCLB.

### Covered Programs

The intent of NCLB is that all children will meet State academic achievement standards to reach their potential through improved programs. The NCLB Consolidated Formula Subgrant includes the following programs:

1. Title I, Part A provides the programs and resources for disadvantaged students to meet this intent. It requires the State and the school to close the achievement gap by placing a highly qualified teacher in every classroom, improving the qualifications of paraprofessionals who work with disadvantaged students, and using instructional practices that have proven to be effective.
2. Title I, Part D serves neglected and delinquent youth in institutions, community day programs, and correctional facilities to assure they also attain high academic levels of performance.



3. Title II, Part A provides the resources for improving teacher and Principal quality and increasing the number of highly qualified teachers and Principals in classrooms and schools, thereby raising student achievement in the academic subjects. It focuses on preparing, training, and recruiting high-quality teachers and Principals and requires the State to develop plans with annual measurable objectives that will ensure all teachers teaching in core academic subjects are highly qualified by the end of the 2005-2006 school year.
4. Title II, Part D facilitates comprehensive and integrated educational technology strategies that target the specific needs of individual schools. It improves student academic achievement through the use of technology in elementary and secondary schools, while addressing the digital divide such that every student is technologically literate by the end of eighth grade. Effective integration of technology resources and systems with teacher training and curriculum development are encouraged in order to identify and showcase best practices in educational technology.
5. Title III, Part A focuses on the teaching of English to limited English proficient (LEP) children, including immigrant children and youth.
6. Title IV, Part A provides resources for fostering a safe and drug-free learning environment that supports academic achievement.
7. Title V, Part A provides a flexible source of funding to help schools in the development and implementation of various innovative reform initiatives.
8. Title VI, Part B addresses the unique needs of rural school districts.
9. Title IX covers the general provisions applicable to some/all of the programs.

Throughout NCLB, the use of solid research to improve teaching and learning as well as student behavior is required and promoted, and parent(s)/legal guardian(s) are provided with information and options to improve the educational opportunities provided for their children. The emphasis on scientifically based methodology encourages the use of teaching techniques and practices that are founded on research and proven to produce positive results.



### Title I

The largest Federal program supporting elementary and secondary education is Title I. NCLB strengthens Title I requirements for the State's assessments, accountability system, and support for school improvement. The law also establishes minimum qualifications for teachers and paraprofessionals in Title I programs.

The school must use the best available measure for identifying children from low-income families to: identify eligible school attendance areas, determine the ranking of each area, and determine allocations as identified in the Title I guidelines and regulations.

The school will offer Title I services to eligible children enrolled in private elementary and secondary schools. The services and benefits will be equitable in comparison to services and benefits for participating public school children.

The school will provide the New Jersey Department of Education assurances it will provide the maximum coordination between the Title I program, the regular school program, and services provided by other programs for specialized populations. The Title I program will consider the special needs of homeless children, migrant children, children with disabilities and limited English proficient (LEP) children. Title I funds will be reserved so that migrant children who are otherwise eligible to receive Title I services, even if they arrive during the school year, are served.

### Type of Title I Program

The school will offer a Target Assistance Title I program.

### Target Assistance Program

Schools that are not eligible for (or do not choose to operate) school-wide Title I programs must use Title I funds to provide targeted services to low-achieving students. A Target Assistance program must be established in accordance with the Title I guidelines and regulations and the New Jersey Department of Education.

### Academic Standards, Academic Assessments, and Accountability

The school will comply with the requirements as outlined in Policy 2415.01 - Academic Standards, Academic Assessments, and Accountability in accordance with the NJDOE and NCLB.



### Fiscal Responsibility

The school will comply with the requirements as outlined in Policy 2415.02 Title I – Fiscal Responsibilities in accordance with the NJDOE and NCLB.

### Staff

The school will comply with the requirements as outlined in accordance with the NJDOE and NCLB. In addition, the school will ensure all paraprofessionals meet the requirements as required by NCLB and as outlined in Policy 4125 – Employment of Support Staff Members.

### Parental Involvement

The school will comply with the requirements as outlined in Policy 2415.04 – Parental Involvement in accordance with the NJDOE and NCLB.

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

The Protection of Pupil Rights Amendment (PPRA) applies to schools that receive Federal funding from the United States Department of Education. The school will comply with the requirements as outlined in Policy 2415.05 - Student Surveys, Analysis, and/or Evaluations in accordance PPRA.

### Unsafe School Choice Option

In the event there is a school designated as Persistently Dangerous in accordance with the Victims of Violent Criminal Offenses as outlined in NCLB, the school will comply with the requirements of Policy 2415.06 – Unsafe School Choice Option in accordance with the NJDOE and NCLB.

### Property

Property acquired through Title I funds for use in public or private schools will be acquired in accordance with the Public School Contracts Law, will be held in title by the Board of Trustees, and will not be used for other purposes so long as it is required in the Title I program. Property no longer required for Title I purposes will be used for other, similarly funded projects or disposed of in accordance with State and Federal guidelines.



## Capital Expenses

The Lead Person will assure the school abides by New Jersey's Public Contracts Law; consults appropriate private school officials prior to making any decisions regarding capital expenses; ensure funds that are received to cover capital expenses provide equitable Title I services to private school students; ensure accounts for any capital funding is separately maintained; and assure lease purchase agreements are consistent with applicable statute and administrative code.

## Post-Award Requirements

The school will maintain all project records for five years following the completion of the activity for which the funds were used. The school will prepare and submit all reports as required by the State Department of Education in a timely manner.

## Supplement, Not Supplant

Grant funds provided under Federal programs, including No Child Left Behind funding, shall supplement, not supplant other non-Federal funds that are available to provide programs and services to eligible students, unless otherwise provided in the grant program.

## State Waiver from Certain Provisions of No Child Left Behind (NCLB)

The State of New Jersey may receive a waiver(s) from certain provisions of NCLB from the United States Department of Education. A waiver(s) may affect the applicability of the school's NCLB policies and/or regulations. In the event a waiver(s) affects the applicability of Board of Trustees NCLB policies and/or regulations, the waiver provisions shall supersede current Board policies and/or regulations and the school shall comply with the requirements as outlined by the New Jersey Department of Education in accordance with the waiver(s) application and approval(s) from the United States Department of Education.

## Evaluation

The Lead Person will evaluate the NCLB programs as required by the United States and the New Jersey Departments of Education.

## No Child Left Behind Act of 2001

Adopted: 17 May 2018





## 2415.01 ACADEMIC STANDARDS, ACADEMIC ASSESSMENTS, AND ACCOUNTABILITY

The No Child Left Behind Act of 2001 (NCLB), a reauthorization of the Elementary and Secondary Education Act (ESEA), requires New Jersey to implement a single accountability system to include challenging academic content and academic achievement standards. The accountability requirements under NCLB were built on the foundation of the former Improving America's Schools Act (IASA).

To meet the Federal requirements, New Jersey has adopted the New Jersey Single Accountability System. State assessments in language arts literacy and mathematics are based on the New Jersey Core Curriculum Content Standards. All students enrolled in New Jersey public schools, plus all student subgroups, must meet the proficiency benchmarks to ensure the goal of 100% proficiency. Students must score either "proficient" or "advanced proficient" on the assessments to be counted toward meeting the benchmarks.

The school is evaluated using adequate yearly progress (AYP) indicators. Student achievement is determined by grade span (Elementary School – grades three through five, Middle School – grades six through eight, and High School – grades nine through twelve) and in each content area. There are indicators that must be met (including participation and proficiency rates) plus a secondary indicator. A safe harbor calculation is applied to measure significant progress if the benchmark is missed. When a school does not meet AYP for two consecutive years in the same content area, it is designated as a "school in need of improvement."

AYP shall be calculated for all New Jersey schools under the provisions of NCLB. Schools that do not meet AYP as defined under NCLB are placed into one of the following categories. Title I schools in need of improvement must implement the sanctions for each category.

Year 1 – Early Warning: A school that does not make AYP for one year is placed into "early warning" status.

Year 2 – In Need of Improvement/School Choice: A school that does not make AYP for two consecutive years in the same content area is designated as a "school in need of improvement." Parents/legal guardians shall be promptly notified if their child's school has been designated as in need of improvement. For Title I schools certain interventions apply, including intradistrict school choice (or supplemental educational services if choice is not available) and development of a school improvement plan (Title I Unified



Plan). The school must offer technical assistance to address the areas that caused the school to be in need of improvement. Parents/legal guardians shall be notified of their right to request intradistrict public school choice and parents/legal guardians of eligible students shall be notified of the availability of supplemental educational services, if choice is not available, including the provider list Web address.

Year 3 – In Need of Improvement/Supplemental Educational Services (SES): A school that does not make AYP for three consecutive years in the same content area shall continue to be identified as a “school in need of improvement.” The Title I school must continue to offer intradistrict school choice and must also offer SES to eligible students. Technical assistance must continue to be offered by the school, parents must receive notification of the school’s status, and the school improvement plan (Title I Unified Plan) is updated annually. Parents/legal guardians of eligible students shall be notified of the availability of supplemental educational services, if choice is not available, including the provider list Web address.

The New Jersey Department of Education (NJDOE) offers school support by engaging a team of experienced professionals to conduct an extensive school review called Collaborative Assessment and Planning for Achievement (CAPA). The CAPA team interviews stakeholders and staff, reviews school documents, and conducts on-site observations to develop a report that contains recommendations for school improvement, which then becomes part of the Title I Unified Plan.

Year 4 – Corrective Action: A school that does not make AYP for four consecutive years in the same content area is identified as a school in corrective action. The Title I school must continue to offer intradistrict school choice and SES, notify parents of the school’s status, revise its school improvement plan (Title I Unified Plan), and receive technical assistance from the school and the NJDOE.

The school must take at least one of the following corrective actions:

1. Provide, for all relevant staff, appropriate, scientifically research-based professional development that is likely to improve academic achievement of low-performing students.
2. Institute a new curriculum grounded in scientifically-based research and provide appropriate professional development to support its implementation.



3. Extend the length of the school year or school day.
4. Replace the school staff who are deemed relevant to the school not making adequate progress.
5. Significantly decrease management authority at the school.
6. Restructure the internal organization of the school.
7. Appoint one or more outside experts to advise the school how to revise and strengthen the improvement plan it created while in school improvement status and how to address the specific issues underlying the school's continued inability to make AYP.

Year 5 – Planning for Restructuring: A Title I school that does not make AYP for five consecutive years in the same content area must plan to restructure. The restructuring plan is implemented at the beginning of the following school year if the school continues to miss AYP benchmarks and moves to Year 6. During the planning year, the Title I school must continue to offer intradistrict school choice and SES, notify parents of the school's status and invite parent input during the restructuring process, and receive technical assistance from the school and the NJDOE. The technical assistance design for a school being restructured emphasizes the following:

1. The importance of improving instruction by using strategies grounded in scientifically-based research so that all children in the school achieve proficiency in the core academic subjects of language arts and mathematics.
2. The importance of analyzing and applying data in decision-making.

The restructuring plan must include one of the following alternative governance systems for the school as outlined by NCLB regulations and consistent with New Jersey practice and statutes:

1. Implement any major restructuring of the school's governance that is consistent with the principles of restructuring as set forth in the No Child Left Behind Act.
2. Re-open the school as a public charter school as defined by State statute and regulation (N.J.S.A. 18A:36A-1 et seq. and N.J.A.C. 6A).



3. Replace all or most of the school staff, which may include the Principal, who are relevant to the school's inability to make adequate progress (consistent with existing contractual provisions and applicable statutory protections in Title 18A).

Year 6 – Restructuring-1: A Title I school that does not make AYP for six consecutive years in the same content area must implement the approved restructuring plan. The Title I school must continue to offer intradistrict school choice and SES, notify parents of the school's status and invite parent input and support during the implementation process, and receive technical assistance from the school and the NJDOE. Technical assistance is critical to help school staff remain focused on increasing student achievement while the school is adjusting to potentially radical changes in its administration and governance structures. A CAPA visit will occur at the school to determine the fidelity of implementation of the restructuring plans and to review the governance structure of the school.

Year 7 (and over) – Restructuring-2 (and over): If the school has not made AYP for seven or more consecutive years, the NJDOE will meet with school administrators to continually review implementation of the restructuring plan/Title I Unified Plan. Benchmark meetings with NJDOE staff, and the school will occur twice a year to assess and support implementation of the school improvement plan.

Removal from Early Warning/Improvement Status: To be removed from early warning or improvement status, the school must make AYP for two consecutive years in the content area that caused the school to go into status, providing the school makes AYP in the other content areas. The first year of making AYP is a "hold year" and the school does not progress to the next sanction level, but must continue to implement current interventions. If the school does not make AYP the year following "hold," the school goes back into improvement status at the level prior to the hold year.

No Child Left Behind Act of 2001, §1111

Adopted: 17 May 2018



## 2415.02 TITLE I – FISCAL RESPONSIBILITIES

The Classical Academy Charter of School Board of Trustees will comply with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001.

### Maintenance of Effort

To be in compliance with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001, §1120A(a), the Classical Academy Charter School Board of Trustees 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 ninety percent of the combined fiscal effort per student, or the aggregate expenditures, for the second preceding fiscal year.

### Comparability with Multiple Schools

To be in compliance with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001, §1120A(c), the Classical Academy Charter School Board of Trustees directs the Lead Person to assign teachers, administrators, and auxiliary personnel to the schools in such a way that the equivalence of personnel is ensured among schools.

### Comparability of Materials and Supplies

To be in compliance with the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the No Child Left Behind Act of 2001, §1120A(c), the Classical Academy Charter School Board of Trustees directs the Lead Person to distribute curriculum materials and instructional supplies to the schools in such a way that the equivalence of such material is ensured among schools.

No Child Left Behind Act of 2001, §1120A

Adopted: 17 May 2018



## 2415.04 TITLE I – SCHOOL-WIDE PARENTAL INVOLVEMENT

### GENERAL EXPECTATIONS

The school will put into operation programs, activities, and procedures for the involvement of parents with the school's Title I, Part A programs, consistent with Section 1118 of the Elementary and Secondary Education Act (ESEA). Those programs, activities, and procedures will be planned and operated with meaningful consultation with parents of participating children.

Consistent with Section 1118, the school will work to ensure that the required school-level parental involvement policies meet the requirements of Section 1118(b) of the ESEA, and each include, as a component, a school-parent compact consistent with Section 1118(d) of the ESEA.

The school will incorporate this School-Wide Parental Involvement Policy into the school's plan developed under Section 1112 of the ESEA.

In carrying out the Title I, Part A parental involvement requirements, to the extent practicable, the school will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under Section 1111 of the ESEA in an understandable and uniform format, including alternative formats upon request, and to the extent practicable, in a language parents understand.

If the school's plan for Title I, Part A, developed under Section 1112 of the ESEA, is not satisfactory to the parents of participating children, the school will submit any parent comments with the plan when the school submits the plan to the New Jersey Department of Education.

In the event the school is required to reserve and spend at least one percent of the school's Title I, Part A allocation, the school will involve the parents of children served in Title I, Part A schools in decisions about how these funds will be spent and will ensure that not less than ninety-five percent of the one percent reserved goes directly to the school.

The school will be governed by the following statutory definition of parental involvement, and expects Title I schools will carry out programs, activities, and procedures in accordance with this definition:

Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring-



1. That parents play an integral role in assisting their child’s learning;
2. That parents are encouraged to be actively involved in their child’s education at school;
3. That parents are full partners in their child’s education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child; and
4. The carrying out of other activities, such as those described in Section 1118 of the ESEA.

In the event the State of New Jersey or the New Jersey Department of Education has a Parental Information and Resource Center, the school will inform parents and parental organizations of its purpose and existence.

### DESCRIPTION OF HOW THE SCHOOL WILL IMPLEMENT REQUIRED SCHOOL-WIDE PARENTAL INVOLVEMENT POLICY COMPONENTS

Below is a description of how the school will implement or accomplish each of the following components outlined below (Section 1118(a)(2), ESEA):

1. The school will take the following actions to involve parents in the joint development of its school-wide parental involvement plan under Section 1112 of the ESEA:
  - a. Parents will be informed by Title I school Principal of a meeting to develop the school-parent-student compact.
2. The school will take the following actions to involve parents in the process of school review and improvement under Section 1116 of the ESEA:
  - a. Parents will be informed by Title I school Principal of a meeting to develop the school-parent-student compact.
3. The school will provide the following necessary coordination, technical assistance, and other support to assist Title I, Part A schools in planning and implementing effective parental involvement activities to improve student academic achievement and school performance:
  - a. The school will host an annual parent information session.



4. The school will take the following actions to conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this Parental Involvement Policy in improving the quality of its Title I, Part A schools. The evaluation will include identifying barriers to greater participation by parents in parental involvement activities (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). The school will use the findings of the evaluation about its Parental Involvement Policy and activities to design strategies for more effective parental involvement, and to revise, if necessary (and with the involvement of parents) its parental involvement policies.
  - a. The Principal and parents will discuss the evaluation conducted by the Principal at the annual meeting.

The school will build the school's and parent's capacity for strong parental involvement, in order to ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, through the following activities specifically described below:

1. The school will, with the assistance of its Title I, Part A schools, provide assistance to parents of children served by the school, as appropriate, in understanding topics such as the following, by undertaking the actions described below:
  - New Jersey's academic content standards;
  - New Jersey's student academic achievement standards;
  - The New Jersey and local academic assessments including alternate assessments;
  - The requirements of Part A;
  - How to monitor their child's progress; and
  - How to work with educators.
  - a. The forementioned topics will be discussed at the annual meeting with the Principal.





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Title I – School-Wide Parental Involvement

2. The school will provide materials and training to help parents work with their children to improve their children's academic achievement, such as literacy training, and using technology, as appropriate, to foster parental involvement, by:
  - a. The forementioned topics will be discussed at the annual meeting with the Principal.
3. The school will, with the assistance of its parents, educate its teachers, student services personnel, Principals and other staff in how to reach out to, communicate with, and work with parents as equal partners in the value and utility of contributions of parents, and in how to implement and coordinate parent programs and build ties between parents and the school, by:
  - a. Providing Title I teachers and administrators with the opportunity to attend workshops and conferences related to Title I.
4. The school will take the following actions to ensure that information related to the school and parent programs, meetings, and other activities, is sent to the parents of participating children in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language the parents can understand:
  - a. If appropriate, and realistic, documents can be translated upon request.

Adopted: 17 May 2018



## 2415.05 STUDENT SURVEYS, ANALYSIS AND/OR EVALUATIONS

The Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. §1232h; 34 CFR Part 98) applies to schools that receive funding from the United States Department of Education.

### Consent

PPRA requires written consent from parents/legal guardians and students who are eighteen years old or emancipated minor students before minor students are required to participate in a survey, analysis, or evaluation funded in whole or in part by a program of the United States Department of Education that concerns one or more of the following nine areas referred to as “protected information surveys”:

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as with lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the student or parents;
8. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program); or
9. Social security number.

This consent requirement also applies to the collection, disclosure or use of student information for marketing purposes, referred to as “marketing surveys”, and for certain physical examinations and screenings.



### “Opt a Student Out” Notice

The parents and eligible students will be provided an opportunity to opt a student out of participating in:

1. The collection, disclosure, or use of personal information obtained from students for marketing, to sell, or otherwise distribute information to others;
2. The administration of any other “protected information survey” not funded in whole or in part by the United States Department of Education; and
3. Any non-emergency, invasive physical examination required as a condition of attendance, administered by the school or its agents, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, scoliosis screenings, or any physical examination or screening permitted or required under State law.

### Inspection

The parents and eligible students, upon request and before administration or use, have the right to inspect:

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

The Assistant Lead Person shall be responsible for obtaining the consent, annual direct notification to parents and eligible students at the start of each school year and after any substantive changes of the “opt a student out” rights and the inspection rights provisions of PPRA and this Policy. The “opt a student out” notice shall include any specific or approximate dates of the activities eligible for a student to “opt out.”



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Student Surveys, Analysis and/or Evaluations

### PPRA Consent/Opt Out Violations

Parents or students who believe their rights under PPRA may have been violated may file a complaint with United States Department of Education.

The Protection of Pupil Rights Amendment (PPRA)

(20 U.S.C. §1232h; 34 CFR Part 98)

No Child Left Behind Act of 2001, Title X, Part F, §1061

Adopted: 17 May 2018



## 2415.06 UNSAFE SCHOOL CHOICE OPTION

The New Jersey Department of Education (NJDOE) is required to establish an Unsafe School Choice Option (USCO) Policy per the Elementary and Secondary Act (ESEA) of 1965, as reauthorized under the Federal Every Student Succeeds Act of 2015 (ESSA). The USCO Policy requires that students who attend a persistently dangerous public elementary or secondary school as determined by the NJDOE, or become victims of a violent criminal offense while in or on school grounds of a public school that they attend, be allowed to attend a safe public school within the district. The USCO provision under the ESSA contains two provisions that apply to school districts that receive funds under ESSA: Provision I - Persistently Dangerous Schools and Provision II - Victims of Violent Criminal Offenses.

Effective the beginning of each school year, school districts receiving ESSA funds must be prepared to complete the transfer of students who choose to exercise Provision I and Provision II of this USCO Policy. Compliance with the Policy is a condition of receiving funds under any and all titles under ESSA. The Lead Person is required to certify compliance with this USCO Policy to the NJDOE in the application for ESSA funds.

### USCO Policy Provision I - Persistently Dangerous Schools (PDS)

1. Criteria for Determining PDS.

A persistently dangerous school is a public elementary or secondary school building (except for Regional Day Schools, Educational Services Commissions and Special Services School Districts) that meets the objective criteria determined by the NJDOE for three consecutive years and is part of a school district that receives funds under ESSA. The NJDOE will use the most current available data from the Electronic Violence and Vandalism Reporting System (EVVRS) to identify PDS on or before July 31 of each year.

2. Procedures and Guidelines for Schools Determined to be Persistently Dangerous.

A school will be notified by the NJDOE on or before July 31 of each year if a school(s) in the school district has been identified as a PDS. Once the school receives notification a school is identified as persistently dangerous, the school must inform all parents of enrolled students in the school of the designation within fifteen calendar days of the date of the notice and offer them the option for their children to transfer to a safe public school within the district by the beginning of the respective school year. The school must complete all transfers by the beginning of the school year following the July notification.



Students are not required to accept the transfer option, but they must be afforded the opportunity to do so. Parental notice regarding the status of the school and the offer to transfer students should be made simultaneously. Parents of enrolled students must be notified of the persistently dangerous designation whether or not there is another school within the district for the transferring students.

To the extent possible, the school will allow transferring students to transfer to schools that have not been identified as low performing, under the State's ESSA accountability system. When a transfer school is not available within the school district, the school may seek arrangements for students to transfer to the nearest charter school or neighboring district; however, this is not required. The school may take into account the needs and preferences of the affected students and parents.

3. Corrective Action Plan for a School Identified as Persistently Dangerous.

If a school is identified by the NJDOE as persistently dangerous, the school will submit to the NJDOE documentation of compliance with the parent notification requirement and actions taken to complete the transfer arrangements for all students exercising the option by the first day of the school year. Additionally, the school is required to develop and submit for approval a corrective action plan to the NJDOE on or before September 30 of the same year, which will apply to the respective school year. The corrective action plan, which must be completed in the format provided by the NJDOE, will describe how the school will reduce the number of incidents of violence as determined by the EVVRS. The NJDOE will provide the school with guidance for its corrective action plan, as well as monitor the school's timely completion of the approved plan.

In the spring of each following year, the NJDOE will re-evaluate the status of a school identified as persistently dangerous. The NJDOE will review the school's progress towards completing its corrective action plan and compare the current year's incidents of violence, as reported on the EVVRS, to the criteria for determining PDS. A school identified as maintaining the persistently dangerous designation will be notified by the NJDOE on or before July 31 of the respective year and will be required to submit for approval a revised corrective action plan by September 30 of that year, which will apply to the respective school year. The school must inform all parents of enrolled students in the school of the designation within fifteen calendar days of the date of notice and offer them the option for their children to transfer to a safe public school by the beginning of the respective school year in accordance with 2. above.



A school no longer designated persistently dangerous will be notified on or before July 31 of the respective year. The persistently dangerous designation will be removed after one or more years contingent upon successful fulfillment of the criteria for removal, as determined by evidence of the school's progress toward successfully completing the approved corrective action plan, and evidence of incidents that no longer meet the criteria for determining PDS, described above, for one school year, the year in which the corrective action plan was in effect.

4. Procedures and Guidelines for Early Warning of Schools.

When a school meets the criteria set forth in this Policy for one year, the school will be informed of the types of offenses reported that have led to an early notification. This notification, on or before August 15 of each year, will be informational only. A school that no longer meets the criteria for PDS for one year will no longer be considered in early notification status. A school that meets the criteria for two consecutive years will move into early warning status outlined below.

If a school meets the criteria set forth in this Policy for two consecutive years, the school will be notified of the pattern of offenses on or before August 15 of each year. If notified, the school will develop and submit for approval a school safety plan to the NJDOE on or before September 30 of the same year, which will apply to the respective school year. The school safety plan, which must be completed in the format provided by the NJDOE, will describe how the school will reduce the number of incidents of violence as determined by the EVVRS. The NJDOE will provide an early warning school with guidance for its school safety plan, as well as monitor the school's timely completion of the approved plan. A school receiving an "early warning" notice is not required to provide the transfer option to students.

In the spring of each following year, the NJDOE will reevaluate the school's progress towards completing its school safety plan and compare the current year's incidents of violence, as reported on the EVVRS, to the criteria for determining PDS. The school will be notified of its status on or before July 31 of the respective year.

A school that no longer meets the criteria for PDS for one school year, the year in which the school safety plan was in effect, will no longer be required to submit a school safety plan.



A school that meets the criteria for PDS for a third consecutive year will be designated persistently dangerous and will be required to submit for approval a corrective action plan on or before September 30 of that year, which will apply to the respective school year and provide the transfer option to students in the school designated as persistently dangerous.

5. Schools Not Receiving ESSA Funds, but Meeting the Criteria for PDS.

School buildings and schools that do receive Federal funds under ESSA, but meet any one of the criteria for PDS will be contacted by the NJDOE and be required to develop and submit for approval a school safety plan on or before September 30 of the respective year. The school safety plan must be completed in the format provided by the NJDOE and describe how the school will reduce the number of incidents of violence as determined by the EVVRS. The NJDOE will provide the school with guidance for its school safety plan, as well as monitor the school's timely completion of the approved plan.

### USCO Policy Provision II – Victims of Violent Criminal Offenses

The Unsafe School Choice Option provision under the ESSA requires a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary or secondary school that the student attends, be allowed to attend a safe public elementary or secondary school, including a public charter school.

The individual victim provision of this Policy attempts to fulfill the requirement for the school to provide relief to students who have been victimized, while providing a school with a practical means for making determinations on incidents of victimization that are within the purview of the school. The individual victim section of this Policy has been crafted to enable school staff to make reasonable determinations and actions regarding this Policy. The Lead Person will consult with the Board attorney and communicate with designated local and/or county law enforcement authorities, per the provisions of the *Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials and N.J.A.C. 6A:16-6.2(b)13*, on questions and issues that arise in the implementation of the individual victims of violent criminal offenses section of this Policy.

1. Criteria for Determining Victims of Violent Criminal Offenses

The following criteria must be used to determine when an enrolled student has become a victim of a violent criminal offense while in or on the grounds of a public elementary or secondary school that the student attends. These criteria only apply to a student who has become a victim of one or more of the violent criminal offenses enumerated below:





A student is considered a victim of a violent criminal offense when:

- a. A referral has been made to law enforcement officials for suspicion that one of the violent criminal offenses enumerated below has occurred; and
- b. One or more of the following applies:
  - (1) Law enforcement officials have filed formal charges against the offender(s) for commission of the violent crime; or
  - (2) The offender(s) has received sanctions in accordance with the Board of Trustees' Code of Student Conduct; or
  - (3) The offender(s) either has not been identified or is not an enrolled student(s), but it is clear that the student (victim) has become a victim of a violent criminal offense based on objective indicators such as physical evidence, eyewitness testimony, and/or circumstantial evidence; or
  - (4) The pre-existence of a restraining order against the offender(s).

## 2. Procedures and Guidelines

Effective the first day of each school year, the school must be prepared to begin the transfer of any student who chooses to exercise the individual choice option provision. The school must offer, within fourteen calendar days of the incident, an opportunity to transfer to a safe public school to any student who has become a victim of a violent criminal offense while in or on the grounds of a public school that the student attends. While the student must be offered the opportunity to transfer, the student may elect to remain at the school.

To the extent possible, the school will allow any transferring student to transfer to a school that has not been identified as low performing, under the State's ESSA accountability system. In addition, when a transfer school is not available within the school, the school may seek arrangements for a student to transfer to the nearest charter school or neighboring district; however, this is not required. The school may take into account the needs and preferences of the affected student and his or her parent(s). Transfers must occur within thirty days of the determination that the student was a victim of a violent criminal offense.



### 3. Violent Criminal Offenses

The violent criminal offenses under New Jersey statutes that apply to the individual victim provision of this Policy are identified and explained below. The offenses apply to completed offenses, as well as attempts to commit the offenses. The offenses and attempts to commit the offenses apply only when they occur in or on the school grounds, as defined in N.J.A.C. 6A:16-1.3, of the school that the student attends. The offenses apply whether they occur wholly or in part in or on the grounds of the school that the student attends. The offenses apply only to acts or attempts that are directed at a person (victim) or a group of specified individuals (victims), rather than acts that indiscriminately affect the entire school population or non-specified individuals or groups.

### 4. Applicable Violent Criminal Offenses

Below is a description of each applicable violent criminal offense that is based upon New Jersey statutes and references to statutory citations that provide complete explanations of each designated offense. The descriptions provided below are not intended to be a complete explanation of each offense or a substitute for the actual provisions of the authorizing statutes. Instead, the descriptions are provided as an aid in facilitating understanding of the general intent and practical applications of the violent criminal offenses that pertain to this Policy.

- a. Homicide [N.J.S.A. 2C:11-2] - A student is a victim of a homicide when he or she is the child, sibling or other relative of a decedent, resulting from someone purposely, knowingly or recklessly causing the death of the student's parent, sibling, or relative in or on school grounds.
- b. Assault [N.J.S.A. 2C:12-1(A)(1-3) and 2C:12-1(B)(1-4)] - A person is a victim of an assault when the actor: purposely, knowingly, or recklessly causes bodily injury to the victim; negligently, recklessly, knowingly, or purposely causes bodily injury to the victim with a deadly weapon; attempts by physical menace to put the victim in fear of imminent serious bodily injury; or knowingly points a firearm at or in the direction of the victim, whether or not the actor believes it to be loaded.
- c. Sexual Assault [N.J.S.A. 2C:14-2] - A student is a victim of a sexual assault when the student is a victim of an act of sexual contact when the victim is less than thirteen years old and the actor is at least four years older than the victim, or the student is a victim of an act of sexual penetration under any of the following circumstances:



- (1) The victim is less than thirteen years old.
  - (2) The victim is at least thirteen, but less than sixteen years old; and the actor is at least four years older than the victim.
  - (3) The victim is at least sixteen years old, but less than eighteen years old; and the actor has supervisory or disciplinary power over the victim.
  - (4) The actor uses physical force or coercion.
  - (5) The victim is one whom the actor knew or should have known was physically helpless, mentally defective, or mentally incapacitated.
- d. Bias Intimidation [N.J.S.A. 2C:16-1(A)] - A person is a victim of the crime of bias intimidation when an actor commits, attempts to commit, conspires with another to commit or threatens the immediate commission of an offense specified in Chapters 11 through 18 of Title 2C of the New Jersey Statutes; N.J.S.A. 2C:33-4; N.J.S.A. 2C:39-3; N.J.S.A. 2C:39-4 or N.J.S.A. 2C:39-5 in the following circumstances:
- (1) With a purpose to intimidate a victim or a group of specified victims because of race, color, religion, gender, handicap, sexual orientation, or ethnicity; or
  - (2) Knowing that the conduct constituting the offense would cause a victim or a group of specified victims to be intimidated because of race, color, religion, gender, handicap, sexual orientation, or ethnicity; or
  - (3) Under circumstances that caused any victim of the underlying offense to be intimidated and the victim, considering the manner in which the offense was committed, reasonably believed either that:
    - (a) The offense was committed with a purpose to intimidate the victim or any person or entity in whose welfare the victim is interested because of race, color, religion, gender, handicap, sexual orientation, or ethnicity; or



- (b) The victim or the victim's property was selected to be the target of the offense because of race, color, religion, gender, handicap, sexual orientation, or ethnicity.
  
- e. Terroristic Threat [N.J.S.A. 2C:12-3(A) and 2C:12-3(B)] - A person is a victim of a terroristic threat when the actor threatens to commit one of the violent criminal offenses enumerated under this Policy against the victim with the purpose to put the student in imminent fear of one of the violent crimes enumerated in this Policy under circumstances reasonably causing the victim to believe the immediacy of the threat and the likelihood that it will be carried out. The definition of terroristic threat applies to N.J.S.A. 2C:12-3(a) insofar as the threat was directed at a person (victim) or a group of specified individuals (victims).
  
- f. Robbery [N.J.S.A. 2C:15-1] - A person is a victim of a robbery when the actor, in the course of committing a theft, inflicts bodily injury; or uses force upon the victim; threatens the victim with or purposely puts the victim in fear of immediate bodily injury.
  
- g. Kidnapping [N.J.S.A. 2C:13-1] - A person is a victim of a kidnapping when the actor unlawfully removes the victim from the school or school grounds; or the actor unlawfully confines the victim with the purpose of holding the victim for ransom or reward as a shield or hostage; or the actor unlawfully removes the victim from the school or school grounds or a substantial distance from where he or she is found in school or on school grounds; or if the actor unlawfully confines a student for a substantial period of time with any of the following purposes: to facilitate commission of a crime or flight thereafter, or to inflict bodily injury on or terrorize the victim.
  
- h. Arson [N.J.S.A. 2C:17-1] - A person is a victim of arson when the actor purposely or knowingly starts a fire or causes an explosion in or on the grounds of a school whereby the victim or group of specified victims are in danger of death or bodily injury; or with the purpose of destroying or damaging the victim's or group of specified victim's property that is in the school or on school grounds.



### Miscellaneous Provisions of USCO

1. Transfer Time Period – PDS

The transfer will be temporary and will be in effect as long as the student’s original school is identified as persistently dangerous.

2. Charter School Transfer Option

While ESSA permits affected students to be afforded the opportunity to attend a public charter school, in addition to a safe public elementary school or secondary school, the application of this provision in New Jersey is limited. Transfers to a charter school can only occur as a part of the charter school’s “equal opportunity” selection process and among charter schools administered under the same managing authority (i.e., charter schools).

Since charter schools in New Jersey are considered public local education agencies (LEA’s), pursuant to N.J.S.A. 18A:36A-3, operated independently of a local board of education, transfers may only take place among charter schools within the LEA. Therefore, students may be permitted to transfer to another charter school that is administered under the same managing authority of the charter school, but are not permitted to transfer to a school in the local public school district administered by a local board of education.

However, pursuant to N.J.S.A. 18A:36A-7, a charter school must be open to all students on a space available basis and may not discriminate in its admission policies or practices (although it may establish reasonable criteria to evaluate prospective students), and in accordance with N.J.S.A. 18A:36A-8, if there are more applications to enroll in the charter school than there are spaces available, the charter school must select students to attend using a random selection process for enrollment.

3. Funding Sources for USCO

The USCO statute does not authorize resources specifically to help cover USCO costs associated with transferring a student from a PDS. However, under certain circumstances Federal funds may be used. For example, ESEA Title IV, Part A [Section 4115(b)(2)(E)(v)] may be used to establish safe zones of passage to and from school to ensure that students travel safely on their way to school and on their way home. In addition, ESEA Title IV, Part A [Sections 5121(8) and 5131(12) and (25)] funds may be used to help cover costs such as tuition or transportation related to the USCO or expansion of public school choice.



4. Special Education Students

The school will provide transferred special education students with the program required by the student's Individualized Education Program (IEP).

5. Transfer Schools

In the event there is not another school for a transferring student, the school is not required to transfer the student to a school outside the school district.

The school will use the school choice option as one response to incidents of victimization. Additionally, the school will develop and implement appropriate strategies for addressing the circumstances that contribute to or support victimization, as well as consistently and proactively manage individuals who have victimized students. The school will promote the importance of school safety and respond to the needs of students and staff. Pursuant to the law, the school will provide an opportunity for students, parents and the school and law enforcement personnel to discuss methods for keeping schools safe from violence; to create school safety plans; and to recognize students in need of help. The school will organize activities to prevent school violence, including, but not limited to, age-appropriate opportunities for student discussion on conflict resolution, issues of student diversity and tolerance. Law enforcement personnel will be invited to join members of the teaching staff in the discussions. Programs shall also be provided for school employees that are designated to help school employees recognize warning signs of school violence and to instruct school employees on recommended conduct during an incident of school violence.

In accordance with the provisions of N.J.S.A. 18A:17-46, two times each school year, between September 1 and January 1 and between January 1 and June 30, at a public hearing, the Lead Person shall report to the Board of Trustees all acts of violence; vandalism; and harassment, intimidation, and bullying which occurred during the previous reporting period.

Title VIII, Part F, Subpart 2, SEC. 8532  
Every Student Succeeds Act (ESSA) of 2015

Adopted: 17 May 2018



## 2415.20 NO CHILD LEFT BEHIND COMPLAINTS

Pursuant to 20 USC 7844, Sec 9304 (a)(3)(C), of the No Child Left Behind Act of 2001 (NCLB), a Board of Trustees shall adopt a policy and written procedures that offer parent(s) or legal guardian(s), public agencies, other individuals, or organizations a method for receipt and resolution of complaints alleging violations in the administration of the NCLB programs as identified by the New Jersey Department of Education (NJDOE).

Policy and Regulation 2415.20 set forth the requirements for resolving complaints presented by any individual or organization that:

1. A school or other agency authorized by the school, or by the NJDOE violated the administration of education programs required by the Elementary and Secondary Education Act as amended by NCLB; and/or
2. The NJDOE violated the administration of education programs required by the Elementary and Secondary Education Act as amended by NCLB.

A Complaint shall be a written allegation that shall identify the alleged NCLB violation, the facts supporting the alleged violation, and any supporting documentation.

A Complaint alleging a school or other agency authorized by the school, or the NJDOE violated the administration of a program must be submitted to the Lead Person. The Lead Person shall be responsible to coordinate the investigation of the Complaint. The Lead Person shall submit a written report regarding the outcome of the investigation to the complainant. If the complainant is not satisfied with the outcome of the investigation, the complainant may initiate a Complaint by submitting a written Complaint to the NJDOE to the attention of the County Superintendent. The County Superintendent will coordinate the investigation of a Complaint. When the investigation is complete, the County Superintendent will notify the complainant in writing regarding the outcome of the investigation. If it is determined a violation has occurred, the Assistant Commissioner assigned to oversee the matter shall identify and impose appropriate consequences or corrective actions as required by regulation to resolve the Complaint. If the complainant does not agree with the NJDOE's decision, the complainant may appeal to the United States Department of Education Secretary.



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No Child Left Behind Complaints

A Complaint alleging the NJDOE violated the administration of a program must be submitted to the New Jersey Department of Education Chief of Staff or the United States Department of Education Secretary. The NJDOE requests the complainant first contact the New Jersey Department of Education Chief of Staff to resolve the issue. The NJDOE Office of Strategic Initiatives and Accountability will coordinate the investigation of a Complaint. When the investigation is complete, the Chief of Staff will notify the complainant in writing regarding the outcome of the investigation. If it is determined a violation has occurred, the Chief of Staff shall identify and impose appropriate consequences or corrective actions as required by regulation to resolve the Complaint. If a complainant does not agree with the NJDOE's decision, the complainant may appeal to the United States Department of Education Secretary.

New Jersey Department of Education 1/26/07 Memorandum – No Child Left Behind Complaint Policy and Procedure

Adopted:





## 2416 PROGRAMS FOR PREGNANT STUDENTS

No student, married or unmarried, who is otherwise eligible for enrollment in this school will be denied an educational program because of pregnancy, childbirth, pregnancy-related disabilities, or actual or potential parenthood.

The Board of Trustees reserves the right to require as a prerequisite for participation in the regular instructional program and in the co-curricular program that a pregnant student present to the school Principal her physician's written statement that such participation will not be injurious to her health or jeopardize her pregnancy.

The Lead Person shall develop a program of special instruction in health and nutrition and shall direct appropriate teaching staff members to counsel the pregnant student, to assist her in securing necessary medical services, to cooperate with community resources on her behalf, and to encourage her toward the completion of an appropriate educational program.

A pregnant student who does not wish to attend regular classes or is physically unable to do so during her pregnancy may, with her consent, be assigned to an alternate instructional program which may include home instruction or a program offered by another school or institution.

The parent(s) or legal guardian(s) of a pregnant student under eighteen years of age shall be notified of any change in the student's regular educational program.

A student who has received an alternate instructional program for reasons associated with pregnancy shall be readmitted to the regular program upon her request and the written statement of her physician that she is physically fit for attendance.

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

Adopted: 17 May 2018



## 2417 STUDENT INTERVENTION AND REFERRAL SERVICES

The Board of Trustees directs the establishment and implementation in a school building in which general education students are served, a coordinated system for planning and delivering intervention and referral services designed to assist students who are experiencing learning, behavior, or health difficulties, and to assist staff who have difficulties in addressing students' learning, behavior, or health needs in accordance with the requirements of N.J.A.C. 6A:16-8.1 and 6A:16-8.2. The Board adopts this appropriate multidisciplinary team approach for planning and delivering the services required under N.J.A.C. 6A:16-8.

Students who are experiencing learning, behavior, or health difficulties shall be referred to the school's Intervention and Referral Services (I&RS) Team. The intervention and referral services shall be provided to aid students in the general education program and may be provided for students who have been determined to need special education programs and services pursuant to N.J.A.C. 6A:16-8.1(a). The intervention and referral services provided for students who have been determined to need special education programs and services shall be coordinated with the student's Individualized Education Program Team, as appropriate.

The functions of the system of intervention and referral services in a school building which general education students are served shall be pursuant to N.J.A.C. 6A:16-8.2(a) and as outlined in Regulation 2417.

Records of all requests for assistance, all intervention and referral services action plans, and all related student information shall be maintained in accordance with Federal and State laws and regulations and New Jersey administrative code pursuant to N.J.A.C. 6A:16-8.2(a)9.

The I&RS Team shall review and assess the effectiveness of the provisions of each intervention and referral services action plan in achieving the outcomes identified in each action plan and modify each action plan to achieve the outcomes, as appropriate.

At a minimum, the I&RS Team shall annually review the intervention and referral services action plans and the actions taken as a result of the building's system of intervention and referral services, and make recommendations to the Principal for improving school programs and services, as appropriate.



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Student Intervention and Referral Services

At the end of the school year, the Principal shall, in consultation with the I&RS Team, develop a report on the concerns and issues identified by the I&RS Team and the effectiveness of the services provided in achieving the outcomes identified in the intervention and referral services action plans. This report shall be provided to the Lead Person.

N.J.A.C. 6A:14; 6A:16-8.1; 6A:16-8.2

Adopted: 17 May 2018



## 2418 SECTION 504 OF THE REHABILITATION ACT OF 1973 - STUDENTS

The Board will comply with Section 504 of the Rehabilitation Act of 1973, the purpose of which is to eliminate discrimination on the basis of disability in any program or activity receiving Federal financial assistance.

### Guarantee of Rights

The Board will provide a free appropriate public education to each student with a disability regardless of the nature or severity of the disability.

The Board will make reasonable accommodations to ensure that no student with a disability, solely on the basis of the disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity sponsored by this Board, including participation in non-academic and extracurricular services and activities.

The administration will undertake to identify and locate all students with disabilities between the ages of three and twenty-two, who are residing within the school, but not receiving a public school education. The administration will take steps to notify such students and their parents of the school's duty to provide accommodations for students with disabilities as well as procedures to determine eligibility for such accommodations.

### Educational Setting

The Board will ensure that a student with a disability participates with nondisabled students in activities and services to the maximum extent appropriate to the needs of the student with a disability.

The school administration will place a student with a disability in the regular educational environment within the school unless the school demonstrates that the education of the student with a disability in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily.

### Evaluation and Placement

The Board will establish standards and procedures for initial evaluations and periodic re-evaluations of students who need or are believed to need accommodations, special education, and/or related services because of a disability. Evaluations may include, but are not limited to, a review of work samples, direct observation, interviews, and/or administration of assessment measures.



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Section 504 of the Rehabilitation Act of 1973 - Students

### Enforcement

The Assistant Lead Person is designated by the Board as the School 504 Coordinator for matters dealing with Section 504 of the Rehabilitation Act of 1973 and can be contacted at the following address or telephone number:

Office Address: 20 Valley Road

Clifton, New Jersey 07013

Telephone: 973-278-7707

### Procedural Safeguards

The school will establish and implement a system of procedural safeguards with respect to the identification, evaluation, or provision of services under Section 504. This system includes notice, an opportunity for the parent to examine relevant records, an impartial hearing with the opportunity for participation by the parent and representation by counsel, and a review procedure. These procedural safeguards shall be in accordance with N.J.A.C. 6A:14 et seq., Policy 2460, Regulation 2460.8, and/or the grievance procedures outlined in Regulation 2418.

### Notice

The Board will notify members of the community that the Board does not discriminate on the basis of a disability in violation of Section 504 of the Rehabilitation Act of 1973. Policy and Regulation 2418 may be reprinted in part or in full and distributed to serve as adequate notice.

### State or Local Law

The obligation to comply with the Rehabilitation Act of 1973 is not obviated or alleviated by the existence of any State or local law or other requirement that, on the basis of disability, imposes prohibitions or limits upon the eligibility of a student with a disability to receive services.

29 U.S.C. 794 (Section 504 Rehabilitation Act of 1973)

20 U.S.C. 1401 et seq. (Individuals with Disabilities Education Act)

42 U.S.C. 12101 (Americans with Disabilities Act of 1990, as amended)

Adopted: 17 May 2018



## 2422 HEALTH AND PHYSICAL EDUCATION

The Board of Trustees requires all students to participate in a comprehensive, sequential, health and physical education program aligned with the New Jersey Department of Education Core Curriculum Content Standards (CCCS) that emphasizes the natural interdisciplinary connection between wellness and health and physical education. The primary focus of the CCCS is the development of knowledge and skills that influence healthy behaviors within the context of self, family, school, and the local and global community. The mission of the CCCS for comprehensive health and physical education is knowledge of health and physical education concepts and skills to empower students to assume lifelong responsibility to develop physical, social, and emotional wellness.

The CCCS incorporate New Jersey statutes related to health and well-being of students in New Jersey schools. The following statutes incorporated into the CCCS include, but are not limited to, the following requirements:

1. Accident and Fire Prevention (N.J.S.A. 18A:6-2) requires instruction in accident and fire prevention. Regular courses of instruction in accident prevention and fire prevention shall be given in every public and private school in New Jersey. Instruction shall be adapted to the understanding of students at different grade levels.
2. Breast Self-Examination (N.J.S.A. 18A:35-5.4) requires instruction on breast self-examination. The Board of Trustees shall operate an educational program for students in grades seven and eight with instruction in breast self-examination. The instruction shall take place as part of the school's implementation of the CCCS in Comprehensive Health and Physical Education and the comprehensive health and physical education curriculum framework shall provide schools with sample activities that may be used to support implementation of the instructional requirement.
3. Bullying Prevention Programs (N.J.S.A. 18A:37-17) requires the establishment of bullying prevention programs. The school is encouraged to establish bullying prevention programs and other initiatives involving school staff, students, administrators, volunteers, parents, law enforcement, and community members. To the extent funds are appropriated for these purposes, the school shall:
  - (1) provide training on the school's Harassment, Intimidation, or Bullying Policy to school employees and volunteers who have significant contact with students; and
  - (2) develop a process for discussing the school's Harassment, Intimidation, or Bullying Policy with students. Information regarding the school Policy against harassment, intimidation, or bullying shall be incorporated into the school's employee training program.



4. Cancer Awareness (N.J.S.A. 18A:40-33) requires the development of a school program on cancer awareness. The Commissioner of Education, in consultation with the State school Boards, shall develop a cancer awareness program appropriate for school-aged children.
5. Dating Violence Education (N.J.S.A. 18A:35-4.23a) requires instruction regarding dating violence in grades seven and eight. The school shall incorporate dating violence education that is age appropriate into the health education curriculum as part of the school's implementation of the CCCS in Comprehensive Health and Physical Education for students in grades seven and eight. The dating violence education shall include, but not be limited to, information on the definition of dating violence, recognizing dating violence warning signs, and the characteristics of healthy relationships.
6. Domestic Violence Education (N.J.S.A. 18A:35-4.23) allows instruction on problems related to domestic violence and child abuse. The Board of Trustees may include instruction on the problems of domestic violence and child abuse in an appropriate place in the curriculum. The instruction shall enable students to understand the psychology and dynamics of family violence, dating violence, and child abuse; the relationship of alcohol and drug use to such violence and abuse; the relationship of animal cruelty to such violence and abuse; and to learn methods of nonviolent problem-solving.
7. Gang Violence Prevention (N.J.S.A. 18A:35-4.26) requires instruction in gang violence prevention for elementary school students. A Board of Trustees that operates an educational program for elementary school students shall offer instruction in gang violence prevention and in ways to avoid membership in gangs. The instruction shall take place as part of the school's implementation of the CCCS in Comprehensive Health and Physical Education and the comprehensive health and physical education curriculum framework shall provide the school with sample materials that may be used to support implementation of the instructional requirement.
8. Health, Safety, and Physical Education (N.J.S.A. 18A:35) requires that all students in grades one through twelve participate in at least two and one-half hours of health, safety, and physical education each school week. Every student, attending the public schools, insofar as he or she is physically fit and capable of doing so, as determined by the medical inspector, shall take such courses, which shall be a part of the curriculum prescribed for the several grades. The conduct



and attainment of the students shall be marked as in other courses or subjects, and the standing of the student in connection therewith shall form a part of the requirements for promotion or graduation. The time devoted to such courses shall aggregate at least two and one-half hours each school week, or proportionately less when holidays fall within the week.

9. Drugs, Alcohol, Tobacco, Controlled Dangerous Substances, and Anabolic Steroids (N.J.S.A. 18A:40A-1) requires instructional programs on drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances and the development of curriculum guidelines. Instructional programs on the nature of drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances, as defined in Section 2 of P.L.1970, c.226 (C.24:21-2), and their physiological, psychological, sociological, and legal effects on the individual, the family, and society shall be taught in the public school and in each grade in a manner adapted to the age and understanding of the students. The programs shall be based upon the curriculum guidelines established by the Commissioner of Education and shall be included in the curriculum for each grade in such a manner as to provide a thorough and comprehensive treatment of the subject.
10. Lyme Disease Prevention (N.J.S.A. 18A:35-5.1) requires the development of Lyme disease curriculum guidelines. The guidelines shall emphasize disease prevention and sensitivity for victims of the disease. The Commissioner of Education shall periodically review and update the guidelines to insure that the curriculum reflects the most current information available.
11. Sexual Assault Prevention (N.J.S.A. 18A:35-4.3) requires the development of a sexual assault prevention education program. The Department of Education in consultation with the advisory committee shall develop and establish guidelines for the teaching of sexual assault prevention techniques for utilization by local schools in the establishment of a sexual assault prevention education program. Such program shall be adapted to the age and understanding of the students and shall be emphasized in appropriate places of the curriculum sufficiently for a full and adequate treatment of the subject.
12. Stress Abstinence (N.J.S.A. 18A:35-4.19 through N.J.S.A. 18A:35-4.22), also known as the "AIDS Prevention Act of 1999," requires sex education programs to stress abstinence. Any sex education that is given as part of any planned course, curriculum, or other instructional program and that is intended to impart information or promote discussion or understanding in regard to human sexual





behavior, sexual feelings and sexual values, human sexuality and reproduction, pregnancy avoidance or termination, HIV infection or sexually transmitted diseases, regardless of whether such instruction is described as, or incorporated into, a description of “sex education,” “family life education,” “family health education,” “health education,” “family living,” “health,” “self esteem,” or any other course, curriculum program, or goal of education, and any materials including, but not limited, to handouts, speakers, notes, or audiovisuals presented on school property concerning methods for the prevention of acquired immune deficiency syndrome (HIV/AIDS), other sexually transmitted diseases, and of avoiding pregnancy, shall stress that abstinence from sexual activity is the only completely reliable means of eliminating the sexual transmission of HIV/AIDS and other sexually transmitted diseases and of avoiding pregnancy.

13. Suicide Prevention (N.J.S.A. 18A:6-111) requires instruction in suicide prevention in public schools. Instruction in suicide prevention shall be provided as part of any continuing education that public school teaching staff members must complete to maintain their certification; and inclusion of suicide prevention awareness shall be included in the CCCS in Comprehensive Health and Physical Education.
14. Other Statutory or Administrative Codes. The Board will incorporate into its health and physical education curriculum any other requirements of the New Jersey Department of Education’s CCCS in Comprehensive Health and Physical Education.

In accordance with the provisions of N.J.S.A. 18A:35-4.7, any student whose parent presents to the Principal a signed statement that any part of the instruction in health, family life, or sex education is in conflict with his/her conscience or sincerely held moral or religious beliefs shall be excused from that portion of the course where such instruction is being given and no penalties as to credit or graduation shall result.

A copy of the CCCS for Comprehensive Health and Physical Education and all related curriculum/course guides and instructional material shall be available for public inspection in each school.

Adopted: 17 May 2018



## 2423 BILINGUAL AND ESL EDUCATION

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

### Identification of ELLs

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

### Program Implementation

The school shall provide the following programs:

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



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

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

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

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

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

When the review process for exiting a student from a bilingual, ESL, or English language services program has been completed, the student's parent shall be informed by mail of the placement determination. A parent or teaching staff member who disagrees with the proposed placement may appeal the decision in writing to the Lead Person or designee, who will provide



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

### Parental Involvement

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

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

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

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

### Program Plan

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

N.J.S.A. 18A:35-15 through 18A:35-25  
N.J.A.C. 6A:15-1.1 et seq.

Adopted: 17 May 2018



## 2428.1 STANDARDS-BASED INSTRUCTIONAL PRIORITIES

### Standards-Based Instruction

The school shall implement a coherent curriculum for all students, including English language learners (ELLs), gifted and talented students, and students with disabilities, that is content-rich and aligned to the Core Curriculum Content Standards (CCCS). The curriculum shall guide instruction to ensure every student masters the CCCS.

Instruction shall be designed to engage all students and modified based on student performance. The curriculum shall include: interdisciplinary connections throughout; integration of 21<sup>st</sup> century skills; a pacing guide; a list of instructional materials including various levels of text at each grade; benchmark assessments; and modifications for special education students, English language learners in accordance with N.J.A.C. 6A:15, and gifted students.

The school shall collect and analyze student achievement data by subgroups (such as economically disadvantaged, race and ethnicity, students with disabilities, English language learners) and make educational decisions based on such data.

The school shall:

1. Transmit required student, faculty, school, and school data to New Jersey Standards Measurement and Resources for Teaching (NJ SMART), the New Jersey Department of Education's data warehouse, on a schedule and in a form specified by the Department of Education;
2. Use NJ SMART and its data query resources to track student progress year-to-year and school-to-school and to identify continuously enrolled students;
3. Ensure teachers, school administrators, and central office supervisors receive training in NJ SMART and its data query resources;
4. Analyze assessments of student progress in relation to curricular benchmarks and the results of State and non-State year-end tests reported by subgroups (such as economically disadvantaged, race and ethnicity, students with disabilities, and English language learners).



The school central office staff shall prepare data on comparative performance for the school and make them available to the school. This analysis shall include the following comparisons using State assessment data:

1. Each grade level in the school;
2. The school;
3. Comparable school factor groups; and
4. Data with State averages.

The school shall ensure a free appropriate public education is available to all students with disabilities according to the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 et seq., and N.J.A.C. 6A:14.

The school shall provide English language learners with instructional services pursuant to N.J.A.C. 6A:15 and provide gifted and talented students with appropriate instructional services pursuant to N.J.A.C. 6A:8-3.1.

The school shall provide library-media services that are connected to classroom studies in the school building, including access to computers, school-approved instructional software, appropriate books including novels, anthologies and other reference materials, and supplemental materials that motivate students to read in and out of school and to conduct research. The school will provide these library-media services under the direction of a certified school library media specialist.

### Secondary Education Initiatives

The school shall develop a plan in 2008-2009 for implementing the secondary education initiatives specified in N.J.A.C. 6A:13-2.2(c) through (e) by the 2009-2010 school year, except that secondary schools previously subject to N.J.A.C. 6A:10 and 6A:10A shall immediately comply with the secondary education initiatives specified in N.J.A.C. 6A:13-2.2(c) through (e).



The school shall:

1. Have a school-level planning team to guide the development and implementation of the secondary education reforms described in N.J.A.C. 6A:13-2.2. A representative group of teachers and administrators shall determine team membership and operating procedures.
2. Provide instructional services, professional development, and other support to assist secondary schools with the implementation of the secondary education initiatives specified in N.J.A.C. 6A:13-2.2.
3. Create personalized learning environments that strengthen relationships among students, teachers, staff members, families and the larger community for students in grades six through eight. These personalized learning environments may include:
  - a. Small learning communities in free-standing facilities or within larger facilities;
  - b. Student support systems where students are assigned an adult mentor or team of adults who know(s) them and can support student efforts in achieving goals and solving problems;
  - c. Academies with a career focus;
  - d. Multi-grade academies where students at various grade levels may remain with a core group of teachers for multiple years in an academy-type format which may be organized around a particular theme and involve interdisciplinary teaming; or
  - e. Other practices for personalizing learning environments that strengthen relationships among students, teachers, staff members, families, and the larger community.

Where applicable, secondary schools shall collaborate with sending and receiving schools to implement the secondary education initiatives outlined in N.J.A.C. 6A:13-2.2.

The Commissioner shall appoint and consult with an advisory committee composed of educators with experience and knowledge in secondary education to guide the implementation of secondary education reform.

N.J.A.C. 6A:13-2.1; 6A:13-2.2

Adopted: 17 May 2018



## 2430 CO-CURRICULAR ACTIVITIES

The Board of Trustees believes that the goals and objectives of this school are best achieved by a diversity of learning experiences, some of which are more appropriately conducted outside the regular instructional program of the school. The purpose of such co-curricular activities shall be to develop leadership capacities and good organizational skills, to aid in the socialization of students, and to enable students to explore a wider range of individual interests than might be available in the regular curricular program.

The Board shall make school facilities, supplies, and equipment available and assign staff members for the support of a program of co-curricular activities for students in grades six through eight. The Board shall maintain the program of co-curricular activities at no cost to participating students, except that students may be required to provide supplies in accordance with Board Policy No. 2520 on instructional supplies and students may be required to assume all or part of the costs of travel and attendance at co-curricular events and trips.

For purposes of this policy, co-curricular activities are those activities conducted on or off school premises by clubs, associations, and organizations of students sponsored by the Board and do not include athletic competitions and practices. Co-curricular activities must be related to the curriculum but are not offered for credit toward promotion or graduation and are ordinarily conducted wholly or partly outside the regular school day.

The Board will permit the use of school facilities by organizations of students during student activity periods. No group of students, regardless of the size of the group, will be denied an opportunity to meet on the basis of the religious, political, philosophical, or other content of the speech at their meeting.

No co-curricular activity shall be considered to be under the sponsorship of this Board unless it has been approved by the Board on recommendation of the Lead Person.

Students shall be fully informed of the co-curricular activities available to them and of the eligibility standards established for participation in co-curricular activities. Co-curricular activities shall be available to all students who voluntarily elect to participate except that where eligibility requirements specific to an organization are necessary or desirable, the Board shall be so informed and must approve the establishment of such eligibility standards before they may be operable.

The Board will not permit the organization of a fraternity, sorority, or secret society.





The following eligibility standards shall be followed:

1. Should a student fall below the academic and disciplinary standards set by this Policy, the coach or advisor will notify the Lead Person of the student's academic status. The Lead Person will then notify the students' parent(s) to inform them of a pending disciplinary action.
2. The Lead Person, upon consultation with the academic teacher(s) involved, will take any action deemed necessary to ensure the maintenance of academic disciplinary standards.
3. A review of the student's standings shall be held by the Lead Person no later than two weeks from the date any action is taken. At that time the current standing of the student will be assessed.
4. Academic standards:  
No grade below a C.
5. Discipline standards:
  - a. When a student already participating in a co-curricular activity is reported for an infraction of the rules for student conduct, the Lead Person shall review the situation with all appropriate parties and take whatever disciplinary action is appropriate. Based on his or her assessment, the Lead Person may remove the student from any or all co-curricular activities.
  - b. If a student was in bad disciplinary standing the previous term, the Principal shall refer the matter to the Lead Person to determine whether the student shall be permitted to participate during the current term.
6. Parental consent:  
A signed parental consent form shall be required for each co-curricular and competitive activity.
7. Special education students:  
To participate in co-curricular activities, special education students must meet the same requirements listed above in conformity with IEPs.



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Co-Curricular Activities

Notwithstanding these standards, a student who has commenced preparation for participation in a public performance of a concert, recital, drama, debate or the like may continue to participate until the student has completed the performance.

No student who has been absent for a school day may participate in a co-curricular activity scheduled for the afternoon or evening of that school day.

The Lead Person shall prepare procedures to implement a co-curricular program and shall assess the needs and interests of the students of this school and provide for the continuing evaluation of the co-curricular program.

39 U.S.C.A. 1701 et seq.  
N.J.S.A. 18A:11-3; 18A:42-2; 18A:42-5

Adopted: 17 May 2018



### 2432 SCHOOL SPONSORED PUBLICATIONS

The Board of Trustees permits and encourages the preparation and distribution of school sponsored publications under staff direction in order that students learn the rights and responsibilities of the press in a free society.

No school sponsored publication may contain materials that:

1. Are grossly prejudicial to an ethnic, national, religious, or racial group or to either gender;
2. Libel any person or persons;
3. Infringe rights of privacy protected by law or regulation;
4. Seek to establish the supremacy of a particular religious denomination, sect, or point of view over any other;
5. Advocate the use or advertise the availability of any substance or material that constitutes a direct and substantial danger to the health of students;
6. Contain obscenity or material otherwise deemed to be harmful to impressionable students;
7. Incite violence, advocate the use of force, or urge the violation of law or school regulations;
8. Advertise goods or services for the benefit of profit-making organizations;
9. Solicit funds for non-school organizations when such solicitations have not been approved by the Board;
10. Promote, favor or oppose any candidate for election to the Board or the adoption of any bond issue, proposal, or question submitted at any school election; or
11. Except as may be required for literary purposes, do not conform to acceptable standards of grammar, clear expression, and responsible research.

Issues on which opposing points of view have been responsibly promoted may be introduced in a school sponsored publication provided that all proponents are given an equal opportunity to present their views.



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School Sponsored Publications

In order to ascertain that school sponsored publications do not violate the standards established by this policy, the Board requires that each publication be submitted to the Principal for review in advance of its distribution. A publication that contains material in violation of this policy may not be distributed.

Where the Principal cannot show, within two school days, that the publication violates the prohibitions of this policy, the publication must be released for distribution. The Principal's determination, if any, that the publication violates this policy must be supported by references to specific material in the publication. Material cannot be censored merely because it is personally offensive to the reviewer or may tend to embarrass the Board. Students must be offered the opportunity to modify or delete any material that violates this policy.

The Board requires that the distribution of school publications take place only at the places and during the times established by regulation in order that the instructional program is not disrupted.

N.J.S.A. 2C:34-3  
N.J.S.A. 18A:42-4

Adopted: 17 May 2018



### 2440 SUMMER SESSION

The Board of Trustees may conduct a summer session. A summer session must be approved by the Board of Trustees and the Executive County Superintendent of Schools and may include:

1. Remedial courses for students who wish to retake a course or subject previously taken and for which credits or placement may be awarded upon successful completion;
2. Advanced courses for students who wish to take a course or subject not previously taken in an approved school program and for which additional credits or advanced placement may be awarded upon successful completion of the course; and
3. Enrichment courses for students who wish to take a course or subject of a vocational interest and for which no credits are to be awarded.

The Lead Person will develop a summer session program and submit the proposed program to the Board for approval. The proposed program shall include the details of the summer session including, but not limited to, a list of the courses or programs offered, the hours of operation, the school(s) where the summer session(s) will be operating, any tuition fees to be charged in accordance with the provisions of N.J.A.C. 6A:32-10.3, and projected cost of operation.

A student will be enrolled in a remedial course only on the written recommendation of the Principal of the school the student regularly attends. The recommendation shall state the name of the subject(s) which the student may take and the purpose for which each subject is taken. A student previously retained at grade level may be promoted on successful completion of a required remedial course, but no student shall be required to attend the summer session.

In accordance with the provisions of N.J.A.C. 6A:32-10.3, tuition may be charged to nonresident students enrolled in a summer session course and to resident students enrolled in enrichment courses which carry no credit and are determined by the Executive County Superintendent to have no direct relationship to the curriculum. Tuition may be charged to students domiciled within the school for enrollment in remedial or advanced courses in accordance with the provisions of N.J.S.A. 18A:11-15.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Summer Session

The Lead Person shall develop regulations for the summer session that include provisions for appropriate planning, proper staffing, student assignments, student evaluation, student records, award of credit, grade placement, and the utilization of facilities. Such regulations for the operation of the summer session shall be consistent with rules of the State Board of Education and Board policies. The operation of the summer session shall not conflict in any way with the administration of the regular school sessions of this school.

N.J.S.A. 18A:11-15; 18A:54B-1 et seq.

N.J.A.C. 6A:32-10.1; 6A:32-10.2; 6A:32-10.3; 6A:32-10.4; 6A:32-10.5

Adopted: 17 May 2018



### 2460 SPECIAL EDUCATION

The Classical Academy Charter School Board of Trustees assures compliance with Part B of the Individuals with Disabilities Education Act (IDEA) and the New Jersey Administrative Code 6A:14-1.1 et seq. Furthermore, the Board will have programs and procedures in effect to ensure the following:

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.
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.
3. Students with disabilities are evaluated according to N.J.A.C. 6A:14-2.5 and 3.4.
4. An Individualized Education Program (IEP) is developed, reviewed and as appropriate, revised according to N.J.A.C. 6A:14-3.6 and 3.7.
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.
6. Students with disabilities are included in State-wide 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 State-wide assessments or the applicable alternative assessment in grades three, four, five, six, seven, eight, and high school in the applicable courses.
7. Students with disabilities are afforded procedural safeguards required by N.J.A.C. 6A:14-2.1 et seq., including appointment of a surrogate parent as set forth in N.J.A.C. 6A:14-2.2 and Policy 2467, when appropriate.
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 twenty- one, including students with disabilities who have been suspended or expelled from school:



- a. 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;
  - b. 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;
  - c. A free appropriate public education is available to any student with a disability who needs special education and related services, even though the student is advancing from grade to grade;
  - d. 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
  - e. 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.
9. Children with disabilities participating in early intervention programs assisted under IDEA Part C who will participate in preschool programs under N.J.A.C. 6A:14 will experience a smooth transition and have an IEP developed and implemented according to N.J.A.C. 6A:14-3.3(e) and N.J.A.C. 6A:14-3.7.
  10. Full educational opportunity to all students with disabilities is provided.
  11. The compilation, maintenance, access to, and confidentiality of student records are in accordance with N.J.A.C. 6A:32-7.
  12. Provision is made for the participation of students with disabilities who are placed by their parent(s) in nonpublic schools according to N.J.A.C. 6A:14-6.1 and 6.2.
  13. Students with disabilities who are placed in private schools by the district Board are provided special education and related services at no cost to their parent(s) according to N.J.A.C. 6A:14-1.1 and N.J.A.C. 6A:14-7.5(b)3.





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.
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 school Board shall maintain information to demonstrate its efforts to:
  - a. Prepare general and special education personnel with content knowledge and collaborative skills needed to meet the needs of children with disabilities;
  - b. 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;
  - c. 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 school will, if appropriate, adopt promising practices, materials and technology;
  - d. Ensure that the in-service training is integrated to the maximum extent possible with other professional development activities; and
  - e. Provide for joint training activities of parent(s) and special education, related services and general education personnel.
16. Instructional materials will be provided to blind or print-disabled students in a timely manner, consistent with a plan developed by the school.
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 school 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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## CLASSICAL ACADEMY CHARTER SCHOOL

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Special Education

18. The school will accept the use of electronic mail from the parent(s) to submit requests to school officials regarding referral, identification, evaluation, classification, and the provision of a free, appropriate public education. The parent(s) shall be informed by the Supervisor of Special Education of the procedures to access the electronic mail system. The parent(s) may not utilize electronic mail to provide written consent when the school provides written notice and seeks parental consent as required by N.J.A.C. 6A:14-1.2(b)18.
19. The school 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).
20. The school 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 as required by N.J.A.C. 6A:14-3.7(c)4.
21. The school 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. and Policy 5339.

The school shall provide an Assurance Statement to the County Office of Education that the Board of Trustees has adopted the required special education policies and procedures/regulations and the school is complying with the mandated policies and procedures/regulations.

N.J.A.C. 6A:14 et seq.  
20 USC §1400 et seq.  
34 C.F.R. §300 et seq.

Adopted: 17 May 2018



### 2464 GIFTED AND TALENTED STUDENTS

The Board of Trustees recognizes its responsibility to identify gifted and talented students within the school and to provide these students with appropriate instructional adaptations and services. To that end, the Board directs each such student in the school be identified and offered an appropriate educational program and services.

For purposes of this Policy, “gifted and talented students” means students who possess or demonstrate high levels of ability in one or more content areas when compared to their chronological peers in the school and who require modification of their educational program if they are to achieve in accordance with their capabilities.

The Lead Person will develop appropriate curricular and instructional modifications used for gifted and talented students indicating content, process, products, and learning environments.

The Lead Person will develop procedures for an ongoing identification process for gifted and talented students that includes multiple measures. Multiple measures may include, but are not limited to: achievement test scores; grades; student performance or products; intelligence testing; parent, student, and/or teacher recommendation; and other appropriate measures. The identification methodology will be developmentally appropriate, non-discriminatory, and related to the programs and services offered by the school. The identification procedures will be reviewed annually.

The Lead Person will take into consideration the Pre-Kindergarten through Grade Twelve Gifted Programming Standards of the National Association for Gifted Children in developing programs for gifted and talented students. The educational program offered to gifted and talented students will encourage and challenge them in the specific areas of their abilities, but will not replace the basic instructional program of the various grades of this school. The program offered to gifted and talented students may include, but are not limited to: pull-out programs; classroom differentiated instruction; acceleration; flexible pacing; compacted curricula; distance learning; advanced classes; or individual programs infused into the student’s regular instructional program, provided that a written description of the infusion has been prepared and filed in the student’s record.

Programs for gifted and talented students will be periodically evaluated for their continuing efficacy and adjusted accordingly.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Gifted and Talented Students

The parent of any student identified as gifted or talented shall be consulted regarding any program designed to address the student's particular needs.

N.J.S.A. 18A:61A-2; 18A:35-4.16

N.J.A.C. 6A:8-1.3; 6A:8-3.1(a)5

P.L. 108-382, Sec. 10201 et seq.

Adopted: 17 May 2018



## 2466 NEEDLESS PUBLIC LABELING OF STUDENTS WITH DISABILITIES

The Board of Trustees guarantees the privacy provided by law that no student with a disability be labeled publicly. Therefore, any reference to a student with a disability brought to the attention of the Board and/or any other potential public reference to a student with a disability will be through the use of a school-developed method of coding that would ensure a student's name or other labeling would not identify the student as a student with a disability. Examples where public labeling of students with disabilities shall be avoided include, but are not limited to, Board meeting agenda information, public address announcements, building/classroom signs, public school documents, and/or any other school publication identifying a student with a disability or class/program of students with disabilities.

Special education classes shall be referred to publicly by the name of the teacher. This applies to schedules, class lists, transportation lists, public address announcements, and any other form of communication that has any potential for any exposure other than for the use by appropriately authorized school staff.

Exceptions to the prohibition of public labeling of students with disabilities may be made upon consent of the student's parent(s) or legal guardian(s).

All student records shall be maintained strictly in accordance with N.J.A.C. 6A:32-7.1 et seq.

Adopted: 17 May 2018



## 2467 SURROGATE PARENTS AND FOSTER PARENTS

Federal and State laws require the Board ensure the rights of a student are protected through the provision of an individual to act as surrogate for the parent and assume all parental rights under N.J.A.C. 6A:14-2.2 when:

1. The parent, as defined according to N.J.A.C. 6A:14-1.3, cannot be identified;
2. The parent cannot be located after reasonable efforts;
3. An agency of the State of New Jersey has guardianship of the student and that agency has not taken steps to appoint a surrogate parent for the student;
4. The student is a ward of the State and no State agency has taken steps to appoint a surrogate parent for the student;
5. 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; and
6. The student is an unaccompanied homeless youth and no State agency has taken steps to appoint a surrogate parent for the student.

### Qualifications and Selection

The school will make reasonable efforts to appoint a surrogate parent within thirty days of its determination that a surrogate parent is required for a student. If the school fails to appoint a surrogate parent for a ward of the State, a judge may appoint a surrogate parent if the judge determines a surrogate parent is necessary for such student.

The person serving as a surrogate parent shall:

1. Have no interest that conflicts with those of the student he/she represents;
2. Possess knowledge and skills that ensure adequate representation of the student;
3. Not be replaced without cause;



4. Be at least eighteen years of age;
5. Have a criminal history review in accordance with N.J.S.A. 18A:6-7.1 completed prior to his or her serving as the surrogate parent, if the school compensates the surrogate parent for such services; and
6. Not be an employee of the New Jersey Department of Education, this school, or a public or nonpublic agency that is involved in the education or care of the child.

The Assistant Lead Person shall serve as Surrogate Parent Coordinator and 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 a surrogate parent appointed for the student; and make reasonable efforts to appoint a surrogate parent for the student within thirty days of determining that there is a need for a surrogate parent for the student.

When a student (who is or may be a student with a disability) is in the care of a foster parent, and the foster parent is not the parent of the student as defined in N.J.A.C. 6A:14-1.3, the school where the foster parent resides shall contact the student's case manager at the Division of Child Protection and Permanency (DCP&P) in the Department of Children and Families to determine whether the parent retains the right to make educational decisions and determine the whereabouts of the parent.

If the parent retains the right to make educational decisions and the parent's whereabouts are known to the school, the Surrogate Parent Coordinator shall obtain all required consent from and provide written notices to the parent.

If the school cannot ascertain the whereabouts of the parent, the foster parent, unless that person is unwilling to do so, shall serve as the parent pursuant to N.J.A.C. 6A:14-1.3. If there is no foster parent, or if the foster parent is unwilling to serve as the student's parent, the Surrogate Parent Coordinator shall consult with the student's case manager at DCP&P to assist in identifying an individual to serve as a surrogate parent and appoint a surrogate parent and obtain all required consent from, and provide written notices to, the surrogate parent.

### Training

N.J.A.C 6A:14-2.2(d) requires the school train surrogate parents so they have the knowledge and skills that ensure adequate representation of the student. The Surrogate Parent Coordinator shall coordinate the training for surrogate parents. The training will include, but not be limited to:



1. Providing the surrogate parent a copy of:
  - a. Parental Rights in Special Education booklet;
  - b. N.J.A.C. 6A:14;
  - c. The Special Education Process;
  - d. Code Training Materials from the Department of Education website; and
  - e. Other relevant materials.
2. Providing the surrogate parent an opportunity to meet with the Surrogate Parent Coordinator to discuss the rights of the surrogate parent and the applicable statutes, administrative codes, and Federal laws. The Surrogate Parent Coordinator shall provide the surrogate parent the opportunity to review and to become familiar with the State and Federal requirements for assessment, individualized educational 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;
3. Providing the surrogate parent adequate time to become familiar with the student and the nature of the student's disability through a review of the student's record;
4. Providing the surrogate parent an opportunity to confer with the student's case manager to discuss the student; and
5. Other information and resources to provide the surrogate parent the knowledge and skills to ensure adequate representation of the student.

## Rights of the Surrogate Parent

A surrogate parent appointed in accordance with N.J.A.C. 6A:14-2.2 shall assume all parental rights under N.J.A.C. 6A:14.

N.J.A.C. 6A:14-2.2

Adopted: 17 May 2018





## 2468 INDEPENDENT EDUCATIONAL EVALUATIONS

Special education law permits a parent to request an independent educational evaluation (IEE) for their child if there is disagreement with any evaluation provided by the Board of Trustees. An “independent educational evaluation” is an evaluation conducted by a qualified examiner who is not an employee of the public school responsible for the education of the child in question. Such IEEs shall be provided at no cost to the parent unless the school initiates a due process hearing in accordance with the provisions of N.J.A.C. 6A:14-2.7 et seq. to show that its evaluation is appropriate and a final determination to that effect is made following the hearing. If it is determined the school’s evaluation is appropriate, the parent still has the right to an IEE, but not at the school’s expense.

Upon receipt of a parental request for an IEE, the school shall provide the parent with information about where an IEE may be obtained and the criteria for IEEs according to N.J.A.C. 6A:14-2.5(c)3 and (c)4 and the additional criteria outlined below in this Policy:

1. Any IEE paid for with public funds shall:
  - a. Be conducted according to the provisions of N.J.A.C. 6A:14-3.4; and
  - b. Be obtained from another public school district, educational services commission, jointure commission, a clinic or agency approved under N.J.A.C. 6A:14-5, or private practitioner, who is appropriately certified and/or licensed, where a license is required.
2. An independent medical evaluation may be obtained according to N.J.A.C. 6A:14-5.1(e).

Additional criteria for an IEE shall be as follows:

1. The Board will not pay for an IEE unless it complies with the following criteria unless the parent can show that unique circumstances warrant deviation from same:
  - a. The independent evaluator must be appropriately certified and/or licensed in the State of New Jersey. In instances where no applicable certification/license exists, the evaluator must provide the Board with documentation of extensive and recent training and experience related to the assessment of the known or suspected disability;



- b. The independent evaluator may only charge fees for educational evaluation services that, in the judgment of the Board, are reasonable in accordance with 2. below;
  - c. The independent evaluator must be free from any conflict of interest;
  - d. The independent evaluator and members of the Child Study Team must be permitted 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 the school prior to receipt of payment for services;
  - e. For any independent evaluation, whether paid for with public or private funds, the school shall permit the evaluator to observe the student in the classroom or other educational setting, as applicable; and
  - f. The independent evaluator shall make at least one contact with the student's case manager for the purpose of determining how the student is progressing in his/her current programming.
2. The maximum allowable cost for an independent evaluation will be limited to the reasonable and customary rate, as determined and approved by the Board annually. This rate shall be in the range of what it would cost the Board to provide the same type of assessment through either another public school district, educational services commission, jointure commission, a clinic or agency approved under N.J.A.C. 6A:14-5, or private practitioner, who is appropriately certified and/or licensed, where a license is required. This Board-approved rate shall be provided to the parent upon their request for an IEE. The Board shall not be responsible for any costs beyond the IEE, such as transportation, lodging, food, etc.
- a. The parent may provide documentation to the Board demonstrating unique circumstances to justify an IEE that exceeds the maximum allowable cost established by the Board. If, in the Board's judgment, there is no justification for the excess cost, the Board may agree to fund the IEE up to the school's maximum allowable cost with the parent responsible for any remaining costs. In the alternative, the Board may request a due process hearing to enforce its established maximum allowable cost.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Independent Educational Evaluations

Upon receipt of a parental request for an IEE, the school shall take steps to ensure the IEE is provided without undue delay or not later than twenty calendar days after receipt of the parental request, the school shall request a due process hearing in accordance with the provisions of N.J.A.C. 6A:14-2.7 et seq. to show that its evaluation is appropriate.

If a parent requests an IEE, the school may ask the parent to explain why he or she objects to the school's evaluation. However, the school shall not require such an explanation and shall not delay either providing the IEE or initiating a due process hearing to defend the school's evaluation.

Any IEE submitted to the school, including an IEE obtained by the parent at private expense, shall be considered in making decisions regarding special education and related services.

If an Administrative Law Judge orders that an IEE be conducted, the IEE shall be obtained by the school in accordance with the decision or Order of the Administrative Law Judge, and the Board of Trustees shall pay the cost of the IEE in accordance with the provisions of this Policy.

A parent is entitled to only one IEE paid for by the Board each time the school conducts an evaluation with which the parent disagrees.

N.J.A.C. 6A:14-2.5; 6A:14-2.7  
CFR Section 300.502

Adopted: 17 May 2018



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

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

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

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

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

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

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



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Home or Out-of-School Instruction for a General Education  
Student for Reasons Other Than a Temporary or Chronic  
Health Condition

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

N.J.S.A. 18A:38-1 through 18A:38-25

N.J.A.C. 6A:16-10.2

Adopted: 17 May 2018



## 2510 ADOPTION OF TEXTBOOKS

The Board of Trustees shall approve all textbooks used in the educational program of this school. "Textbook" means the principal source of instructional material for any given course of study, in whatever form the material may be presented, which is available or distributed to every student enrolled in the course of study.

The Board shall consider for approval only those textbooks that have been selected and recommended by the Lead Person.

In considering the approval of any proposed textbooks, the Board will weigh its value as a learning tool; its suitability for the maturity level and educational accomplishment of the students who will be using the book; its freedom from bias; its relationship to a course of study adopted by the Board; its relationship to a continuous multigrade program; its impact on community standards of taste; the manner by which it was selected; and its cost, appearance, and durability.

The Lead Person shall develop regulations for the selection of textbooks that include effective consultation with professional staff members at all appropriate levels.

Textbooks currently in use shall be periodically evaluated for their continuing usefulness and relevance and shall be replaced or updated with new editions as often as necessary to meet the needs of students and the curriculum.

A list of all approved textbooks shall be maintained and revised annually by the Lead Person and made available for the use of the professional staff and for the information of members of the Board and the public.

N.J.S.A. 18A:34-1; 18A:34-2

Adopted: 17 May 2018



## 2520 INSTRUCTIONAL SUPPLIES

The Board of Trustees shall supply each teaching staff member with the supplies, materials, and equipment necessary for the implementation of the approved program and each student with the supplies and materials required for the successful completion of courses of study.

The Board expressly exempts from this policy such clothing or personal equipment as may be required by the Board for reasons related to the safety and health of students or the protection of school property and are individualized or non-reusable, and any materials used in the manufacture or preparation of useful or decorative items that students are permitted to retain, except that no student will be denied participation in any course of study or school sponsored activity because of his or her financial inability to bear the cost of such clothing, equipment, or materials.

The Lead Person shall develop regulations for the selection and utilization of instructional supplies that include effective consultation with teaching staff members at all appropriate levels.

N.J.S.A. 18A:34-1

Adopted: 17 May 2018



### 2530 RESOURCE MATERIALS

The Board of Trustees shall provide resource materials to implement school educational goals and objectives as student needs dictate and school resources permit. Such materials include reference books, other supplementary titles, maps, library print and non-print materials, and other sources of information for use by students that are not designated as textbooks.

The Lead Person shall be responsible for the selection and maintenance of all resource materials, in accordance with the following standards:

1. Material will be suited to the varied interests, abilities, reading levels, and maturation levels of the students to be served;
2. Wherever possible, materials will provide major opposing views on controversial issues so that students may develop under guidance the practice of critical reading and thinking;
3. Wherever possible, materials will represent the many religious, ethnic, and cultural groups and their contribution to American heritage;
4. Materials will be factually accurate and of genuine literary or artistic value;
5. Materials will be of a quality and durability appropriate to their intended uses and longevity;
6. Materials will relate to, support, and enrich the courses of study adopted by the Board.

The Lead Person will develop regulations for the selection of resource materials that provide for the effective consultation of teaching staff members at all appropriate levels; ensure that the Board's budgetary allotment for resource materials is efficiently spent and wisely distributed throughout the instructional program and the school; and ensure an inventory of resource materials that is well balanced and well rounded in coverage of subject, types of materials, and variety of content.

The Lead Person will evaluate the continuing effectiveness and utility of resource materials and recommend to the Board the removal of those materials that no longer meet the standards set forth in this policy. Any request for the removal of resource materials will be governed by Policy No. 9130 on public complaints.

Adopted: 17 May 2018





## 2531 USE OF COPYRIGHTED MATERIALS

The Board of Trustees encourages teaching staff members to make judicious use of appropriate printed materials, sound recording, televised programs, and computer software in the curriculum but recognizes that Federal law, applicable to schools, protects the originators of those materials from the unauthorized use of their copyrighted works. The Board expressly forbids the use of school equipment for the illegal reproduction of copyrighted materials.

In order to define the fair and reasonable use that teaching staff members may make of copyrighted works for educational purposes without the permission of the copyright owner and to reduce the risk of copyright infringement, the Board directs the Lead Person to promulgate regulations regarding the copying and distribution of copyrighted materials for instructional purposes.

Computer software may be reproduced only for archival purposes or when copying is an essential step in the utilization of the program. Computer software should be purchased in sufficient quantity to permit its classroom use without simultaneous loading. Where appropriate, the Lead Person shall seek a licensing agreement with the software publisher that permits the reproduction of software, the simultaneous use of software, and the purchase of multiple copies of software at discount prices.

Students and staff members shall be instructed that copyright infringement is a form of theft. A student or staff member who reproduces or uses copyrighted material in violation of this policy will be subject to discipline.

17 U.S.C. 101 et seq.

Adopted: 17 May 2018



## 2560 LIVE ANIMALS IN SCHOOL

The Board of Trustees recognizes the appropriate use of live animals as instructional resources can enrich the educational program. The observation and nurture of live animals can help children learn specific biological and behavioral principles and gain respect for all living things.

A staff member who uses live animals shall observe proper precautions for the safety of students and the animals. The Principal or designee must approve a live animal being brought into the school building and the use of any animal in a course of instruction or the establishment of an animal habitat in a classroom.

Any animal used in school must have been lawfully acquired in accordance with applicable State law and local ordinance. An animal susceptible to rabies must have been vaccinated against rabies and proof of such vaccination must be included with the request to bring a live animal into the school submitted to the Principal or designee before a live animal is brought onto school grounds or into a school building. No animal shall be permitted in any area of the school where a student who is allergic to the animal might be exposed to the animal.

A teacher or other qualified adult must assume primary responsibility for the animal, its nourishment, and its sanitary living conditions. The staff member in charge must make proper arrangements for the animal's care and feeding over weekends, holidays, and school vacation periods.

No experiment that deprives a living animal of nourishment or exposes the animal to harm shall be conducted.

A student may refuse to dissect, vivisection, incubate, capture, or otherwise harm or destroy animals or any parts thereof as part of a course of instruction. In the event the school program will require any such activities, the school will notify the student and parent(s) or legal guardian(s) at the beginning of each school year of the right to decline participation in such activities. Within two weeks of the receipt of the notice from the school, the parent(s) or legal guardian(s) shall notify the school if the right to decline participation in such activities will be exercised. Any student who chooses to refrain from participation in or observation of such activities shall be offered an alternative education project for the purpose of providing the student with the factual knowledge, information, or experience required by the course of study. A student may refuse to participate in an alternative education project which involves or necessitates any harmful use of an animal or animal part(s). A student shall not be discriminated against, in grading or in any other manner, based upon a decision to exercise the rights afforded pursuant to this act.

N.J.S.A. 18A:35-4.25

Adopted: 17 May 2018



## 2610 EDUCATIONAL PROGRAM EVALUATION

The Board of Trustees directs the Lead Person to develop and implement a systematic plan for the continuous evaluation of the educational program against the educational goals established by this Board. To this end, the Lead Person shall employ such tests and methods as may be indicated by sound professional judgment. Wherever possible, the assessment program shall follow evaluation procedures set forth in the course guides.

The Lead Person shall maintain a calendar of assessment activities and shall make periodic evaluation reports to the Board during the school year. Findings of the assessment program may be used to evaluate the progress of students and the effectiveness of staff members. The Board will annually make available to the public the collective progress of students toward the goals of the school.

The Board will annually, prior to the end of the school year and in conjunction with appropriate members of the administrative staff, conduct a review of the educational progress of the school, assess school and student needs, and establish long range and short range objectives for the educational program. The Board's annual report will be submitted to the Commissioner of Education as required.

The Lead Person shall annually recommend improvements in the educational program based on the Board's evaluation of the school's program. The Board reserves the right to employ experts from outside the school to serve in the evaluation process.

N.J.S.A. 18A:7A-11  
N.J.A.C. 6A:8-4.1 et seq.

Adopted: 17 May 2018



## 2622 STUDENT ASSESSMENT

The Commissioner of Education, in accordance with N.J.S.A. 18A:7C-1 et seq. and 18A:7E-2 and 3, may implement assessments of student achievement in any grade(s) and by such assessments as he or she deems appropriate. The Commissioner shall report to the State Board of Education the results of such assessments.

The Commissioner shall implement a system and related schedule of Statewide assessments to evaluate student achievement of the New Jersey Student Learning Standards (NJSLS). The Commissioner, with the approval of the State Board of Education, shall define the scope and level of student performance on Statewide assessments that demonstrate thorough understanding of the knowledge and skills delineated by the NJSLS at all grade levels. After consultation with the Commissioner, the State Board of Education shall establish by resolution uniform Statewide criteria defining adequate school progress toward meeting the NJSLS.

State assessments provide parents with important information about their child's progress; detailed diagnostic information about each individual student's performance that educators, parents, and students can utilize to enhance foundational knowledge and student achievement; and include item analysis which will clarify a student's level of knowledge and understanding of a particular subject or area of a subject. The data derived from State assessments will be utilized by teachers and administrators to pinpoint areas of difficulty and customize instruction accordingly. Such data can be accessed and utilized as a student progresses to successive school levels.

Pursuant to N.J.A.C. 6A:8-4.1(b) and (c), all students enrolled in this school shall take all appropriate Statewide assessments as scheduled. There is no provision for a student to opt-out of Statewide assessments. If a student is absent on a testing date, the student will be expected to take the missed test on another school day. Parents and students will be informed of all scheduled testing dates, including make-up testing dates for students who missed the initial testing date.

### Statewide Assessment System

The Lead Person shall develop and annually present to the Board for its approval an assessment program that complies with the rules of the State Board of Education.



The Board of Trustees shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments, including the following major components: the middle school assessment component for grades six through eight; the alternative assessment for students with disabilities; and provide notification to each student of the Statewide assessment schedule.

The Department of Education shall implement the elementary component of the Statewide assessment of the NJSLS consisting of continued administration of mathematics and English language arts in grades three, four, and five, and of science in grade four.

The Department of Education shall implement the middle school component of the Statewide assessment of the NJSLS consisting of the following: continued administration of mathematics and English language arts in grades six, seven, and eight; and of science in grade eight.

The Department of Education shall implement a high school assessment program component of the NJSLS that assesses, at a minimum, English language arts, mathematics, and science with the exception that students may receive a waiver from the Board of Trustees from taking the high school end-of-course PARCC assessment in ELA 11 due to the student's participation in another English language/literature college placement assessment during the same school year.

The Board shall provide appropriate accommodations or modifications to the Statewide assessment system as specified by the Department of Education for English Language Learners (ELLs) and students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act as determined by the IEP or 504 Team in accordance with N.J.A.C. 6A:8-4.1(d)1. The Board may administer the Statewide assessments in mathematics to ELLs in their native language, when available, and/or English. The Board of Trustees shall have the option for a first-year ELL of substituting a Department of Education-approved language proficiency test only for the English language arts section of the elementary or middle school component of the Statewide assessment, when the student has entered the United States after July 1 of the calendar year prior to the test administration.

The Board of Trustees shall ensure students with disabilities as defined in N.J.A.C. 6A:14-1.3 participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10.

At specific times prescribed by the Commissioner of Education, the Board of Trustees shall administer the alternative assessment for students with disabilities to students with severe disabilities who cannot participate in other assessments due to the severity of their disabilities. The Department of Education shall implement the alternative assessment for students with



disabilities according to the schedules in N.J.A.C. 6A:8-4.1(c)1, 2, and 3. The alternative assessment for students with disabilities measures the progress of students who have been determined eligible for the alternative assessment for students with disabilities by the IEP team in accordance with N.J.A.C. 6A:14-4.10.

The Boards of Education shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(f).

### Test Administration Procedures and Security Measures

The Board of Trustees shall be responsible for ensuring the security of all components of the Statewide assessment system that are administered within the school. All Statewide assessments shall be administered in accordance with the Department of Education's required test administration procedures and security measures. Any breach of such procedures or measures shall be immediately reported to the Lead Person or designee.

### Documentation of Student Achievement

The Department of Education shall provide the Lead Person with documentation of student performance after each test administration in accordance with the provisions of N.J.A.C. 6A:8-4.2(a). The Board shall maintain an accurate record of each student's performance on Statewide assessments in accordance with N.J.A.C. 6A:8-4.2. Information regarding individual student test scores shall only be released in accordance with Federal and State law.

The Board of Trustees shall transmit within ten business days any official records, including transcripts, of students who transfer to other school districts or institutions.

The Board of Trustees shall maintain an accurate record of each student's performance on Statewide assessments.

### Accountability

The Lead Person shall report preliminary and final results of annual assessments to the Board of Trustees as required by the New Jersey Department of Education. The Board of Trustees will provide parents, students, and citizens with results of annual assessments according to N.J.A.C. 6A:8-4.2. The Board shall provide appropriate instruction to improve skills and knowledge for students performing below the established levels of student proficiency in any content area either on Statewide or local assessments. All students shall be expected to demonstrate the knowledge and skills of the NJSLs as measured by the Statewide assessment system.



### Annual Review and Evaluation of School Districts

The Department of Education shall review the performance of schools and school districts in accordance with the provisions of N.J.A.C. 6A:8-4.4.

### Public Reporting

In accordance with the requirements of N.J.A.C. 6A:8-4.5, the Department of Education shall report annually to the State Board of Education and the public on the progress of all students and student subgroups in meeting the NJSLs as measured by the Statewide assessment system by publishing and distributing the Department of Education's annual New Jersey School Report Card in accordance with N.J.S.A. 18A:7E-2 through 5. After each test administration, the Department of Education shall report to the Board on the performance of all students and of student subgroups. The Department of Education shall report performance on the APA with the same frequency and in the same detail as it reports on other Statewide assessments, including school and school district means, and the number and percentage of participating students. In public reporting of school and district performance data, the Department of Education shall not compromise the confidentiality of individual students.

### Parental Notification

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

N.J.S.A. 18A:7C-1

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

Adopted: 17 May 2018



## 2624 GRADING SYSTEM

The Board of Trustees recognizes that a system of measuring, recording, and reporting the achievements of individual students is important to the continuing process of learning. The Board, therefore, directs the instructional program of this school include a system of grading that measures progress toward the New Jersey Core Curriculum Content Standards and the educational goals of the school.

Students shall be informed at the outset of any course of study of the behaviors and achievements that are expected of them and shall be kept informed of their progress during the course of study. As a rule, grading should reward students for positive efforts and minimize failure, and students should be encouraged to evaluate their own achievements.

The Lead Person shall develop and continually review in consultation with teaching staff members, parent(s) or legal guardian(s), and students, a grading program appropriate to the course of study and maturity of students. The final decision on any contested grade will be the responsibility of the Principal. A student classified as disabled will be graded in accordance with his/her Individualized Educational Program (IEP) or the Section 504 Plan.

Adopted: 17 May 2018





### 2632 ANNUAL REPORTS

No later than August 1, the school, pursuant to N.J.A.C. 6A:11-2.2 shall submit to the Authorizer, the respective Executive County Superintendent of Schools, and the district Board(s) of Education or State District Superintendent of the district of residence of a charter school, an Annual Report setting forth the academic program and performance of the school for the preceding school year. The school shall also make the Annual Report available to parents or guardians of the students enrolled in the school. The Annual Report shall be in such form as shall be prescribed by the Commissioner and shall, at a minimum, address the mission, goals and objectives of its charter as measured against the Performance Frameworks and provide evidence of the school's compliance with applicable statutes and regulations.

Adopted: 17 May 2018



### 3000 TEACHING STAFF MEMBERS

<u>Number</u>	<u>Title</u>
3111	Creating Positions
3112	Abolishing Positions
3124	Employment Contract
3125	Employment of Teaching Staff Members (M)
3125.2	Employment of Substitute Teachers
3126	School Mentoring Program
3134	Assignment of Additional Duties
3141	Resignation
3142	Nonrenewal of Nontenured Teaching Staff Member
3143	Dismissal
3144C	Streamlined Tenure/Certification of Tenure Charges – Charter School (M)
3146	Conduct of Reduction in Force
3150	Discipline
3152	Withholding an Increment
3159	Teaching Staff Member/School Reporting Responsibilities
3160	Physical Examination (M)
3161	Examination for Cause
3211	Code of Ethics
3211.3	Consulting Outside the School
3212	Attendance
3214	Conflict of Interest
3216	Dress and Grooming
3217	Use of Corporal Punishment
3218	Substance Abuse (M)
3221	Evaluation of Nontenured Teaching Staff Members (M)
3222	Evaluation of Tenured Teaching Staff Members (M)
3223	Evaluation of Administrators (M)
3230	Outside Activities
3231	Outside Employment as Athletic Coach
3232	Tutoring Services
3233	Political Activities
3240	Professional Development for Teachers and School Leaders (M)
3245	Research Projects by Staff Members
3270	Professional Responsibilities
3280	Liability for Student Welfare



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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<u>Number</u>	<u>Title</u>
3281	Inappropriate Staff Conduct
3282	Use of Social Networking Sites
3283	Electronic Communications Between Teaching Staff Members and Students (M)
3310	Academic Freedom
3321	Acceptable Use of Computer Network(s)/Computers and Resources by Teaching Staff Members
3322	Staff Member's Use of Personal Cellular Telephones/Other Communications Devices
3324	Right of Privacy
3351	Healthy Workplace Environment
3362	Sexual Harassment (M)
3370	Teaching Staff Member Streamline Tenure
3381	Protection Against Retaliation
3410	Compensation
3420	Benefits
3425	Work Related Disability Pay
3431.1	Family Leave (M)
3431.3	New Jersey's Family Leave Insurance Program
3432	Sick Leave
3433	Vacations
3435	Anticipated Disability
3436	Personal Leave
3437	Military Leave
3439	Jury Duty



### 3111 CREATING POSITIONS

The Board of Trustees recognizes its authority to create and fill teaching staff member positions to implement a thorough and efficient system of free public schools.

The Board shall, upon the Lead Person's recommendation, create new positions as required and approve job titles and job descriptions. The job description shall outline the background experiences and personal qualities, if any, to be required of candidates or preferred among applicants for a particular position.

The Lead Person shall recommend to the Board such new positions or additions to existing employment categories as may be required by the specific instructional needs of students of the school.

In accordance with the provisions of N.J.A.C. 6A:9B-5.5, titles assigned to teaching staff members shall be recognized by the New Jersey Department of Education. The Department of Education shall maintain and make available a list of approved job titles with corresponding authorized certificates. In the event the Board desires to use an unrecognized title, or if a previously established unrecognized title exists, the Board, prior to appointing a candidate, shall submit to the Executive County Superintendent a written request, including a detailed job description, for permission to use the proposed title. The Executive County Superintendent shall exercise discretion regarding approval of the request and shall determine the appropriate certification and title for the position.

The Executive County Superintendent shall review annually all previously approved unrecognized position titles and shall determine whether the titles will be continued for the next school year. Decisions rendered by the Executive County Superintendent regarding titles and certificates for unrecognized positions shall be binding upon future seniority determinations on a case-by-case basis.

N.J.S.A. 18A:16-1; 18A:28-1 et seq.  
N.J.A.C. 6A:9B-5.1; 6A:9B-5.5

Adopted: 17 May 2018



## 3112 ABOLISHING POSITIONS

The Board of Trustees will provide the professional staff necessary for the economical and efficient implementation of the educational program of the school. The Board reserves the right to abolish positions and reduce school staff commensurately whenever reasons of economy, reorganization of the school, reduction in the number of students, or other good cause so warrant. The Lead Person shall continually review the efficiency and effectiveness of the school organization and recommend to the Board the abolishment of positions and the reallocation of duties and positions.

N.J.S.A. 18A:28-1; 18A:28-9 et seq.

Adopted: 17 May 2018



## 3124 EMPLOYMENT CONTRACT

The Board of Trustees requires that every nontenured teaching staff member employed by this school annually sign an employment contract for a term of not more than one year.

The employment contract shall include the specific title of the position to which the teaching staff member is appointed; a full description of the certification held by the teaching staff member and the date, if any, on which certification will expire, the term for which employment is contracted, including beginning and ending dates; the salary at which the teaching staff member will be employed; and the intervals at which the salary will be paid; and a provision for termination of the contract on sixty days notice duly given by either party.

In the event that the salary entered on the written contract differs from that approved by the Board in a resolution duly adopted, the salary approved by the Board shall be the salary paid.

N.J.S.A. 18A:27-2 et seq.; 18A:28-8

N.J.A.C. 6A:9B-5.1; 6A:9B-5.4

Adopted: 17 May 2018



### 3125 EMPLOYMENT OF TEACHING STAFF MEMBERS

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

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

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

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

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

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

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



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

### TEACHING STAFF MEMBERS

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#### Employment of Teaching Staff Members

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

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

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

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

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

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

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





# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

TEACHING STAFF MEMBERS

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Employment of Teaching Staff Members

The Board or contracted service provider may employ an applicant on an emergent basis for a period not to exceed three months, pending completion of a criminal history record check if the Board or contracted service provider demonstrates to the Commissioner of Education that special circumstances exist which justify the emergent employment as prescribed in N.J.S.A. 18A:6-7.lc. In the event the criminal history record check is not completed for an emergent hired employee within three months, the Board or contracted service provider may petition the Commissioner for an extension of time, not to exceed two months, in order to retain the employee.

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

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

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

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

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

Adopted: 17 May 2018



### 3125.2 EMPLOYMENT OF SUBSTITUTE TEACHERS

The Board of Trustees will employ substitutes in order to ensure continuity in the instructional program and will approve a list of substitutes on an annual basis and additional approved substitutes will be added to the approved list throughout the school year. Substitute teachers will be employed from the substitute list recommended by the Lead Person and approved by the Board. The Board shall also approve the substitute rate of pay.

All substitute teachers must possess a substitute credential issued by the New Jersey State Board of Examiners in accordance with the provisions of N.J.A.C. 6A:9B-7.1 et seq. All substitute teachers are required to undergo a criminal history record check in accordance with the provisions of N.J.S.A. 18A:6-7.1 et seq. and New Jersey Department of Education regulations and procedures for criminal history record checks. In accordance with the provisions of N.J.S.A. 18A:6-7.1b., a substitute teacher who is rehired annually by the Board shall only be required to undergo a criminal history record check as required by N.J.S.A. 18A:6-7.1 et seq. upon initial employment, provided the substitute continues in the employ of at least one of the schools at which the substitute was employed within one year of the approval of the criminal history record check.

A substitute teacher shall follow the daily lesson plan provided by the regular teacher and, when that plan is exhausted or unavailable, the instructions of the Principal. A substitute teacher may not plan or direct an instructional program except as expressly permitted by the Lead Person.

In accordance with the provisions of N.J.S.A. 18A:16-1.1b. and N.J.A.C. 6A:9B-7.4(c), a vacant teaching position may only be filled by one or more individuals employed as substitute teachers and holding an instructional certificate of eligibility (CE), certificate of eligibility with advanced standing (CEAS), or standard certificate issued by the New Jersey State Board of Examiners with an endorsement within the scope of the subject being taught for no more than sixty instructional days in the same classroom per year. The sixty day limit may be extended if the Executive County Superintendent is notified of an extension by the school which shall demonstrate:

1. The school was unable to hire an appropriately certified teacher for the vacant position;
2. The school is filling the position subject to the limitations in a local contract or N.J.A.C. 6A:9B-7.1; and
3. Holders of an instructional CE or CEAS with an endorsement within the scope of the subject being taught meet the following provisions:



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

TEACHING STAFF MEMBERS

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Employment of Substitute Teachers

- a. CE or CEAS holders obtain a provisional certificate;
- b. CE or CEAS holders are enrolled in a school mentoring program upon obtaining a provisional certificate;
- c. CE holders are accepted into a CE educator program and will begin coursework in the program's next available cohort.

In the event that one individual employed pursuant to the provisions of N.J.S.A. 18A:16-1.1b. is employed in the same position for more than sixty days, the substitute shall be compensated by the school on a pro-rata basis consistent with the salary provided to a teacher with similar credentials in the school.

In accordance with the provisions of N.J.S.A. 18A:16-1.1c. and N.J.A.C. 6A:9B-7.4(b), a vacant teaching position may only be filled by one or more individuals employed as substitute teachers and holding an instructional CE, or a CEAS, or a standard certificate issued by the New Jersey State Board of Examiners with an endorsement not within the scope of the subject being taught for no more than forty instructional days in the same classroom per year. The Executive County Superintendent of Schools shall be notified by the Lead Person or designee if a holder of an instructional CE or CEAS substitutes for more than twenty instructional days in the same classroom.

Holders of a career and technical education substitute credential pursuant to N.J.A.C. 6A:9B-7.5 shall be permitted to substitute for no more than forty instructional days in the same classroom per year in accordance with the provisions of N.J.A.C. 6A:9B-7.4(b)2.

In accordance with the provisions of N.J.S.A. 18A:16-1.1a. and N.J.A.C. 6A:9B-7.4(a), a vacant teaching position may only be filled by one or more individuals holding a substitute credential or holding an administrative or educational services certificate without an instructional CE, CEAS, or standard certificate issued by the New Jersey State Board of Education pursuant to the provisions of N.J.S.A. 18A:6-38 for no more than twenty instructional days in the same classroom per year. The Commissioner of Education may grant an extension of up to an additional twenty school days upon written application from the school demonstrating the school's inability to hire an appropriately certified teacher for the vacant position within the original twenty-day time limit.

N.J.S.A. 18A:6-7.1 et seq.; 18A:16-1.1a.; 18A:16-1.1b.;  
18A:16-1.1c.; 18A:16-1.1d.

N.J.A.C. 6A:9B-7.1; 6A:9B-7.2; 6A:9B-7.3; 6A:9B-7.4; 6A:9B-7.5

Adopted: 17 May 2018



## 3126 SCHOOL MENTORING PROGRAM

The Board of Trustees shall develop a school mentoring program to provide nontenured teachers, including novice professional teachers who hold a certificate of eligibility (CE) or certificate of eligibility with advanced standing (CEAS) with an induction to the teaching profession and to the school community through differentiated supports based on the teachers' individual needs and to help them become effective professionals.

The goals of the school mentoring program shall be to enhance teacher knowledge of, and strategies related to, the New Jersey Student Learning Standards to facilitate student achievement and growth; identify exemplary teaching skills and educational practices necessary to acquire and maintain excellence in teaching; and assist first-year teachers in performing their duties and adjusting to the challenges of teaching. The Board of Trustees shall determine how each nontenured teacher in his or her first year of employment shall be provided with supports as outlined in N.J.A.C. 6A:9C-5.1(c). The Board shall provide an individual mentor to work one-on-one with a novice provisional teacher in accordance with N.J.A.C. 6A:9C-5.1(d). The Lead Person shall oversee the mentor selection process and ensure the individual mentor meets the minimum requirements required in N.J.A.C. 6A:9C-5.2(a).

In accordance with the provisions of N.J.A.C. 6A:9C-5.4, an approved agency and its designated staff shall be authorized to provide the services, evaluations, and recommendations specified within N.J.A.C. 6A:9B-8.6, 8.7, and 8.9 for provisional Teachers of Supplemental Instruction in Reading and Mathematics, Grades K-8 in their employ.

The school's local mentoring plan shall be in accordance with the requirements as outlined in N.J.A.C. 6A:9C-5.1 et seq.

The Lead Person or designee shall develop the school mentoring plan in accordance with the requirements outlined in N.J.A.C. 6A:9C-5.3 as part of the school's professional development plan (PDP) pursuant to N.J.A.C. 6A:9C-4.4. The school mentoring plan shall include logistics for its implementation and describe the school's responsibilities pursuant to N.J.A.C. 6A:9C-5.1 et seq.

The Board of Trustees shall budget State funds appropriated for the novice teacher mentoring program in accordance with the provisions of N.J.A.C. 6A:9C-5.1(f). The Board shall ensure that State funds appropriated for this program shall supplement, and not supplant, any Federal, State or local funds already devoted to planning and implementing a novice teacher mentor program. The Board of Trustees shall ensure that State funds shall be used for one or more of the following: stipends for mentor teachers; the costs associated with release time; substitutes for mentor teachers and novice teachers; and professional development and training activities related to the program.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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School Mentoring Program

Evaluations for a provisional teacher shall be completed in accordance with the requirements of N.J.A.C. 6A:9B-8.6.

N.J.S.A. 18A:26-2; 18A:26-2a

N.J.A.C. 6A:9B-8.4; 6A:9B-8.5; 6A:9B-8.6; 6A:9C-5.1

Adopted: 17 May 2018



### 3134 ASSIGNMENT OF ADDITIONAL DUTIES

The professional responsibilities of teaching staff members include such extra duties as may be assigned by the Board of Trustees. The Board will appoint teaching staff members to extra duty positions including, but not necessarily limited to, the positions of department chairperson, account treasurer, co-curricular activity advisor, athletic coach, monitor, and chaperone.

A teaching staff member who requests appointment to an extra duty position may be given preference over other candidates for the position. Wherever possible, the Board will fill athletic coaching positions with physical education teachers.

Any teaching staff member appointed to an extra duty position is expected to serve unless excused for extenuating circumstances. A member's refusal to serve or resignation from extra duty service without permission may constitute an act of insubordination subject to discipline.

A teaching staff member can accrue no tenure or seniority rights in an extra duty position and is not entitled to reappointment to an extra duty position.

Performance in an extra duty position will be considered in a teacher staff member's evaluation, in determining whether to renew a nontenured member, and in determining which of two or more tenured members with identical seniority entitlements will be retained in a reduction in force.

The Lead Person will inform the Board of extra duty positions required for the implementation of the school's program, post notice of vacancies in those positions, and recommend appointments to those positions.

N.J.S.A. 18A:27-4

Adopted: 17 May 2018



## 3141 RESIGNATION

The Board of Trustees will enter a contract with each nontenured teaching staff member providing, in part, for the termination of employment by either party on proper notice in accordance with Policy 3124.

An employee's resignation must be tendered to the Board through the Lead Person who may accept the resignation on behalf of the Board. Any such acceptance of a resignation will be ratified by the Board at its next meeting.

A member who offers insufficient notice of resignation will be paid only through the last day of service. In addition, the Board may notify the Commissioner of Education of any tenured teaching staff member who terminates his/her position without having given sixty days written notice to the Board unless the Board approves the tenured teaching staff member's release on shorter notice. The Commissioner of Education may suspend the tenured teaching staff member's certificate for not more than one year for failure to give such notice.

N.J.S.A. 18A:26-10; 18A:28-8

N.J.A.C. 6A:9B-4.8

Adopted: 17 May 2018



### 3142 NONRENEWAL OF NONTENURED TEACHING STAFF MEMBER

The Board of Trustees recognizes its obligation to employ only those staff members best trained and equipped to meet the educational needs of the students of this school. The Board shall discharge that obligation by retaining in service only those nontenured teaching staff members who meet those standards. The Board will renew the employment contract of a teaching staff member only upon the recommendation of the Lead Person and by a recorded roll call majority vote of the full membership of the Board. The Board shall not withhold its approval for arbitrary and capricious reasons. A nontenured teaching staff member who is not recommended for renewal by the Lead Person is deemed nonrenewed.

When the nontenured teaching staff member's performance does not meet the standards of the school, the Lead Person shall recommend not to renew the teaching staff member's contract. Prior to notifying the nontenured teaching staff member of the nonrenewal, the Lead Person will notify the Board of the recommendation not to renew the nontenured teaching staff member's contract and the reasons for the recommendation. The Lead Person may notify the Board in a written notice or in executive session at a full Board Meeting. In the event the Board is notified in executive session, the Lead Person will comply with the requirements of the Open Public Meetings Act and provide reasonable notice to the nontenured teaching staff member their employment will be discussed in executive session in order for the nontenured teaching staff member to exercise their statutory right to request a public discussion.

The Lead Person shall notify each nontenured teaching staff member to whom reemployment will not be offered of such nonrenewal in writing on or before May 15. Any teaching staff member who received written notice a contract will not be offered may, within fifteen days of receiving such notification, request in writing a statement of the reasons for nonrenewal. The Lead Person will provide a written statement of reasons within thirty days after the receipt of any such request.

Whenever the nontenured teaching staff member has requested in writing and received a written statement of reasons for non-reemployment, the nontenured teaching staff member shall have the right to an informal appearance before the Board to permit the staff member an opportunity to convince the members of the Board to offer reemployment. The staff member must request the appearance before the Board within ten calendar days of the nontenured teaching staff member's receipt of the statement of reasons. The informal appearance before the Board shall be held in accordance with the provisions of N.J.A.C. 6A:10-8.1.





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Nonrenewal of Nontenured Teaching Staff Member

The Board is not required to offer reemployment or vote on reemployment after an informal appearance with a nontenured teaching staff member who was not recommended for reemployment by the Lead Person. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Lead Person, offer the nontenured teaching staff member reemployment after the informal appearance before the Board. The nontenured teaching staff member will be notified of the Board's final determination within three days following the informal appearance before the Board.

N.J.S.A. 18A:27-3.1; 18A:27-3.2; 18A:27-4.1; 18A:27-10 et seq.

N.J.A.C. 6A:10-8.1

Adopted: 17 May 2018



## 3143 DISMISSAL

The Board of Trustees will enter a contract with each nontenured teaching staff member providing, in part, for the termination of employment by either party on proper notice in accordance with Board Policy No. 3124.

The Board may dismiss a nontenured teaching staff member when dismissal is in the best interest of the school. Termination notice will be duly given in writing and will state the reason therefore.

However, the Board reserves the right to terminate a nontenured employee without notice when sufficient cause warrants.

The Board will determine whether to permit an employee to continue to perform services during the period between the giving of notice and the date of termination.

N.J.S.A. 18A:6-30; 18A:6-30.1; 18A:27-9

Adopted: 17 May 2018



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### 3144C STREAMLINED TENURE/CERTIFICATION OF TENURE CHARGES – CHARTER SCHOOL

In accordance with the provisions of N.J.A.C. 6A:11-6.2, all teaching staff members, janitors, and secretaries shall acquire streamline tenure in a charter school after five consecutive full academic years of effective employment as determined by the Department-approved educator evaluation system established by each charter school and in accordance with the charter school's uniform policies and procedures. All teaching staff members, janitors, and secretaries who have acquired streamline tenure prior to June 30, 2013, shall retain streamline tenure status and shall not be dismissed or reduced in compensation except for inefficiency, incapacity, or conduct unbecoming. The Commissioner may void acquired streamline tenure status for all applicable charter school employees if stipulated in the terms of probation pursuant to N.J.A.C. 6A:11-2.4.

The Board of Trustees will grant tenure upon the recommendation of the Lead Person. Tenure will only be granted to those staff members that have demonstrated the highest level of effectiveness, professional conduct, and commitment to students. Therefore, the Lead Person, upon making a recommendation a staff member receive tenure under N.J.A.C. 6A:11-6.2, will ensure the staff member has a demonstrated a proven record of effective and/or highly effective performance in their position.

In accordance with the provisions of N.J.A.C. 6A:11-6.3, the Board of Trustees adopts this Policy to establish a uniform process, including procedures and timelines, for hearing streamline tenure disputes.

The Lead Person will notify each staff member eligible to receive tenure, at least sixty calendar days before tenure would be acquired, of the recommendation that will be made to the Board of Trustees.

The following procedures and timelines shall be followed for hearing streamline tenure disputes:

1. The Lead Person shall provide written notice to the employee of the charges. The written notice of the charges shall include a statement of evidence under oath to support such charges and shall be hand-delivered with a signed acknowledgment of receipt by the employee or by certified mail with a return receipt. The charges may be inefficiency, incapacity, unbecoming conduct, or other just cause.



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### Streamlined Tenure/Certification of Tenure Charges – Charter School

2. The tenured employee shall have an opportunity to submit a written statement of position and a written statement of evidence under oath with respect to the charges. The tenured employee may also request a hearing with the Board of Trustees to dispute the charges. If the charges are disputed by the employee, the party issuing the tenure charges shall have the burden of substantiating the charges by a preponderance of competent and credible evidence.
3. The employee's written statement of position, a written statement of evidence under oath with respect to the charges, and the request for a hearing with the Board shall be submitted to the Lead Person no later than fifteen days after receipt of the written notice of the charges.
4. If a hearing is requested, the tenured employee shall be provided with:
  - a. An opportunity to be represented by legal counsel;
  - b. A list of the charter school administration's witnesses, no later than five days before the hearing; and
  - c. An opportunity to confront and cross-examine witnesses of the administration and to produce his or her own witnesses or affidavits.
5. If a hearing requested by the employee it shall be completed no later than thirty calendar days after the Board of Trustees' receipt of the tenured employee's response to the charges, barring any unforeseen circumstances warranting an extension of such time.
6. The Board of Trustees shall review the charges and the evidence to support the charges; the employee's written statement of position and written statement of evidence with respect to the charges, and the information obtained at the hearing, if a hearing was held. The Board of Trustees shall make a determination as to whether the charges have been substantiated by a preponderance of competent and credible evidence in the record and whether the tenured employee shall be dismissed or reduced in compensation.
7. A written decision reflecting the Board of Trustees' determination whether to dismiss or reduce in compensation the tenured employee must be issued within ten days of the determination. The Board of Trustees' written decision shall include, at a minimum:



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- a. A summary of evidence considered;
  - b. Factual findings relative to each charge; and
  - c. A determination whether each charge was substantiated.
8. Upon receipt of the Board of Trustees' written decision finding that a charge has been substantiated, the employee shall have fifteen days to submit to the Commissioner of Education a written appeal of the Board of Trustees' decision. The employee shall serve the Board of Trustees with all briefs or papers filed with the Commissioner of Education in connection with the appeal. The Commissioner of Education may extend the time period for filing an appeal upon finding good cause if the request for an extension is received within the fifteen day period provided for filing an appeal.
  9. Upon filing an appeal, the Board of Trustees may submit a response to the Commissioner of Education within ten days of receiving all briefs or papers served by the employee and shall serve the employee with a copy of the response.
  10. The Commissioner of Education shall render a determination on the appeal within forty-five days of receipt of the Board of Trustees' response. If no response is filed, the determination shall be issued within forty-five days of the date the Board or Trustees' response is due.
  11. The Commissioner of Education decision shall constitute a final agency decision appealable to the New Jersey Superior Court Appellate Division.

N.J.A.C. 6A:11-6.2; 6A:11-6.3; 6A:11-6.4

Adopted: 17 May 2018



### 3146 CONDUCT OF REDUCTION IN FORCE

When teaching staff member positions have been abolished, in accordance with Board Policy No. 3112, the Board of Trustees will transfer and/or dismiss affected teaching staff members as required by law.

No tenured teaching staff member will be transferred or dismissed in a reduction in force affecting a category of employment in which a nontenured teaching staff member is employed. When two or more nontenured teaching staff members are employed within the category affected by a reduction in force, the nontenured teaching staff member(s) shall be retained in that category who has demonstrated greater competence.

Tenure and seniority entitlements will govern the transfer and dismissal of tenured teaching staff members affected by a reduction in force, except that, when two or more tenured teaching staff members within the same employment category affected by a reduction in force possess an identical seniority entitlement to that category, the teaching staff member(s) shall be retained in that category who has demonstrated greater competence.

The Lead Person shall collect and maintain the information requisite to the calculation of each tenured teaching staff member's seniority status. The Lead Person shall develop and maintain school seniority lists and shall recommend dismissals and transfers in a reduction in force in accordance with those lists. No seniority list shall be a public document or published in the absence of a reduction in force or reemployment from a preferred eligible list.

Teaching staff members affected by a reduction in force will be informed of their seniority status and of the effect of the reduction in force on their employment, as promptly as possible after the Board's action to abolish positions. Wherever possible, the Board will give sixty days notice of a pending dismissal. If notice cannot be given a full sixty days before the end of the employee's service, salary in lieu of notice will be given for the remaining notice period beyond the end of service.

N.J.S.A. 18A:28-1; 18A:28-9 et seq.

N.J.A.C. 6A:32-5.1

Adopted: 17 May 2018



## 3150 DISCIPLINE

The Board of Trustees directs all teaching staff members to observe statutes of the State of New Jersey, rules of the State Board of Education, policies of this Board, and duly promulgated administrative rules and regulations governing staff conduct. Violations of those statutes, rules, policies and regulations will be subject to discipline.

The Lead Person shall deal with disciplinary matters on a case by case basis. Discipline measures will include verbal and written warnings as appropriate and will provide, wherever possible, for progressive penalties for repeated violations. Penalties may include suspension, withholding one or more increments, and dismissal.

In the event disciplinary action is contemplated, notice will be given to the teaching staff member in ordinary and concise language of the specific acts and omissions upon which the disciplinary action is based; the text of the statute, policy, or rule that the member is alleged to have violated; a date when the member may be heard and the administrator who will hear the matter; and the penalty that may be imposed.

N.J.S.A. 18A:25-7; 18A:27-4

N.J.S.A. 34:13A-1 et seq.; 34:19-1

Adopted: 17 May 2018



## 3152 WITHHOLDING AN INCREMENT

Advancements on the salary guide, including annual employment and adjustment increments, are not 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 school and high standards of professional conduct.

The Board of Trustees 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.

The purpose of the Board in withholding increments is to improve the educational program and encourage the highest possible professional performance of its employees. Accordingly, all reasonable efforts will 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.

An increment withheld may be restored only by action of the Board. 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/she would have achieved had the increment or increments not been withheld.

N.J.S.A. 18A:25-7; 18A:29-14

N.J.A.C. 6A:3-4.1

Adopted: 17 May 2018





### 3159 TEACHING STAFF MEMBER/SCHOOL REPORTING RESPONSIBILITIES

All certificate holders shall report their arrest or indictment for any crime or offense to the Lead Person within fourteen calendar days of the arrest or indictment in accordance with the provisions of N.J.A.C. 6A:9B-4.3. For purposes of this policy, "certificate holders" shall include all individuals who hold certificates, credentials, certificates of eligibility (CEs), and certificates of eligibility with advance standing (CEASs) issued by the State Board of Examiners. For purposes of this Policy, the term "certificate" shall include all standard, emergency and provisional certificates, all credentials, and all CEAs and CEASs issued by the State Board of Examiners.

The report submitted to the Lead Person shall include the date of arrest or indictment and charge(s) lodged against the certificate holder. Such certificate holders shall also report to the Lead Person the disposition of any charge within seven calendar days of the disposition. Failure to comply with these reporting requirements may be deemed "just cause" for revocation or suspension of certification pursuant to N.J.A.C. 6A:9B-4.4. The school shall make these reporting requirements known to all new employees upon initial employment and to all employees on an annual basis.

The Lead Person shall notify the New Jersey State Board of Examiners when:

1. Tenured teaching staff members who are accused of criminal offenses or unbecoming conduct resign or retire from their positions;
2. Nontenured teaching staff members, including substitute teachers, who are accused of criminal offenses or unbecoming conduct resign, retire, or are removed from their positions;
3. A certificate holder fails to maintain any license, certificate, or authorization that is mandated pursuant to N.J.A.C. 6A:9B for the holder to serve in a position;
4. The Lead Person becomes aware that a certificate holder has been convicted of a crime or criminal offense while in the school's employ; or
5. The Lead Person 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.



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Teaching Staff Member/School Reporting Responsibilities

In the event the New Jersey State Board of Examiners issues an order to show cause based on the information that the school provided about the certificate holder, it shall be the responsibility of the school to cooperate with the Board of Examiners in any proceeding arising from the order to show cause.

The Lead Person shall also notify the New Jersey State Board of Examiners, in accordance with the provisions of N.J.S.A. 18A:16-1.3, whenever a nontenured, certificated employee is dismissed prior to the end of the school year for just cause as a result of misconduct in office. This notification requirement shall not apply in instances where the employee's contract is not renewed. The Lead Person will comply with the additional notice requirements to the New Jersey State Board of Examiners in the event it is subsequently determined by disciplinary grievance arbitration, a court, or an administrative tribunal of competent jurisdiction that the basis for the dismissal did not constitute misconduct in office. In addition, whenever the Lead Person notifies the New Jersey State Board of Examiners of an employee's dismissal for reasons of misconduct in accordance with the provisions of N.J.S.A. 18A:16-1.3, the employee shall receive a simultaneous copy of the notifying correspondence.

N.J.S.A. 18A:16-1.3

N.J.A.C. 6A:9B-4.3; 6A:9B-4.4

Adopted: 17 May 2018



### 3160 PHYSICAL EXAMINATION

The Board of Trustees requires each candidate for employment who receives a conditional offer of employment to undergo a physical examination(s) to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA).

If upon completing an examination(s) it is determined a candidate for employment who received a conditional offer of employment is unable to perform with reasonable accommodation job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Lead Person, if the Board has not yet approved the appointment, or by the Board, if the Board had approved the appointment at a Board meeting.

The physical examination shall include, but is not limited to, a health history to include past serious illnesses and injuries; current health problems; allergies; and a record of immunizations. The physical examination shall also include a health screening to include, but not limited to: height and weight; blood pressure; pulse and respiratory rate; vision screening; and hearing screening.

Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of physical examinations required by this Policy performed by a physician or institution designated by the Board. However, the candidate shall bear the cost if the examination is performed by a physician or institution designated by the candidate with approval of the Board. In the event the Board approves the physician or institution designated by the candidate to complete an examination required by this Policy, the candidate will be provided with the detailed requirements of the examination.

School employee physicals, examinations, and/or annual medical updates do not require screening or disclosure of HIV status.

A Mantoux tuberculosis test shall be given to all student teachers, school bus drivers on contract with the school, and contractors or volunteers who have contact with students.

All staff members' medical and health records, including computerized records, will be secured, stored, and maintained separately from other personnel files. The information contained in medical records will be kept confidential. Only the staff member, the Lead Person, and the school medical inspector shall have access to medical information regarding an individual employee. Health records may be shared only with authorized individuals in accordance with



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Physical Examination

medications that may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, the staff member may also choose to share with the staff member's Building Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.

Additional individual psychiatric or physical examinations of any staff member may be required by the Board whenever, in the judgment of the Board, a staff member shows evidence of deviation from normal physical or mental health. Any additional individual examinations will be pursuant to the requirements of N.J.A.C. 6A:32-6.3. Additional examinations and/or certifications may be required to verify fitness in accordance with Policy 3161 or disability in accordance with Policies 3425 and 3435.

42 U.S.C.A. 12101

N.J.S.A. 18A:16-2

N.J.A.C. 6A:32-6.1; 6A:32-6.2; 6A:32-6.3

Adopted: 17 May 2018



### 3161 EXAMINATION FOR CAUSE

The Board of Trustees may, in accordance with law, require the psychiatric or physical examination of any teaching staff member who shows evidence of deviation from normal physical or mental health.

The Lead Person shall recommend to the Board the examination of any teaching staff member whose physical or mental conditions so departs from normal health as to adversely affect the performance of the member's duties. Any such recommendation must be accompanied by competent evidence. If the Board determines that deviation from normal health has been demonstrated, it may require that the member submit to a physical or mental examination.

A requirement for physical or mental examination shall be made known to the employee by written notice setting forth the nature of the examination required, the reasons for the requirement, and a statement offering the member the opportunity to appear before the Board to explain or refute those reasons, provided any such hearing is requested in writing within five working days of the receipt of the notice.

A teaching staff member who fails to request an appearance before the Board within the time permitted or, having appeared before the Board, fails to persuade the Board that he/she should not be required to submit to the required examination shall be ordered to submit to an appropriate examination by a physician or institution designated by the Board and at the Board's expense.

The teaching staff member may, at his/her option, submit names of physicians or institutions to the Board for consideration to complete the appropriate examination(s). The Board is not required to designate a physician or institution submitted for consideration by the teaching staff member, but the Board will not act unreasonably in withholding its approval of a physician or institution submitted by a teaching staff member. The cost of the examination will be borne by the Board if the Board designates a physician or institution from the names submitted from the teaching staff member.

If the teaching staff member's request is denied, or if the teaching staff member does not request the Board to consider a physician or institution, the staff member may elect to submit to an appropriate examination conducted by a physician or institution of the teaching staff member's own choosing and at his/her expense, provided the physician or institution so chosen is approved by the Board, pursuant to N.J.S.A. 18A:16-3, and is authorized and directed by the member to report the results of the examination to the Board.



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If the results of the examination show mental abnormality or communicable disease, the teaching staff member shall be placed on sick leave and compensated in accordance with his/her sick leave entitlement, if any, until proof of recovery, satisfactory to the Board, is furnished. No leave of absence granted under this policy shall exceed the term of the contract of a nontenured teaching staff member or a period of two years in the case of a tenured teaching staff member.

A teaching staff member who refuses to submit to the examination required by the Board and has exhausted the hearing procedures established by law and this policy shall be subject to discipline, which may include the certification of tenure charges to the Commissioner of Education.

42 U.S.C.A. 12101

N.J.S.A. 18A:6-10; 18A:16-2; 18A:16-4; 18A:25-7;  
18A:28-5; 18A:30-1 et seq.

N.J.A.C. 6A:32-6.3

Adopted: 17 May 2018



### 3211 CODE OF ETHICS

The Board of Trustees endorses the code of ethics for professional educators published by the National Education Association.

#### Preamble

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nature of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parent(s) or legal guardian(s), and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

The remedies specified by the NEA and/or its affiliates for the violation of any provision of this Code shall be exclusive and no such provision shall be enforceable in any form other than one specifically designated by the NEA or its affiliates.

#### Principle I -- Commitment to the Student

The educator strives to help each student realize his/her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator--

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.



5. Shall not intentionally expose the student to embarrassment or disparagement.
6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly--
  - a. Exclude any student from participation in any program
  - b. Deny benefits to any student
  - c. Grant any advantage to any student
7. Shall not use professional relationships with students for private advantage.
8. Shall not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose or is required by law.

### Principle II -- Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards to promote a climate that encourages the exercise of professional judgment, to achieve conditions which attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator--

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.
2. Shall not misrepresent his/her professional qualifications.
3. Shall not assist entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.





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Code of Ethics

4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
5. Shall not assist a non educator in the unauthorized practice of teaching.
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.
7. Shall not knowingly make false or malicious statements about a colleague.
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions.

Adopted: 17 May 2018



### 3211.3 CONSULTING OUTSIDE THE SCHOOL

The Board of Trustees recognizes that teaching staff members will have expertise and knowledge in areas that other school districts, agencies, and other entities may desire. Recognizing that the school will request the expertise from teaching staff members from other school districts, agencies and other entities, the Board supports sharing of its teaching staff members with other school districts, agencies, and other entities to the extent it does not interfere with the efficient operation of the school.

The Lead Person may recommend to the Board a teaching staff member's attendance in another school district, agency or other entity without additional remuneration to the teaching staff member or school, upon a written request from the agency or from the teaching staff member.

The Board of Trustees recognizes teaching staff members will have expertise and knowledge in areas that other school districts, public and private agencies, and private business organizations may desire to compensate as a paid consultant. When a teaching staff member serves as a paid consultant, the teaching staff member is not permitted to use normal work hours for any paid consulting activities. The teaching staff member must complete any paid consulting activities on their own time to include vacation days, evenings, weekends, and/or school holidays.

The teaching staff member must comply with the New Jersey School Ethics Act N.J.S.A. 18A:12-21 et seq. and, if required, must comply with financial disclosure requirements of N.J.S.A. 18A:12-24 and 12-25.

N.J.S.A. 18A:12-21 et seq.

Adopted: 17 May 2018



### 3212 ATTENDANCE

The regular and prompt attendance of teaching staff members is an essential element in the efficient operation of the school and the effective conduct of the educational program. Staff member absenteeism disrupts the educational program and the Board of Trustees considers attendance an important component of a staff member's job performance.

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 may be subject to appropriate consequences, which may include the withholding of a salary increment, dismissal, and/or certification of tenure charges.

In accordance with N.J.S.A. 18A:30-1, sick leave is defined to mean the absence from work because of a personal disability due to injury or illness or because the staff member has been excluded from school by the school medical authorities on account of contagious disease or of being quarantined for such a disease in the staff member's immediate household. No teaching staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for in the collective bargaining agreement negotiated with the member's majority representative, in an individual employment contract, or provided in the policies of the Board. In accordance with N.J.S.A. 18A:30-4, the Lead Person or Board of Trustees may require a physician's certificate to be filed with the Secretary of the Board in order to obtain sick leave.

The Lead Person, in consultation with administrative staff members, will review the rate of absence among the staff members. The review will include the collection and analysis of attendance data, the training of teaching staff members in their attendance responsibilities, and the counseling of teaching staff members for whom regular and prompt attendance is a problem.

N.J.S.A. 18A:27-4; 18A:28-5; 18A:30-1 et seq.

Adopted: 17 May 2018



### 3214 CONFLICT OF INTEREST

No teaching staff member of the Board of Trustees shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which is in conflict with the proper discharge of the teaching staff member's duties.

No teaching staff member shall use or attempt to use his/her position to secure unwarranted privileges or advantages.

No teaching staff member of the Board shall act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest.

No teaching staff member of the Board shall accept any gift, favor, service or other thing of value under circumstances from which it might be reasonably inferred that such gift, service or other thing of value was given or offered for the purpose of influencing the teaching staff member in the discharge of his/her duties.

The Board of Trustees discourages the presentation of gifts to teaching staff members by students and their parent(s) or legal guardian(s), because it may embarrass students with limited means and give the appearance of currying favor.

The Board directs that teaching staff members instruct their students to express their appreciation by means other than gifts.

Teaching staff members may receive gifts of only nominal value from students or their parent(s) or legal guardian(s).

The Lead Person may approve an act or gift of appreciation to an individual teaching staff member when special circumstances warrant.

N.J.S.A. 18A:6-8; 18A:11-1

Adopted: 17 May 2018



### 3216 DRESS AND GROOMING

#### A. Philosophy

The Board of Trustees believes that the appearance and dress of staff members are important components of the educational program of the Classical Academy Charter School. The Board believes that adults serve as role models for the children, and help shape the students' attitudes and values concerning neatness, pride and self-worth. The attitude of staff towards their professional responsibilities is reflected in their dress and appearance. In order to create an atmosphere of respect and an environment conducive to discipline and learning, the Board establishes the following rules for the dress of staff in the performance of their duties:

1. Dress and grooming criteria during working hours:
  - a. Staff members shall wear dresses, skirt or pant suits, skorts, capris, skirts/slacks with blouses or sweaters. Denim jumpers, denim skirts, and rompers are not allowed. See "Casual Friday" section for Denim Apparel requirements.
  - b. Staff members shall wear slacks and dress shirts. Polo shirts with a collar, turtlenecks, sweaters and cardigans with a solid color t-shirt are also acceptable, however cardigan must be worn at all times.
  - c. The clothing and appearance of all staff shall be neat, clean and modest/conservative.
  - d. No clothing may be worn that constitutes a danger to the health or safety to the wearer or to others, and no clothing shall be worn that interferes with the instructional program.
2. Dress and grooming not acceptable during school hours:
  - a. Sneakers, running shoes and flip-flop thong style sandals. Requests for waivers dealing with footwear should be submitted to the Lead Person with medical documentation.
  - b. Dungarees, capris or pants made of denim, overalls made of any materials, flannel shirts, and spandex clothing.



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- c. Shorts.
  - d. Athletic wear, except as approved for Health and Physical Education staff.
  - e. Graphic T-shirts or T-shirts without a cardigan are not permitted. See “Casual Friday” section.
3. All Custodial and Maintenance Personnel when on the job, and unless otherwise granted written approval by the Lead Person or his/her designee, shall wear appropriate attire to work. The official attire shall consist of a work-type shirt and work pants, belt and work shoes.
4. Special Rules:
- a. Physical Education teachers may wear clothing appropriate to their subject area, including athletic jackets, t-shirts, pullover shorts, kilts, striped pants or slacks, culottes, jogging suits, warm-ups, and sneakers or appropriate footwear.
  - b. Vocational Education Shop, Art and Home Economic teachers may wear smocks, shop aprons, coveralls, and other protective attire if appropriate for the subject area.
  - c. Other classes - protective clothing such as smocks, lab coats or aprons may be worn as needed.
  - d. Other employees - employees involved in cafeteria, transportation, maintenance, and custodial staff shall wear appropriate clothing to accommodate their working situations.
5. Para-Professionals, Instructional Aides and Substitute Teachers are expected to adhere to the Dress Code.
6. Special Situations:
- a. The Building Principal shall have full discretion in temporarily suspending this dress code during after-school activities and/or special theme days (i.e., School Spirit Day). Occasionally, specifically organized learning activities (i.e., field trips) may reasonably dictate variations from the dress code of the normal classroom setting. Relaxed dress for these days does not supersede the unacceptable items in listed in this Policy.



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- b. The Lead Person or his/her designee shall decide if particular weather conditions or special circumstances warrant exception to the required dress code. This information will be conveyed to the Principals, and they will be responsible for conveying this to their staff personnel.
  7. The Building Principal or the teaching staff member's supervisor, as appropriate, shall determine whether a violation of this dress code has occurred and shall discuss the violation with the teaching staff member concerned. Where a single violation so warrants or violations recur, the Principal or supervisor may enter a reprimand in the teaching staff member's file and may recommend more stringent disciplinary measures.
  8. Any exceptions to this policy will be made by the Lead Person and disseminated to the staff.
  9. It shall be the policy of the Board to review this professional staff dress code as necessary and to invite the comments of appropriate staff in that review.
- B. Casual Fridays/Dress Down Days:
1. Denim apparel may be worn on Fridays and/or dress down days designated by the Lead Team. Staff members shall wear denim jeans of an appropriate fit and length and of a moderate nature (no "cuts", "rips", etc). Denim skirts of an appropriate length shall also be permitted. Denim jumpers are not permitted at any time.
  2. Rompers shall not be permitted on any occasion.
  3. Solid T-shirts of an appropriate length and fit shall be permitted. Graphic T-shirts and T-shirts with slogans are not permitted at any time, unless it is school related (i.e. school spirit shirts, special event shirts, etc.)
  4. Shoes: Sneakers shall be permitted. No sandals, slippers, flip-flops, crocs, etc. shall be permitted.
  5. Any requests to wear shorts during hot weather must be submitted to Lead Team via email. Permission will be granted on a case by case basis.

N.J.S.A. 18A:27-4

Adopted: 17 May 2018



### 3217 USE OF CORPORAL PUNISHMENT

The Board of Trustees cannot condone an employee's resort to force or fear in the treatment of students, even those students whose conduct appears to be open defiance of authority. Each student is protected by law from bodily harm and from offensive bodily touching.

Teaching staff members shall not use physical force or the threat of physical force to maintain discipline or compel obedience except as permitted by law, but may remove students from the classroom or school by the lawful procedures established for the suspension and expulsion of students.

A teaching staff member who:

1. Uses force or fear to discipline a student except as such force or fear may be necessary to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon the person or within the control of a student, to act in self-defense, or to protect persons or property;
2. Touches a student in an offensive way even though no physical harm is intended;
3. Permits students to harm one another by fighting; or
4. Punishes students by means that are cruel or unusual;

will be subject to discipline by this Board and may be dismissed.

N.J.S.A. 18A:6-1; 18A:37-1

Adopted: 17 May 2018





### 3218 SUBSTANCE ABUSE

The Board of Trustees recognizes a teaching staff member who reports to work under the influence of drugs or alcohol poses a significant threat to their health, safety, and welfare and the health, safety, and welfare of others, including students and other staff members. The Board strongly advises any teaching staff member that has a dependency on a substance as defined in this Policy to seek appropriate treatment. The Board has an obligation and the right to maintain a safe and healthy work environment and adopts this Policy as an important component toward maintaining a safe environment in the school. A teaching staff member is prohibited from possession, use, distribution, or being under the influence of any substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities.

For the purposes of this Policy, “substance” or “substances” means alcoholic beverages, any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, or any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

Any teaching staff member who reports to work or attends a school-sponsored function where the teaching staff member has assigned job responsibilities under the influence of or in possession of any substance will be subject to appropriate discipline, which may include termination of a non-tenured teaching staff member or the filing of tenure charges for a tenured teaching staff member in accordance with law.

A teaching staff member shall be required to submit to an immediate medical examination to include a substance test if the Principal or designee has reasonable suspicion to believe a teaching staff member is under the influence of a substance during work hours or at a school-sponsored function where the teaching staff member has been assigned job responsibilities. Refusal of a teaching staff member to consent to the medical examination and substance test will be determined to be a positive result.

In the event a teaching staff member’s medical examination and substance test results are negative for a substance, any documents or records pertaining to the requirement for the examination and test and results will not be maintained by the school. Any required examination and testing shall be paid for by the Board. The teaching staff member will be afforded the opportunity to have any test results confirmed using acceptable test confirmation practices. This confirming test shall be paid for by the teaching staff member.



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Substance Abuse

In accordance with the requirements of N.J.A.C. 6A:16-6.3(a), any teaching staff member who, in the course of their employment, has reason to believe a school staff member has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall report the matter as soon as possible to the Principal, or in the absence of the Principal, to the staff member responsible at the time of the alleged violation. Either the Principal or the staff member shall notify the Lead Person who shall notify, as soon as possible, the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information. The Lead Person or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the staff member involved.

In accordance with the provisions of N.J.A.C. 6A:16-6.3(a)3, the Lead Person or designee shall not disclose the identity of a teaching staff member who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or drug abuse problem, provided the teaching staff member is not reasonably believed to be involved or implicated in drug-distribution activities. An admission by a teaching staff member in response to questioning initiated by the Principal or designee or following the discovery by the Principal or designee of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.

42 CFR Part 2

N.J.A.C. 6A:16-6.3; 6A:32-6.3

Adopted: 17 May 2018



### 3221 EVALUATION OF NONTENURED TEACHING STAFF MEMBERS

The Board of Trustees recognizes the importance of implementing a program for the evaluation of nontenured teaching staff members in accordance with law for the purposes of identifying and correcting deficiencies, improving professional competence, improving the quality of instruction received by students of this school, and assisting the Board in determining the member's reemployment.

The program of evaluation of nontenured teaching staff members shall include the observation and evaluation of each such employee in the performance of his or her duties by an appropriate supervisor no fewer than three times during each school year, but not less than once during each semester. Evaluations are to take place before April 30 of each year. The evaluations may cover that period between April 30 of one year and April 30 of the succeeding year except in the case of the first year of employment where the three evaluations must be completed prior to April 30. 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 the teaching staff member and his or her superior or supervisor(s). The purpose of the observation and evaluation of nontenured teaching staff members shall be to improve professional competence, identify deficiencies, extend assistance for the correction of such deficiencies, provide a basis for recommendations regarding reemployment, and improve the quality of instruction received by the students served by the school.

Supervisors shall make every effort to assist nontenured teaching staff members in the remediation of deficiencies disclosed by observation and evaluation and may conduct additional observations and evaluations. Supervisors should recognize the purposes of this policy cannot be realized by evaluations that do not record the weaknesses as well as the strengths of teaching staff members. Assessments that are less than honest and candid serve neither the professional growth of the employee nor the interest of the school in building a staff of highly competent, well-trained personnel.

This Policy shall be distributed to each teaching staff member at the beginning of his or her employment.

Adopted: 17 May 2018



### 3222 EVALUATION OF TENURED TEACHING STAFF MEMBERS

The Board of Trustees recognizes that the continuing evaluation of tenured teaching staff members is essential to the achievement of the educational goals of this school. The purpose of a program of evaluation will be to promote professional excellence and improve the skills of tenured teaching staff members, improve student learning and growth, and provide a basis for the review of teaching staff member performance. The Board will provide leadership, adequate resources for supervision and professional development, time for the proper conduct of evaluations, and time for in-service training.

Each tenured teaching staff member except the Lead Person and administrators, who will be evaluated in accordance with Board Policy Nos. 1240 and 3223, shall be evaluated annually by appropriately certified and trained administrators or supervisors against criteria that evolve logically from the instructional priorities and program objectives set forth in the teaching staff member's job description.

Each tenured teaching staff member shall also be evaluated against available indicators of student progress and growth.

The Lead Person shall develop, in consultation with tenured teaching staff members, job descriptions and evaluation criteria for each teaching staff member position. Job descriptions will be clearly and concisely stated and will be provided to the Board for its information.

The Lead Person shall distribute to each teaching staff member, no later than October 1 of each school year, a copy of this policy and the teaching staff member's job description and evaluation criteria; any amendments made subsequently to these documents will be distributed no later than ten days after their adoption.

The Lead Person shall develop, in consultation with teaching staff members, procedures for the evaluation of tenured teaching staff members that include, as a minimum:

1. The collection and reporting of data that is appropriate to the job description and includes as a minimum the observation of classroom instruction;
2. Observation conferences between the tenured teaching staff member and the evaluating supervisor;
3. The preparation of individual professional improvement plans;



4. The preparation by the supervisor of an annual written performance report, which shall include the teaching staff member's performance areas of strength and weakness, an individual professional improvement plan developed by the member and the supervisor, and a summary of the results of formal and informal assessments of the member's students along with a statement as to how these student indicators relate to the effectiveness of the overall program and to the member's performance;
5. The conduct of an annual summary conference between the supervisor and the member that will include a review of the member's performance, progress toward the objectives set forth in the professional improvement plan developed at the previous annual conference, student assessments and growth toward program objectives, and the written performance report prepared by the supervisor; and
6. The signing of the annual written performance report within five working days of the annual summary conference and the provision that the member may, within ten working days of the signing of the report, augment the report with additional performance data.

Adopted: 17 May 2018



### 3223 EVALUATION OF ADMINISTRATORS

The Board of Trustees recognizes that the continuing evaluation of administrators is essential to the achievement of the educational goals of this school. In order to ensure the greatest benefit to the school of a program of administrator evaluation, the Board shall provide adequate resources for supervision and professional development, time for the proper conduct of evaluations, and time for in-service training to encourage improvement in job performance.

The Lead Person will develop, in consultation with administrators, job descriptions for each administrative position. Such job descriptions will state in concise form the program objectives and major responsibilities of the position and will include evaluation criteria that evolve logically from those objectives and responsibilities. The Lead Person shall provide each administrator, no later than October 1 a copy of this policy and the job description and evaluation criteria of his/her position; any amendments made subsequently will be distributed no later than ten days after their adoption.

The Lead Person shall report to the Board on the effectiveness of the evaluation system and shall recommend such changes in the system as may be required to increase its effectiveness.

#### Tenured Administrators

Tenured administrators shall be evaluated in order to promote their professional excellence and improve their skills, to enhance student learning and growth, and to provide a basis for the review of administrative performance.

Each tenured administrator, except the Lead Person, shall be evaluated annually by appropriately certified and trained administrators or supervisors. The Lead Person shall, in consultation with administrators, develop procedures for the evaluation of tenured administrators that include, as a minimum:

1. The collection and reporting of evaluation data appropriate to the job description and evaluation criteria, including observations of the administrator's performance;
2. Observation conferences between the administrator and the evaluating supervisor;
3. The preparation of individual professional development plans;
4. The preparation by the supervisor of an annual written performance report that includes the administrator's performance areas of strength and weakness, an individual professional development plan developed by the supervisor and the administrator, a summary of available indicators of student progress and growth and



a statement of how these indicators relate to the effectiveness of the overall program and the performance of the individual administrator, and provision for entry into the record by the administrator, within ten working days after the signing of the report, of performance data not included by the supervisor; and

5. The annual summary conference between the administrator and the evaluating supervisor shall be held before the written performance report is filed. The conference shall include, but not be limited to, a review of the administrator's performance based upon the job description and a review of the progress toward the objectives of the individual professional development plan developed at the previous annual conference and a review of available indicators of student progress and growth toward the program objectives. A review of the written performance report and the signing of the report shall be within five working days of the review.

### Nontenured Administrators

Nontenured administrators shall be evaluated for the purpose of identifying and correcting deficiencies, improving professional competence, establishing a means for determining reemployment, and improving the quality of the educational program of this school.

The evaluation of nontenured administrators shall be conducted by appropriately certified supervisors and shall include, as a minimum:

1. The observation of the administrator in the performance of duties not less than three times in each school year and not less than once in each semester;
2. The conduct of a conference between the nontenured administrator and the evaluating supervisor no later than ten working days after each such observation; and
3. The preparation of a written evaluation report of the nontenured administrator's total performance, which shall be signed and retained by both parties to the conference and may be augmented by the written disclaimer of the nontenured administrator, provided that such disclaimer is submitted no later than ten working days after the conference.

The Lead Person shall provide each nontenured administrator with a copy of this policy on his/her appointment.

Adopted: 17 May 2018



### 3230 OUTSIDE ACTIVITIES

The Board of Trustees recognizes that teaching staff members enjoy a private life outside their job responsibilities in the school. The Board believes the role of the teaching profession is such that teachers exert a continuing influence away from the school. Accordingly, the Board reserves the right to determine if activities outside the teaching staff member's job responsibilities interfere with their professional performance and the discharge of the member's responsibilities to the students of this school.

All teaching staff members are advised to be governed in the conduct of personal activities by the following guidelines:

1. Teaching staff members shall not devote time during their work day to an outside private enterprise, business, or business organization. They shall not solicit or accept customers for a private enterprise, business, and/or business organization on school grounds during their work day without the express permission of the Lead Person;
2. The Board does not endorse, support, or assume liability in any way for any staff member of this school who takes students on trips not approved by the Board or Lead Person, and shall not be liable for the welfare of students who travel on such trips. Any staff member who takes students of this school on a trip not approved by the Board or Lead Person shall clearly and concisely inform the parent(s) of any student solicited and/or attending such a trip that the trip is not endorsed, supported, approved, or authorized by the Board of Trustees. A staff member shall not solicit students on school grounds for trips not approved by the Board or Lead Person;
3. The Board does not endorse, support, or assume liability in any way for any teaching staff member of this school who conducts a private activity in which students or employees of this school participate;
4. Teaching staff members shall not send campaign literature home with students, or request, direct, or have students distribute campaign literature on behalf of any candidate for local, State, or national office or for any bond issue, proposal, or any public question submitted at any general, municipal, or school election. No student shall be requested or directed by any teaching staff member to engage in any activity which tends to promote, favor, or oppose any such candidacy, bond issue, proposal, or public question;





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Outside Activities

5. Teaching staff members shall not privately tutor students for compensation that are currently enrolled in their classes; and
6. Copyrights and patents to materials or equipment developed, written, prepared, processed, or tested by teaching staff members in the performance of their professional duties reside with and may be claimed by the Board.

N.J.S.A. 18A:42-4

N.J.S.A. 19:1.1 et seq.

Adopted: 17 May 2018



## 3231 OUTSIDE EMPLOYMENT AS ATHLETIC COACH

The Board of Trustees will permit, in accordance with this Policy, staff members of this school to serve as an athletic coach in another school providing the responsibilities in the other do not interfere with the performance of the staff member's professional responsibilities in this school.

A staff member who wishes to accept employment as an athletic coach in another school must request and receive permission to do so from the Lead Person of this school if the staff member may need to request any special accommodation(s) from this school to fulfill their coaching responsibilities in another school. A special accommodation may be consideration for a requested duty assignment(s), a temporary work schedule adjustment and/or other considerations. A special accommodation will not be considered if it would violate any provisions of any collective bargaining agreement within the school. The staff member's request to the Lead Person must be in writing and must indicate with specificity the accommodation(s) that may be required. The Lead Person, in consultation with the staff member's Building Principal and/or immediate supervisor, will evaluate each request on a case-by-case basis.

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

Adopted: 17 May 2018



### 3232 TUTORING SERVICES

School staff members routinely provide time beyond their assigned responsibilities to students who need additional help in their academic programs. This additional help is provided by a staff member on school grounds during their free time during their workday or immediately before or after school hours. The time a staff member provides additional help to a student is an extension of their assigned school responsibilities and a staff member may not charge a fee for providing this additional help to students.

However, the Board of Trustees recognizes a school staff member may be privately contracted to provide tutoring services to a student in addition to any additional help a student receives before, during, and/or after the school day. These tutoring services shall be provided to a student under a private agreement between the staff member and the parent and/or student. Private tutoring shall not take place on school grounds.

The Board of Trustees assumes no responsibility, liability, or obligations for the selection of the private tutor or the quality of the private tutoring services. School staff members shall not provide private tutoring services for a fee or any compensation to any student that is currently enrolled in their classes.

Adopted: 17 May 2018



### 3233 POLITICAL ACTIVITIES

The Board of Trustees recognizes and encourages the right of all citizens, including teaching staff members, to engage in political activity. The Board prohibits the use of school 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 premises unless permitted in accordance with Board Policy and/or applicable Federal and State laws;
2. A teaching staff member shall not post political circulars or petitions on school premises nor distribute such circulars or petitions to students nor solicit campaign funds or campaign workers on school premises;
3. A teaching 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;
4. A teaching staff member shall not engage in any activity in the presence of students while on school property, which activity is intended and/or designed to promote, further or assert a position(s) on labor relations issues.

A certificated staff member employed by this school who is a member of the Senate or General Assembly of the State of New Jersey shall be entitled to time off from school duties, without loss of pay, during the periods of his/her attendance at regular or special sessions of the legislature and hearings or meetings of any legislative committee or commission.

A certificated staff member employed by this school who is a member of the Board of Chosen Freeholders of any county of New Jersey shall be entitled to time off from his/her duties, without pay, during the periods of his/her attendance at regular or special meetings of the Board and of any committee thereof and at such other times as he/she shall be engaged in performing the necessary functions and duties of his/her office as a member of the Board.

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.



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Political Activities

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 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 staff member or 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: 17 May 2018



### 3240 PROFESSIONAL DEVELOPMENT FOR TEACHERS AND SCHOOL LEADERS

The Board of Trustees encourages all teaching staff members to pursue a program of continuing professional development by course work or matriculation in institutions of higher learning, participation in workshops and conferences, membership in professional organizations, and/or independent scholarship.

Teaching staff members may be permitted to: visit other schools and classrooms; attend local, regional, or national conferences; participate in committees, workshops, and panels, both within and outside the school. Requests for participation in such professional development activities must be submitted in writing to the Lead Person or designee for approval. In addition, the Board of Trustees must approve all travel expenditures in accordance with N.J.S.A. 18A:11-12 and the State of New Jersey Department of the Treasury, Office of Management and Budget Circulars 08-19-OMB and 06-14-OMB (OMB Circulars) and any superseding circulars and any additional requirements set forth in N.J.A.C. 6A:23A-7 et seq.

A teaching staff member who has been granted time off and/or approved to be reimbursed for a professional development activity shall submit to the Lead Person or designee, with a copy to the School Business Administrator/Board Secretary, within ten working days, a brief written report that includes the primary purpose of the travel, the key issues addressed at the event, and their relevance to improving instruction or the operations of the school.

All active teachers, defined as staff whose positions require possession of the instructional or educational services certificates in accordance with N.J.A.C. 6A:9B-8 through 11 and 13 and all active school leaders serving on a permanent or interim basis whose positions require possession of the Chief School Administrator, Principal, or Supervisor endorsement in accordance with N.J.A.C. 6A:9B-12 shall comply with the professional development requirements as outlined in N.J.A.C. 6A:9C-4.1 et seq.

To meet the professional development requirement, each teacher shall be guided by an individual Professional Development Plan (PDP), which shall include at least twenty hours per year of qualifying activities as outlined in N.J.A.C. 6A:9C-4.4. The PDP shall be developed by each teacher's supervisor in consultation with the teacher and shall align with the Professional Standards for Teachers in N.J.A.C. 6A:9-3.3 and the Standards for Professional Learning in N.J.A.C. 6A:9C-3.3. The PDP shall be updated annually in accordance with N.J.A.C. 9C-4.4(c) and modified during the year as outlined in N.J.A.C. 9C-4.4(d).



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Professional Development for Teachers and School Leaders

School-level professional development planning and implementation shall be in accordance with the requirements of N.J.A.C. 6A:9C-4.2.

Implementation of the professional development requirement for school leaders shall be in accordance with N.J.A.C. 6A:9C-4.3.

The Board of Trustees shall comply with the monitoring and assistance requirements as outlined in N.J.A.C. 6A:9C-4.4.

The Board shall monitor and enforce the professional development requirements for teachers and school leaders set forth in N.J.A.C. 6A:9C-4.1 et seq. and shall actively assist and support the provision of opportunities and resources, and the efforts by teachers and school leaders to meet the professional development requirements.

N.J.S.A. 18A:31-2; 18A:6-111

N.J.A.C. 6A:9-3.3; 6A:13-2.1; 6A:9B-8 through 13; 6A:9C-3.3;  
6A:9C-4.1 et seq.

Adopted: 17 May 2018



## 3245 RESEARCH PROJECTS BY STAFF MEMBERS

The Board of Trustees 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 students must be approved by the Board; all other research projects involving school personnel, facilities, and/or resources may be approved by the Lead Person.

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 students, if any, and staff members who will be involved, the period of time that will be devoted to the project, and the project costs; the source of funding; any background information necessary to an understanding of 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 this school.

A written report must be made to the Lead Person when a research project is terminated, either completed or incomplete. The Lead Person may also require progress reports during the course of any research project and may notify appropriate administrators of the conduct of any research project.

Adopted: 17 May 2018





### 3270 PROFESSIONAL RESPONSIBILITIES

The Board of Trustees will establish and enforce rules for the assignment of specific duties to teaching staff members and for the conduct of teaching staff members during the work day.

All staff members must sign in and out each day upon arrival and departure for themselves.

Under no circumstances may a staff member sign another staff member in and out.

Staff members are also required to sign in and out when leaving school grounds during mealtime and/or break periods.

The Board directs the Lead Person to require the preparation of lesson plans by each Instructional Manager (teacher) that implement the goals, objectives, instructional model, and curriculum of the educational program.

The teacher shall also be responsible for providing adequate direction and guidance to substitutes.

Lesson plans will be subject to periodic review by the Lead Person and/or his/her designee. Lesson plans shall be submitted weekly per the format designated by the school.

The Lead Person shall apply uniformly throughout the school, except as may otherwise be provided in this Policy, the following additional rules for teaching staff member conduct:

1. Teachers are expected to attend and participate in weekly professional development and curriculum review sessions.
2. Teachers are expected to attend every faculty meeting unless expressly excused by the Lead Person.
3. A teacher who is excused from attending a faculty meeting must meet with the Lead Person or designee the following day to review the topics covered at the meeting.
4. Teachers are expected to assist in the development of curriculum and curriculum mapping.
5. Teachers are expected to utilize multimedia and instructional technologies to maximize student engagement and learning success.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

TEACHING STAFF MEMBERS

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Professional Responsibilities

6. Teachers are expected to establish a positive classroom climate and classroom management system.
7. Teachers are expected to develop instructional strategies that engage a diverse variety of learners.
8. Teachers are expected to exhibit positive rapport with students.
9. Teachers are expected to demonstrate strong management of time and instructional pacing in an extended instructional day (7:30 a.m. - 4:30 p.m.)
10. Teachers are expected to establish and maintain strong communication lines with all parents.
11. Teachers are expected to be available for Open Houses, Parent-Teacher Conferences, Goal Setting Conferences, and other events involving parents.
12. Teachers are expected to serve on school committees, as needed.
13. Teachers are expected to perform a parallel teacher duty.

Adopted: 17 May 2018



### 3280 LIABILITY FOR STUDENT WELFARE

Teaching staff members are responsible for supervision of students and must discharge that responsibility with the highest levels of care and prudent conduct. All teaching staff members of this school shall be governed by the following rules in order to protect the well-being of students and to avoid any assignment of liability to this Board of Trustees or to a staff member personally in the event a student is injured.

The Lead Person shall prepare such regulations as may be required to enforce the following rules:

1. Each teaching staff member must maintain a standard of care for supervision, control, and protection of students commensurate with the member's assigned duties and responsibilities;
2. A teaching staff member should not voluntarily assume responsibility for duties he/she cannot reasonably perform. Such assumed responsibilities carry the same potential for liability as do assigned responsibilities;
3. A teaching staff member must provide proper instruction in safety wherever course guides so provide;
4. A teaching staff member must report immediately to the Building Principal any accident or safety hazard the member detects;
5. A teaching staff member must not send students on personal errands;
6. A teaching staff member must never transport students in a personal vehicle without the approval of the Building Principal;
7. A teaching staff member must not require a student to perform tasks that may be detrimental to the health or well-being of the student or other students;
8. A teaching staff member will refrain from the use of personal furnishings and equipment in the classroom without the express permission of the Principal;
9. A teaching staff member must immediately report any instance of substance abuse, violence, vandalism, accidents, or suspected child abuse in accordance with Policy Nos. 8442, 8461, and 8462.

N.J.S.A. 9:6-8.8 et seq.

N.J.S.A. 18A:25-2

N.J.S.A. 59:1-1 et seq.

Adopted: 17 May 2018



### 3281 INAPPROPRIATE STAFF CONDUCT

The Board of Trustees recognizes its responsibility to protect the health, safety and welfare of all students within this school. Furthermore, the Board recognizes there exists a professional responsibility for all school staff to protect a student's health, safety and welfare. The Board strongly believes that school staff members have the public's trust and confidence to protect the well-being of all students attending the school.

In support of this Board's strong commitment to the public's trust and confidence of school staff, the Board of Trustees holds all school staff to the highest level of professional responsibility in their conduct with all students. Inappropriate conduct and conduct unbecoming a school staff member will not be tolerated in this school.

The Board recognizes and appreciates the staff-student professional relationship that exists in a school's educational environment. This Policy has been developed and adopted by this Board to provide guidance and direction to avoid actual and/or the appearance of inappropriate staff conduct and conduct unbecoming a school staff member toward students.

School staff's conduct in completing their professional responsibilities shall be appropriate at all times. School staff shall not make inappropriate comments to students or about students and shall not engage in inappropriate language or expression in the presence of students. School staff shall not engage in inappropriate conduct toward or with students. School staff shall not engage or seek to be in the presence of a student beyond the staff member's professional responsibilities. School staff shall not provide transportation to a student in their private vehicle or permit a student into their private vehicle unless there is an emergency or a special circumstance that has been approved in advance by the Lead Person and the parent/legal guardian.

Inappropriate conduct by a school staff member outside their professional responsibilities may be considered conduct unbecoming a staff member. Therefore, school staff members are advised to be concerned with such conduct which may include, but is not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other medium that is directed and/or available to students or for public display.

A school staff member is always expected to maintain a professional relationship with students and to protect the health, safety and welfare of school students. A staff member's conduct will be held to the professional standards established by the New Jersey State Board of Education and the New Jersey Commissioner of Education. Inappropriate conduct or conduct unbecoming a staff member may also include conduct not specifically listed in this Policy, but conduct determined by the New Jersey State Board of Education, the New Jersey Commissioner of Education, an arbitration process, and/or appropriate courts to be inappropriate or conduct unbecoming a school staff member.



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Inappropriate Staff Conduct

School personnel, compensated and uncompensated (volunteers), are required to report to their immediate supervisor any possible violations of this Policy. In the event the report alleges conduct by the immediate supervisor, the school staff member may report directly to the Lead Person. In addition, school personnel having reasonable cause to believe a student has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 are required to immediately report to the New Jersey Department of Children and Families in accordance with N.J.A.C. 6A:16-11.1 and inform the Lead Person or immediate supervisor after making such report. However, notice to the Lead Person or designee need not be given when the school staff member believes such notice would likely endanger the referrer or child(ren) involved or when the staff member believes that such disclosure would likely result in retaliation against the child or in discrimination against the referrer with respect to his/her employment.

Reports may be made in writing or with verbal notification. The immediate supervisor will notify the Lead Person of all reports, including anonymous reports. The Assistant Lead Person will investigate all reports with a final report to the Lead Person. The Assistant Lead Person or the Lead Person may, at any time after receiving a report, take such appropriate action as necessary and as provided for in the law. This may include, but is not limited to, notifying law enforcement, notifying the New Jersey Department of Children and Families in accordance with N.J.A.C. 6A:16-11.1, and/or any other measure provided for in the law.

This Policy will be distributed to all school staff and provided to staff members at any time upon request.

N.J.S.A. 18A:28-5 et seq.

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

Adopted: 17 May 2018



### 3282 USE OF SOCIAL NETWORKING SITES

The Board of Trustees has a strong commitment to quality education and the well-being of all students, as well as the preservation of the school's reputation. The Board believes staff members must establish and maintain public trust and confidence and be committed to protecting all students attending the school. In support of the Board's strong commitment to the public's trust and confidence, the Board holds all staff members to the highest level of professional responsibility.

The Commissioner of Education has determined inappropriate conduct outside a staff member's professional responsibilities may determine them as unfit to discharge the duties and functions of their position. Staff members should be advised communications, publications, photographs, and other information appearing on social networking sites deemed inappropriate by the Board could be cause for dismissal of a non-tenured staff member or to certify tenure charges against a tenured staff member to the Commissioner of Education.

Staff members are advised to be concerned and aware such conduct deemed inappropriate may include, but is not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other form of electronic communication that is directed and/or available to students or for public display or publication.

While the Board respects the right of staff members to use social networking sites, staff members should recognize they are held to a higher standard than the general public with regard to standards of conduct and ethics. It is important that a staff member's use of these sites does not damage the reputation of the school, employees, students, or their families. Staff members who utilize, post or publish images, photographs, or comments on social networking sites, blogs, or other forms of electronic communication outside their professional responsibilities shall ensure their use, postings, or publications are done with an appropriate level of professionalism and are appropriate conduct for a school staff member. Staff members should exercise care in setting appropriate boundaries between their personal and public online behavior, understanding that what is private in the digital world often has the possibility of becoming public even without their knowledge or consent.

The school strongly encourages all staff members to carefully review the privacy settings on social networking sites they use and exercise care and good judgment when posting content and information on such sites. Staff members should adhere to the following guidelines, which are consistent with the school's workplace standards on harassment, student relationships, conduct, professional communication, and confidentiality.



When using personal social networking sites, school staff members:

1. Should not make statements that would violate any of the school's policies, including its policies concerning discrimination or harassment;
2. Must uphold the school's value of respect for the individual and avoid making defamatory statements about the school, employees, students, or their families;
3. May not disclose any confidential information about the school or confidential information obtained during the course of his/her employment, about any individual(s) or organization, including students and/or their families;
4. Shall not use social networking sites to post any materials of a sexually graphic nature;
5. Shall not use social networking sites to post any materials which promote violence;
6. Shall not use social networking sites which would be detrimental to the mission and function of the school;
7. Are prohibited from using their school title as well as adding references to the school in any correspondence including, but not limited to, e-mails, postings, blogs, and social networking sites unless the communication is of an official nature and is serving the mission of the school. This prohibition also includes signature lines and personal e-mail accounts;
8. Shall not post updates to their status on any social networking sites during normal working hours including posting of statements or comments on the social networking sites of others during school time unless it involves a school project. Employees must seek approval from the Lead Person for such use; and
9. Shall not post or publish any information the Commissioner of Education would deem to be inappropriate conduct by a school staff member.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

TEACHING STAFF MEMBERS

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Use of Social Networking Sites

The Policy of this school is to maintain a level of professionalism both during and after the school day. Any publication through any means of electronic communication which is potentially adverse to the operation, morale, or efficiency of the school, will be deemed a violation of this Policy. If the Board or Lead Person believes that a staff member's activity on any social networking site violates the school's policies, the Board or Lead Person may request that the employee cease such activity. Depending on the severity of the incident, the staff member may be subject to disciplinary action.

This Policy has been developed and adopted by this Board to provide guidance and direction to staff members on how to avoid actual and/or the appearance of inappropriate conduct toward students and/or the community while using social networking sites.

Adopted: 17 May 2018





## 3283 ELECTRONIC COMMUNICATIONS BETWEEN TEACHING STAFF MEMBERS AND STUDENTS

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

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

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

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

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

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

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



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

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

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

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

1. E-Mail Electronic Communications Between a Teaching Staff Member and a Student



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



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



### Reporting Responsibilities

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

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

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

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

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

Adopted: 17 May 2018



### 3310 ACADEMIC FREEDOM

The curriculum adopted by the Board of Trustees is designed to address the educational goals established for this school and to meet the needs of students. The course guides prepared for each course of study describe the material to be covered in each course and, in general, the approach to be employed by the teaching staff member responsible for the course.

The Board recognizes that some deviation from the course guide is necessary to the free exchange of ideas within the classroom. Exposure to a wide range of ideas encourages the spirit of inquiry that is essential to the learning process; the thorough examination of those ideas aids students in developing powers of reasoning and in acquiring habits of academic discipline.

The Board directs that the discussion of any issue not specifically covered by the course guide be conducted in an unprejudiced and dispassionate manner. The Board will not condone classroom discussion that is unrelated to the educational goals of this school or to the subject of the course of study, disrupts the educational process, does not match the maturity level of the students, neglects to inform students of various responsible points of view on the subject under discussion, or fails to take into account the sensibilities of the community.

Adopted: 17 May 2018



### 3321 ACCEPTABLE USE OF COMPUTER NETWORK(S)/COMPUTERS AND RESOURCES BY TEACHING STAFF MEMBERS

The Board 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 teaching 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 teaching staff members to information sources but reserves the right to limit in-school use to materials appropriate to educational purposes. The Board directs the Lead Person to effect training of teaching 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 teaching 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 any other appropriate action as deemed necessary.

The Board provides access to computer network(s)/computers for administrative and educational purposes only. The Board retains the right to restrict or terminate teaching staff member's access to the computer network(s)/computers at any time, for any reason. The Board retains the right to have the Lead Person or designee monitor network activity, in any form necessary, to maintain the integrity of the network(s) and ensure its proper use.

#### Standards for Use of 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 which violate Federal, State, 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 a 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.



3. Using the computer network(s) in a manner that:
  - a. Intentionally disrupts network traffic or crashes the network;
  - b. Degrades or disrupts equipment or system performance;
  - c. Uses the computing resources of the school for commercial purposes, financial gain or fraud;
  - d. Steals data or other intellectual property;
  - e. Gains or seeks unauthorized access to the files of others or vandalizes the data of another user;
  - f. Gains or seeks unauthorized access to resources or entities;
  - g. Forges electronic mail messages or uses an account owned by others;
  - h. Invades privacy of others;
  - i. Posts anonymous messages;
  - j. Possesses any data which is a violation of this policy; and/or
  - k. Engages in other activities that do not advance the educational purposes for which computer network(s)/computers are provided.

### Violations

Individuals violating this policy shall be subject to appropriate disciplinary actions as defined by Policy No. 3150, Discipline which includes but are not limited to:

1. Use of the network(s)/computers only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;





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Acceptable Use of Computer Network(s)/Computers and  
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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 as determined by the Lead Person and approved by the Board of Trustees.

N.J.S.A. 2A:38A-3

Adopted: 17 May 2018



3322 STAFF MEMBER'S USE OF PERSONAL CELLULAR TELEPHONES/  
OTHER COMMUNICATION DEVICES

The Board of Trustees recognizes a teaching staff member may need to electronically communicate on a non-school related, personal matter using a personal cellular telephone or other personal communication device during their workday. Electronic communications include, but are not limited to: voice conversations, text-messaging, accessing social networking or other internet sites, or any other type of electronic communication.

In the event the teaching staff member needs to electronically communicate on a non-school related, personal matter using a personal cellular telephone or other personal communication device during their workday, the teaching staff member may do so provided the communication is made during the teaching staff member's break periods and/or preparation periods for teaching staff and is made outside the presence of students in the teachers lounge.

A teaching staff member's personal cellular telephone or other personal communication device shall be secured by the teaching staff member and outside the view of others when the teaching staff member is performing assigned school responsibilities.

An electronic communication by a teaching staff member on a non-school related, personal matter using a personal cellular telephone or other personal communication device shall not be made while the teaching staff member is performing assigned school responsibilities.

In the event the teaching staff member has an emergency requiring immediate attention that requires such a communication while performing assigned school responsibilities, the teaching staff member shall inform their Principal or immediate supervisor before or immediately after the communication, depending on the nature of the emergency. The Board of Trustees is not responsible if a teaching staff member's personal cellular telephone or other communication device is lost, stolen, or missing.

Adopted: 17 May 2018



### 3324 RIGHT OF PRIVACY

The Board of Trustees will provide facilities and school-owned property to assist staff members in their job responsibilities or for the staff members' convenience. These facilities or school-owned property may include, but are not limited to, an office, a storage closet, a filing cabinet, a locker, and/or a desk. The Principal or designee may provide a staff member with exclusive use and access to such facilities or school-owned property or may require the facility or school-owned property be shared with other staff members. The staff member may be provided a lock or key by the school or may secure the facility or school-owned property using their own locking device with permission from the Principal or designee.

School staff members should be aware their expectation of privacy in these facilities and/or the school-owned property provided by the Board of Trustees is reduced by virtue of actual office practices and procedures, for searches conducted pursuant to an investigation of work-related employee misconduct, or by legitimate school policies or regulations. In addition, staff members shall have a reduced expectation of privacy in these facilities and school-owned property if there is reasonable suspicion the staff member is violating a law or school policy. School staff members shall be on notice this reduced expectation of privacy may result in such facilities and/or school-owned property being searched without a search warrant. In order to avoid exposing personal belongings to such a search, school staff members are discouraged from storing personal papers and effects in these facilities or school-owned property.

Adopted: 17 May 2018



### 3351 HEALTHY WORKPLACE ENVIRONMENT

The Board of Trustees recognizes a healthy workplace environment enables school administrative and teaching staff members to fully contribute their expertise and skills to their school responsibilities. A healthy workplace environment can improve productivity, reduce absenteeism, and reduce staff turnover while having a positive impact on the school's programs provided to students in the school.

A significant characteristic of a healthy workplace environment is that employees interact with each other with dignity and respect regardless of an employee's work assignment or position in the school. Repeated malicious conduct of an employee or group of employees directed toward another employee or group of employees in the workplace that a reasonable person would find hostile or offensive is unacceptable and is not conducive to establishing or maintaining a healthy workplace environment. This unacceptable conduct may include, but is not limited to, repeated infliction of verbal abuse such as the use of derogatory remarks; insults; verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating; or the gratuitous sabotage or undermining of a person's work performance. A single act of such conduct shall not constitute the unacceptable conduct prohibited by this policy unless it is especially severe and egregious.

Unacceptable conduct, for the purposes of this policy, is not conduct toward an employee of a protected class or because of the employee's protected activity. These employees and activities are afforded the legal protections under various Federal and State anti-discrimination laws. In addition, unacceptable conduct for the purposes of this policy shall not be confused with conduct of management employees exercising management rights including, but not limited to, assigning tasks, reprimanding, assigning discipline, or directing.

Employees who believe the conduct prohibited by this policy has been directed toward them or to another employee of the school shall submit a written report to the Lead Person. The written report shall provide specific details supporting the claim including, but not limited to, the specific conduct; the names of witnesses (if any) who may have observed such conduct; dates or times when such conduct occurred; and any other information the person(s) making the report believes will be informative and helpful to an investigation of the allegations. Upon receipt of a report, the Lead Person or designee will conduct an investigation and upon completion of the investigation will inform the person(s) who made the report such an investigation was completed. The amount of investigation information shared with the person(s) making the report will be at the discretion of the Lead Person or designee and may vary depending on whether the conduct reported was directed to the person(s) making the report, confidential personnel matters, and/or other issues as determined by the Lead Person or designee.



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Healthy Workplace Environment

If the investigation determines conduct prohibited by this policy has taken place, the Lead Person or designee will meet with the offender(s) and the victim(s) to review the investigation results and to implement remedial measures to ensure such conduct does not continue or reoccur. Appropriate disciplinary action may be taken depending on the severity of conduct.

There shall be no reprisals or retaliation against any person(s) who reports conduct prohibited by this policy.

Adopted: 17 May 2018



## 3362 SEXUAL HARASSMENT

The Board of Trustees recognizes that an employee's right to freedom from employment discrimination includes the opportunity to work in an environment untainted by sexual harassment. Sexually offensive speech and conduct are wholly inappropriate to the harmonious employment relationships necessary to the operation of the school and intolerable in a workplace to which the children of this school are exposed.

Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature that would not have happened but for the employee's gender. Whenever submission to such conduct is made a condition of employment or a basis for an employment decision, or when such conduct is severe and pervasive and has the purpose or effect of unreasonably altering or interfering with work performance or creating an intimidating, hostile, or offensive working environment, the employee shall have cause for complaint.

The sexual harassment of any employee of this school is strictly forbidden. Any employee or agent of this Board who is found to have sexually harassed an employee of this school will be subject to discipline which may include termination of employment. Any employee who has been exposed to sexual harassment by any employee or agent of this Board is encouraged to report the harassment to an appropriate supervisor. An employee may complain of any failure of the Board to take corrective action by recourse to the procedure by which a discrimination complaint is processed. The employee may appeal the Board's action or inaction to the United States Equal Employment Opportunity Commission or the New Jersey Division of Civil Rights. Complaints regarding sexual harassment shall be submitted following the procedures outlined in Regulation No. 1530, Equal Employment Opportunity.

The Affirmative Action Officer shall instruct all employees and agents of this Board to recognize and correct speech and behavior patterns that may be sexually offensive with or without the intent to offend.

29 C.F.R. 1604.11

Adopted: 17 May 2018



### 3370 TEACHING STAFF MEMBER STREAMLINE TENURE

The Board of Trustees recognizes that the benefit of tenure is conferred by law on teaching staff members who have completed the requisite period of probationary service in this school in accordance with N.J.A.C. 6A:11-6.1 as set forth in N.J.S.A. 18A:28-5(b) and 18A:28-6. The Board also recognizes that certain service does not qualify the teaching staff member who performs that service for the grant of streamline tenure.

Streamline tenure in any administrative or supervisory position as listed in N.J.S.A. 18A:28-5 shall accrue only by employment in that administrative or supervisory position. Tenure so accrued will not extend to any other administrative or supervisory position and nothing shall limit or restrict tenure rights which were or may be acquired pursuant to N.J.S.A. 18A:28-6.

The Board specifically directs that service in the following positions will not accrue toward the tenure status and will be performed only under contract renewable at the discretion of the Board:

1. Substitute teacher acting in the absence of another employee;
2. Summer school teacher;
3. Co-curricular advisor;
4. Athletic coach; and
5. Department chairperson other than a supervisor.

Nothing in this policy will be deemed to confer streamline tenure on any employee who serves in a position not listed above and for whom tenure is not provided by law.

N.J.S.A. 18A:16-1.1; 18A:28-3 et seq.; 18A:28-5 et seq.  
N.J.A.C. 6A:11-6.1

Adopted: 17 May 2018



## 3381 PROTECTION AGAINST RETALIATION

The Board of Trustees will take no retaliatory action, by discharge, demotion, suspension, or any other adverse action, against an employee because that employee has conscientiously:

1. Disclosed or threatened to disclose to a supervisor or public body an activity, policy, or practice of this Board or any school officer that the employee reasonably believes to be in violation of law or rule;
2. Provided information to a public body conducting an investigation, hearing, or inquiry into any alleged violation of law by the Board or an officer of this school; or
3. Objected to or refused to participate in an activity, policy, or practice of this school that the employee reasonably believes to be in violation of law or rule, fraudulent, criminal, or incompatible with a clear mandate of public policy concerning the public health, safety, or welfare or protection of the environment.

An employee who has reason to believe that the Board has engaged in an illegal activity or an activity contrary to public policy must report that belief in writing to the Lead Person before notice is given to a supervisor or a public body. The Lead Person shall promptly report the same to the Board and institute an investigation of the reported activity. The findings of the investigation will be reported in writing to the Board and to the employee.

The protection of law and this policy apply only to employees who have given notice in accordance with this policy and have afforded the Board a reasonable period of time to take any corrective action that may be required or have acted in circumstances that the employee believes in good faith constitute an emergency.

The Lead Person shall post notice of this policy and inform employees of their rights under the New Jersey Conscientious Employee Protection Act.

N.J.S.A. 34:19-1

Adopted: 17 May 2018





## 3410 COMPENSATION

The Board of Trustees will establish the compensation for teaching staff members not covered by the terms of a negotiated agreement or in an individual contract with the Board.

N.J.S.A. 18A:6-6; 18A:16-11; 18A:27-4; 18A:29-2

Adopted: 17 May 2018



## 3420 BENEFITS

The Board of Trustees will establish benefits for teaching staff members not covered by the terms of a negotiated agreement or in an individual contract with the Board.

N.J.S.A. 18A:6-6; 18A:16-12 et seq.; 18A:27-4

Adopted: 17 May 2018



## 3425 WORK RELATED DISABILITY PAY

The Board of Trustees will permit, in accordance with law, the absence without loss of pay or of annual or accumulated sick leave benefits of a teaching staff member disabled by accident or injury arising out of and in the course of employment. Any such employee shall seek the workers' compensation benefits to which he/she is entitled by law.

An employee whose disability has qualified for the receipt of workers' compensation benefits shall be presumed eligible for work related disability pay under this policy. When an employee's disability is so brief as to preclude the employee's application for workers' compensation benefits, the employee may request and the Board may grant work related disability pay.

Any employee who qualifies for work related disability pay under this policy will be entitled to receive full pay during the period he/she is on disability leave of absence, for up to twelve consecutive months.

As a condition of receiving full salary, an employee who receives workers' compensation benefits for his/her work-related disability must endorse and deliver to the Board all workers' compensation temporary disability checks received for the period covered by this policy.

N.J.S.A 18A:30-2.1; 18A:66-32.1

N.J.S.A 34:15-38

Adopted: 17 May 2018



## 3431.1 FAMILY LEAVE

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# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

TEACHING STAFF MEMBERS

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Family Leave

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### A. Introduction

The Board will provide family leave in accordance with the Federal Family and Medical Leave Act (FMLA) and the New Jersey Family Leave Act (NJFLA).

FMLA leave for eligible staff members shall be up to twelve weeks leave of absence in a twelve month period upon advance notice to the school for the birth of a son or daughter of the staff member and in order to care for such son or daughter; for the placement of a son or daughter with the staff member for adoption or foster care; in order to care for the spouse, son, daughter, or parent of the staff member if such spouse, son, daughter, or parent has a serious health condition; or for a serious health condition that makes the staff member unable to perform the functions of the position of such staff member, or because of any qualifying exigency arising out of the fact that the staff member's spouse, son, daughter, or parent is a military member on active duty or call to covered active duty status (or has been notified of an impending call or order to covered active duty). In addition, eligible staff members may take up to a combined total of twenty-six workweeks in a single twelve month period to care for a covered servicemember with a serious injury or illness.

NJFLA leave for teaching staff members shall be up to twelve weeks leave of absence in any twenty-four month period upon advance notice to the school so that a 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.

### B. Applicability

The Board will comply with requirements of the New Jersey and Federal Family Leave laws. The laws have similar and different provisions that may provide different rights and obligations for the staff member and/or the Board. The staff member shall be afforded the most favorable rights if there is a conflict in the rights afforded to the staff member under the two laws.

1. If the staff member is eligible for leave for reasons provided under the FMLA and NJFLA, then the time taken shall be concurrent and be applied to both laws.
2. The NJFLA provides twelve weeks leave in a twenty-four month period while the FMLA provides twelve weeks leave in a twelve-month period. A staff member is eligible for up to twelve weeks leave in the first twelve months of the twenty-four month period under the NJFLA. A staff member is eligible for up to twelve weeks leave in the second twelve-month period under the FMLA.



3. In the event the reason for the family leave is recognized under one law and not the other law, the staff member is eligible for each law's leave entitlements within one twelve-month period. (Example: A staff member may use their FMLA leave for a twelve week family leave for their own pregnancy, which is considered a "serious health condition" under FMLA, and upon conclusion of the twelve week FMLA leave, the staff member would be eligible for a twelve week NJFLA leave to care for their newborn or any other reasons pursuant to the NJFLA.)

### C. Definitions

#### 1. Federal Family and Medical Leave Act (FMLA)

"Contingency operation" means a military operation that results in the call or order to, or retention on, active duty of members of the uniformed services during a war or during a national emergency declared by the President or Congress.

"Covered active duty" or "call to covered active duty" means duty during deployment of a member with the Armed Forces to a foreign country and, in the case of a member of the Reserve components of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation.

"Covered servicemember" means a current member of the Armed Forces (including National Guard or Reserves), who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness; or a covered veteran undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

"Covered veteran" means an individual who was a member of the Armed Forces (including National Guard or Reserves), discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible staff member takes FMLA leave to care for the covered veteran. For a veteran discharged prior to March 8, 2013, the effective date of the FMLA Final Rule, the period between October 28, 2009 and March 8, 2013 will not count towards the determination of the five-year period. 29 CFR §825.127(b)(2)

"Military caregiver leave" means leave taken to care for a covered servicemember with a serious injury or illness under FMLA. 29 CFR §825.127



“Next of kin of a covered servicemember” means the nearest blood relative other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin. For example, if a covered servicemember has three siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered servicemember's next of kin. Alternatively, where a covered servicemember has a sibling(s) and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered servicemember's next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered servicemember pursuant to 29 CFR §825.122(k). 29 CFR §825.127(d)(3)

“Outpatient status” means, with respect to a covered servicemember who is a current member of the Armed Forces, the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. 29 CFR §825.127(b)(1)

“Parent” means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a son or daughter as defined below. This term does not include parents “in law.”

“Parent of a covered servicemember” means a covered servicemember’s biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents “in law.”





“Serious health condition” means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical facility or continuing treatment by a health care provider. “Serious health condition” may include treatment of substance abuse pursuant to 29 CFR §825.119.

“Serious injury or illness,” only in the case of a veteran or current member of the Armed Forces, means:

- a. In the case of a current member of the Armed Forces, including a member of the National Guard or Reserves, an injury or illness that was incurred by the covered servicemember in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and that may render the servicemember medically unfit to perform the duties of the member's office, grade, rank, or rating; and
- b. In the case of a covered veteran, an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran, and is:
  - (1) A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or
  - (2) A physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of fifty percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
  - (3) A physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or



- (4) An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers. 29 CFR §825.127(c)

“Single twelve-month period” means that a military caregiver’s leave begins on the first day the staff member takes FMLA leave and ends twelve months after that date, regardless of the twelve-month period established by the school for other FMLA leave reasons. 29 CFR §825.127(e)(1)

“Son” or “daughter” means a biological, adopted, or foster child, stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age eighteen or age eighteen or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence.

“Son or daughter of the covered servicemember” means a covered servicemember's biological, adopted or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age. 29 CFR §825.127(d)(1)

“Son or daughter on covered active duty or call to covered active duty status” means the staff member's biological, adopted or foster child, stepchild, legal ward, or a child for whom the staff member stood in loco parentis, who is on covered active duty or call to covered active duty status, and who is of any age. 29 CFR §825.126(a)(5)

“Spouse” means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under State law in the State in which the marriage was entered into or, in the case of a marriage entered into outside of any State, if the marriage is valid in the place where entered into and could have been entered into in at least one State. This definition includes an individual in a same-sex marriage or common law marriage. 29 CFR §825.122

“Staff member” means an employee eligible for family and medical leave in accordance with the Federal Family and Medical Leave Act (FMLA).

“Week” or “Workweek” means the number of days a staff member normally works each calendar week.



2. New Jersey Family Leave Act (NJFLA)

“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 incapable of self-care because of a mental or physical impairment.

“Continuing medical treatment” or “continuing supervision by a health care provider” means a period of incapacity or a period of absence in accordance with N.J.A.C. 13:14.

“Parent” means a biological, adoptive, or foster parent; step-parent; parent-in-law; a legal guardian having a “parent-child relationship” with a child as defined by law; or a person who has sole or joint legal or physical custody, care, guardianship, or visitation with a child.

“Serious health condition” means 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.

“Spouse” means a person to whom a staff member is lawfully married as defined by New Jersey law.

“Staff member” means an employee eligible for family leave in accordance with the New Jersey Family Leave Act.

“Week” or “Workweek” means the number of days a staff member normally works each calendar week.

D. Eligibility

1. Federal Family and Medical Leave Act (FMLA)

A staff member shall become eligible for FMLA leave after he/she has been employed at least twelve months in this school and employed for at least 1250 hours of service during the twelve-month period immediately preceding the commencement of the leave. The twelve months the staff member must have been employed need not be consecutive months pursuant to 29 CFR §825.110(b). The minimum 1250 hours of service shall be determined according to the principles established under the Fair Labor Standards Act (FSLA) for determining



compensable hours of work pursuant to 29 CFR §785. Entitlement to FMLA leave taken for the birth of a son or daughter or placement of a son or daughter with the staff member for adoption or foster care shall expire at the end of the twelve-month period beginning on the date of such birth or placement.

Pursuant to 29 CFR §825.201, a husband and wife both employed by the school are limited to a combined total of twelve weeks of leave during the twelve-month period if the leave is taken for the birth of a son or daughter of the staff member or to care for such son or daughter after birth; for placement of a son or daughter with the staff member for adoption or foster care or in order to care for the son or daughter after placement; or to care for the staff member's parent with a serious health condition.

The method to determine the twelve-month period in which the twelve weeks of FMLA leave entitlement occurs will be a "rolling" twelve month period measured backward from the date a staff member uses any family leave.

A staff member during any period of FMLA leave 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 commencement of the leave. A staff member using FMLA leave may commence part-time employment that shall not exceed half the regularly scheduled hours worked for the school. The staff member may continue the part-time employment that commenced prior to the FMLA leave at the same number of hours that the staff member was regularly scheduled prior to such leave.

## 2. New Jersey Family Leave Act (NJFLA)

A staff member shall become eligible for NJFLA leave after he/she has been employed at least twelve months in this school for not less than 1,000 base 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 NJFLA leave. NJFLA 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.

The school shall grant a family leave under NJFLA to more than one staff member from the same family (for example, a husband and a wife, or a brother and a sister) at the same time, provided such staff members are otherwise eligible for the leave. N.J.A.C. 13:14-1.12



A staff member during any period of the NJFLA leave 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 commencement of the leave. A staff member on NJFLA leave may commence part-time employment that shall not exceed half the regularly scheduled hours worked for the school. The staff member may continue the part-time employment that commenced prior to the NJFLA leave at the same number of hours that the staff member was regularly scheduled prior to such leave.

The method to determine the twenty-four month period in which the twelve weeks of NJFLA leave entitlement occurs will be a “rolling” twenty-four month period measured backward from the date a staff member uses any leave.

## E. Types of Leave

### 1. Federal Family and Medical Leave Act (FMLA)

A staff member may take FMLA leave to include servicemember qualifying exigency leave or military caregiver 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.

- a. Leave for the birth of a son or daughter or placement of a son or daughter with the staff member for adoption or foster care may not be taken by a staff member intermittently or on a reduced leave schedule.
- b. Leave may be taken intermittently or on a reduced leave schedule when medically necessary for planned and/or unanticipated medical treatment of a related serious health condition by or under the supervision of a health care provider, or for recovery from treatment or recovery from a serious health condition.
- c. Intermittent leave means leave scheduled for periods of time from one hour or more to several weeks; however, the total time within which the leave is taken can not exceed a twelve month period for each serious health condition episode. Intermittent leave may be taken for a serious health condition that requires periodic treatment by a health care provider, rather than one continuous period of time. Intermittent leave may also be



taken for absences where the staff member is incapacitated or unable to perform the essential functions of the position because of a serious health condition even if the staff member does not receive treatment by a health care provider. The staff member shall make a reasonable effort to schedule intermittent leave so as not to unduly disrupt the operations of the instructional/educational program.

- d. Reduced leave means leave scheduled for fewer than the staff member's usual number of hours worked per workweek, but not fewer than a staff member's usual number of hours worked per workday, unless otherwise agreed to by the staff member and the school. A staff member is entitled, at the option of the staff member, to take leave on a reduced leave schedule not exceeding twenty-four consecutive weeks. 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 school 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.
- e. The fact that a holiday 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. However, if the staff member is out on Family Leave and the school is closed and the staff member would not be expected to report for work for one or more weeks, the weeks the school is closed for this staff member do not count against the staff member's family leave entitlement.

Any leave 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.



- f. “Instructional employees” as defined in 29 CFR §825.600(c) are those staff members whose principal function is to teach and instruct students in class, a small group, or in an individual setting. This term includes teachers, athletic coaches, driving instructors, and special education assistants, such as signers for the hearing impaired. Teacher assistants or aides who do not have as their principal job actual teaching or instructing, guidance counselors, child study team members, curriculum specialists, cafeteria workers, maintenance workers and/or bus drivers are not considered instructional employees for the purposes of this policy. Semester as defined in 29 CFR §825.602(a)(3)(b) means the school semester that typically ends near the end of the calendar year and the end of the spring each school year. A school can have no more than two semesters in a school year.
- (1) Leave taken at the end of the school year and continues into the beginning of the next school year is considered consecutive leave.
  - (2) In accordance with 29 CFR §825.601(a)(1), eligible instructional staff members that need intermittent or reduced leave to care for a family member, or for the staff member’s own serious health condition which is foreseeable based on planned medical treatment and the staff member would be on leave more than twenty percent of the total number of working days over the period the leave would extend, the school:
    - (a) May require the staff member to take the leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
    - (b) Transfer the staff member temporarily to an available alternative position for which the staff member is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than does the staff member’s regular position.
  - (3) In accordance with 29 CFR §825.601, if the instructional staff member does not give the required notice for leave that is foreseeable and desires the leave to be taken intermittently or on a reduced leave schedule, the school may require the staff member to take leave of a particular duration, or to transfer temporarily to an alternative position. Alternatively, the school may require the staff member to delay taking the leave until the notice provision is met.



- (4) In accordance with 29 CFR §825.602, if an instructional staff member begins leave more than five weeks before the end of the school year, the school may require the staff member to continue taking leave until the end of the semester if:
  - (a) The leave will last three weeks; and
  - (b) The staff member would return to work during the three-week period before the end of the semester.
  
- (5) In accordance with 29 CFR §825.602, if an instructional staff member begins leave for a purpose other than the staff member's own serious health condition during the five-week period before the end of the semester, the school may require the staff member to continue taking leave until the end of the semester if:
  - (a) The leave will last more than two weeks; and
  - (b) The staff member would return to work during the two-week period before the end of the semester.

(Example of leave falling within these provisions: If a staff member plans two weeks of leave to care for a family member which will begin three weeks before the end of the term, the school could require the staff member to stay out on leave until the end of the term.)
  
- (6) In accordance with 29 CFR §825.602, if an instructional staff member begins leave for a purpose other than the staff member's own serious health condition during the three week period before the end of a semester, the school may require the staff member to continue taking leave until the end of the semester if the leave will last more than five working days.
  
- (7) In the event the school requires the instructional staff member to take additional leave to the end of the semester in accordance with (4), (5), or (6) above, the additional leave days shall not be counted as FMLA leave.





- g. Servicemember qualifying exigency leave may arise out of the foreign deployment of the staff member's spouse, child, or parent 29 CFR §§825.122 and 126:
- (1) The school must grant an eligible staff member up to twelve work weeks of unpaid, job-protected leave during any twelve-month period for qualifying exigencies that arise when the staff member's spouse, child, or parent is on covered active duty, or has been notified of an impending call or order to covered active duty.
  - (2) The military member must be the spouse, son, daughter, or parent of the staff member taking FMLA exigency leave.
  - (3) FMLA leave can be granted for one or more of the following exigencies:
    - (a) Short-notice deployment:
      - i. Notification of duty seven or less calendar days prior to date of deployment;
      - ii. Leave can be used for a period of seven calendar days beginning on the date the military member is notified.
    - (b) Military events and related activities, including official ceremonies, programs, or events sponsored by the military and related to the covered active duty or call to covered active duty status of the military member; and to attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross.
    - (c) Childcare and school activities including arranging for alternative childcare; providing childcare on an urgent, immediate need basis (not routine, regular, or everyday basis); to enroll in or transfer to a new school or day care facility; or to attend meetings with staff at a school or day care facility:
      - i. The son or daughter must be the son or daughter of the covered servicemember.



- (d) Financial and legal arrangements made to address the military member's absence while on covered active duty or call to covered active duty status.
  - (e) Counseling, provided by someone other than a health care provider for oneself, for the military member, or qualified child, if the need arises from the covered active duty or call to covered active duty status of the military member.
  - (f) Rest and Recuperation (R&R) to spend time with the military member on short-term, temporary R&R leave during a term of deployment:
    - i. Can be used for a period of fifteen calendar days beginning on the date the military member commences each instance of R&R leave.
  - (g) Post-deployment activities such as ceremonies or briefings including any that arise from the death of the military member while on covered active duty.
  - (h) Parental care for one meeting the definition of a "parent" and incapable of self care including: arranging alternative care; providing care on an immediate need basis; and to attend meetings or arrange services at a care facility.
  - (i) Additional activities in accordance with 29 CFR §825.126(b)(9).
- h. Military caregiver leave provides care for a covered servicemember with a serious injury or illness 29 CFR §§825.122 and 127:
- (l) The school must grant up to a total of twenty-six workweeks of unpaid, job-protected leave during a "single twelve-month period" to care for a covered servicemember with a serious injury or illness.
    - (a) The eligible staff member must be the spouse, son, daughter, parent, or next of kin of the covered servicemember.



- (b) The staff member is limited to a combined total of twenty-six workweeks for any FMLA-qualifying reasons during the single twelve-month period. Up to twelve of the twenty-six weeks may be for an FMLA-qualifying reason other than military caregiver leave.
  - (c) Spouses who are eligible for FMLA leave and are employed by the same covered employer may be limited to a combined total of twenty-six workweeks of leave during a single twelve-month period if the leave is taken for birth of the employee's son or daughter or to care for the child after birth, for placement of a son or daughter with the employee for adoption or foster care, or to care for the child after placement, to care for the employee's parent with a serious health condition, or to care for a covered servicemember with a serious injury or illness. If one spouse is ineligible for FMLA leave, the other spouse would be entitled to a full twenty-six workweeks of FMLA leave.
- (2) Leave entitlement is applied on a per-covered-servicemember, per-injury basis.
- (a) The staff member may take an additional twenty-six weeks of leave if the leave is to care for different covered servicemembers or to care for the same servicemember with a subsequent serious injury or illness, except that no more than twenty-six weeks of leave may be taken within any single twelve-month period.
  - (b) An eligible staff member may take military caregiver leave to care for more than one current service member or covered veteran at the same time or for the same family member with the same serious injury or illness both when the family member is a current servicemember and when the family member is a veteran.
  - (c) Military caregiver leave may be taken by eligible staff members whose family members are recent veterans with serious injuries or illnesses incurred or aggravated in the line of duty on active duty, and that manifested before or after the veteran left active duty.



2. New Jersey Family Leave Act (NJFLA)

A staff member may take NJFLA 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. The school shall not require a staff member to take a leave of absence beyond the period of time the staff member requests family leave. N.J.A.C. 13:14-1.5(f)

- a. In the case of a family member who has a serious health condition, leave may be taken intermittently when medically necessary. The total time within which the leave is taken, can not exceed a twelve-month period for each serious health condition episode. The staff member will provide the school with prior notice of the leave in a manner which is reasonable and practicable; and the staff member shall make 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 school.
- b. Reduced leave means leave scheduled for fewer than the staff member's usual number of hours worked per workweek, but not fewer than a staff member's usual number of hours worked per workday, unless otherwise agreed to by the staff member and the school. A staff member is entitled, at the option of the staff member, to take leave on a reduced leave schedule for a period not exceeding twenty-four consecutive weeks. The staff member is not entitled to take the leave on a reduced leave schedule without an agreement between the staff member and the school if the leave is taken for 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 school 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.



- c. The fact that a holiday 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. However, if the staff member is out on family leave and the school is closed and the staff member would not be expected to report for work for one or more weeks, the weeks the school is closed for this staff member do not count against the staff member's family leave entitlement.

Any leave 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.

#### F. Notice

##### 1. Federal Family and Medical Leave Act (FMLA)

- a. Foreseeable Leave - A staff member eligible for FMLA leave must give at least a thirty day written advance notice to the Lead Person if the need for the leave is foreseeable based on an expected birth, placement for adoption of foster care, or planned medical treatment for a serious health condition of the staff member or a family member. If thirty days is not practical, the staff member must provide notice "as soon as practicable" which means as soon as both possible and practical, taking into account all the facts and circumstances in the individual case. For foreseeable leave where it is not possible to give as much as thirty days notice "as soon as practical" ordinarily would mean at least verbal notification to the Lead Person within one or two business days or when the need for leave becomes known to the staff member. The written notice shall include the reasons for the leave, the anticipated duration of the leave and the anticipated start of the leave.

When planning medical treatment, the staff member must consult with the Lead Person and make a reasonable effort to schedule the leave so as not to unduly disrupt the educational program, subject to the approval of the health care provider. Staff members are ordinarily expected to consult with the Lead Person prior to scheduling of treatment that would require leave for a schedule that best suits the needs of the school and the staff member.

The school may delay the staff member taking leave for at least thirty days if the staff member fails to give thirty days notice for foreseeable leave with no reasonable excuse for the delay.



- b. Unforeseeable Leave - When the approximate timing of the need for leave is not foreseeable, a staff member should give notice to the Lead Person for leave as soon as practicable under the facts and circumstances of the particular case. It is expected the staff member will give notice to the Lead Person within no more than one or two working days of learning of the need for leave, except in extraordinary circumstances where such notice is not foreseeable. The staff member should provide notice to the employer either in person or by telephone, telegraph, facsimile machine or other electronic means.
2. New Jersey Family Leave Act (NJFLA)
    - a. Foreseeable Leave - A staff member eligible for NJFLA leave must give at least a thirty day advance written notice to the Lead Person of the need to take family leave except where the need to take family leave is not foreseeable.
      - (1) 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.
      - (2) 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 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.
      - (3) When the Lead Person 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 timely notice within two business days of returning to work to have the time considered for family leave in accordance with the Family Leave Act.



- b. Unforeseeable Leave - When the need for leave is not foreseeable, the staff member must provide notice “as soon as practicable” which shall be at least verbal notice to the Lead Person within one or two business 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 Lead Person, but any verbal notice must be followed by written notice delivered within two working days.

### G. Leave Designation

An eligible staff member shall designate FMLA or NJFLA leave upon providing notice of the need for the leave or when the need for leave commences. The Lead Person shall provide the staff member with this Policy to assist the staff member in determining the type of leave.

### H. Benefits

Whether a staff member is required to use sick time or any other accrued leave time concurrent with FMLA or NJFLA leave time will depend upon either the school’s practice or a provision in the school’s collective bargaining agreement, if applicable. 29 CFR §825.100

The Board 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 to work instead of taking the leave. If the staff member was paying all or part of the premium payments prior to the leave, the staff member would continue to pay his/her share during the leave time. Any instructional employee who is on leave under NJFLA or FMLA at the end of the school year will be provided with any benefits over the summer that the staff member would normally receive if they had been working at the end of the school year.

### I. Returning from Leave

The Federal Family and Medical Leave Act and/or the New Jersey Family Leave Act

A staff member returning from 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 school 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 operation of a bona fide layoff and recall system including a system under any collective bargaining agreement, the staff member shall 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 if the return does not unduly disrupt the instructional program or require the Board to incur the cost of continuing the employment of a substitute under contract.

The Board may, in accordance with the provisions of 29 CFR §825.312 delay restoration of employment of a staff member using FMLA leave for the staff member's serious health condition until the staff member submits a fitness-for-duty examination from his/her health care provider indicating that the staff member is able to resume work. In the event the Board requires such a fitness-for-duty examination before restoration of the staff member after leave, the Board will provide the staff member specific notice either at the time the staff member gives notice of the need for leave or immediately after the leave commences and the staff member advises the Board of the medical circumstances for the leave.

If leave is taken under FMLA, and the staff member does not return to work after the leave expires, the Board is entitled to recover health insurance costs paid while the staff member was on FMLA. The Board's right to recover premiums would not apply if the staff member fails to return to work due to:

1. The continuation, onset or recurrence of a serious health condition of the staff member; or
2. Circumstances beyond the staff member's control.

#### J. Ineligible Staff Members

1. Federal Family and Medical Leave Act (FMLA)

The school may deny job restoration after FMLA leave if the staff member is a "key employee" as defined in 29 CFR §825.217 if such denial is necessary to prevent substantial and grievous economic injury to the school or the school may delay restoration to a staff member who fails to provide a fitness for duty certificate to return to work for leave that was the staff member's own serious





health condition. A “key employee” is a salaried, staff member who is among the highest paid ten percent of the school staff employed by the school within 75 miles of the worksite. No more than ten percent of the school staff within 75 miles of the worksite may be “key employees.”

In the event the Lead Person believes that reinstatement may be denied to a key employee, the Lead Person must give written notice to the staff member at the time the staff member gives notice of the need for leave, or when the need for leave commences, if earlier, that he/she qualifies as a key employee. The key employee must be fully informed of the potential consequences with respect to reinstatement and maintenance of health benefits if the school should determine that substantial and grievous economic injury to the school’s operations will result if the staff member is reinstated from leave. The school’s notice must explain the basis for the school’s finding that substantial and grievous economic injury will result, and if leave has commenced, must provide the staff member a reasonable time in which to return to work. If the staff member on leave does not return to work in response to the notice of intent to deny restoration, the staff member continues to be entitled to maintenance of health insurance.

A key employee’s rights under the FMLA continue unless and until the staff member either gives notice that he/she no longer wishes to return to work or the school actually denies reinstatement at the conclusion of the leave period. A staff member is still entitled to request reinstatement at the end of the leave period even if the staff member did not return to work in response to the school’s notice. The school will then again determine whether there will be substantial and grievous economic injury from reinstatement based on the facts at that time. If it is determined that substantial and grievous economic injury will result, the school will notify the staff member in writing (in person or by certified mail) of the denial of the restoration.

## 2. New Jersey Family Leave Act

The school 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 staff or one of the seven highest paid employees of the school, whichever is greater, if the denial is necessary to prevent substantial and grievous economic injury to the school’s operations. The Lead Person shall notify the staff member of the intent to deny the leave at the time the Lead Person determines the denial is necessary. If the leave has already commenced at the time of the school’s notification of denial, the staff member shall be permitted to return to work within ten working days of the date of notification.



K. Verification of Leave

1. Federal Family and Medical Leave Act (FMLA)

The Board requires a staff member's FMLA leave to care for the staff member's seriously ill spouse, son, daughter, or parent; or for a servicemember's qualifying exigency or serious injury; or for illness due to the staff member's own serious health condition, that makes the staff member unable to perform one or more of the essential functions of the staff member's position, be supported by a certification issued by the health care provider of the staff member or the staff member's ill family member. The medical certification required encompasses both physical and psychological care and includes situations where a family member is unable to care for his/her own basic medical, hygienic, or nutritional needs or safety, or is unable to transport himself/herself to the doctor. It can also include providing psychological comfort and reassurance beneficial to a child, spouse, or parent with a serious health condition who is receiving inpatient or home care and can include situations where the staff member may be needed to substitute for others who normally care for the family member or covered servicemember or to make arrangements for changes in care. The staff member need not be the only individual or family member available to care for the family member or covered servicemember. 29 CFR §825.124

The certification must meet the requirements of 29 CFR §§825.306, 309, and 310 to include: which part of the definition of "serious health condition" applies; the approximate date the serious health condition commenced and its probable duration; whether it will be necessary for the staff member to take intermittent and/or reduced leave; whether the patient is presently incapacitated and the likely duration and frequency of episodes of incapacity; if additional treatments will be required for the condition; and/or if the patient's incapacity will be intermittent or will require reduced leave. The 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.

In the event the Lead Person doubts the validity of the certification, in accordance with 29 CFR §825.307, the school may require, at the school's expense, the staff member obtain an opinion regarding the serious health condition from a second health care provider designated by the school, but not employed on a regular basis



by the school. If the second opinion differs from the staff member's health care provider, the school may require, at the school's expense, the staff member obtain the opinion of a third health care provider designated by the school or approved jointly, in good faith, by the school and the staff member. The opinion of the third health care provider shall be final and binding on the school and the staff member.

The school may require re-certification pursuant to the requirements of 29 CFR §825.308. In accordance with 29 CFR §825.309, the staff member on leave must provide a written report to the Lead Person every thirty workdays. The report shall include the staff member's status and intended date to return to work. In the event the staff member's circumstances change, the staff member must provide reasonable notice to the Lead Person if the staff member intends to return to work on a date sooner than previously noticed to the school. The staff member is not required to take more leave than necessary to resolve the circumstance that precipitated the need for leave. As a condition of returning to work after the leave for the staff member's own serious health condition, and in accordance with 29 CFR §825.310, the school requires a staff member to provide a certification from their health care provider that the staff member is able to resume work.

In accordance with 29 CFR §825.311, the school may delay the taking of FMLA leave to a staff member who fails to provide certification within fifteen days after being requested to do so by the school. In accordance with 29 CFR §825.312, the school may delay the taking of leave until thirty days after the date the staff member provides notice to the school of foreseeable leave or the school may delay continuation of leave if a staff member fails to provide a requested medical certification in a timely manner.

## 2. New Jersey Family Leave Act

The Board shall require the certification of a duly licensed health care provider verifying the purpose of requested NJFLA 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 Lead Person doubts the validity of the certification for the serious health condition of a family member of the staff member, the school may require, at the school'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 school. If the second opinion differs from the certification the school may require, at the school's expense, that the staff member obtain the opinion of a third health care provider designated or approved jointly by the school and the staff member concerning the serious health condition. The opinion of the third health care provider shall be final and binding on the school and the staff member.

L. Interference with Family Leave Rights

The Federal Family and Medical Leave Act and the New Jersey Family Leave Act prohibit interference with a staff member's rights under the law, and with legal proceedings or inquiries relating to a staff member's rights. Unless permitted by the law, no staff member shall be required to take family leave or to extend family leave beyond the time requested. A staff member shall not be discriminated against for having exercised his/her rights under the Federal Family and Medical Leave Act or the New Jersey Family Leave Act nor discouraged from the use of family leave.

M. Non-Tenured Teaching Staff

Family leave granted to a nontenured staff member cannot extend the staff member's employment beyond the expiration of his/her employment contract.

N. Record Keeping

In order that staff member's entitlement to FMLA leave and NJFLA leave can be properly determined, the Lead Person shall ensure the keeping of accurate attendance records that distinguish family leave from other kinds of leave. The Lead Person will publish a notice explaining the Act's provisions and provide information concerning the procedures for filing complaints of violations of the FMLA and NJFLA.

O. Processing of Complaints

1. Federal Family and Medical Leave Act (FMLA) 29 CFR §§825.400-401

- a. If there is a dispute between the school and a staff member as to whether leave qualifies as FMLA leave, it should be resolved through discussion between the staff member and the school. Such discussions and the decision shall be documented by the school.



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## CLASSICAL ACADEMY CHARTER SCHOOL

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Family Leave

- b. The staff member also may file, or have another person file on his/her behalf, a complaint with the United States Secretary of Labor. A complaint may be filed in person, by mail, or by telephone with the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, at any local office of the Wage and Hour Division.
2. New Jersey Family Leave Act N.J.A.C. 13:14-1.16
    - a. Any complaint alleging a violation of the Act shall be processed in the same manner as a complaint filed under the terms of N.J.S.A. 10:5-1 et seq. and N.J.A.C. 13:4 through the New Jersey Department of Law and Public Safety, Division on Civil Rights.

Implementation of FMLA and NJFLA will be consistent with provisions in collective bargaining agreement(s) in the school.

29 CFR §825 et seq.  
29 CFR §785  
N.J.S.A. 10:5-1  
N.J.A.C. 13:14-1 et seq.

Adopted: 17 May 2018



### 3431.3 NEW JERSEY'S FAMILY LEAVE INSURANCE PROGRAM

Board of Trustees employees are eligible to apply for benefits under New Jersey's Family Leave Insurance Program administered by the State of New Jersey – Department of Labor and Workforce Development. New Jersey's Family Leave Insurance Program (NJFLI) may provide up to six weeks of family leave insurance benefits payable to covered employees from either the New Jersey State Plan or an approved employer-provided private plan.

A benefit provided through the NJFLI will be for the employee to bond with a child during the first twelve months after the child's birth, if the covered individual or the domestic partner or civil union partner of the covered individual is a biological parent of the child, or the first twelve months after the placement of the child for adoption with the covered individual. An employee who intends to apply to the State of New Jersey for benefits under this provision of the NJFLI must provide the Lead Person written notice thirty calendar days prior to beginning the leave. Failure to provide this thirty-day notice may result in a reduction in the employee's maximum family leave insurance benefits. Intermittent leave to bond with a newborn or newly adopted child must be agreed to by the Lead Person and the employee and, if agreed to, must be taken in periods of seven days or more.

A benefit provided through the NJFLI will also be to care for a family member with a serious health condition supported by a certification provided by a health care provider. An employee who intends to apply to the State of New Jersey for benefits under this provision of the NJFLI for consecutive leave must provide the school reasonable and practical notice unless the time of the leave is unexpected or the time of the leave changes for unforeseen reasons. An employee who intends to apply for benefits under this provision of the NJFLI for intermittent leave must provide the school with a written notice at least fifteen calendar days prior to beginning the leave.

For the purposes of this Policy, "family member" means a child, spouse, domestic partner, civil union partner, or parent of a covered individual. "Child" means a biological, adopted, or foster child, stepchild, or legal ward of a covered individual, child of a domestic partner of the covered individual, or child of a civil union partner of the covered individual, who is less than nineteen years of age or is nineteen years of age or older but incapable of self-care because of mental or physical impairment.



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New Jersey's Family Leave Insurance Program

All applications for benefits under the NJFLI must be filed directly with the State of New Jersey – Department of Labor and Workforce Development. The eligibility requirements, wage requirements, benefit duration and amounts, and benefit limitations shall be in accordance with the provisions of the NJFLI as administered by the State of New Jersey – Department of Labor and Workforce Development. A formal appeal may be submitted to the State of New Jersey – Department of Labor and Workforce Development if an employee or the Board disagrees with a determination on a claim.

The NJFLI provides eligible individuals a monetary benefit and not a leave benefit. The school administrative and related staff will comply with the State of New Jersey - Department of Labor and Workforce Development requests for information in accordance with the provisions of N.J.A.C. 12:21-3.9.

The Board may elect to provide employees with Family Leave Insurance benefits coverage under a private plan which must be approved by the State of New Jersey – Department of Labor and Workforce Development.

A printed notification of covered individuals' rights relative to the receipt of benefits under the NJFLI will be posted in each of the school worksites and in a place or places accessible to all employees at the worksite. Each employee shall receive a copy of this notification in writing at the time of the employee's hiring, whenever the employee provides written notice to the Lead Person of their intention to apply for benefits under the NJFLI, or at any time upon the first request of the employee. The written notification may be transmitted to the employee in electronic form.

N.J.S.A. 43:21-25 et seq.

N.J.A.C. 12:21-1.1 et seq.

Adopted: 17 May 2018



### 3432 SICK LEAVE

The Board of Trustees shall grant sick leave, in accordance with law, to teaching staff members absent from work because of personal disability or quarantine. Each steadily employed employee eligible for sick leave will be entitled annually to the number of paid sick leave days negotiated with the employee's majority representative or provided in this policy or in an individual contract with the Board.

The Board reserves the right to require of any employee who claims sick leave, sufficient proof, including a physician's certification, of the employee's illness or disability. As a minimum, no day will be considered to be a sick leave day on which the employee has engaged in or prepared for other gainful employment, has participated in a work stoppage, or has engaged in any activity that would raise doubts regarding the validity of the sick leave request.

The Lead Person will prepare rules for the administration of the Board's policy on sick leave, which shall be binding on all employees.

The Lead Person will submit to the Board the names of those employees absent for non-compensable cause or whose claim for sick leave pay cannot be justified. The willful misuse of sick leave will be considered a serious infraction and is subject to discipline.

29 U.S.C. 2601 et seq.

N.J.S.A. 18A:30-1 et seq.

Adopted: 17 May 2018





## 3433 VACATIONS

The Board of Trustees believes that the school benefits when teaching staff members employed to work twelve months a year are given periodic relief from the responsibilities of their positions without loss of compensation.

The Board reserves the right to determine the conditions under which vacation time may be taken when not otherwise covered by the terms of a negotiated agreement or in an individual contract with the Board.

N.J.S.A. 18A:30-7

Adopted: 17 May 2018



## 3435 ANTICIPATED DISABILITY

The Board of Trustees shall provide for leaves of absence, in accordance with law and the policies of this Board, for any employee of this school not covered by the terms of a negotiated agreement whose absence from duties will be required for a foreseeable event of disability such as childbirth or surgery.

An employee who anticipates disability shall so notify the Lead Person 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 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.

42 U.S.C. 2000e-2

29 C.F.R. 1604-1 et seq.

N.J.S.A. 10:5-12

N.J.S.A. 18A:6-6; 18A:16-2; 18A:30-1 et seq.

Adopted: 17 May 2018



## 3436 PERSONAL LEAVE

The Board of Trustees will provide compensated absence for reasons of personal necessity for teaching staff members not covered by the terms of a negotiated agreement or in an individual contract with the Board.

The Board reserves the right to determine the reasons for which personal leave will be granted, the number of days that may be used in any one school year for personal leave, and the manner of proof of personal necessity.

N.J.S.A. 18A:30-7

Adopted: 17 May 2018



### 3437 MILITARY LEAVE

The Board of Trustees recognizes that military service rendered by any school employee in the defense of the country or in maintaining preparedness for conflict, foreign or domestic, is a service benefiting all citizens. A permanent or full-time temporary officer and/or employee of the school will be provided military leave and related benefits pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Section 4301 et seq., P.L. 2001 Chapter 351 amending N.J.S.A. 38:23-1, N.J.S.A. 38A:1-1 and N.J.S.A. 38A:4-4., and any other applicable Federal and State laws.

A permanent or full-time temporary officer or employee of the school who is a member of the organized militia of New Jersey (New Jersey National Guard, New Jersey Naval Militia Joint Command) shall be entitled, in addition to pay received, if any, as a member of the organized militia, to a leave of absence from his or her respective duties without loss of pay or time on all days during which he or she shall be engaged in any period of State or Federal active duty; provided, however, that the leave of absence for Federal active duty or active duty for training shall not exceed ninety work days in the aggregate in any calendar year. Any leave of absence for such duty in excess of ninety work days shall be without pay, but without loss of time. Such leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. A full-time temporary officer or employee who has served under such temporary appointment for less than one year in the school shall receive this leave without pay, but without loss of time.

A permanent or full-time temporary officer or employee of the school who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve, or United States Marine Corps Reserve, or other organization affiliated therewith, including the National Guard of other states, shall be entitled, in addition to pay received, if any, as a member of a reserve component of the Armed Forces of the United States, to a leave of absence from his or her respective duty without loss of pay or time on all work days on which he or she shall be engaged in any period of Federal active duty, provided, however, that such leave of absence shall not exceed thirty work days in any calendar year. Such leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. Any leave of absence for such duty in excess of thirty work days shall be without pay, but without loss of time. A full-time temporary officer or employee who has served under such temporary appointment for less than one year in the school shall receive this leave without pay, but without loss of time.

Military leave with pay is not authorized for Inactive Duty Training (IDT) as defined in N.J.A.C. 5A:2-2.1.



# POLICY

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Military Leave

The school will provide benefits and rights for staff on military leave as required by Federal and State laws.

Pursuant to N.J.S.A. 52:13H-2.1, in accordance with the provisions of Article VIII, Section II, paragraph 5 of the New Jersey Constitution, upon application by the school to the State Treasury and approval of the application by the Director of the Division of Budget and Accounting, reimbursement shall be made by the State of New Jersey for any costs incurred as a result of the provisions of P.L. 2001, Chapter 351.

N.J.S.A. 18A:6-33; 18A:28-11.1; 18A:29-11; 18A:66-8.1

N.J.S.A. 38:23-1 et seq.; 38A:1-1; 38A:4-4; 52:13H-2.1

N.J.A.C. 5A:2-2.1

Uniformed Services Employment and Reemployment Rights Act  
(USERRA), 38 U.S.C. Section 4301 et seq.

Adopted: 17 May 2018



### 3439 JURY DUTY

The Board of Trustees will indemnify any teaching staff member against loss of pay incurred by a call to jury duty. No such employee will be penalized in any way for an absence caused by service on a panel of grand or petit jurors. The time any such employee is absent on jury duty will not be charged against personal leave and will count as school service.

Teaching staff members shall report a call to jury duty during the school term to the Principal or their immediate supervisor who shall determine whether or not a replacement is available. Teaching staff members scheduled for jury service during the school term for whom the administration indicates a replacement cannot reasonably be found shall seek from the Assignment Judge an excusal or deferment of service. Teaching staff members shall obtain from the Lead Person, or designee, a letter indicating the lack of availability of a substitute in such instances.

A teaching staff member who is a full-time teacher and is absent from school duties on jury duty for any court of New Jersey, any court of any other State, any Federal district court, or in the U.S. District Court for New Jersey will receive their usual compensation from the school for each day the teaching staff member is present for jury duty.

An employee summoned to jury duty shall promptly report the summons to his/her immediate supervisor. On return from jury duty, the employee must submit to his/her immediate supervisor a court record of the number of days served on jury duty.

While on jury duty, an employee must report daily to his/her supervisor the schedule for the following day and must report to work when he/she is excused from jury duty for half a day or more or suffer loss of pay.

N.J.S.A. 2B:20-1 et seq.; 2B:20-10; 2B:20-16

Adopted: 17 May 2018



### 4000 SUPPORT STAFF MEMBERS

<u>Number</u>	<u>Title</u>
4111	Creating Positions
4124	Employment Contract
4125	Employment of Support Staff Members (M)
4140	Termination
4145	Layoffs
4146	Nonrenewal of Nontenured Support Staff Member
4150	Discipline
4152	Withholding an Increment
4159	Support Staff Member/School Reporting Responsibilities
4160	Physical Examination (M)
4161	Examination for Cause
4211.3	Consulting Outside the School
4212	Attendance
4214	Conflict of Interest
4215	Code of Ethics
4218	Substance Abuse (M)
4219	Commercial Driver Controlled Substance and Alcohol Use Testing (M)
4220	Employee Evaluation
4230	Outside Activities
4233	Political Activities
4240	Employee Training
4281	Inappropriate Staff Conduct
4282	Use of Social Networking Sites
4283	Electronic Communications Between Support Staff Members and Students (M)
4321	Acceptable Use of Computer Network(s)/Computers and Resources by Support Staff Members
4322	Staff Member's Use of Personal Cellular Telephones/Other Communication Devices
4324	Right of Privacy
4340	Grievance
4351	Healthy Workplace Environment
4352	Sexual Harassment (M)
4360	Support Staff Member Streamline Tenure
4381	Protection Against Retaliation
4410	Compensation



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

SUPPORT STAFF MEMBERS  
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<u>Number</u>	<u>Title</u>
4413	Overtime Compensation
4415	Substitute Wages
4420	Benefits
4425	Work Related Disability Pay
4431.1	Family Leave (M)
4431.3	New Jersey's Family Leave Insurance Program
4432	Sick Leave
4433	Vacations
4434	Holidays
4435	Anticipated Disability
4436	Personal Leave
4437	Military Leave
4438	Jury Duty





### 4111 CREATING POSITIONS

The Board of Trustees recognizes its authority to establish support staff positions that, when filled by qualified employees, will assist the school in the achievement of educational goals set by the Board.

The Board will create new positions as required, approve a job title appropriate to the position, and determine the number of persons required to staff adequately each such position.

The Lead Person shall recommend to the Board such new positions or additional staffing in existing positions as may be required by student enrollments and the operational needs of the school.

N.J.S.A. 18A:16-1; 18A:17-24; 18A:28-1

Adopted: 17 May 2018



### 4124 EMPLOYMENT CONTRACT

The Board of Trustees requires every nontenured support staff member annually sign an employment contract for a term of not more than one year.

The employment contract shall include the date; name of the employee; the beginning and ending dates of service; the salary to be paid and the manner of payment; an authorization for salary deductions as applicable; and such other terms and conditions as may be necessary to a complete statement of the employment relationship.

Offers of employment to non-tenured staff will be finalized by the signing of a yearly contract. Tenured employees will receive an annual salary notification.

A sixty day written notice of termination of employment is required of all certificated staff and a fourteen day written notice of termination is required of all non-certificated staff unless, in the judgment of the Lead Person, the duties and responsibilities of that position required sixty days. In which case, a sixty day notice clause will be incorporated into the contract for such position(s).

In the event the salary entered on the written contract differs from that formally approved by the Board, the salary approved by the Board shall be the salary paid.

Adopted: 17 May 2018



### 4125 EMPLOYMENT OF SUPPORT STAFF MEMBERS

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

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

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

The Board may use a private contractor to secure a substitute support staff member.

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

An individual employed by the Board or a school bus contractor holding a contract with the Board, in the capacity of a school bus driver, shall be required to meet the criminal history record requirements as outlined in N.J.S.A. 18A:39-19.1.

The Board will employ paraprofessional school aides and/or classroom aides to assist in the supervision of student activities under the direction of a Principal, teacher, or other designated certified professional personnel. Aides will serve the needs of students by performing nonprofessional duties and may work only under the direct supervision of a teaching staff member(s).



In accordance with the requirements of *No Child Left Behind Act of 2001*, paraprofessionals hired after January 8, 2002, who work in a program supported with Title I, Part A funds, with certain exceptions, must meet one of the following criteria:

1. Completed at least two years of study at an institution of higher education;
2. Obtained an associate's (or higher) degree; or
3. Met a rigorous standard of quality and be able to demonstrate, through a formal State or local academic assessment, knowledge of and the ability to assist in instructing, reading, writing, and mathematics (or, as appropriate, reading readiness, writing readiness, and mathematics readiness).

Paraprofessional staff working in a Title I school, and whose salary is paid for in whole or in part with Title I funds, must have met one of the criteria listed above by the end of the 2005-2006 school year. The Lead Person will ensure paraprofessionals working in a program supported with Title I funds meet the above stated requirements.

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

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

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

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



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

### SUPPORT STAFF MEMBERS

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#### Employment of Support Staff Members

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

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

N.J.S.A. 18A:6-5; 18A:6-6; 18A:6-7.1; 18A:6-7.1b; 18A:6-7.1c; 18A:6-7.2;  
18A:16-1 et seq.; 18A:26-1 et seq.; 18A:27-1 et seq.; 18A:27-4.1;  
18A:27-7; 18A:27-8; 18A:39-19.1

Adopted: 17 May 2018



### 4140 TERMINATION

The Board of Trustees will enter a contract with each non-tenured support staff member providing, in part, for the termination of employment by either party. The Board may terminate the employment of an employee for incompetence, immorality, unfitness for service, insubordination, reduction in force, or other good cause. Any notification of termination for cause will include a full statement of the reasons for the dismissal on notice duly given a nonprobationary employee.

The Board may terminate an employment contract with a non-tenured support staff member without cause, provided that the school gives written notice of such termination to such employee at least thirty days prior to the date of such termination to as otherwise provided by an employment contract.

The Board may terminate an employment contract with a non-tenured support staff member only upon the recommendation of the Lead Person and by a recorded roll call majority vote of the full membership of the Board. The Board will not withhold its approval for arbitrary and capricious reasons. N.J.S.A. 18A:27-4.1.

The Board may temporarily suspend an employee with or without pay and without notice when his/her continued services may be inimical to the interests of students.

N.J.S.A. 18A:6-10; 18A:17-2; 18A:17-3; 18A: 27-4.1

Adopted: 17 May 2018



## 4145 LAYOFFS

The Board of Trustees shall provide the support staff necessary for the operation of the school in a manner that is efficient and economical.

The Board reserves the right to abolish support staff positions and reduce school staff commensurately whenever reasons of economy, reorganization of the school, reduction in the number of students, or other good cause so warrant. The Lead Person or designee shall continually review the efficiency and effectiveness of school organization and recommend to the Board the creation and abolishment of support staff positions and the reallocation of duties and positions.

When two or more employees are employed in the same classification of employment in which a position is abolished, the employee shall be reemployed who has demonstrated greater competence.

When, as the result of the abolishment of a position, an employee is demoted in position, the employee shall receive the salary of the position to which he/she has been assigned.

N.J.S.A. 18A:6-10; 18A:17-4

Adopted: 17 May 2018



### 4146 NONRENEWAL OF NONTENURED SUPPORT STAFF MEMBER

The Board will renew the employment contract of a nontenured support staff member only upon the recommendation of the Lead Person and by a recorded roll call majority vote of the full membership of the Board. The Board will not withhold its approval for arbitrary and capricious reasons. A nontenured support staff member who is not recommended for renewal by the Lead Person is deemed nonrenewed.

When the nontenured support staff member's performance does not meet the standards of the school, the Lead Person shall recommend not to renew the support staff member's contract. Prior to notifying the nontenured support staff member of the nonrenewal, the Lead Person will notify the Board of the recommendation not to renew the support staff member's contract and the reasons for the recommendation. The Lead Person may notify the Board in a written notice or in executive session at a full Board meeting. In the event the Board is notified in executive session, the Lead Person will comply with the requirements of the Open Public Meetings Act and provide reasonable notice to the nontenured support staff member their employment will be discussed in executive session in order for the support staff member to exercise their statutory right to request a public discussion.

The Lead Person shall notify each nontenured support staff member to whom reemployment will not be offered in writing in accordance with the terms of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties. Paraprofessionals continuously employed since the preceding September 30 as a school aide or classroom aide in a school that receives funding under Title I of the Federal Elementary and Secondary Education Act of 1965 shall be notified of renewal or nonrenewal on or before May 15 in each year in accordance with the provisions of N.J.S.A. 18A:27-10.2.

A nontenured support staff member whose contract is not renewed shall have the right to a written statement of the reasons for nonrenewal, provided the request for the statement of reasons is made within fifteen days of the Lead Person's written notification of nonrenewal to the support staff member. The statement of reasons shall be provided to a nontenured support staff member within thirty days after the receipt of the request.

Whenever a nontenured support staff member has requested in writing and received a written statement of reasons for non-reemployment, the nontenured support staff member shall have the right to an informal appearance before the Board to permit the support staff member an opportunity to convince the members of the Board to offer reemployment, provided that a request for such an appearance is received within ten days after the support staff member receives the statement of reasons provided by the Lead Person. The informal appearance before the Board shall be held in accordance with the provisions of N.J.A.C. 6A:10-8.1.





# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

SUPPORT STAFF MEMBERS

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Nonrenewal of Nontenured Support Staff Member

The Board is not required to offer reemployment or vote on reemployment after an informal appearance with a nontenured support staff member who was not recommended for reemployment by the Lead Person. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Lead Person, offer the nontenured support staff member reemployment after the informal appearance before the Board. The support staff member will be notified of the Board's final determination within three days following the informal appearance before the Board.

The provisions as outlined in Policy and Regulation 4146 may be revised or adjusted by the Lead Person of Schools to be in accordance with the terms and timelines of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties provided the terms are not contrary to any statute, administrative code, or any management rights of the Board.

This policy does not apply to the contract renewal of the Treasurer of School Moneys, Board Auditor, Board Attorney or Board Secretary, except a Board Secretary who performs business administration functions.

N.J.S.A. 18A:27-4.1.

Adopted: 17 May 2018



### 4150 DISCIPLINE

The Board of Trustees directs all support staff members to observe statutes, rules of the State Board of Education, policies of this Board, and duly promulgated administrative rules and regulations governing staff conduct. Violations of those statutes, rules, policies, and regulations will be subject to discipline.

The Lead Person shall deal with disciplinary matters on a case by case basis. Discipline will include, as appropriate, verbal and written warnings, transfer, suspension, freezing wages, and dismissal; discipline will provide, wherever possible, for progressive penalties for repeated violations.

In the event disciplinary action is contemplated, notice will be given to the employee in ordinary and concise language of the specific acts and omissions upon which the disciplinary action is based; the text of the statute, policy, rule, or regulation that the employee is alleged to have violated; a date when the employee may be heard and the administrator who will hear the matter; and the penalty that may be imposed.

N.J.S.A. 18A:25-7; 18A:27-4

N.J.S.A. 34-13A-1 et seq.; 34:19-1

Adopted: 17 May 2018



## 4152 WITHHOLDING AN INCREMENT

The Board of Trustees recognizes that any advancement on a salary schedule, including annual increments and raises, is not automatic but rests within the discretion of the Board.

Advancement on any salary schedule shall require favorable reports covering the employee's competence and thoroughness in the performance of assigned duties as well as the employee's record of attendance and compliance with school regulations.

The Lead Person shall base a recommendation for withholding an increment on evaluations of the employee's performance and conduct. The Lead Person must also show to the satisfaction of the Board that the standards by which an employee has been evaluated are not exceptional or unusual and are expected of all employees in a similar classification.

N.J.S.A. 18A:29-14

Adopted: 17 May 2018



### 4159 SUPPORT STAFF MEMBER/SCHOOL REPORTING RESPONSIBILITIES

All support staff members shall be required to report their arrest or indictment for any crime or offense to the Lead Person within fourteen calendar days of the arrest or indictment. For purposes of this policy, "support staff members" shall include all school employees who hold a position in the school for which no certificate issued by the New Jersey State Board of Examiners is required.

The report submitted to the Lead Person shall include the date of arrest or indictment and charge(s) lodged against the support staff member. Such support staff members shall also report to the Lead Person the disposition of any charges within seven calendar days of the disposition. Failure to comply with these reporting requirements may be deemed "just cause" for disciplinary action, which may include termination or non-renewal of employment in accordance with law.

Teaching staff members are required to report their arrest or indictment for any crime or offense in accordance with Policy 3159 and N.J.A.C. 6A:9B-4.3.

The school shall make these reporting requirements known to all new support staff members upon initial employment and to all employees on an annual basis.

Adopted: 17 May 2018



## 4160 PHYSICAL EXAMINATION

The Board of Trustees requires each candidate for employment who receives a conditional offer of employment to undergo a physical examination(s) to determine whether the candidate is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA).

If upon completing an examination(s) it is determined a candidate for employment who received a conditional offer of employment is unable to perform with reasonable accommodation job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Lead Person, if the Board has not yet approved the appointment, or by the Board, if the Board had approved the appointment at a Board meeting.

The physical examination shall include, but is not limited to, a health history to include past serious illnesses and injuries; current health problems; allergies; and a record of immunizations. The physical examination shall also include a health screening to include, but not limited to: height and weight; blood pressure; pulse and respiratory rate; vision screening; and hearing screening.

Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of physical examinations required by this Policy performed by a physician or institution designated by the Board. However, the candidate shall bear the cost if the examination is performed by a physician or institution designated by the candidate with approval of the Board. In the event the Board approves the physician or institution designated by the candidate to complete an examination required by this Policy, the candidate will be provided with the detailed requirements of the examination.

School employee physicals, examinations, and/or annual medical updates do not require screening or disclosure of HIV status.

A Mantoux tuberculosis test shall be given to all student teachers, school bus drivers on contract with the school, and contractors or volunteers who have contact with students.

All staff members' medical and health records, including computerized records, will be secured, stored, and maintained separately from other personnel files. The information contained in medical records will be kept confidential. Only the staff member, the Lead Person, and the school medical inspector shall have access to medical information regarding an individual employee. Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5. The staff member may provide health-status information, including medications that may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, the staff member may also choose to share with the staff member's Building Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

SUPPORT STAFF MEMBERS

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Physical Examination

Additional individual psychiatric or physical examinations of any staff member may be required by the Board whenever, in the judgment of the Board, a staff member shows evidence of deviation from normal physical or mental health. Any additional individual examinations will be pursuant to the requirements of N.J.A.C. 6A:32-6.3. Additional examinations and/or certifications may be required to verify fitness in accordance with Policy 4161 or disability in accordance with Policies 4425 and 4435.

42 U.S.C.A. 12101

N.J.S.A. 18A:16-2

N.J.A.C. 6A:32-6.1; 6A:32-6.2; 6A:32-6.3

Adopted: 17 May 2018



### 4161 EXAMINATION FOR CAUSE

The Board of Trustees may, in accordance with law, require the psychiatric or physical examination of any support staff member who shows evidence of deviation from normal physical or mental health.

The Lead Person shall recommend to the Board the examination of any support staff member whose physical or mental condition so departs from normal health as to adversely affect the performance of the member's duties. Any such recommendation must be accompanied by competent evidence. If the Board determines that deviation from normal health has been demonstrated, it may require that the member submit to a physical or mental examination.

A requirement for physical or mental examination shall be made known to the employee by written notice setting forth the nature of the examination required, the reasons for the requirement, and a statement offering the member the opportunity to appear before the Board to explain or refute those reasons, provided any such hearing is requested in writing within five working days of the receipt of the notice.

A support staff member who fails to request an appearance before the Board within the time permitted or, having appeared before the Board, fails to persuade the Board that he/she should not be required to submit to the required examination shall be ordered to submit to an appropriate examination by a physician or institution designated by the Board and at the Board's expense.

The support staff member may, at his/her option, submit names of physicians or institutions to the Board for consideration to complete the appropriate examination(s). The Board is not required to designate a physician or institution submitted for consideration by the support staff member, but the Board will not act unreasonably in withholding its approval of a physician or institution submitted by a support staff member. The cost of the examination will be borne by the Board if the Board designates a physician or institution from the names submitted from the support staff member.

If the support staff member's request is denied, or if the support staff member does not request the Board to consider a physician or institution, the staff member may elect to submit to an appropriate examination conducted by a physician or institution of the support staff member's own choosing and at his/her expense, provided the physician or institution so chosen is approved by the Board, pursuant to N.J.S.A. 18A:16-3, and is authorized and directed by the member to report the results of the examination to the Board.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

### SUPPORT STAFF MEMBERS

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Examination for Cause

If the results of the examination show mental abnormality or communicable disease, the support staff member shall be placed on sick leave and compensated in accordance with his/her sick leave entitlement, if any, until proof of recovery, satisfactory to the Board, is furnished. No leave of absence granted under this policy shall exceed the term of the contract of a nontenured support staff member or a period of two years in the case of a tenured support staff member.

A support staff member who refuses to submit to the examination required by the Board and has exhausted the hearing procedures established by law and this policy shall be subject to discipline, which may include the certification of tenure charges to the Commissioner of Education.

42 U.S.C.A. 12101

N.J.S.A. 18A:6-10; 18A:16-2; 18A:16-4; 18A:30-1 et seq.

N.J.A.C. 6A:32-6.3

Adopted: 17 May 2018





## 4211.3 CONSULTING OUTSIDE THE SCHOOL

The Board of Trustees recognizes that support staff members will have expertise and knowledge in areas that other school districts, agencies, and other entities may desire. Recognizing that the school will request the expertise from support staff members from other school districts, agencies and other entities, the Board supports sharing of its support staff members with other school districts, agencies, and other entities to the extent it does not interfere with the efficient operation of the school.

The Lead Person may recommend to the Board a support staff member's attendance in another school district, agency or other entity without additional remuneration to the support staff member or school, upon a written request from the agency or from the support staff member.

The Board of Trustees recognizes support staff members will have expertise and knowledge in areas that other school districts, public and private agencies, and private business organizations may desire to compensate as a paid consultant. When a support staff member serves as a paid consultant, the support staff member is not permitted to use normal work hours for any paid consulting activities. The support staff member must complete any paid consulting activities on their own time to include vacation days, evenings, weekends, and/or school holidays.

The support staff member must comply with the New Jersey School Ethics Act N.J.S.A. 18A:12-21 et seq. and, if required, must comply with financial disclosure requirements of N.J.S.A. 18A:12-24 and 12-25.

N.J.S.A. 18A:12-21 et seq.

Adopted: 17 May 2018



### 4212 ATTENDANCE

The regular and prompt attendance of support staff members is an essential element in the efficient operation of the school and the effective conduct of the educational program. Staff member absenteeism disrupts the educational program and the Board of Trustees considers attendance an important component of a staff member's job performance.

A support 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 may be subject to appropriate consequences, which may include the withholding of a salary increment, dismissal, and/or certification of tenure charges.

In accordance with N.J.S.A. 18A:30-1, sick leave is defined to mean the absence from work because of a personal disability due to injury or illness or because the support staff member has been excluded from school by the school medical authorities on account of contagious disease or of being quarantined for such a disease in the staff member's immediate household. No support staff member will be discouraged from the prudent, necessary use of sick leave and any other leave provided for in the collective bargaining agreement negotiated with the member's majority representative, in an individual employment contract, or provided in the policies of the Board. In accordance with N.J.S.A. 18A:30-4, the Lead Person or Board of Trustees may require a physician's certificate to be filed with the Secretary of the Board in order to obtain sick leave.

The Lead Person, in consultation with administrative staff members, will review the rate of absence among the staff members. The review will include the collection and analysis of attendance data, the training of support staff members in their attendance responsibilities, and the counseling of support staff members for whom regular and prompt attendance is a problem.

N.J.S.A. 18A:30-1 et seq.

Adopted: 17 May 2018



### 4214 CONFLICT OF INTEREST

No support staff member of the Board of Trustees shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which is in conflict with the proper discharge of the support staff member's duties.

No support staff member shall use or attempt to use his/her position to secure unwarranted privileges or advantages.

No support staff member of the Board shall act in his/her official capacity in any matter wherein he/she has a direct or indirect personal financial interest.

No support staff member of the Board shall accept any gift, favor, service or other thing of value under circumstances from which it might be reasonably inferred that such gift, service or other thing of value was given or offered for the purpose of influencing the support staff member in the discharge of his/her duties.

The Board of Trustees discourages the presentation of gifts to support staff members by students and their parent(s) or legal guardian(s), because it may embarrass students with limited means and give the appearance of currying favor.

The Board directs that support staff members instruct students to express their appreciation by means other than gifts.

Support staff members may receive gifts of only nominal value from students or their parent(s) or legal guardian(s).

The Lead Person may approve an act or gift of appreciation to an individual support staff member when special circumstances warrant.

N.J.S.A. 18A:6-8; 18A:11-1

Adopted: 17 May 2018



## 4215 CODE OF ETHICS

All support staff employees will:

Represent themselves honestly in the application and selection procedure;

Report to work as scheduled;

Discuss complaints with their immediate superior, or through approved channels;

Not advise or counsel students except in special cases with the knowledge and consent of the Principal;

Complete thoroughly their assigned tasks;

Endeavor to establish good working relationships with other employees, professional as well as non-professional;

Commit themselves to providing the best possible services for students;

Uphold all rules and regulations as set by the Board, the Lead Person, and the Principal;

Keep the trust under which confidential information may be given;

Adhere to all the conditions of a contract;

Give prompt notice of any change in availability for continued employment; and

Protect and care for school property.

Adopted: 17 May 2018



## 4218 SUBSTANCE ABUSE

The Board of Trustees recognizes a support staff member who reports to work under the influence of drugs or alcohol poses a significant threat to their health, safety, and welfare and the health, safety, and welfare of others, including students and other staff members. The Board strongly advises any support staff member that has a dependency on a substance as defined in this Policy to seek appropriate treatment. The Board has an obligation and the right to maintain a safe and healthy work environment and adopts this Policy as an important component toward maintaining a safe environment in the school. A support staff member is prohibited from possession, use, distribution, or being under the influence of any substance during work hours.

For the purposes of this Policy, “substance” or “substances” means alcoholic beverages, any controlled dangerous substances, including anabolic steroids as defined in N.J.S.A. 24:21-2 and N.J.S.A. 2C:35-2, or any chemical or chemical compound which releases vapors or fumes causing a condition of intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system, including, but not limited to, glue containing a solvent having the property of releasing toxic vapors or fumes as defined in N.J.S.A. 2C:35-10.4, and over-the-counter and prescription medications that are improperly used to cause intoxication, inebriation, excitement, stupefaction, or dulling of the brain or nervous system.

Any support staff member who reports to work under the influence of or in possession of any substance will be subject to appropriate discipline, which may include termination or the filing of tenure charges for a tenured support staff member in accordance with law.

A support staff member shall be required to submit to an immediate medical examination to include a substance test if the support staff member’s supervisor has reasonable suspicion to believe a support staff member is under the influence of a substance during work hours. Refusal of a support staff member to consent to the medical examination and substance test will be determined to be a positive result.

In the event a support staff member’s medical examination and substance test results are negative for a substance, any documents or records pertaining to the requirement for the examination and test and results will not be maintained by the school. Any required examination and testing shall be paid for by the Board. The support staff member will be afforded the opportunity to have any test results confirmed using acceptable test confirmation practices. This confirming test shall be paid for by the support staff member.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

### SUPPORT STAFF MEMBERS

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Substance Abuse

In accordance with the requirements of N.J.A.C. 6A:16-6.3(a), any support staff member who, in the course of their employment, has reason to believe a school staff member has unlawfully possessed or in any way been involved in the distribution of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia shall report the matter as soon as possible to the Principal, or in the absence of the Principal, to the staff member responsible at the time of the alleged violation. Either the Principal or the staff member shall notify the Lead Person who shall notify, as soon as possible, the County Prosecutor or other law enforcement official designated by the County Prosecutor to receive such information. The Lead Person or designee shall provide to the County Prosecutor or designee all known information concerning the matter, including the identity of the staff member involved.

In accordance with the provisions of N.J.A.C. 6A:16-6.3(a)3, the Lead Person or designee shall not disclose the identity of a support staff member who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or drug abuse problem, provided the support staff member is not reasonably believed to be involved or implicated in drug-distribution activities. An admission by a support staff member in response to questioning initiated by the Principal or designee or following the discovery by the Principal or designee of a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall not constitute a voluntary, self-initiated request for counseling and treatment.

42 CFR Part 2

N.J.A.C. 6A:16-6.3; 6A:32-6.3

Adopted: 17 May 2018



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Commercial Driver Controlled Substance and  
Alcohol Use Testing

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### 4219 COMMERCIAL DRIVER CONTROLLED SUBSTANCE AND ALCOHOL USE TESTING

In the event the school contracts transportation, the School Business Administrator/Board Secretary will ensure all transportation contractors comply with the drug testing requirements of the Federal regulations regarding the operation of a commercial vehicle.

All persons employed by the school using their CDL license shall be required to comply with the drug testing requirements of the Federal regulations regarding the operation of a commercial vehicle.

Omnibus Transportation Act of 1991

49 C.F.R. 40 et seq.

49 C.F.R. 382 et seq.

49 C.F.R. 395.2

Adopted: 17 May 2018



## 4220 EMPLOYEE EVALUATION

The Board of Trustees recognizes the importance of employee evaluations in the reinforcement of performance strengths and the remediation of weaknesses.

Non-teaching staff members will be evaluated based on their performance in carrying out the duties and responsibilities outlined in the employee's job description, and their general work habits (e.g. punctuality, follow through, ability to accept feedback, etc.)

Each employee will be evaluated using two instruments:

1. An assessment tool that correlates directly to the duties and responsibilities outlined in the employees job description.
2. An assessment tool that evaluates all employees general work habits (e.g. punctuality, follow through, ability to accept feedback, etc.)

These evaluation instruments will take the form of rubrics to be most transparent in communicating areas of excellence and growth to employees. These instruments will be combined to arrive at a final rating of each school employee.

The Lead Person and the School Business Administrator/Board Secretary shall develop a plan for the evaluation of support staff members that incorporates best practices from the field of human resources and personnel management. He/She shall invite the participation of employees in the development of the plan and shall assess and modify the plan as necessary.

Employees shall be grouped into position classifications based upon similarities of duties, responsibilities, and qualifications. The evaluation process shall be similar for all employees in a single classification.

The evaluation process shall provide for the recognition and commendation of effective performance, the identification and remediation of performance deficiencies, and the recommendation of discipline or dismissal when an employee fails to improve his/her performance. The process shall also recognize when an employee significantly exceeds their job objectives or otherwise performs in an exemplary way.





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Employee Evaluation

The evaluation process shall incorporate a self-evaluation instrument in which employees assess their own performance utilizing the same criteria employed by their supervisor. This self-evaluation shall be completed prior to the evaluation meeting between the employee and their supervisor, and the supervisor shall compare the results prior to meeting with the employee to gain insight into providing support and feedback to the employee.

Evaluation procedures shall ensure that each employee is informed upon employment of the specific objectives of his/her position and the standards that will be used to assess the employee's performance against those objectives.

The evaluation results will contribute to planning professional development, as well as the determining recommendations for continued employment, tenure, and compensation decisions for each staff member.

Employees will be evaluated by qualified supervisors. Any records created in the evaluation process will become part of the employee's file and subject to Board policy personnel records.

Adopted: 17 May 2018



### 4230 OUTSIDE ACTIVITIES

The Board of Trustees recognizes that support staff members enjoy a private life outside their job responsibilities in the school. The Board believes that school employees exert a continuing influence away from the school. Accordingly, the Board reserves the right to determine if activities outside the support staff member's job responsibilities interfere with their performance and the discharge of the support staff member's responsibilities to this school.

All support staff members are advised to be governed in their activities outside the school by the following guidelines:

1. Support staff members shall not devote time during their work day to an outside private enterprise, business, or business organization. They shall not solicit or accept customers for a private enterprise, business, and/or business organization on school grounds during their work day without the express permission of the Lead Person;
2. The Board does not endorse, support, or assume liability in any way for any support staff member of this school who conducts a private activity in which students or employees of this school participate;
3. Support staff members shall not send campaign literature home with students, or request, direct or have students distribute campaign literature on behalf of any candidate for local, State, or national office or for any bond issue, proposal, or any public question submitted at any general, municipal, or school election. No student shall be requested or directed by any support staff member to engage in any activity which tends to promote, favor, or oppose any such candidacy, bond issue, proposal, or public question; and
4. Copyrights and patents to materials or equipment developed, written, prepared, processed, or tested by support staff members in the performance of their school duties reside with and may be claimed by the Board.

N.J.S.A. 18A:42-4

N.J.S.A. 19:1.1 et seq.

Adopted: 17 May 2018



### 4233 POLITICAL ACTIVITIES

The Board of Trustees recognizes and encourages the right of all citizens, including school employees, to engage in political activity. However, the Board prohibits the use of school premises and school time for partisan political purposes.

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

1. An employee shall not engage in political activity on school premises unless permitted in accordance with Board Policy and/or applicable Federal and State laws;
2. An employee shall not post political circulars or petitions on school premises nor distribute such circulars or petitions to students nor solicit campaign funds or campaign workers on school premises;
3. An employee 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;
4. An employee shall not engage in any activity in the presence of students while on school property, which activity is intended and/or designed to promote, further or assert a position(s) on labor relations issues.

The provisions of this policy do not apply to 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 staff member or student.

N.J.S.A. 18A:42-4

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

Adopted: 17 May 2018



## 4240 EMPLOYEE TRAINING

The Board of Trustees believes that continuing training and study is essential to the improvement of employee performance and the acquisition of technological skills. The Board encourages all employees to participate in appropriate training programs.

The Lead Person or designee shall prepare rules for employee participation in programs of job skill improvement. The rules will include methods of reporting and verifying claims for participation in such activities.

The Board will reimburse employee requests for attendance at training programs provided participation has been approved in advance by the Lead Person.

Adopted: 17 May 2018



### 4281 INAPPROPRIATE STAFF CONDUCT

The Board of Trustees recognizes its responsibility to protect the health, safety and welfare of all students within this school. Furthermore, the Board recognizes there exists a professional responsibility for all school staff to protect a student's health, safety and welfare. The Board strongly believes that school staff members have the public's trust and confidence to protect the well-being of all students attending the school.

In support of this Board's strong commitment to the public's trust and confidence of school staff, the Board of Trustees holds all school staff to the highest level of professional responsibility in their conduct with all students. Inappropriate conduct and conduct unbecoming a school staff member will not be tolerated in this school.

The Board recognizes and appreciates the staff-student professional relationship that exists in a school's educational environment. This Policy has been developed and adopted by this Board to provide guidance and direction to avoid actual and/or the appearance of inappropriate staff conduct and conduct unbecoming a school staff member toward students.

School staff's conduct in completing their professional responsibilities shall be appropriate at all times. School staff shall not make inappropriate comments to students or about students and shall not engage in inappropriate language or expression in the presence of students. School staff shall not engage in inappropriate conduct toward or with students. School staff shall not engage or seek to be in the presence of a student beyond the staff member's professional responsibilities. School staff shall not provide transportation to a student in their private vehicle or permit a student into their private vehicle unless there is an emergency or a special circumstance that has been approved in advance by the Lead Person and the parent/legal guardian.

Inappropriate conduct by a school staff member outside their professional responsibilities may be considered conduct unbecoming a staff member. Therefore, school staff members are advised to be concerned with such conduct which may include, but is not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other medium that is directed and/or available to students or for public display.

A school staff member is always expected to maintain a professional relationship with students and school staff members shall protect the health, safety and welfare of school students. A staff member's conduct will be held to the professional standards established by the New Jersey State Board of Education and the New Jersey Commissioner of Education. Inappropriate conduct or conduct unbecoming a staff member may also include conduct not specifically listed in this Policy, but conduct determined by the New Jersey State Board of Education, the New Jersey Commissioner of Education, an arbitration process, and/or appropriate courts to be inappropriate or conduct unbecoming a school staff member.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Inappropriate Staff Conduct

School personnel, compensated and uncompensated (volunteers), are required to report to their immediate supervisor any possible violations of this Policy. In the event the report alleges conduct by the immediate supervisor, the school staff member may report directly to the Lead Person. In addition, school personnel having reasonable cause to believe a student has been subjected to child abuse or neglect or acts of child abuse or neglect as defined under N.J.S.A. 9:6-8.10 are required to immediately report to the New Jersey Department of Children and Families in accordance with N.J.A.C. 6A:16-11.1 and inform the Lead Person or immediate supervisor after making such report. However, notice to the Lead Person or designee need not be given when the school staff member believes such notice would likely endanger the referrer or child(ren) involved or when the staff member believes that such disclosure would likely result in retaliation against the child or in discrimination against the referrer with respect to his/her employment.

Reports may be made in writing or with verbal notification. The immediate supervisor will notify the Lead Person of all reports, including anonymous reports. The Assistant Lead Person will investigate all reports with a final report to the Lead Person. The Assistant Lead Person or the Lead Person may, at any time after receiving a report take such appropriate action as necessary and as provided for in the law. This may include, but is not limited to, notifying law enforcement, notifying the New Jersey Department of Children and Families in accordance with N.J.A.C. 6A:16-11.1 and/or any other measure provided for in the law.

This Policy will be distributed to all school staff and provided to staff members at any time upon request.

N.J.S.A. 18A:28-5 et seq.

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

Adopted: 17 May 2018



### 4282 USE OF SOCIAL NETWORKING SITES

The Board of Trustees has a strong commitment to quality education and the well-being of all students, as well as the preservation of the school's reputation. The Board believes staff members must establish and maintain public trust and confidence and be committed to protecting all students attending the school. In support of the Board's strong commitment to the public's trust and confidence, the Board holds all staff members to the highest level of professional responsibility.

The Commissioner of Education has determined inappropriate conduct outside a staff member's professional responsibilities may determine them as unfit to discharge the duties and functions of their position. Staff members should be advised communications, publications, photographs, and other information appearing on social networking sites deemed inappropriate by the Board could be cause for dismissal of a non-tenured staff member or to certify tenure charges against a tenured staff member to the Commissioner of Education.

Staff members are advised to be concerned and aware such conduct deemed inappropriate may include, but is not limited to, communications and/or publications using e-mails, text-messaging, social networking sites, or any other form of electronic communication that is directed and/or available to students or for public display or publication.

While the Board respects the right of staff members to use social networking sites, staff members should recognize they are held to a higher standard than the general public with regard to standards of conduct and ethics. It is important that a staff member's use of these sites does not damage the reputation of the school, employees, students, or their families. Staff members who utilize, post or publish images, photographs, or comments on social networking sites, blogs, or other forms of electronic communication outside their professional responsibilities shall ensure their use, postings, or publications are done with an appropriate level of professionalism and are appropriate conduct for a school staff member. Staff members should exercise care in setting appropriate boundaries between their personal and public online behavior, understanding that what is private in the digital world often has the possibility of becoming public even without their knowledge or consent.

The school strongly encourages all staff members to carefully review the privacy settings on social networking sites they use and exercise care and good judgment when posting content and information on such sites. Staff members should adhere to the following guidelines, which are consistent with the school's workplace standards on harassment, student relationships, conduct, professional communication, and confidentiality.



When using personal social networking sites, school staff members:

1. Should not make statements that would violate any of the school's policies, including its policies concerning discrimination or harassment;
2. Must uphold the school's value of respect for the individual and avoid making defamatory statements about the school, employees, students, or their families;
3. May not disclose any confidential information about the school or confidential information obtained during the course of his/her employment, about any individual(s) or organization, including students and/or their families;
4. Shall not use social networking sites to post any materials of a sexually graphic nature;
5. Shall not use social networking sites to post any materials which promote violence;
6. Shall not use social networking sites which would be detrimental to the mission and function of the school;
7. Are prohibited from using their school title as well as adding references to the school in any correspondence including, but not limited to, e-mails, postings, blogs, and social networking sites unless the communication is of an official nature and is serving the mission of the school. This prohibition also includes signature lines and personal e-mail accounts;
8. Shall not post updates to their status on any social networking sites during normal working hours including posting of statements or comments on the social networking sites of others during school time unless it involves a school project. Employees must seek approval from the Lead Person for such use; and
9. Shall not post or publish any information the Commissioner of Education would deem to be inappropriate conduct by a school staff member.





# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Use of Social Networking Sites

The Policy of this school is to maintain a level of professionalism both during and after the school day. Any publication through any means of electronic communication which is potentially adverse to the operation, morale, or efficiency of the school, will be deemed a violation of this Policy. If the Board or Lead Person believes that a staff member's activity on any social networking site violates the school's policies, the Board or Lead Person may request that the employee cease such activity. Depending on the severity of the incident, the staff member may be subject to disciplinary action.

This Policy has been developed and adopted by this Board to provide guidance and direction to staff members on how to avoid actual and/or the appearance of inappropriate conduct toward students and/or the community while using social networking sites.

Adopted: 17 May 2018



### 4283 ELECTRONIC COMMUNICATIONS BETWEEN SUPPORT STAFF MEMBERS AND STUDENTS

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

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

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

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

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

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

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



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

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

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

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



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



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

### Reporting Responsibilities

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



2. In the event a student sends an improper electronic communication, as defined in this Policy, to a support staff member who has been approved by the Lead Person or designee to receive electronic communications, the support staff member shall report the improper electronic communication to the Principal or designee. The Principal or designee will take appropriate action to have the student discontinue such improper electronic communications. Improper electronic communications by a support staff member or a student may result in appropriate disciplinary action.

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

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

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

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

Adopted: 17 May 2018



### 4321 ACCEPTABLE USE OF COMPUTER NETWORK(S)/COMPUTERS AND RESOURCES BY SUPPORT STAFF MEMBERS

The Board 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 support 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 support staff members to information sources but reserves the right to limit in-school use to materials appropriate to educational purposes. The Board directs the Lead Person to effect training of support 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 support 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 any other appropriate action as deemed necessary.

The Board provides access to computer network(s)/computers for administrative and educational purposes only. The Board retains the right to restrict or terminate support staff members' access to the computer network(s)/computers at any time, for any reason. The Board retains the right to have the Lead Person or designee monitor network activity, in any form necessary, to maintain the integrity of the network(s) and ensure its proper use.

#### Standards for Use of 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 which violate Federal, State, 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 a 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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Acceptable Use of Computer Network(s)/Computers and  
Resources by Support Staff Members

- C. Using the computer network(s) in a manner that:
1. Intentionally disrupts network traffic or crashes the network;
  2. Degrades or disrupts equipment or system performance;
  3. Uses the computing resources of the school for commercial purposes, financial gain or fraud;
  4. Steals data or 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 privacy of others;
  9. Posts anonymous messages;
  10. Possesses any data which 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.

### Violations

Individuals violating this policy shall be subject to appropriate disciplinary actions as defined by Policy No. 4150, Discipline which includes but are not limited to:

1. Use of the network(s)/computers only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;





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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 as determined by the Lead Person and approved by the Board of Trustees.

N.J.S.A. 2A:38A-3

Adopted: 17 May 2018



4322 STAFF MEMBER'S USE OF PERSONAL CELLULAR TELEPHONES/  
OTHER COMMUNICATION DEVICES

The Board of Trustees recognizes a support staff member may need to electronically communicate on a non-school related, personal matter using a personal cellular telephone or other personal communication device during their workday. Electronic communications include, but are not limited to: voice conversations, text-messaging, accessing social networking or other internet sites, or any other type of electronic communication.

In the event the support staff member needs to electronically communicate on a non-school related, personal matter using a personal cellular telephone or other personal communication device during their workday, the support staff member may do so provided the communication is made during the support staff member's break periods and is made outside the presence of students.

A support staff member's personal cellular telephone or other personal communication device shall be secured by the support staff member and outside the view of others when the support staff member is performing assigned school responsibilities.

An electronic communication by a support staff member on a non-school related, personal matter using a personal cellular telephone or other personal communication device shall not be made while the support staff member is performing assigned school responsibilities.

In the event the support staff member has an emergency requiring immediate attention that requires such a communication while performing assigned school responsibilities, the support staff member shall inform their Principal or immediate supervisor before or immediately after the communication, depending on the nature of the emergency. The Board of Trustees is not responsible if a support staff member's personal cellular telephone or other communication device is lost, stolen, or missing.

Adopted: 17 May 2018



### 4324 RIGHT OF PRIVACY

The Board of Trustees will provide facilities and school-owned property to assist staff members in their job responsibilities or for the staff members' convenience. These facilities or school-owned property may include, but are not limited to, an office, a storage closet, a filing cabinet, a locker, and/or a desk. The Lead Person or designee may provide a staff member with exclusive use and access to such facilities or school-owned property or may require the facility or school-owned property be shared with other staff members. The staff member may be provided a lock or key by the school or may secure the facility or school-owned property using their own locking device with permission from the Lead Person or designee, or immediate supervisor.

School staff members should be aware their expectation of privacy in these facilities and/or the school-owned property provided by the Board of Trustees is reduced by virtue of actual office practices and procedures, for searches conducted pursuant to an investigation of work-related employee misconduct, or by legitimate school policies or regulations. In addition, staff members shall have a reduced expectation of privacy in these facilities and school-owned property if there is reasonable suspicion the staff member is violating a law or school policy. School staff members shall be on notice this reduced expectation of privacy may result in such facilities and/or school-owned property being searched without a search warrant. In order to avoid exposing personal belongings to such a search, school staff members are discouraged from storing personal papers and effects in these facilities or school-owned property.

Adopted: 17 May 2018



### 4340 GRIEVANCE

The Board of Trustees shall develop and practice reasonable and effective means for the resolution of disputes that may arise in the employment of support staff members not covered by the terms of a negotiated agreement.

The Board directs that any grievance not provided for by negotiated agreement be resolved by submission to the following grievance procedure, which is designed to promote proper and equitable settlement of grievances at the lowest appropriate level and to facilitate an orderly process for the resolution of grievances.

For the purposes of this policy, "grievance" means an unresolved problem concerning the application or interpretation by an officer or employee of this school of law, regulations of the State Board of Education, the bylaws or policies of the Board, or the administrative regulations of the Lead Person; "grievant" is a school employee who alleges a grievance or the employee's representative; "party" means the grievant or any person named in the grievance as allegedly having violated a law, bylaw, policy, or regulation; and "day" means a school day.

A grievant may use personal leave time when it becomes necessary to process a grievance during the working day. There will be no reprisal of any kind taken against any employee or employee's representative for participation in a grievance.

Any alleged grievance should, at the first instance, be discussed in one or more private, informal conferences between the parties involved or between the grievant and his/her immediate supervisor. A grievance not resolved in one or more such private meetings may be processed in accordance with the following procedure.

#### Level One

Within three working days of the occurrence of the act or omission giving rise to the grievance, the grievant must present his/her grievance in writing to the grievant's immediate supervisor. The written document will be a clear, concise statement of the grievance and will include the law, rule, policy, or regulation that the grievant alleges to have been violated; the factual circumstances on which the grievance is based; the person or persons involved; the decision, if any, rendered at the private conference; and the remedy sought.

Within seven working days the supervisor shall present a decision to the grievant in writing. If the supervisor does not respond during the time permitted, the grievant may appeal to the next level.



## Level Two

A grievant not satisfied with a decision at Level One may appeal that decision in writing to the Lead Person or designee within three working days after receipt of the decision or the expiration of the time during which the decision must be rendered. The written appeal will include a copy of the original grievance; the decision rendered, if any; the name of the grievant's representative, if any; and a clear, concise statement of the reasons for the appeal of the decision.

The Lead Person or designee shall present a decision to the grievant within seven working days. If no decision is rendered within that time limit, the grievant may appeal to the next level.

## Level Three

A grievant not satisfied with the Lead Person's decision may appeal that decision in writing to the Board within three working days after the receipt of the decision or the expiration of the time during which the decision must be rendered. The written appeal to the Board will include copies of the original grievance, the appeal of that grievance at Level Two, and the decisions, if any.

The Board shall schedule the grievance for hearing at a private session to be held within forty- five calendar days of the presentation of the appeal. The grievant shall be present at the hearing.

Within ten calendar days of the hearing, the Board shall submit its decision in writing together with reasons that support the decision to the grievant. A copy of the decision shall be given to the Lead Person and to any other party to the grievance.

The decision of the Board shall be final.

N.J.S.A. 34:13A-5.3

Adopted: 17 May 2018



## 4351 HEALTHY WORKPLACE ENVIRONMENT

The Board of Trustees recognizes a healthy workplace environment enables school support staff members to fully contribute their expertise and skills to their school responsibilities. A healthy workplace environment can improve productivity, reduce absenteeism, and reduce staff turnover while having a positive impact on the school's programs provided to students in the school.

A significant characteristic of a healthy workplace environment is that employees interact with each other with dignity and respect regardless of an employee's work assignment or position in the school. Repeated malicious conduct of an employee or group of employees directed toward another employee or group of employees in the workplace that a reasonable person would find hostile or offensive is unacceptable and is not conducive to establishing or maintaining a healthy workplace environment. This unacceptable conduct may include, but is not limited to, repeated infliction of verbal abuse such as the use of derogatory remarks; insults; verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating; or the gratuitous sabotage or undermining of a person's work performance. A single act of such conduct shall not constitute the unacceptable conduct prohibited by this policy unless it is especially severe and egregious.

Unacceptable conduct, for the purposes of this policy, is not conduct toward an employee of a protected class or because of the employee's protected activity. These employees and activities are afforded the legal protections under various Federal and State anti-discrimination laws. In addition, unacceptable conduct for the purposes of this policy shall not be confused with conduct of management employees exercising management rights including, but not limited to, assigning tasks, reprimanding, assigning discipline, or directing.

Employees who believe the conduct prohibited by this policy has been directed toward them or to another employee of the school shall submit a written report to the Lead Person. The written report shall provide specific details supporting the claim including, but not limited to, the specific conduct; the names of witnesses (if any) who may have observed such conduct; dates or times when such conduct occurred; and any other information the person(s) making the report believes will be informative and helpful to an investigation of the allegations. Upon receipt of a report, the Lead Person or designee will conduct an investigation and upon completion of the investigation will inform the person(s) who made the report such an investigation was completed. The amount of investigation information shared with the person(s) making the report will be at the discretion of the Lead Person or designee and may vary depending on whether the conduct reported was directed to the person(s) making the report, confidential personnel matters, and/or other issues as determined by the Lead Person or designee.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

SUPPORT STAFF MEMBERS

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Healthy Workplace Environment

If the investigation determines conduct prohibited by this policy has taken place, the Lead Person or designee will meet with the offender(s) and the victim(s) to review the investigation results and to implement remedial measures to ensure such conduct does not continue or reoccur. Appropriate disciplinary action may be taken depending on the severity of conduct.

There shall be no reprisals or retaliation against any person(s) who reports conduct prohibited by this policy.

Adopted: 17 May 2018



## 4352 SEXUAL HARASSMENT

The Board of Trustees recognizes that an employee's right to freedom from employment discrimination includes the opportunity to work in an environment untainted by sexual harassment. Sexually offensive speech and conduct are wholly inappropriate to the harmonious employment relationships necessary to the operation of the school and intolerable in a workplace to which the children of this school are exposed.

Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature that would not have happened but for the employee's gender. Whenever submission to such conduct is made a condition of employment or a basis for an employment decision, or when such conduct is severe and pervasive and has the purpose or effect of unreasonably altering or interfering with work performance or creating an intimidating, hostile, or offensive working environment, the employee shall have cause for complaint.

The sexual harassment of any employee of this school is strictly forbidden. Any employee or agent of this Board who is found to have sexually harassed an employee of this school will be subject to discipline, which may include termination of employment. Any employee who has been exposed to sexual harassment by any employee or agent of this Board is encouraged to report the harassment to an appropriate supervisor. An employee may complain of any failure of the Board to take corrective action by recourse to the procedure by which a discrimination complaint is processed. The employee may appeal the Board's action or inaction to the New Jersey Division on Civil Rights or to the United States Equal Employment Opportunity Commission. Complaints regarding sexual harassment shall be submitted following the procedures outlined in Regulation 1530, Equal Employment Opportunity.

The Affirmative Action Officer shall instruct all employees of this Board to recognize and correct speech and behavior patterns that may be sexually offensive with or without the intent to offend.

29 C.F.R. 1604.11

Adopted: 17 May 2018





## 4360 SUPPORT STAFF MEMBER STREAMLINE TENURE

The Board of Trustees directs that the tenure status of support staff members be determined only in accordance with law and this policy and such contractual terms as may have been negotiated with the employee's majority representative.

Persons employed as janitors and secretaries shall acquire streamline tenure in accordance with N.J.A.C. 6A:11-6.1.

All other support staff members will be employed on fixed term contracts and will not acquire tenure in their positions.

The Board will not grant tenure to any employee for whom such tenure has not been provided in law or in a contract negotiated by this Board.

The filing of a response to tenure charges shall be in accordance with the procedures as outlined in N.J.A.C. 6A:11-6.2 and N.J.A.C. 6A:11-6.3.

N.J.S.A. 18A:17-2; 18A:17-3

Adopted: 17 May 2018



## 4381 PROTECTION AGAINST RETALIATION

The Board of Trustees will take no retaliatory action, by discharge, demotion, suspension, or any other adverse action, against an employee because that employee has conscientiously:

1. Disclosed or threatened to disclose to a supervisor or public body an activity, policy, or practice of this Board or any school officer that the employee reasonably believes to be in violation of law or rule;
2. Provided information to a public body conducting an investigation, hearing, or inquiry into any alleged violation of law by the Board or an officer of this school; or
3. Objected to or refused to participate in an activity, policy, or practice of this school that the employee reasonably believes to be in violation of law or rule, fraudulent, criminal, or incompatible with a clear mandate of public policy concerning the public health, safety, or welfare or protection of the environment.

An employee who has reason to believe that the Board has engaged in an illegal activity or an activity contrary to public policy must report that belief in writing to the Lead Person before notice is given to a supervisor or a public body. The Lead Person shall promptly report the same to the Board and institute an investigation of the reported activity. The findings of the investigation will be reported in writing to the Board and to the employee.

The protection of law and this policy apply only to employees who have given notice in accordance with this policy and have afforded the Board a reasonable period of time to take any corrective action that may be required or have acted in circumstances that the employee believes in good faith constitute an emergency.

The Lead Person shall post notice of this policy and inform employees of their rights under the New Jersey Conscientious Employee Protection Act.

N.J.S.A. 34:19-1

Adopted: 17 May 2018



## 4410 COMPENSATION

The Board of Trustees will establish the compensation for support staff members not covered by the terms of a negotiated agreement or in an individual contract with the Board.

N.J.S.A. 18A:6-6; 18A:16-11

Adopted: 17 May 2018



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

SUPPORT STAFF MEMBERS

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Overtime Compensation

### 4413 OVERTIME COMPENSATION

The Board of Trustees will compensate overtime work in accordance with law. "Overtime work" means work in excess of forty hours in a single work week.

No overtime shall be worked without the express advance approval of the Lead Person or Assistant Lead Person.

29 U.S.C.A. 207(o)

29 U.S.C.A. 207(p)

N.J.S.A. 34:11-56(a)4

Adopted: 17 May 2018



## 4415 SUBSTITUTE WAGES

In order to ensure reliable assistance in the absence of regular support staff employees, the Board of Trustees will offer competitive compensation to qualified substitute secretaries, clerks, custodians, maintenance workers, bus drivers, teacher aides, and cafeteria workers. In no instance shall the wages paid a substitute exceed the wages paid the regular employee.

Substitute support staff members will be paid at a per diem rate set by the Board.

Adopted: 17 May 2018



## 4420 BENEFITS

The Board of Trustees reserves the right to establish benefits for support staff members not covered by the terms of a negotiated agreement or in an individual contract with the Board.

N.J.S.A. 18A:6-6; 18A:16-12 et seq.

Adopted: 17 May 2018



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

SUPPORT STAFF MEMBERS

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Work Related Disability Pay

### 4425 WORK RELATED DISABILITY PAY

The Board of Trustees will permit, in accordance with law, the absence without loss of pay or of annual or accumulated sick leave benefits of a support staff member disabled by accident or injury arising out of and in the course of employment. Any such employee shall seek the workers' compensation benefits to which he/she is entitled by law.

An employee whose disability has qualified for the receipt of workers' compensation benefits shall be presumed eligible for work related disability pay under this policy. When an employee's disability is so brief as to preclude the employee's application for worker's compensation benefits, the employee may request and the Board may grant work related disability pay.

Any employee who qualified for work related disability pay under this policy shall receive full pay during the period he/she is on disability leave of absence, up to one calendar year.

As a condition of receiving full salary, an employee who receives workers' compensation benefits for his/her work-related disability must endorse and deliver to the Board all workers' compensation temporary disability checks received for the period covered by this policy.

N.J.S.A. 18A:30-2.1; 18A:66-32.1

N.J.S.A. 34:15-38

Adopted: 17 May 2018



## 4431.1 FAMILY LEAVE

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### A. Introduction

The Board will provide family leave in accordance with the Federal Family and Medical Leave Act (FMLA) and the New Jersey Family Leave Act (NJFLA).

FMLA leave for eligible staff members shall be up to twelve weeks leave of absence in a twelve month period upon advance notice to the school for the birth of a son or daughter of the staff member and in order to care for such son or daughter; for the placement of a son or daughter with the staff member for adoption or foster care; in order to care for the spouse, son, daughter, or parent of the staff member if such spouse, son, daughter, or parent has a serious health condition; or for a serious health condition that makes the staff member unable to perform the functions of the position of such staff member, or because of any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on active duty or call to covered active duty status (or has been notified of an impending call or order to covered active duty). In addition, eligible employees may take up to a combined total of twenty-six workweeks in a single twelve month period to care for a covered servicemember with a serious injury or illness.

NJFLA leave for eligible staff members shall be up to twelve weeks leave of absence in any twenty-four month period upon advance notice to the school so that a 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.

### B. Applicability

The Board will comply with requirements of the New Jersey and Federal Family Leave laws. The laws have similar and different provisions that may provide different rights and obligations for the staff member and/or the Board. The staff member shall be afforded the most favorable rights if there is a conflict in the rights afforded to the staff member under the two laws.

1. If the staff member is eligible for leave for reasons provided under the FMLA and NJFLA, then the time taken shall be concurrent and be applied to both laws.
2. The NJFLA provides twelve weeks leave in a twenty-four month period while the FMLA provides twelve weeks leave in a twelve-month period. A staff member is eligible for up to twelve weeks leave in the first twelve months of the twenty-four month period under the NJFLA. A staff member is eligible for up to twelve weeks leave in the second twelve-month period under the FMLA.



3. In the event the reason for the family leave is recognized under one law and not the other law, the staff member is eligible for each law's leave entitlements within one twelve-month period. (Example: A staff member may use their FMLA leave for a twelve week family leave for their own pregnancy, which is considered a "serious health condition" under FMLA, and upon conclusion of the twelve week FMLA leave, the staff member would be eligible for a twelve week NJFLA leave to care for their newborn or any other reasons pursuant to the NJFLA.)

### C. Definitions

#### 1. Federal Family and Medical Leave Act (FMLA)

"Contingency operation" means a military operation that results in the call or order to, or retention on, active duty of members of the uniformed services during a war or during a national emergency declared by the President or Congress.

"Covered active duty" or "call to covered active duty" means duty during deployment of a member with the Armed Forces to a foreign country and, in the case of a member of the Reserve components of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation.

"Covered servicemember" means a current member of the Armed Forces (including National Guard or Reserves), who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness; or a covered veteran undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

"Covered veteran" means an individual who was a member of the Armed Forces (including National Guard or Reserves), discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible staff member takes FMLA leave to care for the covered veteran. For a veteran discharged prior to March 8, 2013, the effective date of the FMLA Final Rule, the period between October 28, 2009 and March 8, 2013 will not count towards the determination of the five-year period. 29 CFR § 825.127(b)(2)

"Military caregiver leave" means leave taken to care for a covered servicemember with a serious injury or illness under FMLA. 29 CFR §825.127



“Next of kin of a covered servicemember” means the nearest blood relative other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin. For example, if a covered servicemember has three siblings and has not designated a blood relative to provide care, all three siblings would be considered the covered servicemember's next of kin. Alternatively, where a covered servicemember has a sibling(s) and designates a cousin as his or her next of kin for FMLA purposes, then only the designated cousin is eligible as the covered servicemember's next of kin. An employer is permitted to require an employee to provide confirmation of covered family relationship to the covered servicemember pursuant to 29 CFR §825.122(k). 29 CFR §825.127(d)(3)

“Outpatient status” means, with respect to a covered servicemember who is a current member of the Armed Forces, the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. 29 CFR § 825.127(b)(1)

“Parent” means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a son or daughter as defined below. This term does not include parents “in law.”

“Parent of a covered servicemember” means a covered servicemember’s biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the covered servicemember. This term does not include parents “in law.”

“Serious health condition” means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical facility or continuing treatment by a health care provider. “Serious health condition” may include treatment of substance abuse pursuant to 29 CFR §825.119.



“Serious injury or illness,” only in the case of a veteran or current member of the Armed Forces, means:

- a. In the case of a current member of the Armed Forces, including a member of the National Guard or Reserves, an injury or illness that was incurred by the covered servicemember in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and that may render the servicemember medically unfit to perform the duties of the member's office, grade, rank, or rating; and
- b. In the case of a covered veteran, an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran, and is:
  - (1) A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or
  - (2) A physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of fifty percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
  - (3) A physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
  - (4) An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers. 29 CFR 825 §127(c)



“Single twelve-month period” means that a military caregiver’s leave begins on the first day the staff member takes FMLA leave and ends twelve months after that date, regardless of the twelve-month period established by the school for other FMLA leave reasons. 29 CFR §825.127(e)(1)

“Son” or “daughter” means a biological, adopted, or foster child, stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age eighteen or age eighteen or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence.

“Son or daughter of the covered servicemember” means a covered servicemember's biological, adopted or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood in loco parentis, and who is of any age. 29 CFR §825.127(d)(1)

“Son or daughter on covered active duty or call to covered active duty status” means the staff member's biological, adopted or foster child, stepchild, legal ward, or a child for whom the staff member stood in loco parentis, who is on covered active duty or call to covered active duty status, and who is of any age. 29 CFR §825.126(a)(5)

“Spouse” means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under State law in the State in which the marriage was entered into or, in the case of a marriage entered into outside of any State, if the marriage is valid in the place where entered into and could have been entered into in at least one State. This definition includes an individual in a same-sex marriage or common law marriage. 29 CFR §825.122

“Staff member” means an employee eligible for family and medical leave in accordance with the Federal Family and Medical Leave Act (FMLA).

“Week” or “Workweek” means the number of days a staff member normally works each calendar week.

## 2. New Jersey Family Leave Act (NJFLA)

“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 incapable of self-care because of a mental or physical impairment.



“Continuing medical treatment” or “continuing supervision by a health care provider” means a period of incapacity or a period of absence in accordance with N.J.A.C. 13:14.

“Parent” means a biological, adoptive, or foster parent; step-parent; parent-in-law; a legal guardian having a “parent-child relationship” with a child as defined by law; or a person who has sole or joint legal or physical custody, care, guardianship, or visitation with a child.

“Serious health condition” means 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.

“Spouse” means a person to whom a staff member is lawfully married as defined by New Jersey law.

“Staff member” means an employee eligible for family leave in accordance with the New Jersey Family Leave

“Week” or “Workweek” means the number of days a staff member normally works each calendar week.

#### D. Eligibility

##### 1. Federal Family and Medical Leave Act (FMLA)

A staff member shall become eligible for FMLA leave after he/she has been employed at least twelve months in this school and employed for at least 1250 hours of service during the twelve-month period immediately preceding the commencement of the leave. The twelve months the staff member must have been employed need not be consecutive months pursuant to 29 CFR §825.110(b). The minimum 1250 hours of service shall be determined according to the principles established under the Fair Labor Standards Act (FSLA) for determining compensable hours of work pursuant to 29 CFR §785. Entitlement to FMLA leave taken for the birth of a son or daughter or placement of a son or daughter with the staff member for adoption or foster care shall expire at the end of the twelve-month period beginning on the date of such birth or placement.



Pursuant to 29 CFR §825.201, a husband and wife both employed by the school are limited to a combined total of twelve weeks of leave during the twelve-month period if the leave is taken for the birth of a son or daughter of the staff member or to care for such son or daughter after birth; for placement of a son or daughter with the staff member for adoption or foster care or in order to care for the son or daughter after placement; or to care for the staff member's parent with a serious health condition.

The method to determine the twelve-month period in which the twelve weeks of FMLA leave entitlement occurs will be a "rolling" twelve-month period measured backward from the date a staff member uses any family leave.

A staff member during any period of FMLA leave 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 commencement of the leave. A staff member using FMLA leave may commence part-time employment that shall not exceed half the regularly scheduled hours worked for the school. The staff member may continue the part-time employment that commenced prior to the FMLA leave at the same number of hours that the staff member was regularly scheduled prior to such leave.

2. New Jersey Family Leave Act (NJFLA)

A staff member shall become eligible for NJFLA leave after he/she has been employed at least twelve months in this school for not less than 1,000 base 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 NJFLA leave. NJFLA 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.

The school shall grant a family leave under NJFLA to more than one staff member from the same family (for example, a husband and a wife, or a brother and a sister) at the same time, provided such staff members are otherwise eligible for the leave. N.J.A.C. 13:14-1.12





A staff member during any period of the NJFLA leave 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 commencement of the leave. A staff member on NJFLA leave may commence part-time employment that shall not exceed half the regularly scheduled hours worked for the school. The staff member may continue the part-time employment that commenced prior to the NJFLA leave at the same number of hours that the staff member was regularly scheduled prior to such leave.

The method to determine the twenty-four month period in which the twelve weeks of NJFLA leave entitlement occurs will be a “rolling” twenty-four month period measured backward from the date a staff member uses any leave.

### E. Types of Leave

#### 1. Federal Family and Medical Leave Act (FMLA)

A staff member may take FMLA leave to include servicemember qualifying exigency leave or military caregiver 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.

- a. Leave for the birth of a son or daughter or placement of a son or daughter with the staff member for adoption or foster care may not be taken by a staff member intermittently or on a reduced leave schedule.
- b. Leave may be taken intermittently or on a reduced leave schedule when medically necessary for planned and/or unanticipated medical treatment of a related serious health condition by or under the supervision of a health care provider, or for recovery from treatment or recovery from a serious health condition.
- c. Intermittent leave means leave scheduled for periods of time from one hour or more to several weeks; however, the total time within which the leave is taken can not exceed a twelve month period for each serious health condition episode. Intermittent leave may be taken for a serious health condition that requires periodic treatment by a health care provider,



rather than one continuous period of time. Intermittent leave may also be taken for absences where the staff member is incapacitated or unable to perform the essential functions of the position because of a serious health condition even if the staff member does not receive treatment by a health care provider. The staff member shall make a reasonable effort to schedule intermittent leave so as not to unduly disrupt the operations of the instructional/educational program.

- d. Reduced leave means leave scheduled for fewer than the staff member's usual number of hours worked per workweek, but not fewer than a staff member's usual number of hours worked per workday, unless otherwise agreed to by the staff member and the school. A staff member is entitled, at the option of the staff member, to take leave on a reduced leave schedule not exceeding twenty-four consecutive weeks. 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 school 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.
- e. The fact that a holiday 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. However, if the staff member is out on Family Leave and the school is closed and the staff member would not be expected to report for work for one or more weeks, the weeks the school is closed for this staff member do not count against the staff member's family leave entitlement.

Any leave 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.



- f. Servicemember qualifying exigency leave may arise out of the foreign deployment of the staff member's spouse, child, or parent 29 CFR §§825.122 and 126:
- (1) The school must grant an eligible staff member up to twelve work weeks of unpaid, job-protected leave during a twelve-month period for qualifying exigencies that arise when the staff member's spouse, child, or parent is on covered active duty, or has been notified of an impending call or order to covered active duty.
  - (2) The military member must be the spouse, son, daughter, or parent, of the staff member taking FMLA exigency leave.
  - (3) FMLA leave can be granted for one or more of the following exigencies:
    - (a) Short-notice deployment:
      - i. Notification of duty seven or less calendar days prior to date of deployment;
      - ii. Leave can be used for a period of seven calendar days beginning on the date the military member is notified.
    - (b) Military events and related activities, including official ceremonies, programs, or events sponsored by the military and related to the covered active duty or call to covered active duty status of the military member; and to attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross.
    - (c) Childcare and school activities including arranging for alternative childcare; providing childcare on an urgent, immediate need basis (not routine, regular, or everyday basis); to enroll in or transfer to a new school or day care facility; or to attend meetings with staff at a school or day care facility:
      - i. The son or daughter must be the son or daughter of the covered servicemember.



- (d) Financial and legal arrangements made to address the military member's absence while on covered active duty or call to covered active duty status.
  - (e) Counseling, provided by someone other than a health care provider for oneself, for the military member, or qualified child, if the need arises from the covered active duty or call to covered active duty status of the military member.
  - (f) Rest and Recuperation (R&R) to spend time with the military member on short-term, temporary R&R leave during a term of deployment:
    - i. Can be used for a period of fifteen calendar days beginning on the date the military member commences each instance of R&R leave.
  - (g) Post-deployment activities such as ceremonies or briefings including any that arise from the death of the military member while on covered active duty.
  - (h) Parental care for one meeting the definition of a "parent" and incapable of self care including: arranging alternative care; providing care on an immediate need basis; and to attend meetings or arrange services at a care facility.
  - (i) Additional activities in accordance with 29 CFR §825.126(b)(9).
- g. Military caregiver leave provides care for a covered servicemember with a serious injury or illness 29 CFR §§825.122 and 127:
- (1) The school must grant up to a total of twenty-six workweeks of unpaid, job-protected leave during a "single twelve-month period" to care for a covered servicemember with a serious injury or illness.
    - (a) The eligible staff member must be the spouse, son, daughter, parent, or next of kin of the covered servicemember.



- (b) The staff member is limited to a combined total of twenty-six workweeks for any FMLA-qualifying reasons during the single twelve-month period. Up to twelve of the twenty-six weeks may be for an FMLA-qualifying reason other than military caregiver leave.
  - (c) Spouses who are eligible for FMLA leave and are employed by the same covered employer may be limited to a combined total of twenty-six workweeks of leave during a single twelve-month period if the leave is taken for birth of the employee's son or daughter or to care for the child after birth, for placement of a son or daughter with the employee for adoption or foster care, or to care for the child after placement, to care for the employee's parent with a serious health condition, or to care for a covered servicemember with a serious injury or illness. If one spouse is ineligible for FMLA leave, the other spouse would be entitled to a full twenty-six workweeks of FMLA leave.
- (2) Leave entitlement is applied on a per-covered-servicemember, per-injury basis.
- (a) The staff member may take an additional twenty-six weeks of leave if the leave is to care for different covered servicemembers or to care for the same servicemember with a subsequent serious injury or illness, except that no more than twenty-six weeks of leave may be taken within any single twelve-month period.
  - (b) An eligible staff member may take military caregiver leave to care for more than one current service member or covered veteran at the same time or for the same family member with the same serious injury or illness both when the family member is a current servicemember and when the family member is a veteran.



- (c) Military caregiver leave may be taken by eligible staff members whose family members are recent veterans with serious injuries or illnesses incurred or aggravated in the line of duty on active duty, and that manifested before or after the veteran left active duty.

### 2. New Jersey Family Leave Act (NJFLA)

A staff member may take NJFLA 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. The school shall not require a staff member to take a leave of absence beyond the period of time the staff member requests family leave. N.J.A.C. 13:14-1.5(f)

- a. In the case of a family member who has a serious health condition, leave may be taken intermittently when medically necessary. The total time within which the leave is taken, can not exceed a twelve-month period for each serious health condition episode. The staff member will provide the school with prior notice of the leave in a manner which is reasonable and practicable; and the staff member shall make 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 school.
- b. Reduced leave means leave scheduled for fewer than the staff member's usual number of hours worked per workweek, but not fewer than a staff member's usual number of hours worked per workday, unless otherwise agreed to by the staff member and the school. A staff member is entitled, at the option of the staff member, to take leave on a reduced leave schedule for a period not exceeding twenty-four consecutive weeks. The staff member is not entitled to take the leave on a reduced leave schedule without an agreement between the staff member and the school if the leave is taken for 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 school 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.

- c. The fact that a holiday 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. However, if the staff member is out on family leave and the school is closed and the staff member would not be expected to report for work for one or more weeks, the weeks the school is closed for this staff member do not count against the staff member's family leave entitlement.

Any leave 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.

### F. Notice

#### 1. Federal Family and Medical Leave Act (FMLA)

- a. **Foreseeable Leave** - A staff member eligible for FMLA leave must give at least a thirty day written advance notice to the Lead Person if the need for the leave is foreseeable based on an expected birth, placement for adoption of foster care, or planned medical treatment for a serious health condition of the staff member or a family member. If thirty days is not practical, the staff member must provide notice "as soon as practicable" which means as soon as both possible and practical, taking into account all the facts and circumstances in the individual case. For foreseeable leave where it is not possible to give as much as thirty days notice "as soon as practical" ordinarily would mean at least verbal notification to the Lead Person within one or two business days or when the need for leave becomes known to the staff member. The written notice shall include the reasons for the leave, the anticipated duration of the leave and the anticipated start of the leave.



When planning medical treatment, the staff member must consult with the Lead Person and make a reasonable effort to schedule the leave so as not to unduly disrupt the educational program, subject to the approval of the health care provider. Staff members are ordinarily expected to consult with the Lead Person prior to scheduling of treatment that would require leave for a schedule that best suits the needs of the school and the staff member.

The school may delay the staff member taking leave for at least thirty days if the staff member fails to give thirty days notice for foreseeable leave with no reasonable excuse for the delay.

- b. Unforeseeable Leave - When the approximate timing of the need for leave is not foreseeable, a staff member should give notice to the Lead Person for leave as soon as practicable under the facts and circumstances of the particular case. It is expected the staff member will give notice to the Lead Person within no more than one or two working days of learning of the need for leave, except in extraordinary circumstances where such notice is not foreseeable. The staff member should provide notice to the employer either in person or by telephone, telegraph, facsimile machine or other electronic means.

### 2. New Jersey Family Leave Act (NJFLA)

- a. Foreseeable Leave - A staff member eligible for NJFLA leave must give at least a thirty day advance written notice to the Lead Person of the need to take family leave except where the need to take family leave is not foreseeable.
  - (1) 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.





- (2) 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 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.
  - (3) When the Lead Person 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 timely notice within two business days of returning to work to have the time considered for family leave in accordance with the Family Leave Act.
- b. Unforeseeable Leave - When the need for leave is not foreseeable, the staff member must provide notice “as soon as practicable” which shall be at least verbal notice to the Lead Person within one or two business 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 Lead Person, but any verbal notice must be followed by written notice delivered within two working days.

### G. Leave Designation

An eligible staff member shall designate FMLA or NJFLA leave upon providing notice of the need for the leave or when the need for leave commences. The Lead Person shall provide the staff member with this Policy to assist the staff member in determining the type of leave.

### H. Benefits

Whether a staff member is required to use sick time or any other accrued leave time concurrent with FMLA or NJFLA leave time will depend upon either the school’s practice or a provision in the school’s collective bargaining agreement, if applicable. 29 CFR §825.100



The Board 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 to work instead of taking the leave. If the staff member was paying all or part of the premium payments prior to the leave, the staff member would continue to pay his/her share during the leave time. Any ten month staff member who is on leave under NJFLA or FMLA at the end of the school year will be provided with any benefits over the summer that the staff member would normally receive if they had been working at the end of the school year.

### I. Returning from Leave

The Federal Family and Medical Leave Act and/or the New Jersey Family Leave Act

A staff member returning from 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 school 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 operation of a bona fide layoff and recall system including a system under any collective bargaining agreement, the staff member shall 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 if the return does not unduly disrupt the instructional program or require the Board to incur the cost of continuing the employment of a substitute under contract.

The Board may, in accordance with the provisions of 29 CFR §825.312 delay restoration of employment of a staff member using FMLA leave for the staff member's serious health condition until the staff member submits a fitness-for-duty examination from his/her health care provider indicating that the staff member is able to resume work. In the event the Board requires such a fitness-for-duty examination before restoration of the staff member after leave, the Board will provide the staff member specific notice either at the time the staff member gives notice of the need for leave or immediately after the leave commences and the staff member advises the Board of the medical circumstances for the leave.



If leave is taken under FMLA, and the staff member does not return to work after the leave expires, the Board is entitled to recover health insurance costs paid while the staff member was on FMLA. The Board's right to recover premiums would not apply if the staff member fails to return to work due to:

1. The continuation, onset or recurrence of a serious health condition of the staff member; or
2. Circumstances beyond the staff member's control.

### J. Ineligible Staff Members

1. Federal Family and Medical Leave Act (FMLA)

The school may deny job restoration after FMLA leave if the staff member is a "key employee" as defined in 29 CFR §825.217 if such denial is necessary to prevent substantial and grievous economic injury to the school or the school may delay restoration to a staff member who fails to provide a fitness for duty certificate to return to work for leave that was the staff member's own serious health condition. A "key employee" is a salaried, staff member who is among the highest paid ten percent of the school staff employed by the school within 75 miles of the worksite. No more than ten percent of the school staff within 75 miles of the worksite may be "key employees."

In the event the Lead Person believes that reinstatement may be denied to a key employee, the Lead Person must give written notice to the staff member at the time the staff member gives notice of the need for leave, or when the need for leave commences, if earlier, that he/she qualifies as a key employee. The key employee must be fully informed of the potential consequences with respect to reinstatement and maintenance of health benefits if the school should determine that substantial and grievous economic injury to the school's operations will result if the staff member is reinstated from leave. The school's notice must explain the basis for the school's finding that substantial and grievous economic injury will result, and if leave has commenced, must provide the staff member a reasonable time in which to return to work. If the staff member on leave does not return to work in response to the notice of intent to deny restoration, the staff member continues to be entitled to maintenance of health insurance.



A key employee's rights under the FMLA continue unless and until the staff member either gives notice that he/she no longer wishes to return to work or the school actually denies reinstatement at the conclusion of the leave period. A staff member is still entitled to request reinstatement at the end of the leave period even if the staff member did not return to work in response to the school's notice. The school will then again determine whether there will be substantial and grievous economic injury from reinstatement based on the facts at that time. If it is determined that substantial and grievous economic injury will result, the school will notify the staff member in writing (in person or by certified mail) of the denial of the restoration.

### 2. New Jersey Family Leave Act

The school 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 staff or one of the seven highest paid employees of the school, whichever is greater, if the denial is necessary to prevent substantial and grievous economic injury to the school's operations. The Lead Person shall notify the staff member of the intent to deny the leave at the time the Lead Person determines the denial is necessary. If the leave has already commenced at the time of the school's notification of denial, the staff member shall be permitted to return to work within ten working days of the date of notification.

### K. Verification of Leave

#### 1. Federal Family and Medical Leave Act (FMLA)

The Board requires a staff member's FMLA leave to care for the staff member's seriously ill spouse, son, daughter, or parent; or for a servicemember's qualifying exigency or serious injury; or for illness due to the staff member's own serious health condition, that makes the staff member unable to perform one or more of the essential functions of the staff member's position, be supported by a certification issued by the health care provider of the staff member or the staff member's ill family member. The medical certification required encompasses both physical and psychological care and includes situations where a family member is unable to care for his/her own basic medical, hygienic, or nutritional needs or safety, or is unable to transport himself/herself to the doctor. It can also include providing psychological comfort and reassurance beneficial to a child,



spouse, or parent with a serious health condition who is receiving inpatient or home care and can include situations where the staff member may be needed to substitute for others who normally care for the family member or covered servicemember or to make arrangements for changes in care. The staff member need not be the only individual or family member available to care for the family member or covered servicemember. 29 CFR §825.124

The certification must meet the requirements of 29 CFR §§825.306, 309, and 310 to include: which part of the definition of “serious health condition” applies; the approximate date the serious health condition commenced and its probable duration; whether it will be necessary for the staff member to take intermittent and/or reduced leave; whether the patient is presently incapacitated and the likely duration and frequency of episodes of incapacity; if additional treatments will be required for the condition; and/or if the patient’s incapacity will be intermittent or will require reduced leave. The 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.

In the event the Lead Person doubts the validity of the certification, in accordance with 29 CFR §825.307, the school may require, at the school’s expense, the staff member obtain an opinion regarding the serious health condition from a second health care provider designated by the school, but not employed on a regular basis by the school. If the second opinion differs from the staff member’s health care provider, the school may require, at the school’s expense, the staff member obtain the opinion of a third health care provider designated by the school or approved jointly, in good faith, by the school and the staff member. The opinion of the third health care provider shall be final and binding on the school and the staff member.

The school may require re-certification pursuant to the requirements of 29 CFR §825.308. In accordance with 29 CFR §825.309, the staff member on leave must provide a written report to the Lead Person every thirty workdays. The report shall include the staff member’s status and intended date to return to work. In the event the staff member’s circumstances change, the staff member must provide reasonable notice to the Lead Person if the staff member intends to return to work on a date sooner than previously noticed to the school. The staff



member is not required to take more leave than necessary to resolve the circumstance that precipitated the need for leave. As a condition of returning to work after the leave for the staff member's own serious health condition, and in accordance with 29 CFR §825.310, the school requires a staff member to provide a certification from their health care provider that the staff member is able to resume work.

In accordance with 29 CFR §825.311, the school may delay the taking of FMLA leave to a staff member who fails to provide certification within fifteen days after being requested to do so by the school. In accordance with 29 CFR §825.312, the school may delay the taking of leave until thirty days after the date the staff member provides notice to the school of foreseeable leave or the school may delay continuation of leave if a staff member fails to provide a requested medical certification in a timely manner.

### 2. New Jersey Family Leave Act

The Board shall require the certification of a duly licensed health care provider verifying the purpose of requested NJFLA 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 Lead Person doubts the validity of the certification for the serious health condition of a family member of the staff member, the school may require, at the school'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 school. If the second opinion differs from the certification the school may require, at the school's expense, that the staff member obtain the opinion of a third health care provider designated or approved jointly by the school and the staff member concerning the serious health condition. The opinion of the third health care provider shall be final and binding on the school and the staff member.



L. Interference with Family Leave Rights

The Federal Family and Medical Leave Act and the New Jersey Family Leave Act prohibit interference with a staff member's rights under the law, and with legal proceedings or inquiries relating to a staff member's rights. Unless permitted by the law, no staff member shall be required to take family leave or to extend family leave beyond the time requested. A staff member shall not be discriminated against for having exercised his/her rights under the Federal Family and Medical Leave Act or the New Jersey Family Leave Act nor discouraged from the use of family leave.

M. Non-Tenured Staff Member

Family leave granted to a nontenured staff member cannot extend the staff member's employment beyond the expiration of his/her employment contract.

N. Record Keeping

In order that staff member's entitlement to FMLA leave and NJFLA leave can be properly determined, the Lead Person shall ensure the keeping of accurate attendance records that distinguish family leave from other kinds of leave. The Lead Person will publish a notice explaining the Act's provisions and provide information concerning the procedures for filing complaints of violations of the FMLA and NJFLA.

O. Processing of Complaints

1. Federal Family and Medical Leave Act (FMLA) 29 CFR §§825.400-401

- a. If there is a dispute between the school and a staff member as to whether leave qualifies as FMLA leave, it should be resolved through discussion between the staff member and the school. Such discussions and the decision shall be documented by the school.
- b. The staff member also may file, or have another person file on his/her behalf, a complaint with the United States Secretary of Labor. A complaint may be filed in person, by mail, or by telephone with the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, at any local office of the Wage and Hour Division.



2. New Jersey Family Leave Act N.J.A.C. 13:14-1.16
  - a. Any complaint alleging a violation of the Act shall be processed in the same manner as a complaint filed under the terms of N.J.S.A. 10:5-1 et seq. and N.J.A.C. 13:4 through the New Jersey Department of Law and Public Safety, Division on Civil Rights.

Implementation of FMLA and NJFLA will be consistent with provisions in collective bargaining agreement(s) in the school.

29 CFR §825 et seq.

29 CFR §785

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

N.J.A.C. 13:14-1 et seq.

Adopted: 17 May 2018





### 4431.3 NEW JERSEY'S FAMILY LEAVE INSURANCE PROGRAM

Board of Trustees employees are eligible to apply for benefits under New Jersey's Family Leave Insurance Program administered by the State of New Jersey – Department of Labor and Workforce Development. New Jersey's Family Leave Insurance Program (NJFLI) may provide up to six weeks of family leave insurance benefits payable to covered employees from either the New Jersey State Plan or an approved employer-provided private plan.

A benefit provided through the NJFLI will be for the employee to bond with a child during the first twelve months after the child's birth, if the covered individual or the domestic partner or civil union partner of the covered individual is a biological parent of the child, or the first twelve months after the placement of the child for adoption with the covered individual. An employee who intends to apply to the State of New Jersey for benefits under this provision of the NJFLI must provide the Lead Person written notice thirty calendar days prior to beginning the leave. Failure to provide this thirty-day notice may result in a reduction in the employee's maximum family leave insurance benefits. Intermittent leave to bond with a newborn or newly adopted child must be agreed to by the Lead Person and the employee and, if agreed to, must be taken in periods of seven days or more.

A benefit provided through the NJFLI will also be to care for a family member with a serious health condition supported by a certification provided by a health care provider. An employee who intends to apply to the State of New Jersey for benefits under this provision of the NJFLI for consecutive leave must provide the school reasonable and practical notice unless the time of the leave is unexpected or the time of the leave changes for unforeseen reasons. An employee who intends to apply for benefits under this provision of the NJFLI for intermittent leave must provide the school with a written notice at least fifteen calendar days prior to beginning the leave.

For the purposes of this Policy, "family member" means a child, spouse, domestic partner, civil union partner, or parent of a covered individual. "Child" means a biological, adopted, or foster child, stepchild, or legal ward of a covered individual, child of a domestic partner of the covered individual, or child of a civil union partner of the covered individual, who is less than nineteen years of age or is nineteen years of age or older but incapable of self-care because of mental or physical impairment.



# POLICY

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New Jersey's Family Leave Insurance Program

All applications for benefits under the NJFLI must be filed directly with the State of New Jersey – Department of Labor and Workforce Development. The eligibility requirements, wage requirements, benefit duration and amounts, and benefit limitations shall be in accordance with the provisions of the NJFLI as administered by the State of New Jersey – Department of Labor and Workforce Development. A formal appeal may be submitted to the State of New Jersey – Department of Labor and Workforce Development if an employee or the Board disagrees with a determination on a claim.

The NJFLI provides eligible individuals a monetary benefit and not a leave benefit. In addition, the school administrative and related staff will comply with the State of New Jersey - Department of Labor and Workforce Development requests for information in accordance with the provisions of N.J.A.C. 12:21-3.9.

The Board may elect to provide employees with Family Leave Insurance benefits coverage under a private plan which must be approved by the State of New Jersey – Department of Labor and Workforce Development.

A printed notification of covered individuals' rights relative to the receipt of benefits under the NJFLI will be posted in each of the school worksites and in a place or places accessible to all employees at the worksite. Each employee shall receive a copy of this notification in writing at the time of the employee's hiring, whenever the employee provides written notice to the Lead Person of their intention to apply for benefits under the NJFLI, or at any time upon the first request of the employee. The written notification may be transmitted to the employee in electronic form.

N.J.S.A. 43:21-25 et seq.

N.J.A.C. 12:21-1.1 et seq.

Adopted: 17 May 2018



### 4432 SICK LEAVE

The Board of Trustees shall grant sick leave, in accordance with law, to support staff members absent from work because of personal disability or quarantine. Each steadily employed employee eligible for sick leave will be entitled annually to the number of paid sick leave days negotiated with the employee's majority representative or provided in this policy or in an individual contract with the Board.

The Board reserves the right to require of any employee who claims sick leave sufficient proof, including a physician's certification, of the employee's illness or disability. As a minimum, no day will be considered to be a sick leave day on which the employee has engaged in or prepared for other gainful employment, has participated in a work stoppage, or has engaged in any activity that would raise doubts regarding the validity of the sick leave request.

The Lead Person will prepare rules for the administration of the Board's policy on sick leave, which shall be binding on all employees.

The Lead Person will submit to the Board the names of those employees absent for non-compensable cause or whose claim for sick leave pay cannot be justified. The willful misuse of sick leave will be considered a serious infraction and is subject to discipline.

29 U.S.C. 2601 et seq.

N.J.S.A. 18A:30-1 et seq.

Adopted: 17 May 2018



## 4433 VACATIONS

The Board of Trustees believes that it is beneficial to the school that persons employed to work twelve months a year be given periodic relief from the responsibilities of their position without loss of compensation.

The Board reserves the right to determine the conditions under which vacation time may be taken when not otherwise covered by the terms of a negotiated agreement or in an individual contract with the Board.

N.J.S.A. 18A:30-7

Adopted: 17 May 2018



# POLICY

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Holidays

### 4434 HOLIDAYS

The Board of Trustees will compensate support staff members for holidays in accordance with the holiday provisions of current valid negotiated contracts.

Compensation for holidays for non-association/non-union represented support staff members will be determined by the Board on an annual basis.

N.J.S.A. 36:1-1

Adopted: 17 May 2018



### 4435 ANTICIPATED DISABILITY

The Board of Trustees shall provide for leaves of absence, in accordance with law and the policies of this Board, for any employee of this school not otherwise covered by the terms of the negotiated agreement whose absence from duties will be required for a foreseeable event of disability such as childbirth or surgery.

An employee who anticipates disability shall so notify the Lead Person 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 parturition, 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 parturition, 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 at times that ensure continuity in school operations. Whenever possible, partial year leaves of absence will begin and end at divisions in the academic calendar and will cause not more than one interruption in employment continuity during the school year in which the leave is taken. 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.

42 U.S.C.A. 2000e-2(a)

29 C.F.R. 1604-1 et seq.

N.J.S.A. 10:5-12(a)

N.J.S.A. 18A:6-6; 18A:16-2; 18A:30-1 et seq.

Adopted: 17 May 2018



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Personal Leave

### 4436 PERSONAL LEAVE

The Board of Trustees will provide for an employee's compensated absence for reason of personal necessity not covered by the terms of a negotiated agreement or in an individual contract with the Board.

The Board reserves the right to determine the reasons for which personal leave will be granted, the number of days that may be used in any one school year for personal leave, and the manner of proof of personal necessity.

N.J.S.A. 18A:30-7

Adopted: 17 May 2018



### 4437 MILITARY LEAVE

The Board of Trustees recognizes that military service rendered by any school employee in the defense of the country or in maintaining preparedness for conflict, foreign or domestic, is a service benefiting all citizens. A permanent or full-time temporary officer and/or employee of the school will be provided military leave and related benefits pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Section 4301 et seq., P.L. 2001 Chapter 351 amending N.J.S.A. 38:23-1, N.J.S.A. 38A:1-1 and N.J.S.A. 38A:4-4., and any other applicable Federal and State laws.

A permanent or full-time temporary officer or employee of the school who is a member of the organized militia of New Jersey (New Jersey National Guard, New Jersey Naval Militia Joint Command) shall be entitled, in addition to pay received, if any, as a member of the organized militia, to a leave of absence from his or her respective duties without loss of pay or time on all days during which he or she shall be engaged in any period of State or Federal active duty; provided, however, that the leave of absence for Federal active duty or active duty for training shall not exceed ninety work days in the aggregate in any calendar year. Any leave of absence for such duty in excess of ninety work days shall be without pay, but without loss of time. Such leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. A full-time temporary officer or employee who has served under such temporary appointment for less than one year in the school shall receive this leave without pay, but without loss of time.

A permanent or full-time temporary officer or employee of the school who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve, or United States Marine Corps Reserve, or other organization affiliated therewith, including the National Guard of other States, shall be entitled, in addition to pay received, if any, as a member of a reserve component of the Armed Forces of the United States, to a leave of absence from his or her respective duty without loss of pay or time on all work days on which he or she shall be engaged in any period of Federal active duty, provided, however, that such leave of absence shall not exceed thirty work days in any calendar year. Such leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. Any leave of absence for such duty in excess of thirty work days shall be without pay, but without loss of time. A full-time temporary officer or employee who has served under such temporary appointment for less than one year in the school shall receive this leave without pay, but without loss of time.

Military leave with pay is not authorized for Inactive Duty Training (IDT) as defined in N.J.A.C. 5A:2-2.1.





# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

SUPPORT STAFF MEMBERS

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Military Leave

The school will provide benefits and rights for staff on military leave as required by Federal and State laws.

Pursuant to N.J.S.A. 52:13H-2.1, in accordance with the provisions of Article VIII, Section II, paragraph 5 of the New Jersey Constitution, upon application by the school to the State Treasury and approval of the application by the Director of the Division of Budget and Accounting, reimbursement shall be made by the State of New Jersey for any costs incurred as a result of the provisions of P.L. 2001, Chapter 351.

N.J.S.A. 18A:6-33; 18A:29-11

N.J.S.A. 38:23-1 et seq.; 38A:1-1; 38A:4-4; 52:13H-2.1

N.J.A.C. 5A:2-2.1

Uniformed Services Employment and Reemployment Rights Act  
(USERRA), 38 U.S.C. Section 4301 et seq.

Adopted: 17 May 2018



## 4438 JURY DUTY

The Board of Trustees will indemnify all full-time employees against loss of pay incurred by a call to jury duty. No employee will be penalized in any way for an absence caused by service on a panel of grand or petit jurors. The time any such employee is absent will not be charged against personal leave and will count toward school service.

A full-time employee who is absent from their school duties while on jury duty for any court of New Jersey, any court of any other State, any Federal district court, or in the U.S. District Court for New Jersey will receive their usual compensation from the school for each day the support staff member is present for jury duty.

An employee summoned to jury duty shall promptly report the summons to his/her immediate supervisor.

On return from jury duty, the employee must submit to his/her immediate supervisor a court record of the number of days served on jury duty.

While on jury duty, an employee must report daily to his/her supervisor the schedule for the following day and must report to work when he/she is excused from jury duty for half a day or more or suffer loss of pay.

N.J.S.A. 2B:20-1 et seq.; 2B:20-16

Adopted: 17 May 2018



## 5000 STUDENTS

Number	<u>Title</u>
5111	Admissions (M)
5114	Children Displaced by Domestic Violence
5116	Education of Homeless Children
5120	Assignment of Students (M)
5130	Withdrawal From School (M)
5200	Attendance (M)
5230	Late Arrival and Early Dismissal
5240	Tardiness
5250	Excusal from Class or Program
5300	Automated External Defibrillators (AEDs) (M)
5305	Health Services Personnel
5307	Nursing Services Plan (M)
5308	Student Health Records (M)
5310	Health Services (M)
5320	Immunization
5330	Administration of Medication (M)
5330.01	Administration of Medical Marijuana (M)
5331	Management of Life-Threatening Allergies in School (M)
5332	Do Not Resuscitate Orders (M)
5335	Treatment of Asthma (M)
5337	Service Animals
5338	Diabetes Management (M)
5339	Screening for Dyslexia (M)
5350	Student Suicide Prevention (M)
5410	Promotion and Retention (M)
5411	Promotion from Eighth Grade
5420	Reporting Student Progress (M)
5440	Honoring Student Achievement
5500	Expectations for Student Conduct (M)
5511	Dress and Grooming
5512	Harassment, Intimidation, and Bullying (M)
5513	Care of School Property (M)
5516	Use of Electronic Communication and Recording Devices (ECRD) (M)
5516.01	Student Tracking Devices
5519	Dating Violence at School (M)
5520	Disorder and Demonstration



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

STUDENTS  
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<u>Number</u>	<u>Title</u>
5530	Substance Abuse (M)
5533	Student Smoking (M)
5550	Disaffected Students (M)
5560	Disruptive Students (M)
5561	Use of Physical Restraint and Seclusion Techniques for Students with Disabilities (M)
5570	Sportsmanship
5600	Student Discipline/Code of Conduct (M)
5610	Suspension (M)
5611	Removal of Students for Firearms Offenses (M)
5612	Assaults on School Board of Trustees Members or Employees (M)
5613	Removal of Students for Assaults with Weapons Offenses (M)
5615	Suspected Gang Activity
5620	Expulsion/Return to Home School District (M)
5700	Student Rights
5701	Plagiarism
5710	Student Grievance
5721	Independent Publications
5750	Equal Educational Opportunity (M)
5751	Sexual Harassment (M)
5752	Marital Status and Pregnancy (M)
5755	Equity in Educational Programs and Services (M)
5756	Transgender Students
5770	Student Right of Privacy
5820	Student Government
5830	Student Fund Raising
5841	Secret Societies
5842	Equal Access of Student Organizations
5850	Social Events and Class Trips
5880	Public Performances by Students



## 5111 ADMISSIONS

### Introduction

This document describes the process for completing Classical Academy Charter School enrollment counts. It includes instructions for verifying student registration in their local school, maintaining student attendance records in the online School Register, and performing the four quarterly enrollment counts.

It also describes the process for incorporating revised revenue information into the budget.

### Required Forms

This procedure refers to the following hardcopy and online forms used to facilitate this process:

- School registration form;
- Registration checklist;
- Transfer card;
- Lottery ticket (as needed);
- Lottery receipt (as needed);
- Notification letter to districts;
- Student enrollment list district;
- Attendance form;
- Online school attendance register.

### Completion of Charter School Registration

All students enrolling in Classical Academy Charter School must complete a Classical Academy Charter School Registration Form. A separate form is needed for each student in a family.

The following verifications are required to complete this form:

- Verification of address;
- Proof of guardianship;
- Immunization record or letter of exemption for religious reasons.



The registration for the forthcoming school year must be completed by June 1. Registrations received after that date may not be included in the initial count.

### Verification of Address

All registrations require three forms of verification of address. The following are acceptable forms of address verification:

- Utility bill;
- Bank statement;
- Tax return;
- Lease;
- Mortgage.

The registration clerk must initial the Proof of Residency item at the bottom of the registration form to indicate verification of address.

### Immunization Records

All students must have current immunization records, or a letter of exemption, to be eligible for registration.

Records which appear incomplete must be submitted to the school nurse for evaluation.

Upon receipt of a complete immunization record, the registration clerk must initial the Immunization Record item at the bottom of the registration form.

### Verification of Registration in Resident District

All students registering Classical Academy Charter School must be registered in their resident district before they are eligible to attend the school. Students may register for the lottery and be awarded tentative spots in the school pending completion of their district of residence registration in accordance with resident district procedures. However, no student may attend the charter school if they have not satisfied all requirements for district of residence registration.

Resident districts are required to accept upon submission registrations for students who are registering for the charter school.



Acceptable proofs of district registration include:

- Transfer card signed by a district administrator;
- Current report card;
- Official communication from resident district attesting to registration of student.

The registration clerk must initial the Enrolled in Local District item at the bottom of the registration form when applicable.

Note that the resident district registration will be confirmed again at the submission of the charter school enrollment date to the resident district.

### Proof of Guardianship

Only the legal guardian of a student may enroll the student in the school. Relatives, who do not possess legal guardianship, are not eligible to do this.

Acceptable proofs of guardianship are:

- Original birth certificate (with raised seal);
- Court Order awarding custody to the guardian;
- Current tax forms showing the student listed as a dependent.

The registration clerk must initial the Proof of Guardianship item at the bottom of the registration form.

### Transportation Form

Transportation arrangements are made based on registration information provided by the charter school. All transportation arrangements are determined by the resident district.

There is no need for a separate transportation form to be completed by applicants.



### Lottery Numbers

If a lottery is required, lottery numbers should be pre-printed, numbered labels that come in groups of three. Labels are affixed as follows:

- One to the lottery receipt;
- One to the lottery ticket;
- One to the registration form.

Each registered student receives a numbered lottery receipt, signed by the registration clerk. A matching lottery ticket is completed and kept by the school. In addition, the student's registration is tagged with the matching lottery number.

### Registration Checklist

The registration checklist is both an aid to the registration clerk to ensure that all necessary steps are completed and a way to confirm that registrants are fully informed about the lottery rules.

The registration clerk completes a registration checklist for every single registration that will be a part of the enrollment lottery.

Upon acceptance, parent(s) or legal guardian(s) must complete and sign the Enrollment Acceptance Form. Only with completion of the form can a student be admitted.

### Entry of Students into Online Register

Once students have been selected for admission, they complete a Student Information Form which includes information on their ethnicity and other information required by NJSMART. Information from this form and the registration form are entered into the online register. This data will provide the registration lists that go to resident districts, as well populate the online tables used for keeping attendance.

Consult the Student Information System manual for data entry instructions.

### Performing Enrollment Counts

Enrollment counts are performed three times a year:

- June 1 (for forthcoming school year);
- October 15;
- Last day of school.

In addition, a January 15 estimated count is prepared for the following year.





Enrollment data is submitted to all sending districts for those students enrolled from that district. This data must include the following:

- Student name;
- Date of birth;
- Grade;
- Address;
- Assigned district school;
- Indication of new records.

Reports to print these lists are provided within the Online Student Register.

A separate list must be printed for each district and faxed with the standard cover letter as per the schedule specified by the New Jersey Department of Education. These lists include all students registered from the district as of the current count date listed above.

### New Students

Students appearing in the registration list for the first time must be marked as new records with an "X" in the New Record field.

For all districts for which there are new records, a follow-up phone call is necessary to confirm receipt of the information and to verify that the new students appear in the district's enrollment records.

### Withdrawn Students

Withdrawn students are not included in the list sent to the districts. Their withdrawal date is noted in the Online Student Register, and the number of days attended for the current year (up to their withdrawal) is calculated.

The withdrawal date is considered the date on which Classical Academy Charter School receives a signed transfer card from the parent(s) or legal guardian(s), officially removing the student from the school.

### Maintenance of District Enrollment Lists and Department of Education (DOE) Final Reports

District enrollment lists as sent to the resident districts are maintained in the Business office.



### Entry of Student in the Charter School Enrollment System (C.S.E.S)

Note: Consult the Charter School Enrollment System Technical manual for detailed instructions for entering student data. The manual is located in the Executive Director's office.

Only students who are new to Classical Academy Charter School, or who have changed resident districts, are added to the C.S.E.S. database.

Students with changes to the free lunch status or special services or who withdraw from Classical Academy Charter School, require changing in the DOE-Net database.

Once student data is entered and updated for all districts, it must be verified against the school records. This is done by scrolling through all records for the district with the printed register for reference.

### Withdrawn Students

Students who have withdrawn from Classical Academy Charter School since the previous enrollment count require two entries in the C.S.E.S:

- Mark student record for deletion;
- The number of days enrolled in the Enrolled Days field.

Enrolled days are calculated by subtracting the number of days between the student's withdrawal and the count date from the total number of possible enrolled days for the current session.

Be sure to consider the school calendar when determining Enrolled Days. For example, if there were a total of ninety-nine session days up to and including February 15, and the student withdrew effective February 11, the number of enrolled days would be ninety-six, not ninety-five. This is because February 14 is a vacation day in the current school calendar.

Similarly, consider snow closing days, they should not be counted as possible enrolled days.

### Following up with Districts to Resolve Discrepancies

Once Classical Academy Charter School has finished entering its date, the resident districts provide school code entries for all new students from their district.

If the districts fail to do this, or if there are discrepancies between the charter school records and the district records, these codes may not have been entered.



The New Jersey Department of Education provides a report that documents student records for which there are no school codes, or for which there is a dispute about their residency. This report is entitled Registered Student with 000 or 999 Assigned School District Code.

The charter school must follow up for each student listed on this report to determine with the district the cause of the discrepancy. The most common causes for these discrepancies include:

- Student no longer resides in district and never informed Classical Academy Charter School;
- Student is new to district and records in the district are not current;
- Human error.

The charter school must provide confirmation of residency for the disputed students as well as a copy of the transfer card or other document used to determine enrollment in the resident district.

In cases where students have moved numerous times over a short period, it is likely that the guardian did not enroll the student in all the local districts in a timely way. The school must work closely with each district to resolve such questions, recognizing that the guardian may not have followed all proper procedures.

## Student Attendance Procedures

Student attendance records must be maintained on a daily basis in the Online School Register.

Consult the Student Information System Daily Attendance documentation for detailed data entry procedures.

## Attendance Forms

Teachers record daily attendance on printed Attendance Forms. (Teachers also use these forms to records lunch orders and payments)

Completed Attendance Forms are brought to the office by 10:00 a.m. Students arriving after then must be recorded on the forms by office staff when they sign in.

Attendance forms are maintained in monthly binders as the backup to the electronic register.

## Attendance Entry

Office staff record student attendance in the online register, using the information provided on the Attendance Forms.

Adopted: 17 May 2018



## 5114 CHILDREN DISPLACED BY DOMESTIC VIOLENCE

The Board of Trustees will cooperate with the County Office of Education, as appropriate and feasible, in the education of children temporarily displaced by domestic violence. Any student attending this school, whether regularly enrolled in this or another school, who has been admitted to a shelter for victims of domestic violence will be permitted and encouraged to continue an appropriate educational program with minimal disruption.

The Board will cooperate with other educational institutions in the sharing of pertinent student records and in the establishment of sending-receiving relationships on behalf of displaced children. The confidentiality of all matters concerning displaced children will be strictly observed, and no information regarding the present residence of the child will be released.

N.J.S.A. 18A:38-1 et seq.

Adopted: 17 May 2018



5116 EDUCATION OF HOMELESS CHILDREN

The student's sending district shall be responsible for the educational program of the homeless student.

N.J.A.C. 6A:17-2.1 et seq.

Adopted: 17 May 2018



## 5120 ASSIGNMENT OF STUDENTS

The Board of Trustees directs the assignment of students to the programs and classes of this school consistent with the best interests of students and the best uses of the resources of the school.

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

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

In accordance with the provisions of N.J.S.A. 18A:36-38.(2)(b), a Lead Person may, after consultation with the students' parent and teachers at the end of the initial grading period, request the Board make a different classroom placement determination for the twins or higher order multiples if the initial classroom placement is determined to be disruptive to any of the students in the class or classes, or if the Lead Person concludes the initial placement does not sufficiently support the students' academic or social development. Upon receiving such request, the Board shall make a final classroom placement determination.

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

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

Adopted: 17 May 2018



## 5130 WITHDRAWAL FROM SCHOOL

A student who withdraws from this Charter School and attends another school or returns to the sending school district will be provided a transfer card upon their withdrawal to be given to the sending district.

Adopted: 17 May 2018



## 5200 ATTENDANCE

In accordance with the provisions of N.J.S.A. 18A:38-25, every parent, guardian, or other person having control and custody of a child between the ages of six and sixteen shall cause the child to regularly attend school. The Board of Trustees requires students enrolled in the school to attend school regularly in accordance with the laws of the State.

In accordance with the provisions of N.J.A.C. 6A:16-7.6 and for the purposes of this Policy and Regulation 5200, a student's absence from school will be excused or unexcused that counts toward truancy.

Students that are absent from school for any reason are responsible for the completion of assignments missed because of their absence. A student who is absent from school for observing a religious holiday shall not be deprived of any award, eligibility, or opportunity to compete for any award, or deprived of the right to take an alternate test or examination that was missed because of the absence provided there is a written excuse of such absence signed by the parent.

Prolonged or repeated absences, excused or unexcused, from school or from class, deprive students of the educational and classroom experiences deemed essential to learning and may result in retention at grade level.

Students shall be subjected to the school's response for unexcused absences that count toward truancy during the school year as outlined in N.J.A.C. 6A:16-7.6(a)4 and Regulation 5200.

Unexcused absences from school or from classes within the school day may subject a student to consequences that may include the denial of a student's participation in co-curricular activities and/or athletic competition. Repeated absences from school interfere with efforts of this Board and its staff in the maintenance of good order and the continuity of classroom instruction and such absences may result in the removal of the student from a class or course of study.

The Lead Person shall calculate and monitor the average daily attendance rate for the school. Whenever the average daily attendance rate does not meet the New Jersey Department of Education requirements the Lead Person or designee shall develop a school improvement plan to improve student attendance pursuant to N.J.A.C. 6A:30-5.2.

N.J.S.A. 18A:36-14; 18A:38-25  
N.J.S.A. 34:2-21.1 et seq.  
N.J.A.C. 6A:16-7.6; 6A:32-8.3

Adopted: 17 May 2018





### 5230 LATE ARRIVAL AND EARLY DISMISSAL

The Board of Trustees requires that students be in attendance for the full school day in order to benefit from the instructional program. That requirement will be waived only when compelling circumstances require that a student be late to school or dismissed from school before the end of the school day.

The Principal may excuse for cause the late arrival and early dismissal of a student on the prior written request of the student's parent(s) or legal guardian(s). Good cause may include, but need not be limited to, medical and dental appointments that cannot be scheduled outside the school day, medical disability, a motor vehicle driver's test, interviews for college entrance or employment, and court appearances.

No student under the age of sixteen will be permitted to leave the school before the end of the school day except in the presence of the student's parent(s) or legal guardian(s), or an agent of the parent(s) or legal guardian(s) who has written authorization, or in the custody of agents of the State acting in their legal capacity.

The Principal shall maintain a record of the parent(s) or legal guardian(s) of each student. If one parent has been assigned custody of the student by court order or separation agreement and wishes to limit the noncustodial parent's access to the student, the parent in custody must inform the Principal of any such limitation and may request that his/her authorization be required before the noncustodial parent is granted access. In the absence of such notice, the Principal will presume that a student may be released into the care of either parent.

A student who suffers an incapacitating medical disability will be released from school only in the presence of an adult.

Adopted: 17 May 2018



## 5240 TARDINESS

The Board of Trustees believes that promptness is an important element of school attendance. Students who are late to school or to class miss essential portions of the instructional program and create disruptions in the academic process for themselves and other students.

Tardiness to school or class that is caused by a student's illness, an emergency in the student's family, the observance of a religious holiday, a death in the student's family, or by the student's compliance with a request or directive of an administrator will be considered justified and is excused. All other incidents of tardiness will be considered unexcused.

Three instances of unexcused tardiness will equal one unexcused absence for the purpose of calculating unexcused absences for application of Board Policy No. 5410 on promotion.

A student who develops a pattern of tardiness, excused or unexcused, will be offered counseling with an appropriate staff member to determine the cause of the tardiness.

N.J.S.A. 18A:36-14; 18A:36-15; 18A:36-25 et seq.

Adopted: 17 May 2018



### 5250 EXCUSAL FROM CLASS OR PROGRAM

The Board of Trustees directs that a student be excused from any part of the instructions in health education, family life education, sex education, or instruction that includes dissection of animals that the parent(s) or legal guardian(s) of the student or the adult student finds morally, conscientiously, or religiously offensive. A request for excusal must be presented in a signed statement and submitted to the Principal.

An excused student shall be assigned to an alternate program of independent study on a substitute topic within the health education, family life education, or sex education program. The parent's or legal guardian's right of excusal applies to any alternate program as well.

No excused student will be penalized by loss of credit as a result of his/her excusal, but a student will be held accountable for successful completion of any alternate program assigned.

N.J.S.A. 18A:35-4.7

Adopted: 17 May 2018



## 5300 AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)

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 lay persons without any training to provide defibrillation within the first minutes of cardiac arrest thereby increasing the victim's chances of survival. In accordance with N.J.S.A. 18A:40-41.a, the Board of Trustees shall ensure the school has an AED as defined in N.J.S.A. 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 students of the school 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 N.J.S.A. 2A:62A-25.a. The school shall be deemed to be in compliance with N.J.S.A. 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 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 N.J.S.A. 2A:62A-25.b and c.

The school and its employees shall be immune from civil liability in the acquisition and use of AEDs pursuant to the provisions of N.J.S.A. 2A:62A-27.

In accordance with the provisions of N.J.S.A. 18A:40-41.b, the Lead Person or designee shall establish and implement an Emergency Action Plan applicable to the school 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 N.J.S.A. 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. The Emergency



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## CLASSICAL ACADEMY CHARTER SCHOOL

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Automated External Defibrillators (AEDs)

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.

N.J.S.A. 18A:40-41.a; 18A:40-41.b

Adopted: 17 May 2018



### 5305 HEALTH SERVICES PERSONNEL

The Board of Trustees shall appoint at least one school physician pursuant to N.J.S.A. 18A:40-1. The Board may appoint a lead school physician to serve as health services director if more than one school physician is required. The school physician shall be currently licensed by the New Jersey Board of Medical Examiners in medicine or osteopathy whose training and scope of practice includes child and adolescent health and development. The school shall conduct a criminal history background check on any physician before entering into an agreement for delivery of services.

The school physician shall provide, at a minimum, the following services:

1. Consultation in the development and implementation of school policies, procedures, and mechanisms related to health, safety, and medical emergencies pursuant to N.J.A.C. 6A:16-2.1(a);
2. Consultation to school medical staff regarding the delivery of school health services, which includes special health care needs of technology-supported and medically fragile children, including students covered by 20 U.S.C. § 1400 et seq., Individuals with Disabilities Education Improvement Act;
3. Physical examinations conducted in the school physician's office or other comparably equipped facility for students who do not have a medical home or whose parent has identified the school as the medical home for the purpose of a sports physical examination;
4. Provision of written notification to the parent stating approval or disapproval of the student's participation in athletics based upon the medical report;
5. Direction for professional duties of other medical staff;
6. Written standing orders that shall be reviewed and reissued before the beginning of each school year;
7. Establishment of standards of care for emergency situations and medically-related care involving students and school staff;
8. Assistance to the certified school nurse or non-certified nurse in conducting health screenings of students and staff and assistance with the delivery of school health services;



9. Review, as needed, of reports and orders from a student's medical home regarding student health concerns;
10. Authorization of tuberculin testing for conditions outlined in N.J.A.C. 6A:16-2.2(c);
11. Review, approval, or denial with reasons of a medical home determination of a student's anticipated confinement and resulting need for home instruction; and
12. Consultation with the school certified school nurse(s) to obtain input for the development of the school nursing services plan pursuant to N.J.A.C. 6A:16-2.1(b).

The Board shall employ a certified school nurse to provide nursing services while school is in session pursuant to N.J.S.A. 18A:40-1 and 3.3. The certified school nurse shall work under the direction of the school physician and Lead Person.

The certified school nurse shall possess a standard educational certificate with a school nurse endorsement or school nurse/non-instructional endorsement pursuant to N.J.A.C. 6A:9B-14.3 or 14.4. The certified school nurse shall possess a current New Jersey registered professional nurse license issued by the New Jersey State Board of Nursing; a bachelor's degree from a regionally accredited college or university; a current Cardiopulmonary Resuscitation (CPR) and Automated External Defibrillators (AED) certification as issued by the American Heart Association, the American Red Cross, the National Safety Council, or other entities determined by the Department of Health to comply with the American Heart Association's CPR guidelines.

The certified school nurse shall complete training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards including, but not limited to, those of the National Institutes of Health and the American Academy of Allergy, Asthma, and Immunology.

The role of the certified school nurse shall include, but not be limited to:

1. Carrying out written orders of the medical home and standing orders of the school physician;
2. Conducting health screenings which include height, weight, blood pressure, hearing, vision, and scoliosis pursuant to N.J.A.C. 6A:16-2.2 and monitoring vital signs and general health status for emergent issues for students suspected of being under the influence of alcohol and controlled dangerous substances pursuant to N.J.S.A. 18A:40-4 and 12;



3. Maintaining student health records, pursuant to N.J.S.A. 18A:40-4 and N.J.A.C. 6A:16-2.4;
4. Recommending to the school Principal students who shall not be admitted to or retained in the school building based on a parent's failure to provide evidence of the child's immunization according to the schedules specified in N.J.A.C. 8:57-4;
5. Annually reviewing student immunization records to confirm with the medical home that the medical condition for the exemption from immunization continues to be applicable, pursuant to N.J.A.C. 8:57-4.3;
6. Recommending to the school Principal exclusion of students who show evidence of communicable disease, pursuant to N.J.S.A. 18A:40-7, 8, and 10;
7. Directing and supervising the emergency administration of epinephrine and glucagon, and training school staff designated to serve as delegates, pursuant to N.J.S.A. 18A:40-12.6 and 12.14;
8. Administering asthma medication through use of a nebulizer;
9. Directing and supervising the health services activities of any school staff to whom the certified school nurse has delegated a nursing task;
10. Providing classroom instruction in areas related to health pursuant to N.J.A.C. 6A:9B-14.3;
11. Reviewing and summarizing available health and medical information regarding the student and transmitting a summary of relevant health and medical information to the Child Study Team for the meeting pursuant to N.J.A.C. 6A:14-3.4(h);
12. Writing and updating, at least annually, the individualized health care plan and the individualized emergency healthcare plan for students' medical needs and instructing staff as appropriate;
13. Writing and updating, at least annually, any written healthcare provisions required under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a), for any student who requires them;
14. Assisting in the development of and implementing healthcare procedures for students in the event of an emergency;





15. Instructing teachers on communicable disease and other health concerns, pursuant to N.J.S.A. 18A:40-3; and
16. Providing other nursing services consistent with the nurse's educational services certification endorsement as a school nurse issued by the State Board of Examiners and current license approved by the State Board of Nursing.

A certified school nurse who possesses the school nurse/non-instructional certificate is not authorized to teach in areas related to health pursuant to N.J.A.C. 6A:9B-14.4.

The Board may appoint a non-certified nurse under the supervision of a certified school nurse to supplement the services of a certified school nurse in accordance with the provisions of N.J.A.C. 6A:16-2.3(c). The non-certified nurse shall be assigned to the same school building or complex as the certified school nurse pursuant to N.J.S.A. 18A:40-3.3(a) and is limited to providing services only as permitted under the non-certified nurse's license issued by the State Board of Nursing.

N.J.A.C. 6A:9B-14.3; 6A:9B-14.4; 6A:16-2.3

Adopted: 17 May 2018



## 5307 NURSING SERVICES PLAN

The Board of Trustees shall annually adopt the school's Nursing Services Plan at a regular meeting and submit it to the Executive County Superintendent of Education for review and approval.

The Lead Person, or designee, shall develop the Nursing Services Plan in consultation with the school physician and certified school nurse.

The Nursing Services Plan shall include a description of the basic nursing services to be provided to all students and a summary of the specific medical needs of individual students, if any, and the nursing services required to address those needs. The Nursing Services Plan shall also include a description of how nursing services will be provided in emergency situations, detailed nursing assignments sufficient to provide the services to students in the school building as outlined in N.J.A.C. 6A:16-2.3(b) through (d), and nursing services and additional medical services provided to nonpublic schools pursuant to N.J.A.C. 6A:16-2.5.

The Board, in its determination of the number of certified school nurses and non-certified nurses needed to perform all of the required services as outlined in N.J.A.C. 6A:16 et seq. shall consider: the geographic size including the location of school buildings; the general and special education enrollment; the number of children with medical involvement and extent of nursing services required; the requirement that non-certified nurses be assigned to the same school building or school complex as the supervising certified school nurse to ensure that the certified school nurse can provide required supervision pursuant to N.J.A.C. 6A:16-2.3(b) and (d) and N.J.S.A. 18A:40-3.3; and nursing services and additional medical services provided to nonpublic schools pursuant to N.J.A.C. 6A:16-2.5.

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

Adopted: 17 May 2018



## 5308 STUDENT HEALTH RECORDS

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

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

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

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

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

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



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Student Health Records

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

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

Adopted: 17 May 2018



## 5310 HEALTH SERVICES

The Board of Trustees shall develop and adopt the following written policies, procedures, and mechanisms in accordance with N.J.A.C. 6A:16-2.1(a) for the provision of health, safety, and medical emergency services, and shall ensure staff are informed as appropriate:

1. The review of immunization records for completeness pursuant to N.J.A.C. 8:57-4.1 through 4.20 (Policy and Regulation 5320);
2. The administration of medication to students in the school setting in accordance with N.J.A.C. 6A:16-2.1(a)2. (Policy and Regulation 5330);
3. The review of Do Not Resuscitate (DNR) orders received from the student's parent or medical home (Policy 5332);
4. The provision of health services in emergency situations, including:
  - a. The emergency administration of epinephrine via Epi-pen auto-injector pursuant to N.J.S.A. 18A:40-12.5 (Policy and Regulation 5330);
  - b. The emergency administration of glucagon pursuant to N.J.S.A. 18A:40-12.14 (Policy and Regulation 5338);
  - c. The care of any student who becomes injured or ill while at school or participating in school-sponsored functions (Policy and Regulation 8441);
  - d. The transportation and supervision of any student determined to be in need of immediate care (Policy and Regulation 8441);
  - e. The notification to parents of any student determined to be in need of immediate medical care (Policy and Regulation 8441); and
  - f. The establishment and implementation of an emergency action plan for responding to a sudden cardiac event, including the use of an automated external defibrillator (AED), pursuant to N.J.S.A. 18A:40-41b (Policy and Regulation 5300).
5. The treatment of asthma in the school setting in accordance with the provisions of N.J.A.C. 6A:16-2.1(a)5 (Policy 5335);



6. Administration of student medical examinations, pursuant to N.J.S.A. 18A:40-4, N.J.S.A. 18A:35-4.8, and N.J.A.C. 6A:16-2.2 (Policy and Regulation 5310);
7. Utilization of sanitation and hygiene when handling blood and bodily fluids pursuant to N.J.A.C. 12:100-4.2, Safety and Health Standards for Public Employees, and in compliance with 29 CFR 1910.1030, Public Employees Occupational Safety and Health Program (PEOSH) Bloodborne Pathogens Standards (Policy and Regulation 7420);
8. Self-administration of medication by a student for asthma or other potentially life-threatening allergic reaction pursuant to N.J.S.A. 18A:40-12.3, 12.5, and 12.6, and the self-management and care of a student's diabetes as needed pursuant to N.J.S.A. 18A:40-12.15 (Policy and Regulation 5330);
9. Development of an individual healthcare plan and individualized emergency healthcare plan for students with chronic medical conditions, including life-threatening allergies, diabetes, and asthma, requiring special health services in accordance with N.J.S.A. 18A:40-12.11.c, 12.12, 12.13, and 12.15; and N.J.A.C. 6A:16-2.3(b)3xii (Policies and Regulations 5331 and 5338 and Policy 5335); and
10. Management of food allergies in the school setting and the emergency administration of epinephrine to students for anaphylaxis pursuant to N.J.S.A. 18A:40-12.6a through 12.6d (Policy and Regulation 5331).

The Board of Trustees shall annually adopt the school's nursing services plan at a regular meeting.

The Board of Trustees shall comply with the following required health services as outlined in N.J.A.C. 6A:16-2.2:

1. Immunization records shall be reviewed and updated annually pursuant to N.J.A.C. 8:57-4.1 through 4.24.
2. A Building Principal or designee shall not knowingly admit or retain in the school building any student whose parent has not submitted acceptable evidence of the child's immunization, according to the schedule specified in N.J.A.C. 8:57-4, Immunization of Pupils in School.



3. The school shall perform tuberculosis tests on students using methods required by and when specifically directed to do so by the New Jersey Department of Health based upon the incidence of tuberculosis or reactor rates in specific communities or population groups pursuant to N.J.S.A. 18A:40-16.
4. The school shall immediately report by telephone to the health officer of the jurisdiction in which the school is located any communicable diseases identified as reportable pursuant to N.J.A.C. 8:57-1, whether confirmed or presumed.
5. The school shall have and maintain for the care of students at least one nebulizer in the office of the school nurse or a similar accessible location, pursuant to N.J.S.A. 18A:40-12.7.
6. Each student medical examination shall be conducted at the medical home of the student. If a student does not have a medical home, the school shall provide the examination at the school physician's office or other comparably equipped facility pursuant to N.J.S.A. 18A:40-4.
7. The findings of required examinations under 8.b., c., d., and e. below shall include the following components:
  - a. Immunizations pursuant to N.J.A.C. 8:57-4.1 through 4.24;
  - b. Medical history, including allergies, past serious illnesses, injuries, operations, medications, and current health problems;
  - c. Health screenings including height, weight, hearing, blood pressure, and vision; and
  - d. Physical examinations.
8. The school shall ensure that students receive medical examinations in accordance with N.J.A.C. 6A:16-2.2(f) and 6. above and:
  - a. Prior to participation on a school-sponsored interscholastic or intramural team or squad for students enrolled in any grades six to eight in accordance with N.J.A.C. 6A:16-2.2(h)1;
  - b. Upon enrollment in school in accordance with N.J.A.C. 6A:16-2.2(h)2;



- c. When applying for working papers in accordance with N.J.A.C. 6A:16-2.2(h)3;
  - d. For the purposes of the comprehensive Child Study Team evaluation pursuant to N.J.A.C. 6A:14-3.4 in accordance with N.J.A.C. 6A:16-2.2(h)4; and
  - e. When a student is suspected of being under the influence of alcohol or controlled dangerous substances, pursuant to N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 in accordance with N.J.A.C. 6A:16-2.2(h)5.
9. Each school shall have available and maintain an AED, pursuant to N.J.S.A. 18A:40-41a.a(1) and (3), and in accordance with N.J.A.C. 6A:16-2.2(i).
  10. The Board of Trustees shall make accessible information regarding the New Jersey FamilyCare Program to students who are knowingly without medical coverage pursuant to N.J.S.A. 18A:40-34.
  11. Information concerning a student's HIV/AIDS status shall not be required as part of the medical examination or health history pursuant to N.J.S.A. 26:5C-1 et seq.
  12. The Board of Trustees shall ensure that students receive health screenings as outlined in N.J.A.C. 6A:16-2.2(l).
  13. The school nurse or designee shall screen to ensure hearing aids worn by students who are deaf and/or hard of hearing are functioning properly. The school nurse or designee will ensure any FM hearing aid systems in classrooms or any school equipment in the school building used to assist students hear are functioning properly.

N.J.S.A. 18A:40-4 et seq.  
N.J.A.C. 6A:16-1.3; 6A:16-2.1; 6A:16-2.2

Adopted: 17 May 2018





## 5320 IMMUNIZATION

In order to safeguard the school community from the spread of certain communicable diseases and in recognition that prevention is a means of combating the spread of disease, the Board of Trustees requires the immunization of students against certain diseases in accordance with State statute and rules of the New Jersey State Department of Health and Senior Services.

A student shall not knowingly be admitted or retained in school if the parent(s) or legal guardian(s) has not submitted acceptable evidence of the child's immunization, according to schedules specified in N.J.A.C. 8:57-4 – Immunization of Pupils in School.

Medical or religious exemptions to immunizations shall be in accordance with the requirements as outlined in N.J.A.C. 8:57-4.3 and 4.4. A child may be admitted to school on a provisional basis in accordance with the requirements as outlined in N.J.A.C. 8:57-4.5.

No immunization program, other than that expressly required by the rules of the New Jersey State Department of Health and Senior Services or by order of the New Jersey State Commissioner of Health and Senior Services, may be conducted in the school without the express approval of the Board.

N.J.S.A. 18A:40-20

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

N.J.A.C. 8:57-4.1 et seq.

Adopted: 17 May 2018



## 5330 ADMINISTRATION OF MEDICATION

The Board of Trustees disclaims any and all responsibility for the diagnosis and treatment of an illness of any student. However, in order for many students with chronic health conditions and disabilities to remain in school, medication may have to be administered during school hours. Parents are encouraged to administer medications to children at home whenever possible as medication should be administered in school only when necessary for the health and safety of students. The Board will permit the administration of medication in school in accordance with applicable law.

Medication will only be administered to students in school by the school physician, a certified or noncertified school nurse, a substitute school nurse employed by the school, the student's parent, a student who is approved to self-administer in accordance with N.J.S.A. 18A:40-12.3 and 12.4, and school employees who have been trained and designated by the certified school nurse to administer epinephrine in an emergency pursuant to N.J.S.A. 18A:40-12.5 and 12.6.

Self-administration of medication by a student for asthma or other potentially life-threatening illness or a life threatening allergic reaction is permitted in accordance with the provisions of N.J.S.A. 18A:40-12.3.

Medication no longer required must be promptly removed by the parent.

The school nurse shall have the primary responsibility for the administration of epinephrine. However, the certified school nurse may designate, in consultation with the Board or the Lead Person, additional employees of the school who volunteer to be trained in the administration of epinephrine via a pre-filled auto-injector mechanism using standardized training protocols established by the Department of Education in consultation with the Department of Health and Senior Services when the school nurse is not physically present at the scene.

In accordance with the provisions of N.J.S.A. 18A:40-12.6.d, no school employee, including a school nurse or any other officer or agent of a Board of Trustees or a physician providing a prescription under a standing protocol for school epinephrine pursuant to N.J.S.A. 18A:40-12.5, shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.5, nor shall any 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 N.J.S.A. 18A:40-12.6. Good faith shall not include willful misconduct, gross negligence, or recklessness.

The school nurse or designee shall be promptly available on site at the school and at school-sponsored functions in the event of an allergic reaction. In addition, the parent must be informed that the school, its employees and agents shall have no liability as a result of any injury arising from the administration of epinephrine to the student.



The parent of the student must sign a statement acknowledging their understanding the school 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 student and the parent shall indemnify and hold harmless the school and its employees or agents against any claims arising out of the administration of the epinephrine via a pre-filled auto-injector mechanism to the student.

The permission for the emergency administration of epinephrine via a pre-filled auto-injector mechanism containing epinephrine to students for anaphylaxis is effective for the school year it is granted and must be renewed for each subsequent school year.

Each school in the school shall have and maintain for the use of students at least one nebulizer in the office of the school nurse or a similar accessible location. Each certified school nurse or other persons authorized to administer asthma medication will receive training in airway management and in the use of nebulizers and inhalers consistent with State Department of Education regulations. Every student that is authorized to use self-administered asthma medication pursuant to N.J.S.A. 18A:40-12.3 or a nebulizer must have an asthma treatment plan prepared by the student's physician which shall identify, at a minimum, asthma triggers, the treatment plan, and other such elements as required by the State Board of Education.

All student medications shall be appropriately maintained and secured by the school nurse, except those medications to be self-administered by students. In those instances the medication may be retained by the student with the prior knowledge of the school nurse. The school nurse may provide the Principal and other teaching staff members concerned with the student's educational progress with such information about the medication and its administration as may be in the student's best educational interests. The school nurse may report to the school physician any student who appears to be affected adversely by the administration of medication and may recommend to the Principal the student's exclusion pursuant to law.

The school nurse shall document each instance of the administration of medication to a student. Students self-administering medication shall report each incident to a teacher, coach, or other individual designated by the school nurse who is supervising the student during the school activity when the student self-administers. These designated individuals shall report such incidents to the school nurse within twenty-four hours of the self-administration of medication. The school nurse shall preserve records and documentation regarding the self-administration of medication in the student's health file.

N.J.S.A. 18A:6-1.1; 18A:40-3.1; 18A:40-6; 18A:40-7; 18A:40-12.3; 18A:40-12.4;  
18A:40-12.5; 18A:40-12.6; 18A:40-12.7; 18A:40-12.8

N.J.S.A. 45:11-23

N.J.A.C. 6A:16-2.3(b)

Adopted: 17 May 2018



## 5330.01 ADMINISTRATION OF MEDICAL MARIJUANA

The Board of Trustees, in accordance with the requirements of N.J.S.A. 18A:40-12.22, must adopt a Policy authorizing parents, guardians, and primary caregivers to administer medical marijuana to a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event. The parent of a qualifying student patient requesting the administration of medical marijuana to the student while on school grounds, aboard a school bus, or attending a school-sponsored event must comply with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A. 24:6I-1 et seq. and Policy and Regulation 5330.01.

A student enrolled in the school must be authorized to engage in the medical use of marijuana and the primary caregiver, who may be the parent, must be authorized to administer medical marijuana to a qualifying student patient in accordance with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A. 24:6I-1 et seq. The student and the primary caregiver must complete the registration process to obtain a Registry Identification Card from the New Jersey Department of Health in accordance with the requirements of N.J.S.A. 24:6I-4.

The parent of the student authorized to engage in the medical use of marijuana must submit a written request with supporting documentation to the Principal requesting approval to have a primary caregiver assist in the administration of medical marijuana to the student while on school grounds, aboard a school bus, or attending a school-sponsored event. The Principal, in consultation with the school nurse, the school physician, and the Lead Person, will review each request and upon approval will inform the parent in writing of the approval with details for the administration of medical marijuana to the qualifying student patient. The medical use of marijuana by a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event will only be authorized after the written approval from the Principal is provided to the parent.

Medical marijuana may only be administered to the qualifying student patient while the student is on school grounds, aboard a school bus, or attending a school-sponsored event by the primary caregiver in accordance with the provisions of N.J.S.A. 18A:40-12.22 and N.J.S.A. 24:6I-1 et seq. The prescribed medical marijuana must be in the possession of the primary caregiver at all times, except during the administration process. The primary caregiver shall comply with the requirements of the Principal's written approval for the administration of medical marijuana to the qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Administration of Medical Marijuana

All health records related to the administration of medical marijuana to a qualifying student patient while on school grounds, aboard a school bus, or attending a school-sponsored event shall be maintained in accordance with the requirements of N.J.A.C. 6A:16-2.4 and N.J.A.C. 6A:32-7.4.

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 N.J.S.A. 24:6I-1 et seq. or N.J.S.A. 18A:40-12.22. No custodial parent, guardian, or person who has legal custody of a qualifying student 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 as authorized under N.J.S.A. 24:6I-1 et seq. or N.J.S.A. 18A:40-12.22.

N.J.S.A. 18A:40-12.22;

N.J.S.A. 24:6I-1 et seq.

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

Adopted: 17 May 2018



## 5331 MANAGEMENT OF LIFE-THREATENING ALLERGIES IN SCHOOL

The Board of Trustees recognizes students may have allergies to certain foods and other substances and may be at risk for anaphylaxis. Anaphylaxis is a sudden, severe, serious, systemic allergic reaction that can involve various areas of the body (such as the skin, respiratory tract, gastrointestinal tract, and cardiovascular system). Anaphylaxis is a serious allergic reaction that may be rapid in onset and may cause death. Policy 5331 has been developed in accordance with the Guidelines for the Management of Life-Threatening Food Allergies in Schools developed by the New Jersey Department of Education.

An Individualized Healthcare Plan (IHP) and an Individualized Emergency Healthcare Plan (IEHP) will be developed for each student at risk for a life-threatening allergic reaction. Self-administration of medication, the placement and the accessibility of epinephrine, and the recruitment and training of designees who volunteer to administer epinephrine during school and at school-sponsored functions when the school nurse or designee is not available shall be in accordance with N.J.S.A. 18A:40-12 and Board Policy and Regulation 5330. School staff will be appropriately trained by the school nurse or designee to understand the school's general emergency procedures and steps to take should a life-threatening allergic reaction occur.

The school will develop and implement appropriate strategies and prevention measures for the reduction of risk of exposure to food allergens throughout the school day, during before- and after-school programs, at all school-sponsored activities, in the cafeteria, or wherever food is present.

A description of the roles and responsibilities of parent(s) or legal guardian(s), staff, and students to prevent allergic reactions and during allergic reactions are outlined in Regulation 5331.

Every incident involving a life-threatening allergic reaction and/or whenever epinephrine is administered throughout the school day, during before- and after-school programs, and/or at all school-sponsored activities shall be reported to the school nurse or designee. The school nurse or designee shall be responsible to notify emergency responders, the Principal or designee, the school physician, and the Lead Person. The Lead Person shall inform the Board of Trustees after every incident including a life-threatening allergic reaction or whenever epinephrine is administered by the school nurse or designee. In addition, in accordance with the provisions of N.J.S.A. 18A:40-12.5.e.(3), the school nurse or designee shall arrange for the transportation of a student to the hospital emergency room by emergency services personnel after the administration of epinephrine, even if the student's symptoms appear to have resolved.



There will be occasions where food and/or beverages will be served as part of a classroom experience, field trip, and/or celebration. Because the ingredients of these food and beverage products may be unknown to the food preparation person and/or server, a student with anaphylaxis to food should not consume any food products that he/she is unsure of the ingredients. The teacher will provide, whenever possible, advance notice of the classroom experience, field trip, or celebration in order for the student to bring a food or beverage product from their home so they may participate in the activity.

When a parent(s) or legal guardian(s) informs the Building Principal and the school nurse the student may have an anaphylactic reaction to a substance other than food, the Building Principal will work with school staff to determine if these substances are on school grounds. The Building Principal will inform and work with the parent(s) or legal guardian(s) and the student to avoid the student's exposure to these substances if present on school grounds.

School staff will be appropriately trained by the school nurse or designee to understand the school's general emergency procedures and steps to take should a life-threatening allergic reaction occur. The school nurse or designee will provide appropriate training to school staff to understand allergies to food and other substances, to recognize symptoms of an allergic reaction, and to know the school's general emergency procedures and steps to take should a life-threatening allergic reaction occur. The school nurse will work with appropriate school staff to eliminate or substitute the use of allergens in the allergic student's meals, educational/instructional tools and materials, arts and crafts projects, or incentives.

Policy and Regulation 5331 should be annually reviewed, evaluated, and updated where needed. Policy and Regulation 5331 will be disseminated and communicated to all parent(s) or legal guardian(s) of students in the school in the beginning of each school year and when a student enters the school after the beginning of the school year.

N.J.S.A. 18A:40-12.3 through 18A:40-12.6

New Jersey Department of Education - Guidelines for the Management of Life-Threatening Food Allergies in Schools – September 2008

Adopted: 17 May 2018



## 5332 DO NOT RESUSCITATE ORDERS

Federal and State legislation entitles every student to a free, appropriate public education in the least restrictive environment. Due to the high risk of medically fragile students and students with chronic illnesses, who in the past would not have survived to be able to attend school, families, professionals, and school personnel are challenged with new issues in caring for these students in the school setting. Some families may wish not to pursue life-saving medical protocols for their child due to the lack of benefit to the student's condition or quality of life that is likely to result from following these protocols. In accordance with N.J.A.C. 6A:16-2.1(a)3, all Do Not Resuscitate (DNR) orders received for a student will be thoroughly and carefully reviewed.

"Do Not Resuscitate order" or "DNR order" means a written directive signed by the parent or legal guardian of a student who, after consultation with the student's pediatrician and other advisors, declines emergency administration of cardiopulmonary resuscitation (CPR) and automatic external defibrillator (AED) to the student. "Written order" means a directive and protocol written by the student's medical home to address a healthcare need or provide a medical service for a specific student. "Medical home" means a health care provider and that provider's practice site chosen by the student's parent or legal guardian for the provision of health care.

A family desiring to pursue a DNR order must submit a written order, which should be developed after a meeting with the parent(s) or legal guardian(s), the student, if appropriate, the school physician, the school nurse, the student's family healthcare provider, and the local emergency medical services provider. The written order shall include specific written emergency orders and shall specifically meet the goals for the student. Community emergency medical services protocols must be clearly defined in the written order.

The school nurse is responsible for providing an appropriate response to DNR orders. The school nurse will coordinate the school's review of the written order with the Building Principal or designee, the school physician, and the Lead Person or designee. The Lead Person or designee will review the written order with the Board of Trustees and the school Board Attorney. The school physician shall be responsible for instructing school staff in DNR orders.

The existence of a DNR written order and plan shall be referenced on the student's health form that is approved for use by the Commissioner of Education. A copy of the DNR written order shall be placed with the student's individualized health record and a copy should be kept with the local emergency medical services provider. The DNR written order shall be reviewed whenever a change occurs in the student's condition and at least once every six months.

N.J.A.C. 6A:16-1.3; 6A:16-2.1(a)3

New Jersey Department of Education – School Health Services Guidelines, July 2001

Adopted: 17 May 2018





## 5335 TREATMENT OF ASTHMA

The Board of Trustees recognizes the primary goal for children with asthma is to allow the child to live as normal a life as possible. The child should be able to participate in normal childhood activities, experience exercise tolerance similar to peers, and attend school to grow intellectually and develop socially. In accordance with N.J.A.C. 6A:16-2.1(a)5, the Board adopts this Policy that includes procedures for the treatment of asthma in the school setting.

The school shall have and maintain for the use of students at least one nebulizer in the office of the school nurse or a similar location. The school nurse shall receive training in airway management and in the use of nebulizers and inhalers consistent with nationally recognized standards including, but not limited to, those of the National Institutes of Health and the American Academy of Allergy, Asthma and Immunology pursuant to N.J.S.A. 18A:40-12.8(a). The school nurse, upon receiving this training, is authorized to administer asthma medication through the use of a nebulizer pursuant to N.J.S.A. 18A:40-12.8(a).

Each student authorized to use self-administered asthma medication pursuant to N.J.S.A. 18A:40-12.3 and Policy 5330 or a nebulizer shall have an Asthma Action Plan (AAP) prepared by the student's medical home and submitted to the certified school nurse. The AAP shall identify, at a minimum, asthma triggers and information to be included in the individualized healthcare plan and individualized emergency healthcare plan, pursuant to N.J.A.C. 6A:16-2.3(b) for meeting the medical needs of the student while attending school or a school-sponsored function.

N.J.S.A. 18A:40-12.3; 18A:40-12.7  
N.J.A.C. 6A:16-2.1(a)5

Adopted: 17 May 2018



### 5337 SERVICE ANIMALS

In compliance with Title II of the Americans with Disabilities Act (ADA) as amended by the ADA Amendments Act of 2008, it is the policy of the Board to permit use of a service animal by an individual with a disability in all areas of the school where the public is normally permitted: in school buildings; on school property; and on vehicles owned, leased, or controlled by the school. (28 CFR §35.136)

#### A. Definitions

1. "Act" means the Americans with Disabilities Act (ADA) as amended by the ADA Amendments Act of 2008.
2. "Designated administrator" means Principal or person designated by the Principal to coordinate these activities.
3. "School" means this school.
4. "Handler" means the animal's owner or a person, such as a trainer, assisting the owner with control of the service animal.
5. "Service animal" means a dog individually trained to do work or perform a specific job or task for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. (28 CFR §36.104)
  - a. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.
  - b. The work or tasks performed by a service animal must be directly related to the individual's disability (e.g. navigation, alerting physical support and assistance, preventing or interrupting impulsive or destructive behaviors).
  - c. Work or tasks for the purposes of this definition do not include the provision of emotional support, well-being, comfort, therapy, companionship, or crime deterrence.



### B. Generally

1. The school shall permit the use of a service animal by an individual with a disability unless:
  - a. The animal is out of control and the animal's handler does not take effective action to control it;
  - b. The animal is not housebroken.
2. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g. voice control, signals, or other effective means). (28 CFR §35.136(d))
3. If an animal is properly excluded, the school shall give the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises. (28 CFR §35.136(b))
4. If there are places in the school where it is determined to be unsafe for a handler and service animal, reasonable accommodations will be provided to assure the individual equal access to the activity.
5. Unless the need for a service animal is readily apparent, the handler will be required to provide the school with information that:
  - a. The service animal is required because of a disability; and
  - b. What work or task the animal has been trained to perform.
6. The school may not require documentation, including proof that the animal has been certified, trained, or licensed as a service animal; nor that the dog demonstrates its ability to perform the work or task. (28 CFR §35.136(f))
7. Individuals who have service animals are not exempt from local animal control or public health requirements.
8. Service animals must be licensed and registered in accordance with State and local laws.



C. Delegation of Responsibility

1. The school is not responsible for the care or supervision of a service animal. (28 CFR §35.136(e))
2. If the school normally charges individuals for damage they cause, an individual with a disability may be charged for damage caused by his or her service animal. (28 CFR §35.136(h))
3. The school will designate relief areas for the service animal which will be included in mobility training and orientation of students and animals new to the school.

D. Notification and Responsibilities

1. In the event a service animal will be introduced as part of the school community, the designated administrator will develop a comprehensive implementation plan prior to introduction of the service animal into the school to include:
  - a. Notification to parents of students who may be in contact with the service animal;
  - b. Appropriate etiquette regarding service animals to include:
    - (1) Never pet a service animal while it is working;
    - (2) Never feed a working service animal;
    - (3) Do not deliberately startle, tease, or taunt a service animal;
    - (4) Do not hesitate to ask the handler if he or she would like assistance regarding directions or the facility.
2. The use of a service animal introduced as part of the school community will require inclusion into the student's Individualized Education Plan (IEP) or the student's Section 504 Accommodation Plan.
3. The school will require that the owner of a service animal introduced as part of the school community and, as included in the student's IEP or Section 504 Accommodation Plan, maintain liability insurance for the service animal in the amount required by the Board of Trustees.

28 CFR §35.136

28 CFR §36.104

Adopted: 17 May 2018



## 5338 DIABETES MANAGEMENT

Diabetes is a serious chronic disease and must be managed twenty-four 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 and the serious long-term complications of high blood sugar levels. In order to manage their diabetes, students must have access to the means to balance food, medications, and physical activity level while at school and at school-related activities.

The parent or legal guardian of a student with diabetes who seeks diabetes care for the student while at school shall inform the school nurse who shall develop an individualized health care plan and an individualized emergency health care plan for the student. The individualized health care plan and individualized emergency health care plan shall be updated by the school nurse prior to the beginning of each school year and as necessary in the event there is a change in the health status of the student.

The school nurse assigned to a particular school shall coordinate the provision of diabetes care at that school and ensure that appropriate staff members are trained in the care of students with diabetes, including staff members working with school-sponsored programs outside of the regular school day, as provided in the individualized health care plan and the individualized emergency health care plan. The school nurse shall have the primary responsibility for the emergency administration of glucagon to a student with diabetes who is experiencing severe hypoglycemia.

The school nurse shall designate, in consultation with the Lead Person or designee, additional employees of the school who volunteer to administer glucagon to a student with diabetes who is experiencing severe hypoglycemia. The designated employees shall only be authorized to administer glucagon, following training by the school nurse or other qualified health care professional, when a school nurse is not physically present at the scene.

Upon the written request of the parent or legal guardian and as provided in a student's individualized health care plan, the student will be permitted to manage and care for his/her diabetes as needed in the classroom, in any area of the school or school grounds, or at any school-related activity provided the student has been evaluated and determined to be capable of doing so as reflected in the student's individualized health care plan.



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Diabetes Management

The Principal or school nurse shall, for each student with diabetes whom a school bus driver transports, provide the driver with a notice of the student's condition, how to treat hypoglycemia, who to contact in an emergency, and parent(s) or legal guardian(s) contact information. Designated areas of the school building shall have posted, in plain view, a reference sheet identifying signs and symptoms of hypoglycemia in students with diabetes.

A student's school choice, if there is a choice option, shall not be restricted due to the fact the student has diabetes.

N.J.S.A. 18A:40-12.11 through 18A:40-12.21

Adopted: 17 May 2018



## 5339 SCREENING FOR DYSLEXIA

In accordance with the provisions of N.J.S.A. 18A:40-5.1 et seq., the Board of Trustees shall ensure each student enrolled in the school 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 pursuant to the provisions of N.J.S.A. 18A:40-5.2.

In the event a student enrolls in the school and has no record of being previously screened for dyslexia or other reading disabilities, pursuant to N.J.S.A. 18A:40-5.2, the Board shall ensure the newly-enrolled student is screened for dyslexia and other reading disabilities using a screening instrument selected pursuant to N.J.S.A. 18A:40-5.2. This screening shall be administered at the same time other students enrolled in the student's grade are screened for dyslexia and other reading disabilities or, if other students enrolled in the student's grade have previously been screened, within ninety calendar days of the date the student is enrolled in the school. The screenings shall be administered by a teacher or other teaching staff member properly trained in the screening process for dyslexia and other reading disabilities.

For the purposes of this Policy, “dyslexia” means a specific learning disability that is neurobiological in origin. It is characterized by difficulties with accurate and/or fluent word recognition and by poor spelling and decoding abilities. These difficulties typically 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. Secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge.

For the purposes of this Policy, “potential indicators of dyslexia or other reading disabilities” means indicators that include, but shall not be limited to, difficulty in acquiring language skills; inability to comprehend oral or written language; difficulty in rhyming words; difficulty in naming letters, recognizing letters, matching letters to sounds, and blending sounds when speaking and reading words; difficulty recognizing and remembering sight words; consistent transposition of number sequences, letter reversals, inversions, and substitutions; and trouble in replication of content.

In accordance with the provisions of N.J.S.A. 18A:40-5.2(a), the Commissioner of Education shall distribute to each Board of Trustees information on screening instruments available to identify students who possess one or more potential indicators of dyslexia or other reading disabilities. The Board shall select and implement age-appropriate screening instruments for the early diagnosis of dyslexia and other reading disabilities.



In accordance with provisions of N.J.S.A. 18A:40-5.2(b), the Commissioner shall also develop and distribute to each Board of Trustees guidance on appropriate intervention strategies for students diagnosed with dyslexia or other reading disabilities.

In the event a student is determined, through the screening conducted in accordance with N.J.S.A. 18A:40-5.3, to possess one or more potential indicators of dyslexia or other reading disabilities pursuant to the provisions of N.J.S.A. 18A:40-5.1 et seq., the Board shall ensure the student receives a comprehensive assessment for the learning disorder. In the event a diagnosis of dyslexia or other reading disability is confirmed by the comprehensive assessment, the Board shall provide appropriate evidence-based intervention strategies to the student, including intense instruction on phonemic awareness, phonics and fluency, vocabulary, and reading comprehension.

In accordance with the provisions of N.J.S.A. 18A:6-131, special education teachers, basic skills teachers, English as a second language teachers, reading specialists, learning disabilities teacher consultants, and speech-language specialists are required to complete at least two hours of professional development each year on the screening, intervention, accommodation, and use of technology for students with reading disabilities, including dyslexia. The Board may make these professional development opportunities available to other instructional or support staff members as the Board deems appropriate. This requirement for professional development in reading disabilities may be part of the twenty hours of annual professional development required by N.J.A.C. 6A:9C et seq. Documentation of teachers' fulfillment of this professional development requirement shall be maintained in the school.

N.J.S.A. 18A:40-5.1; 18A:40-5.2; 18A:40-5.3; 18A:40-5.4;  
18A:6-131

Adopted: 17 May 2018





## 5350 STUDENT SUICIDE PREVENTION

The Board of Trustees recognizes that depression and self-destruction are problems of increasing severity among students. Students under severe stress cannot benefit fully from the educational program and may pose a threat to themselves or others.

The Board directs all school staff members to be alert to a student who exhibits warning signs of self-destruction or who threatens or attempts suicide. Any such warning signs or the report of such warning signs from another student or staff member shall be taken with the utmost seriousness and reported immediately to the Principal or designee.

The Principal or designee shall immediately contact the parent(s) of the student exhibiting warning signs of suicide to inform the parent(s) the student will be referred to the Child Study Team or a Suicide Intervention Team, appointed by the Lead Person or designee, for a preliminary assessment. Upon completion of the preliminary assessment, the Principal or designee shall meet with the parent(s) to review the assessment. Based on the preliminary assessment, the parent(s) may be required to obtain medical or psychiatric services for the student. In the event the parent objects to the recommendation or indicates an unwillingness to cooperate in the best interests of the student, the Principal or designee will contact the New Jersey Department of Children and Families, Division of Child Protection and Permanency to request intervention on the student's behalf.

In the event the student is required to obtain medical or psychiatric services, the parent(s) will be required to submit to the Lead Person a written medical clearance from a licensed medical professional, selected by the parent(s) and approved by the Lead Person, indicating the student has received medical services, does not present a risk to themselves or others, and is cleared to return to school. The written medical clearance may be reviewed by a Board of Trustees healthcare professional before the student is permitted to return to school. The parent(s) shall be required to authorize their healthcare professional(s) to release relevant medical information to the school's healthcare professional, if requested.

Any school staff member, volunteer, or intern with reasonable cause to suspect or believe that a student has attempted or completed suicide, shall immediately report the information to the Principal or designee or their immediate supervisor who will immediately report it to the Lead Person or designee. The Lead Person or designee shall promptly report it online to the New Jersey Department of Children and Families, or as otherwise required by the Department of Children and Families in accordance with N.J.S.A. 30:9A-24. In accordance with N.J.S.A. 30:9A-24i, any person who reports an attempted or completed suicide shall have immunity from any civil or criminal liability on account of the report, unless the person has acted in bad faith or with malicious purpose.



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Student Suicide Prevention

In accordance with the provisions of N.J.S.A. 18A:6-111 and 18A:6-112, as part of the required professional development for teachers as outlined in N.J.A.C. 6A:9C-3 et seq., every teaching staff member must 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.

The Lead Person shall prepare and disseminate guidelines to assist school staff members in recognizing the warning signs of a student who may be contemplating suicide, to respond to a threat or attempted suicide, and to prevent contagion when a student commits suicide.

N.J.S.A. 18A:6-111; 18A:6-112

N.J.S.A. 30:9A-23; 30:9A-24

N.J.A.C. 6A:9C-3 et seq.

Adopted: 17 May 2018



## 5410 PROMOTION AND RETENTION

The Board of Trustees recognizes that each child develops and grows in a unique pattern and that students should be placed in the educational setting most appropriate to their social, physical, and educational needs. Each student enrolled in this school shall be moved forward in a continuous program of learning in harmony with his/her own development.

Standards for student promotion shall be related to the New Jersey Core Curriculum Content Standards and school goals and objectives and to the accomplishments of students. A student in the elementary grades will be promoted to the next succeeding grade level when he/she has completed the course requirements at the presently assigned grade; has achieved the instructional objectives set for the present grade; has demonstrated the proficiencies required for movement into the educational program of the next grade; and has demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade.

Promotion policies and procedures will be provided to parent(s) or legal guardian(s) as appropriate. Parent(s) or legal guardian(s) and students shall be regularly informed during the school year of the student's progress toward meeting promotion standards. A teacher who determines that a student's progress may not be sufficient to meet promotion standards shall notify the parent(s) or legal guardian(s) and the student and offer immediate consultation to the student's parent(s) or legal guardian(s). Every effort shall be made to remediate a student's deficiencies before retention is recommended. The parent(s) or legal guardian(s) and, where appropriate, the student shall be notified of the possibility of the student's retention at grade level in advance and, whenever feasible, no later than eight weeks prior to the end of the school year.

School attendance shall be a factor in the determination of a student's promotion or retention. Only extenuating circumstances should permit the promotion of a student who has been in attendance fewer than one hundred sixty days during the school year. This determination shall be made by the Principal in consultation with teaching staff members.

Classroom teachers shall recommend to the Building Principal the promotion or retention of each student. Parent(s) or legal guardian(s) and adult students may appeal a promotion or retention decision to the Principal whose decision shall be final.

N.J.S.A. 18A:35-4.9

Adopted: 17 May 2018



### 5411 PROMOTION FROM EIGHTH GRADE

The Board of Trustees will recognize with fitting ceremonies a student's completion of the program of studies offered by this school in elementary school and the student's entrance to secondary school.

Successful completion of the program of studies in elementary school requires achievement of the instructional objectives set for each course of study, demonstration of mastery of the proficiencies established for each course, and a satisfactory attendance record. The parent(s) or legal guardian(s) of a student who may be prevented from graduating shall be so notified in advance and no later than six weeks prior to the close of the school year. Every effort shall be made to remediate a student's deficiencies before graduation is denied.

The requirements for promotion from elementary school of a disabled student shall be set forth in the student's individualized education program. Completion of those specialized requirements shall qualify the student for graduation and entry to secondary school.

N.J.S.A. 18A:35-4.9; 18A:36-14; 18A:36-15;  
18A:36-18; 18A:38-25 et seq.

N.J.A.C. 6:3-4A.1; 6A:8-4.4 et seq.

Adopted: 17 May 2018



## 5420 REPORTING STUDENT PROGRESS

The Board of Trustees believes that the cooperation between school and home in the interests of children is fostered by the systematic communication of students' educational welfare to parent(s) or legal guardian(s). The Board directs the establishment of a program of reporting student progress to parent(s) or legal guardian(s) by both written reports and by parent-teacher conferences and requires the cooperation of all appropriate teaching staff members in that program as part of their professional responsibilities.

The Lead Person shall develop, in consultation with appropriate teaching staff members, procedures for reporting student progress to parent(s) or legal guardian(s) that utilize various methods of reporting appropriate to grade level and curriculum content; ensure that the student and parent(s) or legal guardian(s) receive ample warning of a possible failing grade or any grade that would adversely affect the student's educational status; enable the scheduling of parent-teacher conferences at such times as will ensure the greatest degree of participation by parent(s) or legal guardian(s); and require the issuance of report cards at intervals of not less than four times per year.

Reports of individual achievement on State assessment tests shall be promptly made available to the student or the student's parent(s) or legal guardian(s).

N.J.A.C. 6:3-4A.1

Adopted: 17 May 2018



## 5440 HONORING STUDENT ACHIEVEMENT

The Board of Trustees values excellence and wishes to instill in students the desire to do their best in all things.

The Board will recognize the outstanding achievements of students by means appropriate to the grade level of the student and to the nature of the accomplishment.

The Lead Person shall develop regulations for the recognition of student achievement that establish fair standards for recognition, assure that all eligible students are offered an equal opportunity to meet those standards, and provide for appropriate recognition ceremonies and awards.

N.J.S.A. 18A:11-3

Adopted: 17 May 2018



## 5500 EXPECTATIONS FOR STUDENT CONDUCT

The Board of Trustees believes that a key component to student success is making behavioral and academic expectations extremely clear and cohesive.

The Board of Trustees believes that students should commit themselves to learning and to the development of their unique potential. Students should know that their attitudes and acts affect both their own and their classmates learning and should accept responsibility for helping to create a positive school environment. With the support and assistance of school staff members and parent(s) or legal guardian(s), all students can contribute to the effectiveness of the school and the value of their education.

Children learn best when information is embedded in real life contexts; thus, the school's curriculum shall foster in students a positive sense of self, a sense of right and wrong, and the ability to make choices that will impact their future in a positive manner. Students shall learn to care for themselves and care for each other. Students shall learn to be independent thinkers, develop autonomy, learn how to establish a role in a group, to collaborate with partners, and to learn the language and skills needed to resolve problems peacefully and productively through conflict resolution skills.

Students will be expected to practice appropriate behavior in the school building, on school grounds, and outside the school building when they are representing the school, i.e., on school field trips. Appropriate behavior will be modeled by all staff, and discussed, and reinforced in every classroom and part of the school building.

Classrooms shall have shared codes of conduct. Classrooms shall be appropriately organized visually, as well as through established routines and functional transitions in order for students to be as independent as possible.

The school will have clear expectations as well as clear consequences for its students. School staff will ensure that parents and students are well informed of these policies presented as a Code of Conduct both before enrollment and at the time of student enrollment. As such, students will not be surprised about what type of behavior is expected from them, and parents will be reassured about the type of classroom environment that will be maintained in the school.



Students will be empowered in order to increase student success and discipline in the following ways:

1. Students will be taught how to be active participants in their education;
2. Students will be taught the skills to make informed decisions and then act appropriately on them;
3. Students will be given the structure and support they need to persevere;
4. Students will learn to see the connection between the work they do in school; and
5. How that work informs their roles as actively engaged and responsible citizens.

In this environment, students will internalize appropriate behavioral expectations for themselves and their peers.

The Board expects all students in this school, commensurate with their age and ability, to:

1. Prepare themselves mentally and physically for the process of learning;
2. Attend school regularly and punctually;
3. Be nourished, rested, clean and properly dressed and groomed;
4. Respect the person, property, and intellectual and creative products of others;
5. Accept constructive criticism and suggestions for improvement when necessary, and take responsibility for their own behavior;
6. Use time and other resources responsibly; use study periods and free time for school work;
7. Listen to the points of view of others; and share responsibilities when working with others;
8. Meet the requirements of each course of study;
9. Monitor their own progress toward school objectives;





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Expectations for Student Conduct

10. Take pride in their school;
11. Complete all homework, class work, and other requested assignments;
12. Accept and assume leadership when appropriate;
13. Transmit information to parent(s) or legal guardian(s) and return responses to appropriate school personnel when requested.

The Lead Person shall, in consultation with staff members, parent(s) or legal guardian(s), and, where appropriate students, develop a statement of specific student behaviors that exemplify these expectations and shall publish both this policy and the statement of behavior to all students, parent(s) or legal guardian(s), and professional staff members.

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

Adopted: 17 May 2018



### 5511 DRESS AND GROOMING

The Board of Trustees has established a school uniform as the proper mode of dress for Classical Academy Charter School. All students are required to wear a uniform every day unless specifically excused by the school. The Lead Person shall develop procedures for addressing non-compliance with this rule. Such procedures shall recognize the primary role of parents in supporting the uniform dress code and will respect the feelings of students who may have no ability to comply on their own. The school will assist economically disadvantaged students and their parents with providing discounts or purchasing uniforms as requested, subject to documentation of need by parents. Additionally, religious or cultural practices surrounding dress may necessitate flexibility in the enforcement of the uniform dress code.

The Board believes that the use of uniforms benefits the students and their families by minimizing the costs associated with dressing students for school and by creating a "level playing field" for student fashion in which no student is disadvantaged socially by the perceived status of different clothing items.

The Board believes that dressing in uniforms allows students to experience a strong sense of membership and pride within the school community, and that family members at Classical Academy Charter School overwhelmingly prefer the establishment of a uniform for students.

In addition, the Board believes that school uniforms:

- Enhance school safety;
- Create a sense of unity amongst students;
- Improve the learning environment;
- Promote good behavior;
- Improve children's self-respect and self-esteem;
- Produce cost savings for participating families.

The uniform can be altered only by action of the Board of Trustees. The Board will review the uniform as necessary or in response to suggestions from staff and student families.



The Board directs the Lead Person to work with uniform vendors to ensure that students and their families receive the lowest possible price for good quality clothing, and to ensure that the uniform articles are widely and conveniently available.

A sample of the uniform shall be available in the school office for viewing by parents and students and to clarify the color and style of the uniform.

The uniform provision of this Policy shall be implemented in accordance with N.J.S.A. 18A:11-7 and 18A:11-8.

The Board has adopted the following uniform guidelines:

Shirts: Students will wear uniform shirts meeting the guidelines below:

- Button down oxford shirts (long or short sleeve) in white are permitted.
- Sleeveless shirts, T-shirts\*, or shirts in any other color are not permitted.

Pants: Students will wear uniform pants meeting the guidelines below:

- All students are permitted to wear black or grey colored pants.
- Denim jeans, shorts\*, and sweat pants\* are not permitted.
- A solid color belt must be worn if pants have belt loops.
- Pants must be worn at the natural waist.

Skirts: Female students will wear the uniform skirt in the colors indicated below:

- All female students are permitted to wear either the school approved plaid skirt or black skirt.
- Skirts can be in a kick pleat, kilt, or scooter design.
- Jumpers are not permitted.
- Skirts and scooters may not be shorter than two inches above the knee.



Sweaters: All students will wear crimson (cardinal) or grey V-neck or crew neck vests or sweaters that meet the following guidelines:

- All long and short sleeve crimson (cardinal) and grey V-neck or crewneck sweaters or vests must be worn with a white collared oxford shirt. No hooded apparel.
- All vests and sweaters must have the school emblem embroidered on the upper left shoulder.
- Outer garments (coats and jackets) must be stored in the student's locker and may not be carried in school.

Blazers: All students will wear the standard crimson (maroon/cardinal) blazer that meets the following guidelines\*:

- All blazers must be worn with a white collared oxford shirt.
- All blazers must have the school emblem embroidered on the upper left shoulder.
- All students must wear the crimson (maroon) blazer; however, they may also wear a crimson (cardinal) or grey vest or sweater with the school emblem embroidered on the upper left shoulder.
- All other outer garments (coats and jackets) must be stored in the student's locker and may not be carried in school.

Neckwear: Students will wear the school approved necktie that meets the following guidelines:

- All male students will wear the school approved necktie at all times.
- Female students may also wear the school approved female necktie.
- All neckties must have the school emblem embroidery.
- All neckties must be worn securely around the neck.



Footwear: Shoes must be solid black, or brown in color; no open heel or open-toed shoes are permitted.

- Shoes must be securely fastened. Clogs, flip flops, and bedroom slippers are not permitted.

Sizing: Clothing must be sized to fit the student. Pants should fit appropriately at the waist, and should not be too tight, loose, or baggy. Skirts should be knee length or longer. Shirts should be an appropriate size and should not extend below the hip.

Headwear\*: Students may not wear hats, hoods, sweatbands, bandannas, or sunglasses while in the school building.

\*During summer months and hotter weather, students are not required to wear the blazer. However, students are required to wear an oxford shirt that has the school logo on it.

\*It is acceptable for students with special religious and/or special needs or extenuating circumstances to wear head coverings.

Sweat pants, shorts, and other t-shirts are permitted for sports and gym related activities.

The Board expects all students to be in uniform at all times, with the exception of Dress Down and School Spirit Days. For School Spirit Days, students may wear House colors or House logo attire, which may be purchased throughout the year at various fundraising events.

The Board believes that student cleanliness and grooming is a matter of hygiene and health for the entire school community and directs the Lead Person to develop procedures to address situations in which students appear to be inadequately groomed or cleaned. Such procedures should be implemented with extreme sensitivity to the emotional and social well-being of students and the limited ability of very young students to assume full responsibility for their grooming.

N.J.S.A. 18A:11-1; 18A:11-7; 18A:11-8; 18A:11-9

Adopted: 17 May 2018



## 5512 HARASSMENT, INTIMIDATION, AND BULLYING

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A. Policy Statement

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

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

B. Harassment, Intimidation, and Bullying Definition

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

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



- b. Has the effect of insulting or demeaning any student or group of students;  
or
- c. Creates a hostile educational environment for the student by interfering with a student's education or by severely or pervasively causing physical or emotional harm to the student.

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

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

### C. Student Expectations

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

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

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





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

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

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

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

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

1. Walk away from acts of harassment, intimidation, and bullying when they see them;
2. Constructively attempt to stop acts of harassment, intimidation, or bullying;



3. Provide support to students who have been subjected to harassment, intimidation, or bullying; and
4. Report acts of harassment, intimidation, and bullying to the designated school staff member.

D. Consequences and Appropriate Remedial Actions

Consequences and Appropriate Remedial Actions – Students

The Board of Trustees requires its school administrators to implement procedures that ensure both the appropriate consequences and remedial responses for students who commit one or more acts of harassment, intimidation, or bullying, consistent with the Code of Student Conduct. The following factors, at a minimum, shall be given full consideration by school administrators in the implementation of appropriate consequences and remedial measures for each act of harassment, intimidation, or bullying by students. Appropriate consequences and remedial actions are those that are graded according to the severity of the offense(s), consider the developmental ages of the student offenders and students' histories of inappropriate behaviors, per the Code of Student Conduct and N.J.A.C. 6A:16-7.

Factors for Determining Consequences – Student Considerations

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

Factors for Determining Consequences – School Considerations

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



### Factors for Determining Remedial Measures

#### Personal

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

#### Environmental

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

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



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

## Examples of Consequences

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

## Examples of Remedial Measures

### Personal – Student Exhibiting Bullying Behavior

1. Develop a behavioral contract with the student. Ensure the student has a voice in the outcome and can identify ways he or she can solve the problem and change behaviors;
2. Meet with parents to develop a family agreement to ensure the parent and the student understand school rules and expectations;
3. Explain the long-term negative consequences of harassment, intimidation, and bullying on all involved;
4. Ensure understanding of consequences, if harassment, intimidation, and bullying behavior continues;
5. Meet with school counselor, school social worker, or school psychologist to decipher mental health issues (e.g., what is happening and why?);
6. Develop a learning plan that includes consequences and skill building;
7. Consider wrap-around support services or after-school programs or services;
8. Provide social skill training, such as impulse control, anger management, developing empathy, and problem solving;
9. Arrange for an apology, preferably written;
10. Require a reflective essay to ensure the student understands the impact of his or her actions on others;



11. Have the student research and teach a lesson to the class about bullying, empathy, or a similar topic;
12. Arrange for restitution (i.e., compensation, reimbursement, amends, repayment), particularly when personal items were damaged or stolen;
13. Explore age-appropriate restorative (i.e., healing, curative, recuperative) practices; and
14. Schedule a follow-up conference with the student.

### Personal – Target/Victim

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

### Parents, Family, and Community

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

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

1. Analysis of existing data to identify bullying issues and concerns;
2. Use of findings from school surveys (e.g., school climate surveys);
3. Focus groups;
4. Mailings – postal and email;
5. Cable access television;
6. School culture change;
7. School climate improvement;
8. Increased supervision in “hot spots” (e.g. locker rooms, hallways, playgrounds, cafeterias, school perimeters, buses);
9. Adoption of evidence-based systemic bullying prevention practices and programs;



10. Training for all certificated and non-certificated staff to teach effective prevention and intervention skills and strategies;
11. Professional development plans for involved staff;
12. Participation of parents and other community members and organizations (e.g., Parent Teacher Associations, Parent Teacher Organizations) in the educational program and in problem-solving bullying issues;
13. Formation of professional learning communities to address bullying problems;
14. Small or large group presentations for fully addressing the actions and the school's response to the actions, in the context of the acceptable student and staff member behavior and the consequences of such actions;
15. School policy and procedure revisions;
16. Modifications of schedules;
17. Adjustments in hallway traffic;
18. Examination and adoption of educational practices for actively engaging students in the learning process and in bonding students to pro-social institutions and people;
19. Modifications in student routes or patterns traveling to and from school;
20. Supervision of student victims before and after school, including school transportation;
21. Targeted use of monitors (e.g., hallway, cafeteria, locker room, playground, school perimeter, bus);
22. Targeted use of teacher aides;
23. Disciplinary action, including dismissal, for school staff who contributed to the problem;
24. Supportive institutional interventions, including participation in the Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
25. Parent conferences;
26. Family counseling;
27. Development of a general harassment, intimidation, and bullying response plan;
28. Behavioral expectations communicated to students and parents;
29. Participation of the entire student body in problem-solving harassment, intimidation, and bullying issues;
30. Recommendations of a student behavior or ethics council;
31. Participation in peer support groups;
32. School transfers; and
33. Involvement of law enforcement officers, including school resource officers and juvenile officers or other appropriate legal action.



### Consequences and Appropriate Remedial Actions – Adults

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

### Target/Victim Support

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

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

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

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



E. Harassment, Intimidation, and Bullying Reporting Procedure

The Board of Trustees requires the Principal to be responsible for receiving complaints alleging violations of this Policy. All Board members, school employees, and volunteers and contracted service providers who have contact with students are required to verbally report alleged violations of this Policy to the Principal or the Principal's designee on the same day when the individual witnessed or received reliable information regarding any such incident. All Board members, school employees, and volunteers and contracted service providers who have contact with students, also shall submit a report in writing to the Principal within two school days of the verbal report. The Principal will inform the parents of all students involved in alleged incidents, and, as appropriate, may discuss the availability of counseling and other intervention services. The Principal, upon receiving a verbal or written report, may take interim measures to ensure the safety, health, and welfare of all parties pending the findings of the investigation.

Students, parents, and visitors are encouraged to report alleged violations of this Policy to the Principal on the same day when the individual witnessed or received reliable information regarding any such incident. Students, parents, and visitors may report an act of harassment, intimidation, or bullying anonymously. Formal action for violations of the Code of Student Conduct may not be taken solely on the basis of an anonymous report.

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

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

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

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





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

1. The Lead Person shall appoint a school Anti-Bullying Coordinator. The Lead Person shall make every effort to appoint an employee of the school to this position.

The school Anti-Bullying Coordinator shall:

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

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

The school Anti-Bullying Specialist shall:

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



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

The School Safety Team shall:

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



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

G. Harassment, Intimidation, and Bullying Investigation

The Board requires a thorough and complete investigation to be conducted for each report of violations and complaints which either identify harassment, intimidation, or bullying or describe behaviors that indicate harassment, intimidation, or bullying. The investigation shall be initiated by the Principal or the Principal's designee within one school day of the verbal report of the incident. The investigation shall be conducted by the school Anti-Bullying Specialist in coordination with the Principal. The Principal may appoint additional personnel who are not school Anti-Bullying Specialists to assist with the investigation.

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

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

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



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

A parent may request a hearing before the Board of Trustees after receiving the information about the investigation. The hearing shall be held within ten school days of the request. The Board of Trustees shall conduct the hearing in executive session, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.), to protect the confidentiality of the students. At the hearing, the Board may hear testimony from and consider information provided by the school Anti-Bullying Specialist and others, as appropriate, regarding the incident, the findings from the investigation of the incident, recommendations for consequences or services, and any programs instituted to reduce such incidents, prior to rendering a determination.

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

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

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

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



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

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

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



## I. Reprisal or Retaliation Prohibited

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

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

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

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

## J. Consequences and Appropriate Remedial Action for False Accusation

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

1. Students - Consequences and appropriate remedial action for a student found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation may range from positive behavioral interventions up to and including suspension or expulsion, as permitted under N.J.S.A.



18A:37-1 et seq., Discipline of Students and as set forth in N.J.A.C. 6A:16-7.2, Short-term Suspensions, N.J.A.C. 6A:16-7, Long-term Suspensions and N.J.A.C. 6A:16-7.5, Expulsions and those listed and described in the Consequences and Appropriate Remedial Actions section of this Policy.

2. School Employees - Consequences and appropriate remedial action for a school employee or contracted service provider who has contact with students found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could entail discipline in accordance with school policies, procedures, and agreements which may include, but not be limited to: reprimand, suspension, increment withholding, termination, and/or bans from providing services, participating in school-sponsored programs, or being in school buildings or on school grounds. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.
  3. Visitors or Volunteers - Consequences and appropriate remedial action for a visitor or volunteer found to have falsely accused another as a means of harassment, intimidation, or bullying or as a means of retaliation could be determined by the school administrator after consideration of the nature, severity, and circumstances of the act, including law enforcement reports or other legal actions, removal of buildings or grounds privileges, or prohibiting contact with students or the provision of student services. Remedial measures may include, but not be limited to: in or out-of-school counseling, professional development programs, and work environment modifications.
- K. Harassment, Intimidation, and Bullying Policy Publication and Dissemination

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

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



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

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

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

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

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

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

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





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

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

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

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

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

The Lead Person and the Principal(s) shall annually conduct a reevaluation, reassessment, and review of the Harassment, Intimidation, and Bullying Policy, with input from the schools’ Anti-Bullying Specialists, and recommend revisions and additions to the Policy as well as to harassment, intimidation, and bullying prevention programs and approaches based on the findings from the evaluation, reassessment, and review.

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

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



O. School Grading Requirements

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

P. Reports to Law Enforcement

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

Q. Collective Bargaining Agreements and Individual Contracts

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

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

R. Students with Disabilities

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

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



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Harassment, Intimidation, and Bullying

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

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

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

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

Adopted: 17 May 2018



## 5513 CARE OF SCHOOL PROPERTY

The Board of Trustees believes that the school should help students learn to respect property and to develop feelings of pride in community institutions. The Board charges each student enrolled in this school with responsibility for the proper care of school property and the school supplies and equipment entrusted to his/her use.

Students who cause damage to school property will be subject to disciplinary measures. The Board authorizes the imposition of a fine for the loss, damage, or defacement of a textbook and reserves the right to withhold a report card or diploma from any student whose payment of a fine is in arrears.

A student who demonstrates chronic and/or serious disregard for property may be referred to the Child Study Team.

The Lead Person shall develop rules for the safekeeping and accounting of textbooks and prepare a schedule of fines for lost and damaged textbooks.

N.J.S.A. 18A:34-2; 18A:37-3

N.J.A.C. 6A:23-6.6

Adopted: 17 May 2018



## 5516 USE OF ELECTRONIC COMMUNICATION AND RECORDING DEVICES (ECRD)

The Board of Trustees believes students and/or school staff members should not be subject to having a video or audio recording taken of any student(s) or school staff member(s) for any purpose without the consent of the student, the student's parent, and/or the school staff member. In addition to protecting the privacy rights of students and school staff members, the Board recognizes such recordings can be disruptive to the educational program. In addition, inappropriate recordings of educational material, student assessment instruments, and/or student assessment reviews can be used to compromise the integrity of the school's educational program or lead to academic dishonesty in the event such recordings are stored and/or transmitted to other students. Therefore, the Board of Trustees adopts this Policy regarding student use of electronic communication and recording devices.

"Electronic communication and recording device (ECRD)" includes any device with the capability to audio or video record or is capable of receiving or transmitting any type of communication between persons. An ECRD includes, but is not limited to, cameras, cellular and wireless telephones, pagers/beepers, laptop computers, electronic readers, personal digital assistants (PDAs), two-way radios, portable fax machines, video broadcasting devices, and any other device that allows a person to record and/or transmit, on either a real time or delayed basis, sound, video, or still images, text, or other information.

A student is not permitted to have turned on or use an ECRD on school grounds during the school day or when the student is participating in a curricular or school-sponsored co-curricular activity. A student's personal ECRD may only be used on school grounds in an emergency situation or before and after the school day or with the permission of a school staff member supervising the student in a curricular or school-sponsored co-curricular activity. Any audio and/or video recording by a student using their personal ECRD with permission of a school staff member while participating in a curricular or school-sponsored activity where other students or staff members are present shall require the permission for such recording from any other student and their parent and/or staff members whose voice or image is to be recorded. This Policy is not intended to prohibit appropriate use of electronic devices for authorized or approved official curricular or school-sponsored co-curricular activities such as yearbook photographs, staff member/teacher-directed and approved activities, classroom presentations, athletic events, and drama production filming. A student authorized or approved to use an ECRD may not use an ECRD to access internet sites or view information or internet-based material that is inappropriate or would be blocked from student access by the school's acceptable use of computers and networks policy. Nothing in this Policy is intended to prevent a student from using their personal ECRD and recording school-sponsored co-curricular activities as a non-participant when the activity is open to the general public.



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Use of Electronic Communication and Recording Devices (ECRD)

For the purposes of this policy, “school grounds” means and includes land, portions of land, structures, buildings, and structures that support these buildings, including, but not limited to, administrative buildings, kitchens, maintenance shops, and garages. “School grounds” also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and other recreational places owned by the local municipalities, private entities, or other individuals during those times when the school has exclusive use of a portion of such land.

An ECRD used in violation of this Policy will be confiscated by a school staff member or Principal or designee and the student will be subject to appropriate disciplinary action.

N.J.S.A. 2C:33-19

Adopted: 17 May 2018



### 5516.01 STUDENT TRACKING DEVICES

The Board of Trustees recognizes students may have in their possession while in school, at a school-sponsored activity, or on a school bus an electronic tracking device that uses a global positioning system (GPS) or any other similar system. A tracking unit is a device, normally carried by a moving vehicle or person, that uses a GPS or similar system to determine and track its precise location, and hence that of its carrier, at intervals. The recorded location data can be stored within the tracking unit or it may be transmitted to another location, including, but not limited to, a central location database or an Internet-connected computer, using a cellular, radio, or satellite modem embedded in the unit. This allows the tracking unit's location to be displayed against a map backdrop either in real time or when analyzing the tracking path later, using tracking software. A tracking unit may be a device designed just for tracking or may be an application installed on any other electronic device.

A tracking unit may also have the ability to transmit in real time or through taping electronic communications to another location. These electronic communications may be one-way or two-way audio or video communications between the student and a person with a device at another location or an audio and/or video feature that enables a person remote from the student, with or without the permission of the student, to listen-in or have voice communications with the student and/or access video through the unit either in real time or by taping such communications.

The Board of Trustees permits the use of a tracking unit or an application on an electronic device that can track the location of the student while in school, at a school-sponsored event, or on a school bus. However, to protect the privacy rights of all students and to maintain the school's legal obligation to maintain confidential student information in accordance with Federal and State law and regulations, the use of a tracking device or an application on an electronic device that enables any type of one-way or two-way audio and/or video communications or taping is not permitted.

A violation of the provisions of this Policy will result in a violation of the Student Code of Conduct Policy and appropriate discipline will be imposed.

Adopted: 17 May 2018



### 5519 DATING VIOLENCE AT SCHOOL

The Board of Trustees believes a safe and civil environment in school is necessary for children to learn. A student who is a victim of dating violence suffers academically and the student's safety at school is jeopardized. Acts or incidents of dating violence at school whether they are verbal, sexual, physical, or emotional will not be tolerated and will be dealt with in accordance with the school's student code of conduct.

All school staff members (administrative staff, instructional staff, support staff, and volunteers) shall take all reasonable measures to prevent acts or incidents of dating violence at school involving a student. All acts or incidents of dating violence at school shall be reported to the Principal or designee in accordance with the provisions outlined in Regulation 5519. A verbal report shall be made to the Principal or designee as soon as possible, but no later than the end of the student's school day when the staff member witnesses or learns of an act or incident of dating violence at school. A written report regarding the act or incident shall be submitted to the Principal or designee by the reporting staff member no later than one day after the act or incident occurred.

School staff members are required to report all acts or incidents of dating violence at school they witness or upon receiving reliable information concerning acts or incidents of dating violence at school. Acts or incidents may include, but are not limited to: those characterized by physical, emotional, verbal, or sexual abuse; digital or electronic acts or incidents of dating violence; and/or patterns of behavior which are threatening or controlling.

The Board of Trustees, upon the recommendation of the Lead Person, shall adopt the guidelines and procedures outlined in Regulation 5519 for responding to acts or incidents of dating violence at school. The protocols outlined in Regulation 5519 have been established for any school staff member who witnesses or learns of an act or incident of dating violence at school and for school administrators to work with the victim and the aggressor of an act or incident of dating violence.

Dating violence statements and investigations shall 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 shall be documented in an appropriate manner. This should include statements, planning actions, and disciplinary measures as well as counseling and other support resources that are offered and prescribed to the victim or aggressor.





School administrators shall implement discipline and remedial procedures to address acts or incidents of dating violence at school consistent with the school's student code of conduct. The policies and procedures specific to acts or incidents of dating violence at school shall be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses shall 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.

Consequences may include, but are not limited to: admonishment, temporary removal from the classroom, classroom or administrative detention, in-school suspension, out-of-school suspension, reports to law enforcement, and/or expulsion. Retaliation towards the victim of any act or incident of dating violence shall be considered when administering consequences to the alleged aggressor based on the severity of the act or incident.

Remediation/intervention may include, but is not limited to: parent conferences, student counseling (all students involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive student interventions (Intervention and Referral Services - I&RS), behavioral management plans, and/or alternative placements.

A pattern of behaviors may be an important sign a student is involved in an unhealthy or abusive dating relationship. The warning signs listed in Regulation 5519 shall educate the school community on the characteristics that a student in an unhealthy or abusive relationship may exhibit. Many of these warning signs make a connection to one student in the relationship asserting control and power over the other. Recognizing one or more signs of teen dating violence plays an important role in preventing, educating, and intervening in acts or incidents of dating violence.

The Board of Trustees shall make available to students and their families information on safe, appropriate school, family, peer, and community resources available to address dating violence.

The Board of Trustees shall incorporate age-appropriate dating violence education in grades seven and eight through the health education curriculum in alignment with the New Jersey Core Curriculum Content Standards for Comprehensive Health and Physical Education. The educational program shall include, but is not limited to, a definition of dating violence, recognizing the warning signs of dating violence, and the characteristics of healthy relationships.

Upon written request to the school Principal, a parent/legal guardian of a student less than eighteen years of age shall be permitted, within a reasonable period of time after the request is made, to examine the dating violence education instruction materials developed by the school.



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Dating Violence at School

Notice of Policy and Regulation 5519 shall appear in all publications that set forth the comprehensive rules, procedures, and standards of conduct for students within the school and in any handbook.

N.J.S.A. 18A:35-4.23a.; 18A:37-33; 18A:37-34; 18A:37-35; 18A:37-37

New Jersey Department of Education Model Policy and Guidance for Incidents Involving Dating Violence – September 2011

Adopted: 17 May 2018



### 5520 DISORDER AND DEMONSTRATION

The Board of Trustees is responsible for providing a thorough and efficient system of education for students in this school and is authorized to preserve order so that the system may function properly. Students will not be disturbed in the exercise of their constitutionally guaranteed rights to assemble peaceably and to express ideas and opinions, privately or publicly, provided that their activities do not infringe on the rights of others and do not interfere with the operation of the educational program.

The Board will not permit the conduct on school premises of any willful activity engaged in by an individual acting alone or by a group of individuals that interferes with the orderly operation of the educational program or offends the rights of others. The Board specifically prohibits any assembly or expression that materially disrupts instruction; is obscene, slanderous, or grossly prejudicial; advocates the use of dangerous or harmful materials; advocates the use of force or the violation of law or school rules; or advertises goods or services for unauthorized commercial gain.

Disorderly students will be disciplined in accordance with law and Board Policy No. 5600; staff members who assist students in disorderly conduct may be subject to disciplinary measures.

The Board directs all staff members to attempt to resolve student conflict and dissent by reason and arbitration. Students who express dissent should be made aware of the lawful procedures available to them for the resolution of their grievances.

The Lead Person shall establish procedures for the prompt resolution of any disorder that occurs on school premises. The Building Principal shall be responsible for the identification and resolution of disorders in any school building and may summon law enforcement officers as necessary.

N.J.S.A. 2C:12-3; 2C:33-1; 2C:33-2; 2C:33-8  
N.J.S.A. 18A:6-1; 18A:37-1; 18A:37-2

Adopted: 17 May 2018



## 5530 SUBSTANCE ABUSE

The Board of Trustees recognizes that a student's abuse of harmful substances seriously impedes that student's education and threatens the welfare of the entire school community. The Board is committed to the prevention of substance abuse and the rehabilitation of substance abusers by educational means, but will take the necessary and appropriate steps to protect the school community from harm and from exposure to harmful substances. Accordingly, the Board will establish policies and procedures in operating programs to support the social, emotional, and physical development of students in accordance with the provisions of N.J.S.A. 18A:40A-1 et seq. and N.J.A.C. 6A:16-4.1 et seq. The Board of Trustees will maintain a comprehensive substance abuse intervention, prevention, and treatment referral program in the schools of this charter.

### A. Definitions

N.J.S.A. 18A:40A-9  
N.J.A.C. 6A:16-1.3; 6A:16-4.1 et seq.

The definitions as outlined in N.J.S.A. 18A:40A et seq., N.J.A.C. 6A:16 et seq., and those terms defined in Regulation 5530 shall be used for the purposes of this Policy and Regulation.

### B. Discipline

N.J.S.A. 18A:40A-10; 18A:40A-11  
N.J.A.C. 6A:16-4.1(c)2.; 6A:16-6.3(a)

The Board prohibits the use, possession, and/or distribution of alcohol or other drugs on school grounds according to N.J.S.A. 18A:40A-9, 10, and 11.

A student who uses, possesses, or distributes alcohol or other drugs will be subject to discipline in accordance with the school's Code of Student Conduct. School authorities also have the authority to impose a consequence on a student for conduct away from school grounds in accordance with the provisions of N.J.A.C. 6A:16-7.5. Discipline may include suspension or expulsion. The Board will establish consequences for a student not following through on the recommendations of an evaluation for alcohol or other drug abuse and related behaviors.



C. Instruction

N.J.S.A. 18A:40A-1 et seq.  
N.J.A.C. 6A:16-3.1

The Board shall provide an instructional program on the nature of drugs, alcohol, anabolic steroids, tobacco, and controlled dangerous substances in accordance with the provisions of N.J.S.A. 18A:40A-1 et seq. and N.J.A.C. 6A:16-3.1.

D. Reporting, Notification, and Examination

N.J.S.A. 18A:40A-11 through 18A:40A-17  
N.J.A.C. 6A:16-3.1; 6A:16-4.1; 6A:16-4.2; 6A:16-4.3

1. Alcohol or Other Drugs

- a. Any educational staff member or other professional to whom it appears that a student may be currently under the influence of alcohol or other drugs as identified in N.J.S.A. 18A:40A-9 and N.J.A.C. 6A:16-4.1(a), on school grounds shall report the matter in accordance with N.J.A.C. 6A:16-4.3(a)1.
- b. An immediate medical examination shall be conducted and a written report of the medical evaluation shall be furnished to the parent of the student, the Principal, and the Lead Person in accordance with N.J.A.C. 6A:16-4.3(a)2 through 4.3(a)8.
- c. If the written report of the medical examination is not provided within twenty-four hours of the referral of the student, the student shall be allowed to return to school until such time as a positive determination of alcohol or other drug use is received from the examining physician, unless the student was also removed for violating the Code of Student Conduct.
- d. If the written report of the medical evaluation verifies that alcohol or other drugs do not interfere with the student's physical or mental ability to perform in school, the student shall be immediately returned to school. If there is a positive determination from the medical examination indicating the student's alcohol or other drug use interferes with his or her physical or mental ability to perform in school, the student shall be returned to the



care of the parent as soon as possible. Attendance at school shall not resume until a written report has been submitted to the parent, Principal, and Lead Person from a physician licensed to practice medicine or osteopathy who has examined the student that verifies the student's alcohol or other drug use no longer interferes with his or her physical and mental ability to perform in school.

- e. Removal of a student with a disability shall be in accordance with N.J.A.C. 6A:14.
- f. While a student is at home because of the medical evaluation or after the student returns to school, an appropriately certified school staff member(s) will conduct an alcohol and other drug assessment of the student and a reasonable investigation of the situation and may initiate referral alcohol or other drug abuse treatment in accordance with N.J.A.C. 6A:16-4.3(a)12, 4.3(a)13, and 4.3(a)14.
- g. Disclosure to law enforcement authorities of the identity of a student in instances of alcohol and other drugs shall be in accordance with the requirements of N.J.A.C. 6A:16-4.3(a)3.
- h. The Board may provide additional intervention and referral services for the student according to the requirements of N.J.S.A. 18A:40A-10 and N.J.A.C. 6A:16-8.

## 2. Anabolic Steroids

- a. Whenever any teaching staff member, certified or non-certified school nurse, or other educational personnel has reason to believe a student has used or may be using anabolic steroids, the person shall report the matter in accordance with N.J.A.C. 6A:16-4.3(b)1.
- b. The Principal or designee upon receiving such report shall immediately notify the parent and Lead Person and shall arrange for an examination of the student as soon as possible to determine whether the student has been using anabolic steroids in accordance with N.J.A.C. 6A:16-4.3(b)2.
- c. Disclosure to law enforcement authorities of the identity of students in instances of anabolic steroids shall be in accordance with the requirements of N.J.A.C. 6A:16-4.3(b)3.



- d. A written report of the examination shall be provided by the examining physician to the parent, Principal, and Lead Person.
  - e. If it is determined the student has used anabolic steroids, an appropriately certified school staff member(s) shall interview the student and others to determine the extent of the student's involvement with and use of anabolic steroids and the possible need for referral for treatment in accordance with N.J.A.C. 6A:16-4.3(b)5.
  - f. If the results of a referral for evaluation have positively determined the student's involvement with and use of anabolic steroids represents a danger to the student's health and well-being, an appropriately certified school staff member(s) shall initiate a referral for treatment to agencies and/or private practitioners as outlined in N.J.A.C. 6A:16-4.3(b)6.
3. A school employee who seizes or discovers alcohol or other drugs, or an item believed to be a controlled dangerous substance, including anabolic steroids, or drug paraphernalia, shall comply with the provisions of N.J.A.C. 6A:16-6.4.
  4. The Board will provide intervention, referral for evaluation, and referral for treatment services to those students that are affected by alcohol or other drug use in accordance with the provisions of N.J.A.C. 6A:16-4.1(c)7.
  5. Refusal or failure by a parent to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated as a policy violation of the Compulsory Education Act, pursuant to N.J.S.A. 18A:38-25 and 31, and child neglect laws, pursuant to N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-11.
  6. Refusal or failure of a student to comply with the provisions of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3 shall be treated by the school as a policy violation and handled in accordance with N.J.A.C. 6A:16-4.1(c)2.

## E. In-Service Training

N.J.S.A. 18A:40A-15

The Board directs the Lead Person to develop a program of in-service training for all teaching staff members involved in the instruction of students in accordance with the provisions of N.J.S.A. 18A:40A-15. The Board will provide time for the conduct of the program during the usual school schedule. The in-service training program required in N.J.S.A. 18A:40A-15 shall be updated at regular intervals in order to ensure teaching staff members have the most current information available on this subject.



F. Parent Training Program/Outreach Program

N.J.S.A. 18A:40A-16; 18A:40A-17  
N.J.A.C. 6A:16-4.1(c)8

The Board will provide a parent training program/outreach program in accordance with the provisions of N.J.S.A. 18A:40A-16 and 17.

G. Records and Confidentiality of Records

42 CFR Part 2  
N.J.S.A. 18A:40A-7.1; 18A:40A-7.2  
N.J.A.C. 6A:16-3.2; 6A:32-7.1 et seq.

Notations concerning a student's involvement with substances may be entered on his/her records, subject to N.J.A.C. 6A:32-7.1 et seq. and Policy 8330 regarding confidentiality. Information concerning a student's involvement in a school intervention or treatment program for alcohol or other drug abuse shall be kept strictly confidential according to 42 CFR Part 2, N.J.S.A. 18A:40A-7.1 and 7.2, N.J.A.C. 6A:16-3.2, and N.J.A.C. 6A:16-6.5.

If an elementary or secondary student who is participating in a school-based drug or alcohol abuse counseling program provides information during the course of a counseling session in that program which indicates that the student's parent or other person residing in the student's household is dependent upon or illegally using a substance as that term is defined in N.J.S.A. 18A:40A-9, that information shall be kept confidential and may be disclosed only in accordance with N.J.S.A. 18A:40A-7.1 and N.J.A.C. 6A:16-3.2.

H. Civil Immunity

N.J.S.A. 18A:40A-13; 18A:40A-14  
N.J.A.C. 6A:16-4.3(c)

No action of any kind in any court of competent jurisdiction shall lie against any employee, officer, or agent of the Board because of actions taken under the education statutes on substance abuse, N.J.S.A. 18A:40A-1 et seq., provided the skill and care given is that ordinarily required and exercised by other such employees, officers, and agents of the Board in accordance with the provisions of N.J.S.A. 18A:40A-13.





Any educational or non-educational Board employee who in good faith reports a student to the Principal or designee in compliance with N.J.A.C. 6A:16-4.3 shall not be liable in civil damages as a result of making such a report, as specified in N.J.S.A. 18A:40A-13 and 14.

### I. Reporting Students to Law Enforcement Authorities

N.J.A.C. 6A:16-4.1; 6A:16-6.3

The Lead Person or designee shall disclose to law enforcement authorities the identity of a student reasonably believed to be in possession of a controlled dangerous substance, including anabolic steroids, or related paraphernalia or involved or implicated in distribution activities regarding controlled dangerous substances, including anabolic steroids pursuant to N.J.A.C. 6A:16-4.1(c)9. The Lead Person or designee shall not disclose the identity of the student who has voluntarily sought and participated in an appropriate treatment or counseling program for an alcohol or other drug abuse problem provided the student is not reasonably believed to be involved or implicated in drug- distribution activities.

The Lead Person or designee may disclose to law enforcement authorities the identity of a student suspected to be under the influence of alcohol and/or other drugs, pursuant to N.J.A.C. 6A:16-4.1(c)9.i. Law enforcement authorities shall not be notified of the findings if a student's alcohol or other drug test was obtained as a result of a school's voluntary random drug testing program pursuant to N.J.S.A. 18A:40A-22 et seq. and N.J.A.C. 6A:16-4.4.

### J. Policy Review and Accessibility

N.J.S.A. 18A:40A-10; 18A:40A-11  
N.J.A.C. 6A:16-4.2(a) and (b)

The Board will annually review the effectiveness of Policy and Regulation 5530 on student alcohol and drug abuse. The Board may solicit parent, student, and community input, as well as consult in the review process with local alcohol or other drug abuse prevention, intervention, and treatment agencies licensed by the New Jersey Department of Human Services.

This Policy and Regulation shall be annually disseminated to all school staff, students, and parents through the school website or other means.

N.J.S.A. 18A:40A-1 et seq.; 18A:40A-7.1 et seq.  
N.J.A.C. 6A:16-1.1 et seq.; 6A:16-4.1 et seq.; 6A:16-6.1 et seq.

Adopted: 17 May 2018



### 5533 STUDENT SMOKING

The Board of Trustees recognizes the use of tobacco presents a health hazard that can have serious implications both for the smoker and the nonsmoker and that smoking habits developed by young people may have lifelong harmful consequences.

For the purpose of this Policy, “smoking” means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device pursuant to N.J.S.A. 26:3D-57. For the purpose of this Policy, “smoking” also includes the use of smokeless tobacco and snuff.

For the purpose of this Policy, “electronic smoking device” means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, pipe, or any cartridge or other component of the device or related product pursuant to N.J.S.A. 2A:170-51.4.

For the purpose of this Policy, “school buildings” and “school grounds” means and includes land, portions of land, structures, buildings, and vehicles, owned, operated or used for the provision of academic or extracurricular programs sponsored by the school or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and any other central facilities including, but not limited to, kitchens and maintenance shops. “School buildings” and “school grounds” also include athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands and night field lights; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. “School buildings” and “school grounds” also include other facilities as defined in N.J.A.C. 6A:26-1.2; playgrounds; and other recreational places owned by local municipalities, private entities, or other individuals during those times when the school has exclusive use of a portion of such land.

N.J.S.A. 2A:170-51.4 prohibits the sale or distribution to any person under twenty-one years old of any cigarettes made of tobacco or any other matter or substance which can be smoked, or any cigarette paper or tobacco in any form, including smokeless tobacco; and any electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, pipe, or any cartridge or other component of the device or related product. Consequences for a student possessing such an item will be in accordance with the Student Code of Conduct.



The Board prohibits smoking by students at any time in school buildings or on school grounds, at school-sponsored events away from school, or on a school bus.

The Board also prohibits the possession of any item listed in N.J.S.A. 2A:170-51.4 at any time in school buildings or on school grounds, at school-sponsored events away from school, or on a school bus. Such items will be confiscated and may be returned to the parent, upon request.

A sign indicating smoking is prohibited in school buildings and on school grounds will be posted at each public entrance of a school building in accordance with law. The sign shall also indicate violators are subject to a fine.

A student who violates the provisions of this Policy shall be subject to appropriate disciplinary measures in accordance with the school's Student Discipline/Code of Conduct and may be subject to fines in accordance with law. In the event a student is found to have violated this Policy and the law, the Principal or designee may file a complaint with the appropriate Municipal Court or other agency with jurisdiction as defined in N.J.A.C. 8:6-9.1(c).

A student found to have violated this Policy and the law may be required to participate in additional educational programs to help the student understand the harmful effects of smoking and to discourage the use of tobacco products. These programs may include, but are not limited to, counseling, smoking information programs, and/or smoking cessation programs sponsored by this school or available through approved outside agencies.

The Board directs that the health curriculum include instruction in the potential hazards of the use of tobacco. All school staff members shall make every reasonable effort to discourage students from developing the habit of smoking.

The Board of Trustees will comply with any provisions of a municipal ordinance which provides restrictions on or prohibitions against smoking equivalent to, or greater than, those provided in N.J.S.A. 26:3D-55 through N.J.S.A. 26:3D-63.

N.J.S.A. 2A:170-51.4  
N.J.S.A. 2C:35-2  
N.J.S.A. 18A:40A-1  
N.J.S.A. 26:3D-55 through 26:3D-63  
N.J.A.C. 6A:16-4.3  
N.J.A.C. 8:6-7.2; 8:6-9.1 through 8:6-9.5

Adopted: 17 May 2018



## 5550 DISAFFECTED STUDENTS

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

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

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

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

A disaffected student who may have disabilities shall be referred to the Child Study Team for evaluation in accordance with Policy No. 2460 and Regulations No. 2460.3 and 2460.7.

N.J.A.C. 6A:16-7.1 et seq.  
N.J.A.C. 6A:14-1.1 et seq.

Adopted: 17 May 2018



## 5560 DISRUPTIVE STUDENTS

The Board of Trustees believes that the students of this school are entitled to an education free from undue disruption. Students who willfully disrupt the educational program shall be subject to the discipline procedures of this school. Every reasonable effort shall be made to determine and remediate the cause or causes of a chronically disruptive student's unacceptable conduct.

For the purposes of this policy, "disruptive student" means the student who has difficulty establishing good relationships with peers and adult authority figures and who exhibits a pattern of conduct which is in defiance of school rules or regulations and which hinders academic success for other students as well as for himself or herself.

Disruptive students may be disciplined in accordance with Policy No. 5600.

A disruptive student who does not appear to be disabled may be referred to the Intervention Referral Team (IRT) in accordance with Policy No. 2417.

A disruptive student who may have disabilities shall be referred to the Child Study Team for evaluation in accordance with Policy and Regulation Nos. 2460 et seq.

The Lead Person shall report regularly to the Board the incidence of acts of violence and vandalism in the school and shall prepare a remedial plan whenever the report shows a significant increase in the number of such acts.

N.J.S.A. 18A:17-46 et seq.; 18A:37-1 et seq.

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

Adopted: 17 May 2018



## 5561 USE OF PHYSICAL RESTRAINT AND SECLUSION TECHNIQUES FOR STUDENTS WITH DISABILITIES

The Board of Trustees strives to provide a safe, caring atmosphere that supports all students in the least restrictive environment. On occasion, during an emergency, a situation may arise making it necessary to temporarily restrain or seclude a student with a disability in accordance with N.J.S.A. 18A:46-13.4 through 13.7.

A school, an educational services commission, or an approved private school for students with disabilities (APSSD) that utilizes physical restraint on students with disabilities shall ensure that:

1. Physical restraint is used only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;
2. A student is not restrained in the prone position, unless the student's primary care physician authorizes, in writing, the use of this restraint technique;
3. Staff members who are involved in the restraint of a student receive training in safe techniques for physical restraint from an entity determined by the Board of Trustees to be qualified to provide such training, and that the training is updated at least annually;
4. The parent of a student is immediately notified when physical restraint is used on the student. This notification may be by telephone or electronic communication. A full written report of the incident of physical restraint shall be provided to the parent within forty-eight hours of the occurrence of the incident;
5. Each incident in which physical restraint is used is carefully and continuously visually monitored to ensure it was used in accordance with established procedures set forth in Policy and Regulation 5561 – Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and
6. Each incident in which physical restraint is used is documented in writing in sufficient detail to enable staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan meeting.



A school, an educational services commission, and an APSSD shall attempt to minimize the use of physical restraints through inclusion of positive behavior supports in the student's behavior intervention plans developed by the individualized education plan team.

A school, an educational services commission, or an APSSD that utilizes seclusion techniques on students with disabilities shall ensure that:

1. A seclusion technique is used on a student with disabilities only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger;
2. Each incident in which a seclusion technique is used is carefully and continuously visually monitored to ensure it was used in accordance with established procedures set forth in Policy and Regulation 5561 – Use of Physical Restraint and Seclusion Techniques for Students with Disabilities, developed in conjunction with the entity that trains staff in safe techniques for physical restraint, in order to protect the safety of the child and others; and
3. Each incident in which a seclusion technique is used is documented in writing in sufficient detail to enable the staff to use this information to develop or improve the behavior intervention plan at the next individualized education plan meeting.

A school, an educational services commission, and an APSSD shall attempt to minimize the use of seclusion techniques through inclusion of positive behavior supports in the student's behavior intervention plans developed by the individualized education plan team.

The New Jersey Department of Education shall establish guidelines for schools, educational services commissions, and APSSDs to ensure a review process is in place to examine the use of physical restraints or seclusion techniques in emergency situations, and for the repeated use of these methods for an individual child, within the same classroom, or by a single individual. The review process shall include educational, clinical, and administrative personnel. Pursuant to the review process the student's individualized education plan team may, as deemed appropriate, determine to revise the behavior intervention plan or classroom supports, and a school, educational services commission, or APSSD may determine to revise a staff member's professional development plan pursuant to N.J.S.A. 18A:46-13.7.

N.J.S.A. 18A:46-13.4; 18A:46-13.5; 18A:46-13.6; 18A:46-13.7

Adopted: 17 May 2018



### 5570 SPORTSMANSHIP

The Board of Trustees requires that all individuals involved in or attending the athletic and intramural programs sponsored by the Board exhibit sportsmanship when representing the school at any athletic event. Sportsmanship is defined as abiding by the rules of the contest as defined or accepted by the participating teams and the gracious acceptance of victory or defeat. In exhibiting sportsmanship all participants shall:

1. Understand and follow the rules of the contest;
2. Recognize skilled performance of others regardless of affiliation;
3. Display respect for all individuals participating in the athletic event;
4. Treat opponents in an empathetic manner; and
5. Congratulate opponents in victory or defeat.

Failure to exhibit good sportsmanship shall include, but not be limited to the following conduct:

1. Any person who strikes or physically abuses an official, coach, player or spectator;
2. Any person who intentionally incites participants or spectators to abusive action;
3. Any person who uses obscene gestures or unduly provocative language or action towards officials, coaches, opponents or spectators;
4. Any school or athletic staff member who is publicly critical of a game official or opposing coaches and/or players;
5. Any person who engages in conduct which exhibits bias based on race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability; and
6. A school or school organizations engaging in pre-event activities of an intimidating nature, e.g. use of fog machines, blaring sirens, unusual sound effects or lighting, or similar activities.





7. Other conduct judged by the Principal to be unsportsmanlike in character.

Failure to exhibit good sportsmanship may result in the Board denying the opportunity for any individual to participate in the athletic program or attend athletic events.

NJSIAA Guidelines

Adopted: 17 May 2018



## 5600 STUDENT DISCIPLINE/CODE OF CONDUCT

The Board of Trustees adopts this Student Discipline/Code of Conduct Policy to establish standards, policies, and procedures for positive student development and student behavioral expectations on school grounds and, as appropriate, for conduct away from school grounds. Every student enrolled in this school shall observe promulgated rules and regulations and the discipline imposed for infraction of those rules.

The Lead Person will establish a process for the annual review and update of the school's Student Discipline/Code of Conduct Policy and Regulation that may involve a committee of parents, students, and community members that represent, where possible, the composition of the schools and community. The Lead Person will report to the Board the process used for the annual review of this Policy and Regulation and will recommend to the Board updates, if any, to the Student Discipline/Code of Conduct Policy and Regulation.

The Student Discipline/Code of Conduct Policy and Regulation shall be disseminated annually to all school staff, students, and parents. The Board of Trustees shall provide to all employees annual training on the Student Discipline/Code of Conduct Policy and Regulation, which shall include training on the prevention, intervention, and remediation of student conduct that violates the school's Policy and Regulation. Information on the Student Discipline/Code of Conduct Policy and Regulation shall be incorporated into the orientation for new employees.

The Board provides for the school's Student Discipline/Code of Conduct's equitable application. Student discipline and the Code of Student Conduct will be applied without regard to race; color; religion; ancestry; national origin; nationality; sex; gender; sexual orientation; gender identity or expression; marital, domestic-partnership, or civil union; mental, physical or sensory disability; or by any other distinguishing characteristic, pursuant to N.J.S.A. 10:5.-1 et seq.

For students with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. §1400 et seq., the Individuals with Disabilities Education Improvement Act and accommodation plans under 29 U.S.C. §§ 794 and 705(20), the Code of Student Conduct shall be implemented in accordance with the components of the applicable plans.

The Student Discipline/Code of Conduct is established for the purposes outlined in N.J.A.C. 6A:16-7.1(b).



Policy and Regulation 5600 include a description of student responsibilities that include expectations for academic achievement, behavior, and attendance, pursuant to N.J.A.C. 6A:32-8 and 13.1; a description of behaviors that will result in suspension or expulsion, pursuant to N.J.S.A. 18A:37-2; and a description of student rights pursuant to N.J.A.C. 6A:16-7.1(c)3.i through vii.

The Board of Trustees approves the use of comprehensive behavioral supports that promote positive student development and the students' abilities to fulfill the behavioral expectations established by the Board. These behavioral supports include, but are not limited to, positive reinforcement for good conduct and academic success including the programs that honor and reward student conduct and academic achievement; supportive intervention and referral services including those services outlined in Policy 2417; remediation of problem behaviors that take into account the behavior's nature, the students' developmental ages and the students' histories of problem behaviors and performance; and for students with disabilities, the behavior interventions and supports shall be determined and provided pursuant to N.J.A.C. 6A:14.

Policy and Regulation 5600 include a description of school responses to violations of behavioral expectations established by the Board that, at a minimum, are graded according to the severity of the offenses, and consider the developmental ages of the student offenders and their histories of inappropriate behaviors pursuant to N.J.A.C. 6A:16-7.1(c)5.

Students are required to be in compliance with Policy and Regulation 5200 – Attendance pursuant to N.J.A.C. 6A:16-7.6 and Policy and Regulation 5512 – Harassment, Intimidation, and Bullying pursuant to N.J.A.C. 6A:16-7.7.

The Building Principal shall maintain a current list of community-based health and social service provider agencies available to support a student and the student's family, as appropriate, and a list of legal resources available to serve the community.

The Building Principal or designee shall have the authority to assign discipline to students. School authorities also have the right to impose a consequence on a student for conduct away from school grounds that is consistent with the school's Code of Student Conduct pursuant to 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. This authority shall be exercised only when the conduct that is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences pursuant



to N.J.A.C. 6A:16-7.5 shall be handled in accordance with Policy and Regulation 5600, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 6A:16-7.3, or 6A:16-7.4. School authorities shall respond to harassment, intimidation, or bullying that occurs off school grounds, pursuant to N.J.S.A. 18A:37-14 and 15.3 and N.J.A.C. 6A:16-1.3, 7.1, and 7.7.

Consequences and appropriate remedial action for a student who commits one or more acts of harassment, intimidation, or bullying may range from positive behavioral interventions up to and including suspension or expulsion. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are listed in Policy 5512 – Harassment, Intimidation, and Bullying. Consequences 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 developmental age of the student and the student’s history of problem behaviors and performance, and shall be consistent with this Policy and the school’s Student Discipline/Code of Conduct Policy pursuant to N.J.A.C. 6A:16-7.1. Remedial measures for one or more acts of harassment, intimidation, or bullying shall be designed to correct the problem behavior; prevent another occurrence of the problem; protect and provide support for the victim of the act; and take corrective action for documented systemic problems related to harassment, intimidation, or bullying.

Consequences and remedial measures to address acts or incidents of dating violence at school shall be consistent with the school’s Student Discipline/Code of Conduct Policy. The factors for determining consequences and remedial measures and examples of consequences and remedial measures are included in Policy and Regulation 5519 – Dating Violence at School and shall be used to address the act or incident as well as serve as remediation, intervention, education, and prevention for all individuals involved. The responses shall be tiered with consideration given to the seriousness and the number of previous occurrences of acts or incidents in which both the victim and aggressor have been involved. Consequences for acts or incidents of dating violence at school may range from admonishment to suspension or expulsion. Retaliation towards the victim of any act or incident of dating violence shall be considered when administering consequences to the aggressor based on the severity of the act or incident. Remedial measures/interventions for acts or incidents of dating violence at school may include, but are not limited to: parent conferences, student counseling (all students involved in the act or incident), peer support groups, corrective instruction or other relevant learning or service experiences, supportive student interventions (Intervention and Referral Services - I&RS), behavioral management plans, and/or alternative placements.

Any student to be disciplined shall be provided the due process procedures for students and their families as set forth in Policy and Regulation 5600 and N.J.A.C. 6A:16-7.2 through 7.4.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Student Discipline/Code of Conduct

In accordance with the provisions of N.J.A.C. 6A:16-7.8, when a student transfers to a public school from another public school district, all information in the student's record related to disciplinary actions taken against the student by the school and any information the school has obtained pursuant to N.J.S.A. 2A:4A-60, Disclosure of Juvenile Information, Penalties for Disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a) and N.J.A.C. 6A:32-7.5.

The Lead Person may be required to submit a report annually to the New Jersey Department of Education on student conduct, including all student suspensions and expulsions, and the implementation of the Student Discipline/Code of Conduct Policy in accordance with the format prescribed by the Commissioner of Education. The Lead Person shall report to the Commissioner of Education each incident of violence, including harassment, intimidation, and bullying, vandalism, and alcohol and other drug offenses, pursuant to N.J.A.C. 6A:16-4.3, in the school utilizing the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3.

N.J.S.A. 18A:6-1; 18A:36-25.1; 18A:25-2; 18A:36-19a;  
18A:37-1 et seq.; 18A:37-13.1 et seq.  
N.J.A.C. 6A:16-7.1 et seq.; 6A:14-1.1 et seq.

Adopted: 17 May 2018



## 5610 SUSPENSION

The Board of Trustees recognizes that even the temporary exclusion of a student from the educational program of this school is a severe sanction and one that cannot be imposed without due process.

Any student who is guilty of continued and willful disobedience, or of open defiance of the authority of any teacher or person having authority over him, or of the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school. Conduct which shall constitute good cause for suspension or expulsion of a student guilty of such conduct shall include, but not be limited to, the conduct as defined in N.J.S.A. 18A:37-2 and the school's Student Discipline/Code of Conduct Policy and Regulation in accordance with the N.J.A.C. 6A:16-7.1 et seq.

For the purposes of this Policy, "suspension" means the temporary removal of a student from the regular instructional program.

For the purposes of this Policy, "short term suspension" means a suspension for one, but not more than ten consecutive school days and "long term suspension" means a suspension for more than ten consecutive school days.

In accordance with the provisions of N.J.S.A. 18A:37-4, a student may be suspended only by the Principal, who shall report any suspension to the Lead Person as soon as possible. The Lead Person shall report the suspension to the Board at its next regular meeting. The suspended student may be reinstated by the Principal or by the Lead Person prior to the second regular meeting of the Board following the suspension, unless the Board reinstates the student at the first regular meeting. No student suspended for reasons of assault upon a person in authority may be reinstated before the Board has held a hearing, within thirty calendar days of the suspension, to consider that student's expulsion from school. At its second regular meeting after the suspension and thereafter, the Board alone may reinstate the student or continue the suspension.

In each instance of a short-term suspension, the student will be provided oral or written notice of the charges and an informal hearing conducted by the Principal or designee in accordance with the procedures outlined in N.J.A.C. 6A:16-7.2. To the extent the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process, the student may be immediately removed from the student's educational program and the informal hearing shall be held as soon as practical after the suspension.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Suspension

In each instance of a long-term suspension, the school shall assure the rights of the student pursuant to N.J.A.C. 6A:16-7.3.

The school will comply with the requirements of N.J.A.C. 6A:16-7.2 and 7.3, in addition to all the procedural protections set forth in N.J.A.C. 6A:14, for each student with a disability who is subject to a short-term or long-term suspension.

In each instance of a short- or long-term suspension, the school shall provide academic instruction, either in school or out of school, that addresses the New Jersey Student Learning Standards pursuant to N.J.A.C. 6A:8-3.1 et seq., which may include a public education program provided in accordance with the provisions of N.J.A.C. 6A:16-9 or 10. These services shall be provided within five school days of the suspension. Educational services provided to a student with a disability shall be provided consistent with the student's Individualized Education Program, in accordance with N.J.A.C. 6A:14.

Student records are subject to challenge by parents and adult students in accordance with N.J.A.C. 6A:32-7.7 and Policy and Regulation 8330. The name of a disciplined student will not appear in the agenda or minutes of a public meeting or in any public record of this school; any such student will be designated by code.

N.J.S.A. 18A:37-1; 18A:37-2 et seq.; 18A:37-4; 18A:37-5  
N.J.A.C. 6A:16-7.2; 6A:16-7.3; 6A:32-7.7; 6A:14-2.8

Adopted: 17 May 2018



## 5611 REMOVAL OF STUDENTS FOR FIREARMS OFFENSES

The Board of Trustees is committed to providing a safe and secure school environment to all students attending the public schools. To provide this environment, the Board of Trustees will implement policies and procedures regarding student offenses involving firearms, as defined in N.J.S.A. 2C:39-1(f) and 18 U.S.C. §921, pursuant to The Zero Tolerance For Guns Act, N.J.S.A. 18A:37-7 through N.J.S.A. 37-12.

Policy and Regulation 5611 shall apply to a student who is convicted or adjudicated delinquent for possession of a firearm on school grounds, convicted or adjudicated delinquent for committing a crime while in possession of a firearm on school grounds, or found knowingly in possession of a firearm on school grounds. A student, other than a student with a disability, convicted or adjudicated delinquent for these firearm offenses shall be immediately removed from the school's general education program for a period of not less than one calendar year and placed in an alternative education program according to the requirements of N.J.A.C. 6A:16-9. A student with a disability convicted or adjudicated delinquent for these firearm offenses shall be immediately removed in accordance with the provisions of N.J.A.C. 6A:14 and applicable Federal regulations and shall receive a placement in accordance with N.J.A.C. 6A:14.

The Lead Person or designee shall remove the student in accordance with the requirements outlined in N.J.A.C. 6A:16-5.5(d), which includes notifying the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

If it is found that the removed student did not commit these firearm offenses, the student shall be immediately returned to the program from which he or she was removed.

The Lead Person shall make the final determination on whether the general education student removed in accordance with the requirements of N.J.A.C. 6A:16-5.5 and this Policy is prepared to return to the general education program or will remain in an alternative education program, pursuant to N.J.A.C. 6A:16-9, or receive home or other out-of-school instruction, pursuant to N.J.A.C. 6A:16-10 based on the criteria outlined in N.J.A.C. 6A:16-5.5(i).

If a student, other than a student with a disability, is removed from the general education program pursuant to N.J.A.C. 6A:16-5.5 and this Policy, and a placement in an alternative education program is not available, the general education student shall be provided home or other out-of-school instruction according to N.J.A.C. 6A:16-10.2 until placement is available.





# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Removal of Students for Firearms Offenses

The Lead Person biannually shall submit to the Commissioner of Education a report on each incident under N.J.A.C. 6A:16-5.5 utilizing the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3(d)I.

This Policy and Regulation 5611, implementing the requirements of N.J.A.C. 6A:16-5.5, shall be annually disseminated to all school staff, students, and parents.

N.J.S.A. 18A:37-1 et seq.

N.J.A.C. 6A:14-2.8 et seq.; 6A:16-5.5; 6A:16-6.1 et seq.; 6A:16-7.1 et seq.;  
6A:16-8.1 et seq.; 6A:16-9.1 et seq.; 6A:16-10.2

Adopted: 17 May 2018



## 5612 ASSAULTS ON SCHOOL BOARD OF TRUSTEES MEMBERS OR EMPLOYEES

Any student who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, not involving the use of a weapon or firearm, upon a teacher, administrator, other school employee, or Board member acting in the performance of his or her duties and in a situation where his or her authority to act is apparent, or as a result of the victim's relationship to the school, shall be immediately removed from school pursuant to N.J.S.A. 18A:37-2.1 and N.J.A.C. 6A:16-5.7.

A student, other than a student with a disability, who commits an assault as defined in N.J.S.A. 2C:12-1(a)1, shall be immediately removed from school consistent with due process procedures, pending a hearing pursuant to N.J.A.C. 6A:16-7.2 through 7.5. Nothing in N.J.S.A. 18A:37-2.1 or N.J.A.C. 6A:16-5.7 shall be construed as prohibiting the expulsion of a general education student. A student with a disability who commits an assault as defined in this Policy, shall be removed in accordance with N.J.A.C. 6A:14 and due process proceedings in accordance with N.J.A.C. 14-2.7 and 2.8.

In accordance with the provisions of N.J.S.A. 18A:37-2.1(a), said proceedings shall take place no later than thirty calendar days following the day on which the student is suspended. The decision of the Board shall be made within five days after the close of the hearing. Any appeal of the Board's decision shall be made to the Commissioner of Education within ninety days of the Board's decision. The provisions herein shall be construed in a manner consistent with 20 U.S.C. § 1400 et seq.

The Lead Person or designee shall remove, isolate, and place the student under the supervision of school staff until the student's parent or appropriate agency takes custody of the student. The Lead Person or designee will notify the student's parent of the removal action and the student's due process rights. The Lead Person or designee will notify the appropriate law enforcement official of a possible violation of the New Jersey Code of Criminal Justice.

In accordance with the provisions of N.J.S.A. 18A:37-2.1(b), whenever a teacher, administrator, Board member, other school employee, or a labor representative on behalf of an employee makes an allegation in writing that the Board member or employee has been assaulted by a student, the Principal shall file a written report of the alleged assault with the Lead Person. The Lead Person shall report the alleged assault to the Board at its next regular meeting; provided that the name of the student who allegedly committed the assault, although it may be disclosed to the Board members, shall be kept confidential at the public Board of Trustees meeting.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Assaults on School Board of Trustees  
Members or Employees

Any person who fails to file a report of an alleged assault as required pursuant to N.J.S.A. 18A:37-2.1 and N.J.A.C. 6A:16-5.7 may be liable to disciplinary action by the Board.

The Lead Person biannually shall submit to the Commissioner of Education a report on each incident under N.J.A.C. 6A:16-5.7 utilizing the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3(e)F.

Policy and Regulation 5612, implementing the requirements of N.J.A.C. 6A:16-5.7, shall be annually disseminated to all school staff, students, and parents.

N.J.S.A. 18A:37-2.1

N.J.A.C. 6A:14-2.7; 6A:14-2.8; 6A:16-5.7; 6A:16-7.2; 6A:16-7.3; 6A:16-7.4; 6A:16-7.5

Adopted: 17 May 2018



## 5613 REMOVAL OF STUDENTS FOR ASSAULTS WITH WEAPONS OFFENSES

The Board of Trustees is committed to providing a safe and secure school environment to all students attending the public schools. To provide this environment, the Board of Trustees will implement policies and procedures regarding a student who commits an assault, as defined under N.J.S.A. 2C:12-1(a)1, with a weapon, which includes, but is not limited to, items enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 U.S.C. § 921, upon a teacher, administrator, other school Board employee, Board of Trustees member, or another student on school grounds, pursuant to N.J.S.A. 18A:37-2.2 through 2.5.

A student, other than a student with a disability, who commits an assault as defined above shall be immediately removed from the school's general education program for a period not exceeding one calendar year and placed in an alternative education program according to the requirements of N.J.A.C. 6A:16-9. A student with a disability who commits an assault as defined above shall be immediately removed in accordance with the provisions of N.J.A.C. 6A:14 and applicable Federal regulations and shall receive a placement in accordance with N.J.A.C. 6A:14.

The Lead Person or designee shall remove the student in accordance with the requirements outlined in N.J.A.C. 6A:16-5.6(d), which includes notifying the appropriate law enforcement agency of a possible violation of the New Jersey Code of Criminal Justice.

If it is found that the removed student did not commit these offense(s), the student shall be immediately returned to the program for which he or she was removed.

If a student, other than a student with a disability, is removed from the general education program pursuant to N.J.A.C. 6A:16-5.6 and this Policy, and a placement in an alternative education program is not available, the general education student shall be provided home or other out-of-school instruction, according to N.J.A.C. 6A:16-10.2, until placement is available.

The Lead Person shall make the final determination on whether the general education student removed, in accordance with the requirements of N.J.A.C. 6A:16-5.6 and this Policy, is prepared to return to the general education program or will remain in an alternative education program or receive home or other out-of-school instruction based on the criteria outlined in N.J.A.C. 6A:16-5.6(i).

The Lead Person biannually shall submit to the Commissioner of Education a report on each incident and the circumstance surrounding the removal of students pursuant to N.J.A.C. 6A:16-5.6 utilizing the Electronic Violence and Vandalism Reporting System, pursuant to N.J.A.C. 6A:16-5.3(e)1.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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### Removal of Students for Assaults with Weapons Offenses

This Policy and Regulation 5613, implementing the requirements of N.J.A.C. 6A:16-5.6, shall be annually disseminated to all school staff, students, and parents.

N.J.S.A. 18A:37-1 et seq.

N.J.A.C. 6A:14-2.8 et seq.; 6A:16-5.6; 6A:16-6.1 et seq.; 6A:16-7.1 et seq.;  
6A:16-8.1 et seq.; 6A:16-9.1 et seq.; 6A:16-10.2

Adopted: 17 May 2018



### 5615 SUSPECTED GANG ACTIVITY

Students that initiate, advocate, or promote unacceptable activities or conduct, openly or otherwise, and/or threaten the safety or well-being of others, disrupt the school environment and are harmful to the educational process in this school. This unacceptable conduct, including but not limited to, physical or verbal harassing, intimidating, or bullying conduct; unlawful use of force; threats; violence; or other violations of the school's student code of conduct by a student or group of students directed toward any school staff member or any other student or group of students anywhere on school grounds, at any school related or sponsored activity, on school buses, at school bus stops, and any other place where students are supervised by school staff will not be tolerated.

In the event the Principal or designee believes any unacceptable activities or conduct was, or is being committed, for the benefit of, at the direction of, or in association with a group of three or more persons, the school staff will investigate further to determine if the conduct was committed by students representing a "criminal street gang" (hereinafter referred to as a "gang") as defined in N.J.S.A. 2C:33-29.

In accordance with N.J.S.A 2C:33-29, "criminal street gang" means three or more persons associated in fact. Individuals are associated in fact if: (1) two of the following seven criteria that indicate criminal street gang membership apply: (a) self-proclamation; (b) witness testimony or official statement; (c) written or electronic correspondence; (d) paraphernalia or photographs; (e) tattoos; (f) clothing or colors; (g) any other indicia of street gang activity; and (2) individually or in combination with other members of a criminal street gang, while engaging in gang-related activity, have committed or conspired or attempted to commit, within the preceding five years from the date of the present offense, excluding any period of imprisonment, one or more offenses on separate occasions of robbery, carjacking, aggravated assault, assault, aggravated sexual assault, sexual assault, arson, burglary, kidnapping, extortion, tampering with witnesses and informants or a violation of Chapter 11, Section 3, 4, 5, 6, or 7 of Chapter 35, or Chapter 39 of Title 2C of the New Jersey Statutes.

If it is determined unacceptable activities or conduct was committed by students representing a gang or by students that may be representing a gang, the Principal or designee will assign appropriate disciplinary action and will notify the parent of the victim(s) and the offender(s). The Principal or designee will also inform the Lead Person and local law enforcement.



To further ensure the safety and well-being of all students in the school and to increase awareness within the school community regarding potential gang activity, students are prohibited from wearing while on school grounds, at any school related or sponsored activity, on school buses, and any other place where students are supervised by school staff, any type of clothing or accessory that would indicate a student has membership in, or affiliation with, any gang associated with criminal activities pursuant to N.J.S.A. 18A:11-9.

The parent of any student identified as being potentially involved in gang-related activities shall be notified by the Principal or designee. A student identified as being potentially involved in gang-related activities shall be offered appropriate counseling by school staff.

The Lead Person, Principal, or other administrator employed by the school shall attend a gang education seminar program pursuant to N.J.S.A. 52:17B-4.7 within the first year of initial employment as an administrator in the school. The Lead Person, Principal, or other administrator shall be exempt from this requirement if the administrator has successfully completed a gang education seminar conducted by a charter school which is substantially equivalent to the seminar required pursuant to N.J.S.A. 52:17B-4.7. Other school staff members shall be provided in-service training on gangs and gang-related conduct and activities including, but not limited to, recruitment procedures; threats/intimidation; clothing; insignia; hand signs; symbols; graffiti; terminology; or other indicia of gang association.

Information regarding gangs shall be shared by school staff to local law enforcement officials and the school's administrative staff members will encourage local law enforcement to share gang-related information with school officials.

Nothing in this Policy shall supersede or negate any existing New Jersey law or Board Policy regarding student discipline and/or the school's student code of conduct. This Policy shall be made available to school staff, students, and parents.

N.J.S.A. 18A:11-9

N.J.S.A. 2C:33-29

New Jersey State Police Street Gang Units – Know the Signs: A Guide to Gang Identification

Adopted: 17 May 2018



### 5620 EXPULSION/RETURN TO HOME SCHOOL DISTRICT

The Board of Trustees recognizes that expulsion from this school is the most severe sanction that can be imposed upon a student. For the purposes of this policy, “expulsion” means the return to home school district.

The Board may expel a general education student only after the Board has provided the procedural due process rights set forth in N.J.A.C. 6A:16-7.3 and 7.4 and as outlined in Policy and Regulation 5610, subsequent to a long-term suspension pursuant to N.J.A.C. 6A:16-7.3.

Except as otherwise provided in N.J.S.A. 18A:37-2a, a student may be expelled from a charter school based on criteria determined by the Board of Trustees, which is consistent with the provisions of N.J.S.A. 18A:37-2, and approved by the Commissioner of Education as part of the school’s charter. Any expulsion shall be made upon the recommendation of the charter school Principal, in consultation with the student’s teachers.

The Board shall comply with the mandated student removal from general education pursuant to N.J.A.C. 6A:16-7.4. The Board shall follow N.J.A.C. 6A:16-5.5 for student removal for firearm offenses, N.J.A.C. 6A:16-5.6 for student removal for assaults with weapons offenses, and N.J.A.C. 6A:16-5.7 for student removal for assaults on Board of Trustees members and employees.

A student with a disability shall only be expelled from his or her current program in accordance with N.J.A.C. 6A:14 et seq. An expulsion of a student with a disability from a receiving school shall be handled in accordance with N.J.A.C. 6A:14 et seq.

An expulsion of a student with a disability from a receiving school shall be handled in accordance with N.J.A.C. 6A:14.

N.J.S.A. 18A:37-2

N.J.A.C. 6A:16-7.4; 6A:16-7.5

Adopted: 17 May 2018





## 5700 STUDENT RIGHTS

The Board of Trustees recognizes that students possess both the right to a free public education and the rights of citizenship. In granting students the educational opportunities to which they are entitled, the Board shall provide them with the nurture, counsel, and custodial care appropriate to students' ages and maturity. At the same time, the Board will respect the right of each student to equal treatment and equal access to the educational program, the due process of law, freedom of expression and association, and the privacy of his/her own thoughts.

Attendant on the rights guaranteed to each student are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the policies and regulations of this school.

As students differ in age and maturity, so they differ in the ability to assume both the rights and the concomitant responsibilities of citizenship. Accordingly, the exercise of each right will be granted with due regard for the degree of responsibility possessed by the student and the student's need for continuing guidance and control.

A student who has reached the age of majority and is emancipated possesses the full rights of an adult and may issue authorizations previously delegated to his/her parent(s) or legal guardian(s). The adult student is fully responsible for his/her educational performance, attendance, compliance with school regulations, and care of school property. The parent(s) or legal guardian(s) of each adult student will be informed of the rights of the student and will continue to be informed of the student's progress in school.

N.J.S.A. 9:17B-1

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

Adopted: 17 May 2018



## 5701 PLAGIARISM

- A. Students are expected to be honest in all of their academic work. This means that they will not engage in any of the following acts:
1. Cheating on examinations, including but not limited to, the non-authorized use of books or notes, the use of crib sheets, copying from other students' papers, exchanging information with other students orally, in writing, or by signals, obtaining copies of the examination illegally and other similar activities.
  2. Plagiarism is not permitted in term papers, themes, essays, reports, images, take-home examinations, and other academic work. Plagiarism is defined as stealing or use without acknowledgment of the ideas, words, formulas, textual materials, on line services, computer programs, etc. of another person, or in any way presenting the work of another person as one's own.
  3. Falsifications, including forging signatures, altering answers after they have been graded, the insertion of answers after the fact, the erasure of grader's markings, and other acts that allow for falsely taking credit.
- B. A student found guilty of academic dishonesty may be subjected to a full range of penalties including, but not limited to, reprimand and loss of credit for all of the work that is plagiarized.
- C. A teacher who believes that a student has been academically dishonest in his/her class should resolve the matter in the following manner:
1. Reprimand the student orally and/or in writing. The teacher is also authorized to withhold credit in the work tainted by the academic dishonesty.
  2. If warranted, the teacher shall file a written complaint against the student requesting a more stringent form of discipline. The complaint must describe in detail the academic dishonesty that is alleged to have taken place, and must request that the matter be reviewed.
  3. The Lead Person will determine if further discipline of the student is appropriate, and will determine the nature of the discipline on a case-by-case basis.
  4. If the student is not in agreement with the disciplinary action of the Lead Person, he/she may appeal the action. If the student is dissatisfied with the Lead Person's disposition of the case, he/she may grieve the action in accordance with Policy No. 5710, Student Grievance.

Adopted: 17 May 2018



### 5710 STUDENT GRIEVANCE

The Board of Trustees believes that students are citizens who possess the right to request redress of grievances and that students should be encouraged to respect lawful procedures for the resolution of disputes. Accordingly, the Board will establish and observe procedures by which the grievances of students will be heard.

For the purposes of this policy, a student grievance means any complaint that arises out of the acts or policies of this Board or the acts of its employees.

A student grievance will be heard in the following manner:

1. A student should first make the grievance known to the staff member most closely involved or with a guidance counselor and both shall attempt to resolve the matter informally and directly;
2. A grievance not resolved at the first step must be reduced to a written statement in which the student sets forth the specific nature of the grievance, the facts that gave rise to it, the relief sought, and the reasons why that relief is appropriate;
3. The written grievance may be submitted to the Lead Person, and the Board of Trustees, in that order and within a suitable period of time to be allowed at each level for the hearing of the grievance and the preparation of a response;
4. At each step beyond the first, the school authority hearing the grievance may summon the parent(s) or legal guardian(s) of a grievant who is not an adult. The grievant may summon the assistance of his/her parent(s) or legal guardian(s) at any step;
5. A student grievance that proceeds to the Board will be determined promptly and the Board will issue a decision in no more than ten calendar days. The student will be informed of the right to appeal a decision of the Board to the Commissioner of Education.

The Lead Person shall direct all staff members to respect the right of students to seek redress of grievances by lawful procedures without fear of reprisal.

Adopted: 17 May 2018



## 5721 INDEPENDENT PUBLICATIONS

The Board of Trustees respects the right of students to express themselves in written word or picture, or video image or computer generated illustrations, and to distribute printed materials as part of that expression; at the same time, the Board recognizes that the exercise of that right is limited by the rights of other members of the school community.

For the purposes of this policy, “printed materials” include any written or printed cards, letters, circulars, books, pamphlets, notices, newspapers, and similar materials but do not include any publication that is sponsored by this Board.

Certain printed materials are not protected by a student’s right of free expression because they violate the rights of others. The Board may identify and prohibit the distribution on school premises of printed materials that are grossly prejudicial to an ethnic, national, religious, or racial group or to either gender; libel any person or persons; seek to establish the supremacy of a particular religious denomination, sect, or point of view over any other; advocate the use or advertise the availability of any substance or material that constitutes a direct and substantial danger to the health of students; contain obscenity or material otherwise deemed to be harmful to impressionable students; incite violence, advocate the use of force, or urge the violation of law or school regulations; advertise goods or services for the benefit of profit-making organizations; fail to identify the student responsible for distribution and the agent responsible for reproduction; solicit funds for nonschool organizations when such solicitations have not been approved by the Board; or promote, favor, or oppose any candidate for election to the Board or the adoption of any bond issue, proposal, or questions submitted at any election.

The Board requires that the distribution of printed material take place only at the places and during the times established by rule in order not to disrupt the orderly operation of the educational program.

N.J.S.A. 2C:34-3  
N.J.S.A. 18A:42-4

Adopted: 17 May 2018



### 5750 EQUAL EDUCATIONAL OPPORTUNITY

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

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

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

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



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Equal Educational Opportunity

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

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

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

42 U.S.C.A. 12101

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

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

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

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

Adopted: 17 May 2018



## 5751 SEXUAL HARASSMENT

The Board of Trustees will not tolerate sexual harassment of students by school employees, other students, or third parties. Sexual harassment of students is a form of prohibited sex discrimination. School staff will investigate and resolve allegations of sexual harassment of students engaged in by school employees, other students (peers), or third parties.

The Board shall establish a grievance procedure through which school staff and/or students can report alleged sexual discrimination, including sexual harassment which may include quid pro quo harassment and hostile environment.

### Definitions:

1. Quid pro quo harassment occurs when a school employee explicitly or implicitly conditions a student's participation in an educational program or activity or bases an educational decision on the student's submission to unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid Pro Quo Harassment is equally unlawful whether the student resists and suffers the threatened harm or submits and thus avoids the threatened harm.
2. Hostile environment sexual harassment is sexually harassing conduct (which can include unwelcomed sexual advances, requests for sexual favors, or other favors, or other verbal, nonverbal, or physical conduct of a sexual nature) by an employee, by another student, or by a third party that is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from an educational program or activity, or to create a hostile or abusive educational environment.

This Policy protects any "person" from sex discrimination; accordingly both male and female students are protected from sexual harassment engaged in by school employees, other students, or third parties. Sexual harassment, regardless of the gender of the harasser, even if the harasser and the student being harassed are members of the same gender is prohibited. Harassing conduct of a sexual nature directed toward any student, regardless of the student's sexual orientation, may create a sexually hostile environment and therefore constitute sexual harassment. Nonsexual touching or other nonsexual conduct does not constitute sexual harassment.

The regulation and grievance procedure shall provide a mechanism for discovering sexual harassment as early as possible and for effectively correcting problems.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Sexual Harassment

The Lead Person, or designee, will take steps to avoid any further sexual harassment and to prevent any retaliation against the student who made the complaint, was the subject of the harassment, or against those who provided the information or were witnesses. The school staff can learn of sexual harassment through notice and any other means such as from a witness to an incident, an anonymous letter or telephone call.

This policy and regulation on sexual harassment of students shall be published and distributed to students and employees to ensure all students and employees understand the nature of sexual harassment and that the Board will not tolerate it. The Board shall provide training for all staff and age-appropriate classroom information for students to ensure the staff and the students understand what type of conduct can cause sexual harassment and that the staff know the school policy and regulation on how to respond.

In cases of alleged harassment, the protections of the First Amendment must be considered if issues of speech or expression are involved. Free speech rights apply in the classroom and in all other programs in the public school. The Lead Person, or designee, will formulate, interpret, and apply the policy so as to protect free speech rights of staff, students and third parties.

In addition, if the Board accepts Federal funds, the Board shall be bound by Title IX of the Education Amendments of 1972 prohibiting sexual harassment of students. Title IX applies to all schools that receive Federal funds and protects students in connection with all the academic, educational, extra-curricular, athletic, and other programs of the school, whether they take place in the school facilities, on the school bus, at a class or training program sponsored by the school in a school building or at another location.

United States Department of Education - Office of Civil Rights Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties (1997)

Adopted: 17 May 2018





### 5752 MARITAL STATUS AND PREGNANCY

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

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

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

Adopted: 17 May 2018



## 5755 EQUITY IN EDUCATIONAL PROGRAMS AND SERVICES

### Equity In Student Access

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

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

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

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



## Equity in Guidance Programs and Support Services

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

## Equity in Physical Education Training

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

## Equity in Athletic Programs

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

## Appeal Procedure

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

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

Title IX of the Education Amendments of 1972

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

Adopted: 17 May 2018



## 5756 TRANSGENDER STUDENTS

The Board of Trustees is committed to provide a safe, supportive, and inclusive learning environment for all students. In furthering this goal, the Board adopts this Policy to ensure all students, including transgender students, have equal educational opportunities and equal access to the school's educational programs and activities. The Board of Trustees, administration, and all school staff members will comply with Federal and State laws and regulations regarding transgender students and no student shall be subjected to discrimination on the basis of gender identity or expression.

For the purposes of this Policy:

1. "Gender expression" refers to the way a student represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.
2. "Gender identity" means a student's deeply held sense or psychological knowledge of their own gender, regardless of the gender they were assigned at birth.
3. "Gender identity or expression" also means having or being perceived as having a gender-related identity or expression whether or not stereotypically associated with a person's assigned sex at birth.
4. "Gender nonconforming" describes a student whose gender expression differs from stereotypical expectations, such as "feminine" boys, "masculine" girls, and those who are perceived as androgynous.
5. "Transgender" describes students whose gender identity is different from their gender assigned at birth.

The Board of Trustees believes the responsibility for determining a student's gender identity rests with the student or, in the case of young students not yet able to advocate for themselves, with the parent. Therefore, the Board will accept a student's assertion of his or her gender identity when there is consistent and uniform assertion of the gender identity, or any other evidence that the gender identity is sincerely held as a part of the student's core identity. The Board of Trustees will not question or disregard the assertion of a student's gender identity. However, the Board authorizes the Lead Person or designee to question a student's asserted gender identity when there is a credible basis for believing the student's gender identity is being asserted for some improper purpose.



Confirmation of a student's asserted gender identity must include a letter from a parent to the Lead Person indicating the student is gender non-conforming. In the event the parent does not consent to the student's gender identity, the Lead Person or designee will meet with the parent and the student to determine how the student's gender identity shall be addressed by the school.

The Board recognizes school-related issues regarding transgender students will vary on a case-by-case basis. Therefore, the Lead Person or designee will meet with the parent and student to discuss school-related issues such as the name and pronoun to be used by school staff in referring to the student, the gender identification to be used on the student's records, school staff members that should be informed of the student's access and use of restrooms, locker rooms, changing facilities, physical education classes, intramural programs, interscholastic athletic programs, and other gender issues affecting the transgender student and his/her attendance at school and participation in school programs. The school will take reasonable measures to accommodate the needs of transgender students in accordance with Federal and State laws and regulations.

In the event a student no longer identifies with a previously asserted gender other than their gender at birth, a parent of the student must submit a letter to the Lead Person indicating the student is no longer gender nonconforming. The Lead Person or designee will meet with the parent and the student to discuss the transition of the student from gender nonconforming to gender conforming. In the event the parent does not consent to the student's assertion the student is no longer gender nonconforming, the Lead Person or designee will meet with the parent and the student to determine how the student's gender identity should be addressed by the school.

The school and school staff members will ensure the privacy of any student's transgender status and will not disclose or acknowledge a student's transgender status unless required to in accordance with any Federal law, State statute, administrative code, or if the parent and student have authorized such disclosure.

N.J.S.A. 10:5-1 et seq.  
Title IX, 20 U.S.C. Section 1681

Adopted: 17 May 2018



### 5770 STUDENT RIGHT OF PRIVACY

The Board of Trustees recognizes that a student's right of privacy may not be violated by unreasonable search and seizure and directs that no student be searched without reason or in an unreasonable manner.

Teaching staff members are charged with the responsibility of maintaining order and discipline in the school and of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, a teaching staff member may search or request the search of the person or property of a student as authorized by this policy, with or without the student's consent, whenever he/she has reasonable grounds to suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the seriousness of the alleged infraction, the student's age, and the student's disciplinary history. Except in exigent circumstances, an intrusive search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender.

The Board acknowledges the need for the in-school storage of students' possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such storage places, students may lock them against incursion by other students. In no storage place provided by the Board shall students have such an expectation of privacy as to prevent examination by a school official. Students shall be notified in writing at the beginning of each school year that inspections of their lockers, desks, and other storage facilities on school property may be conducted. The school Principal or designee is directed to conduct, without further notice, the regular inspection of such facilities provided to students for the storage of property.

Except as required by exigent circumstances, a request for the search of a student or a student's private possessions will be directed to the Building Principal or designee who shall, whenever feasible, first request the freely offered consent of the student to the inspection.

The Lead Person shall be notified of the proposed search of a student's person or intimate personal belongings.

Whenever possible, a search will be conducted by the Principal in the presence of the student, the student's parent(s) or legal guardian(s) or a representative of the parent(s) or legal guardian(s), and a teaching staff member other than the Principal. Under no circumstances shall any student be subjected to a strip search or a body cavity search.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Student Right of Privacy

A search prompted by the reasonable belief that the circumstances are exigent and pose an immediate threat, will be conducted by any teaching staff member with as much speed and dispatch as may be required to protect persons and property.

The Principal shall conduct a student search on the request of a law enforcement officer only on presentation of a duly authorized search warrant or on the voluntary and knowing consent of the student or when the Principal has independent grounds to suspect the presence of an incriminating object.

The Principal shall be responsible for the prompt recording in writing of each student search, including the reasons for the search; information received that established the need for the search and the name of the informant, if any; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The Principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

N.J.S.A. 18A:36-19.2, 18A:37-6

Adopted: 17 May 2018



## 5820 STUDENT GOVERNMENT

The Board of Trustees recognizes the importance of offering students the opportunity to participate in representative self-government and to develop leadership skills. Students shall have the right to organize, conduct meetings, elect officers and representatives, and petition the Board of Trustees.

The Board recognizes the Student Council as the official voice of the student body for students in grades six through eight, provided the constitution and bylaws of that organization have been duly approved by the students it represents and by the Board and provided that all students have equal access to their student government and an equal opportunity to vote and hold office.

The Board shall appoint a qualified teaching staff member to serve as advisor to student government activities.

Adopted: 17 May 2018





## 5830 STUDENT FUND RAISING

The Board of Trustees will limit the solicitation of funds by and from the students of this school in order to protect students from unnecessary pressures and the instructional program from disruption.

“Student fund raising” means the solicitation and collection of money by students, on or off school premises, for any purpose associated directly or indirectly with the school or under circumstances in which the solicitors are identified as students of this school.

Students may solicit and collect money on behalf of approved school organizations, provided the fund raising has been approved by the Principal.

The Principal shall approve all fund raising that involves door to door solicitation. Under no circumstances shall the Principal permit an activity requiring solicitation door to door unless the sponsor of the activity informs the students involved that they must be under the direct supervision of a parent(s) or legal guardian(s).

No fund raising activity involving door to door solicitation shall be permitted.

Students may solicit and collect money on behalf of nonschool organizations, provided the fund raising has been approved by the Principal.

No student will be permitted to solicit and collect money on school premises or at a school-sponsored event for the student’s own benefit.

The Lead Person shall develop regulations regarding student fund raising that establish times and places in which student fund raising may be conducted and ensure adequate accounting of funds collected. The Building Principal shall distribute this policy and the Lead Person’s regulations to each recognized student organization.

Adopted: 17 May 2018



## 5841 SECRET SOCIETIES

The Board of Trustees affirms the legislative prohibition of student organizations with closed membership practices as hostile to the democratic ideals of public education.

No social organization of students will be granted the use of school facilities or permitted the use of the name of the school unless that organization has first been approved by the Principal. The application for such approval will set forth the purposes, constitution, and bylaws of the organization; its membership qualifications; and the process by which a person becomes a member.

No organization will be approved if its purposes conflict with the authority and goals of this Board or the best interests of the students of this school; if membership is drawn from outside the currently enrolled student body; if membership qualifications are based on considerations of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, disability or political beliefs, or any other consideration not appropriate to the purpose of the organization; or if any qualifying student who applies may be denied membership.

Nothing in this policy shall prevent or otherwise deny participation in constitutionally protected prayer consistent with protections of the First Amendment of the United States Constitution.

A student who seeks to form or is a member of a fraternity, sorority, or other secret organization formed in whole or in part of students enrolled in this school may be disciplined by this Board. The Board reserves the right to require that any student attest as to his/her membership in a secret organization.

N.J.S.A. 18A:42-5; 18A:42-6

Adopted: 17 May 2018



## 5842 EQUAL ACCESS OF STUDENT ORGANIZATIONS

The Board of Trustees will permit the use of school facilities by student-initiated organizations for non-curricular student activities. A student-initiated organization, regardless of the size of the group, will not be denied an opportunity to meet and use school facilities on the basis of the religious, political, philosophical, or other content of the speech at their meeting.

An application for permission to meet on school premises shall be made to the Principal, who shall grant permission provided that he/she determines that:

1. The activity has been initiated by students;
2. Attendance at the meeting is voluntary;
3. No agent or employee of the school will promote, lead, or participate in the meeting;
4. The meeting is for a lawful purpose;
5. The meeting does not materially and substantially interfere with the orderly conduct of instructional activities in the school;
6. Nonschool persons do not direct, conduct, control, or regularly attend the activity; and
7. The activity is adequately supervised by appropriately certified school staff.

A student-initiated group granted permission to meet on school premises shall be subject to the same rules and regulations that govern the meetings of student organizations sponsored by this Board, except as provided by this policy. Participation in a student-initiated meeting must be available to all students who wish to attend and cannot be denied on the basis of a student's race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability. The Board will not permit the organization of a fraternity, sorority, or secret society. A student-initiated meeting may be attended by no more than two outside resource persons.

Access to school facilities by student organizations will be provided within the governing principles of the First Amendment of the Constitution of the United States.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Equal Access of Student Organizations

An appropriately certified staff member shall be assigned to attend a student-initiated meeting in a custodial capacity and shall not participate in the activity while serving in this custodial capacity. No teaching staff member shall be compelled to attend a student-initiated meeting if the content of the speech at the meeting is contrary to his/her beliefs.

The Lead Person may take such actions as may be necessary to maintain order and discipline on school premises and to protect the safety and well-being of students and staff members.

20 U.S.C.A. 1701 et seq.

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

Adopted: 17 May 2018



### 5850 SOCIAL EVENTS AND CLASS TRIPS

The Board of Trustees recognizes the value of social events and class trips that will enhance and enrich the school experience for the students of this school.

For purposes of this policy, a "social event" is a party, celebration, or dance organized for the participation of students, and "class trips" are trips taken by students in a single graduating class, students who share a particular interest in an activity, or students who are enrolled in a particular subject area. Social events and class trips are not related or are only indirectly related to the curriculum.

The Board will make school facilities available and assign staff members as appropriate for the conduct of social events on school premises that have been approved by the Lead Person and for social events and class trips away from school premises that have been approved by the Lead Person. A social event or class trip may be considered to have been approved by this Board only when the Board has duly assigned one or more chaperones to supervise participating students. The Board will assume no responsibility for a student social event or trip that has not been approved in accordance with this policy.

The Board will not approve a social event or class trip that has the effect of reducing the school year for participating students to fewer than one hundred eighty days.

The Board reserves the right to cancel any scheduled trip.

Social events or class trips are not part of the thorough and efficient system of education provided by the Board. Participation in them is therefore not a right and may be denied to any student without the due process of notice and an opportunity to be heard. A student who demonstrates disregard for school rules may summarily be denied participation in social events and class trips.

Students who participate in approved social events and class trips are subject to school rules for student conduct and must submit to the authority of assigned chaperones. Infractions of the rules will be subject to discipline in the same manner as are infractions of rules during the regular school program.

A student who possesses or consumes alcohol or drugs in the course of an approved social event or class trip will be deemed to have placed all other participating students at risk and shall be immediately dismissed from the event or trip. Any such student will be returned home by appropriate and safe means of transportation in the company of a chaperone, the student's parent(s) or legal guardian(s), or a representative of the student's parent(s) or legal guardian(s).



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Social Events and Class Trips

Any expenses incurred by the dismissal will be the responsibility of the student and/or the student's parent(s) or legal guardian(s).

The Lead Person will develop regulations governing the conduct and safety of all participants in social events and class trips and will distribute them to student and adult participants.

Adopted: 17 May 2018



## 5880 PUBLIC PERFORMANCES BY STUDENTS

The Board of Trustees recognizes the value to students and to the community of the demonstration of student talents and skills in performances of student organizations in public events. The Board endorses such performances when they contribute to the instructional program, do not interfere with scheduled school activities, and do not exploit or endanger participating students.

Public performances of student organizations must be approved in advance by the Lead Person. The members of a student organization invited to perform shall be polled for their willingness to perform. No student may be compelled to participate in an elective public performance or penalized for his/her failure to participate. Approval for a public performance will not be granted unless the staff advisor determines that the number of students who agree to participate is sufficient to represent the school fairly.

No student, student organization, or employee of this Board shall receive compensation for the performance in public of students organized for a school activity.

N.J.S.A. 18A:42-2

Adopted: 17 May 2018



### 6000 FINANCES

<u>Number</u>	<u>Title</u>
6112	Reimbursement of Federal and Other Grant Expenditures (M)
6160	Grants from Private Sources
6162	Corporate Sponsorships
6163	Advertising on School Property
6210	Fiscal Planning
6220	Budget Preparation (M)
6311	Contracts for Goods or Services Funded by Federal Grants
6320	Purchases Subject to Bid
6340	Multiple Year Contracts
6350	Competitive Contracting
6360C	Political Contributions – Charter School (M)
6362C	Contributions to Board Members and Contract Awards – Charter School (M)
6421	Purchases Budgeted
6423C	Expenditures for Non-Employee Activities, Meals, and Refreshments – Charter School
6424	Emergency Contracts
6440	Cooperative Purchasing
6450	Choice of Vendor
6470C	Payment of Claims – Charter School (M)
6471	School Travel (M)
6472	Tuition Assistance
6480	Purchase of Food Supplies (M)
6510C	Payroll Authorization – Charter School (M)
6520	Payroll Deductions
6620	Petty Cash (M)
6700	Investments
6810	Financial Objectives (M)
6811C	Financial Requirements – Charter School (M)
6820	Financial Reports (M)
6830	Audit and Comprehensive Annual Financial Report (M)





## 6112 REIMBURSEMENT OF FEDERAL AND OTHER GRANT EXPENDITURES

The Cash Management Improvement Act (CMIA) and related Federal regulations require a State to minimize the time elapsing between the transfer of funds from the United States Treasury and the expenditure of funds for program purposes. This requirement applies to grantees such as the State of New Jersey and their subgrantees, such as a school. The State of New Jersey and the school must assure funds have been, or will be, spent within a minimal amount of time after having been drawn from the Federal government.

In accordance with this requirement, the New Jersey Department of Education (NJDOE) has implemented a reimbursement request system of payment. The procedures as outlined in the New Jersey Department of Education Policies and Procedures for Reimbursement of Federal and Other Grant Expenditures shall be followed by the school in submitting reimbursement requests. Reimbursement requests for entitlement grant awards under Titles I, II-A, II-D, III, III Immigrant, IV and V of the No Child Left Behind Act (NCLB), the Individuals with Disabilities Education Act (IDEA), and the Carl D. Perkins Career and Technical Education Improvement Act of 2006 shall be made using the NJDOE's Electronic Web-Enabled Grant (EWEG) System.

Reimbursement requests by the School Business Administrator/Board Secretary or designee shall be made for individual titles and awards using the payment functionality of the 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 constitutes a certification by the School Business Administrator/Board Secretary that the school 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 approved grant applications.

The Lead Person or designee is responsible for submitting an amendment application to the NJDOE for approval if a new budget category for which no funds were previously budgeted or approved has been created. The Lead Person or designee is responsible for submitting an amendment application to the NJDOE for approval if cumulative transfers among expenditure categories exceed ten percent of the total award or \$50,000 for IDEA, Perkins, and NCLB (per title); whichever is less.



A reimbursement request may be submitted at any time after the subgrant has received final NJDOE approval. Reimbursement requests submitted at least ten business days before the end of the month but no later than the fifteenth day of the month will be reviewed and, if approved, processed for payment the first business day of the following month. The school will normally receive payment by the fifth business day of the month and will be able to track the grant's payment history in EWEG through the payments link of the grant application.

Reimbursement requests must contain a brief description of the expenditures for which reimbursement is being requested. Individual line items need not be detailed. Expenditures must be supported by documentation at the school level but should not be submitted to the NJDOE with a reimbursement request. The Lead Person or designee is responsible to maintain supporting documentation for seven years and for making it available to the NJDOE, the United States Department of Education, and/or their authorized representatives upon request. Documentation for salary expenditures is subject to the requirements of the applicable Federal Office of Management and Budget Circular: A-21, "Cost Principles for Educational Institutions;" A-87, "Cost Principles for State, Local, and Indian Tribal Governments;" A-122, "Cost Principles for Non-Profit Organizations;" and Education Department General Administrative Regulations (EDGAR). Documentation for all other expenditures must include evidence that the expenditures are allowable costs and of the relationship of the expenditure to the subgrant's cost objectives.

The NJDOE staff will review reimbursement requests to determine they meet the subgrant's criteria. When a reimbursement request is approved or denied, the school will receive an email notification through the EWEG system. Approval of a reimbursement request by NJDOE does not imply approval of the expenditures as allowable or appropriate to the subgrant's cost objectives as the approval of expenditures will continue to be processed through the final report. The School Business Administrator/Board Secretary or designee assumes responsibility for assuring that all funds requested through the EWEG system either have already been expended, or will be expended according to the requirements of the CMIA.

New Jersey Department of Education Policies and Procedures for Reimbursement of Federal and Other Grant Expenditures – July 2008

Adopted: 17 May 2018



## 6160 GRANTS FROM PRIVATE SOURCES

The Board of Trustees encourages the development of proposals to private foundations and other sources of financial aid to subsidize such activities as innovative projects, feasibility studies, long-range planning, and research and development. Any such activity must:

1. Be based on a specific set of project objectives that relate to the established goals of the school;
2. Provide measures for evaluating whether or not project objectives are being achieved; and
3. Conform to applicable State and Federal laws and to Board policies.

All grant proposals must be approved by the Board before being submitted to the funding agency. The Lead Person shall establish regulations for the processing of proposal ideas throughout the school.

Adopted: 17 May 2018



## 6162 CORPORATE SPONSORSHIPS

The Board of Trustees recognizes and appreciates the financial support received from Federal and State funding sources and from local taxpayers. The Board desires to expand revenue sources for the financial needs of the school and encourages financial support to the school from non-school sponsored organizations. A “corporate sponsor”, for the purposes of this Policy, is a non-school sponsored person and/or organization that offers to provide support to the school through financial or material means in exchange for recognition and/or acknowledgement.

The Board believes school-community relationships based on sound principles and community input can contribute to maintaining and improving high quality education programs and facilities. Corporate sponsorship activities that are consistent with the goals and objectives of the school may be evaluated and recommended to the Board of Trustees for implementation within the school by the Lead Person. This Policy shall be administered to protect the school’s name, students, and/or staff against exploitation.

### Corporate Sponsorship Proposals

A potential corporate sponsor must submit a written corporate sponsorship proposal to the Lead Person. An organization’s sponsorship activity may include, but is not limited to, financial support to a school curricular or co-curricular activity or program, a school facility improvement, and/or a school assembly program. No student or staff member will be required to participate in surveys and/or focus groups as a condition of a corporate sponsorship.

In appreciation for such sponsorship, the school will appropriately acknowledge the organization’s contribution to the school. The acknowledgment may include a public address announcement at an activity, signage at the activity or on school grounds, or through other reasonable means. Posting of signs identifying the sponsor shall not be considered the school’s endorsement of the product or service of a company.

The Board reserves the right to terminate the sponsorship at any time. Therefore, all corporate sponsorship proposals must include provisions for such termination, which may include the return of any funding, goods, and/or services provided to the school.

The corporate sponsorship proposal shall include the specific sponsorship activity, the proposed time period/duration of the activity, the requested acknowledgement, and the terms of termination in the event the Board decides to terminate such corporate sponsorship. The return of any benefits provided to the school as a result of the Board’s termination will be limited to and in accordance with the provisions of the written corporate sponsorship proposal approved by the Board.



### Board Approval of Corporate Sponsorship Activities

All corporate sponsorship proposals must be approved by the Board.

In the event there are competing proposals for the same or similar sponsorship, the Board President will designate an Ad Hoc Board Committee to review the Lead Person's recommendation to the Board. All corporate sponsorship proposals recommended by the Lead Person will be discussed at a public Board meeting with the proposal being included on the Board Meeting agenda in accordance with Bylaw 0164 – Conduct of Board Meetings.

### Duration of Corporate Sponsorship Activities

A corporate sponsorship shall not exceed twelve months in duration and will not be approved by the Board in excess of twelve months. At the conclusion of this approved period, and if the sponsor desires to continue the sponsorship, an updated sponsorship proposal must be prepared by the sponsor and submitted to the Lead Person for approval by the Board for another twelve month period. There shall be no expectation a corporate sponsorship will be renewed beyond the Board approval dates. There shall be no limit to the number of times the Board approves the updated sponsorship proposal.

### Acceptance of Corporate Sponsorships

Any sponsored or donated material, equipment, personal property or other benefit derived by the school through corporate sponsorships will be held to the same standards used for school purchases. Corporate sponsorship proposals that provide gifts, grants, and donations to the school shall be accepted in accordance with the provisions of Policy 7230 – Gifts, Grants and Donations.

### Applicable Laws

All corporate sponsorship proposals presented and approved by the Board shall be consistent with all school collective bargaining agreements, competitive bidding and purchasing laws, school policy and regulations, and all applicable Federal and State laws, administrative codes, rules, and regulations.

Adopted: 17 May 2018



### 6163 ADVERTISING ON SCHOOL PROPERTY

The Board of Trustees recognizes and appreciates the financial support received from Federal and State funding sources and from local taxpayers. The Board desires to expand revenue sources for the financial needs of the school and authorizes advertising on school property consistent with applicable State and local laws, codes, and ordinances. "School property" for the purposes of this Policy includes, but is not limited to: school owned real estate; school owned or leased buildings; school owned or leased vehicles, excluding school buses; school electronic communication medium including the school's website, school electronic communications, school television, and media productions; school sponsored content on mass media outlets; and any other method of electronic or print communications published or used by the school.

The Board of Trustees may enter into a contract for the sale of signage on school property which may also include, but is not limited to, areas in and around athletic fields and grounds, on fences, on school vehicles, and in and on school buildings; advertising space in school publications and print media; advertising space on the school's website; and/or advertisements to be included in school productions and programs that are aired on media outlets such as television stations, internet, radio, etc.

The New Jersey Public School Contracts Law, N.J.S.A. 18A:18A-1 et seq., shall apply to any contract or agreement entered into by the Board for the purpose of advertising on school property. The Board will award a contract for advertising on school property after advertising for bids and bidding in accordance with the provisions of N.J.S.A. 18A:18A-4 or through the use of requests for proposals and competitive contracting in accordance with the provisions of N.J.S.A. 18A:18A-4.1 through N.J.S.A. 18A:18A-4.5. The Board may award advertising contracts that are under the bid threshold in accordance with the provisions of N.J.S.A. 18A:18A-1 et seq. All contracts for advertising on school property must be approved by the Board.

All bid specifications shall be in accordance with the provisions of N.J.S.A. 18A:18A-4 and all requests for proposals shall be in accordance with the provisions of N.J.S.A. 18A:18A-4.4 and shall be approved by the Board prior to advertising for bids or providing a request for proposals to potential vendors.

The bid specifications or requests for proposals for advertising on school property will include detailed requirements regarding advertising opportunities on school property.



Limitations on the content of advertisements on school property shall be consistent with the limitation provisions of N.J.A.C. 6A:27-7.11 – Limitations on Content of Advertisement on School Buses. The Board will not approve specifications or award an advertisement on school property contract if the advertisement or information contained in the advertisement:

1. Is false, misleading, deceptive, disrespectful, fraudulent, or libelous;
2. Contains material or language that is obscene, profane, vulgar, offensive, or reasonably determined not to be in good taste;
3. Promotes unlawful or illegal goods, services, or activities;
4. Promotes gambling, the sale or use of tobacco or tobacco-related products, or the sale or use of alcoholic beverages;
5. Promotes the sale or use of products designed for use in connection with sexual activity;
6. Depicts or glamorizes violent or antisocial behavior, or sexual conduct;
7. Declares or implies an endorsement by the Board of Trustees; or
8. Is political, religious, issue-related, controversial in nature, or not age appropriate.

The Board of Trustees will not allow any advertising on school property to become a public forum for dissemination, debate, or discussion of public issues. The Board has the authority to reject any and all bids or proposals for advertising on school property that it deems to be inappropriate or not in the best interest of the Board of Trustees, the school, or students.

An advertiser will be considered an independent contractor and shall not be deemed to be an agent, servant, employee, or representative of the Board. In the event an advertiser fails to provide service in accordance with the bid specifications and contract for advertisements, the advertiser shall be considered in breach of contract. Cancellation of the advertisement and/or enforcement of advertiser's performance bond may result.

The Board reserves the right, at its discretion and at any time, to reject any advertising copy, whether or not it has previously acknowledged and/or advertised the exact or similar copy. No advertising space may be used or re-sold by the advertiser for the promotion, either directly or indirectly, of any business, organization, or enterprise other than the one defined in the original contract for advertisement.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Advertising on School Property

The advertiser will protect, defend, and save harmless the Board of Trustees from any suits or actions of every nature and description brought against it by reason of the advertisement.

N.J.S.A. 18A:18A-1 et seq.; 18A:18A-4; 18A:18A-4.1;  
18A:18A-4.2; 18A:18A-4.3; 18A:18A-4.4  
N.J.A.C. 6A:27-7.10; 6A:27-7.11; 6A:27-7.12

Adopted: 17 May 2018





## 6210 FISCAL PLANNING

The Board of Trustees shall collect and assemble the information necessary to discharge its responsibility for the fiscal management of the school and to plan for the financial needs of the educational program. The Board will strive toward maintaining both short and long range perspectives of school financial requirements.

Accordingly, the Board directs the School Business Administrator/Board Secretary to include cost estimates in all ongoing school studies of the educational program, to prepare a long range year-by-year plan for the maintenance and replacement of facilities and equipment, to forecast an estimated expenditure budget for one year in the future, to maintain a plan of anticipated State and Federal revenues, to meet periodically with the municipal governing board to review planned expenditures and the joint effect of school and community costs on tax rates, and to report to the Board any serious financial forecast that emerges from the school's fiscal planning.

Adopted: 17 May 2018



## 6220 BUDGET PREPARATION

The annual budget is the financial plan for the effectuation of the educational plan for the school; its preparation is, therefore, one of the most important functions performed by the Board of Trustees. The budget shall be designed to carry out that plan in a thorough and efficient manner, to maintain school facilities, and to honor continuing obligations of the school.

A proposed budget requires the critical analysis of every member of the Board during its preparation. The administration shall work with the Board to ensure Board members have a thorough understanding of the budget appropriations, budget revenue, the proposed educational program and the budget's impact to the local tax levy. The Board shall also provide for community input during the budget development process.

The annual school budget and supporting documentation shall be prepared in accordance with the provisions of N.J.S.A. 18A:7F et seq. and N.J.A.C. 6A:23A-8.1 et seq. The Board will obtain approval of the local funding for a non-referendum capital project (school facility project or other capital project) in accordance with the provisions of N.J.A.C. 6A:23A-8.4.

The Board will submit its proposed budget and supporting documentation as prescribed by the Commissioner to the Executive County Superintendent for approval.

The budget will be presented to the Board of Trustees to allow adequate time for review and adoption. The budget should evolve primarily from the needs of the individual school as expressed by the Building Principal and the school educational program as expressed by the central administrative staff and be compatible with approved school plans.

The Board shall include in the budget application to the Executive County Superintendent a complete reporting of revenues and appropriations and other requirements pursuant to N.J.S.A. 18A:22-8 and N.J.S.A. 18A:7F-5 through 63.

The Board, upon submission of its budget application to the Executive County Superintendent or by the statutory submission date, whichever is earlier, shall make available upon request for public inspection all budget and supporting documentation contained in the budget application and all other documents listed in N.J.A.C. 6A:23A-8.1 once the budget application has been submitted to the Executive County Superintendent for approval.



The budget as adopted for the school year pursuant to N.J.S.A. 18A:7F-5 shall be provided for public inspection on the school's Internet site, if one exists, and made available in print in a "user-friendly" plain language budget summary format in accordance with the provisions of N.J.A.C. 6A:23A-8.1(c).

All budgetary and accounting systems used in the school must be in accordance with double entry bookkeeping and Generally Accepted Accounting Principles as required in N.J.A.C. 6A:23A-16.1 et seq.

N.J.S.A. 18A:7F et seq.; 18A:22-7 et seq.  
N.J.A.C. 6A:23A-8.1 et seq.; 6A:23A-16.1 et seq.

Adopted: 17 May 2018



### 6311 CONTRACTS FOR GOODS OR SERVICES FUNDED BY FEDERAL GRANTS

Any vendor providing goods or services to the school to be funded by a Federal grant must be cleared for contract in accordance with the provisions of the Federal Acquisition Regulations (FAR) Subpart 9.4 – Debarment, Suspension, and Ineligibility.

The School Business Administrator/Board Secretary shall be responsible to check the web-based Excluded Parties Lists System (EPLS) maintained by the General Services Administration (GSA). The purpose of the EPLS is to provide a single comprehensive list of individuals and firms excluded by Federal government agencies from receiving Federal contracts or Federally approved contracts or Federally approved subcontracts and from certain types of Federal financial and nonfinancial assistance and benefits.

The School Business Administrator/Board Secretary, upon opening of bids or upon receipt of proposals for goods or services to be funded by a Federal grant shall review the EPLS to determine if the vendor has been disbarred, suspended, or proposed for disbarment. The School Business Administrator/Board Secretary shall also review the EPLS list immediately prior to the award of a bid or contract to ensure that no award is made to a vendor on the list.

In the event a vendor under consideration to be awarded a bid or contract for goods or services to be funded by a Federal grant is on the EPLS list or proposed for disbarment, the School Business Administrator/Board Secretary shall comply with the contracting restrictions as outlined in FAR Subpart 9.405.

Continuation of current contracts and restrictions on subcontracting with vendors who are on the EPLS list or proposed for disbarment shall be in accordance with the limitations as outlined in FAR Subparts 9.405.1 and 9.405.2.

Any rejection of a bid or disqualification of a vendor who has been disbarred, suspended, or proposed for disbarment shall be consistent with the requirements as outlined in N.J.S.A. 18A:18A – Public School Contracts Law and all applicable State laws.

Federal Acquisition Regulations (FAR) Subpart 9.4

Adopted: 17 May 2018



### 6320 PURCHASES SUBJECT TO BID

The Board of Trustees directs the establishment and conduct of bidding procedures that serve the public interest and provide each qualified vendor an equal opportunity to furnish goods and services to the school.

Every contract for the performance of work or the purchase or lease of materials or supplies not exempted by law will be subject to public bidding whenever the aggregate value of such a contract within one contract year exceeds the bid threshold established by law and in accordance with N.J.S.A. 18A:18A-3.(a). Whenever possible, purchases will be aggregated; purchases may not intentionally be divided to avoid the requirements for competitive bidding as required in N.J.S.A. 18A:18A-8. The purchase of textbooks and materials that exceed the bid threshold and are approved by the Board pursuant to N.J.S.A. 18A:34-1 shall not require the further adoption of a resolution for purchase.

Bid specifications will be prepared and/or are coordinated by the School Business Administrator/Board Secretary. Each bid specification will offer a common standard of competition and will assert the Board's right to accept reasonable equivalents and to reject all bids and readvertise. The School Business Administrator/Board Secretary is authorized to advertise for bids in accordance with N.J.S.A. 18A:18A-21 without the prior approval of the Board, but shall inform the Board of any such advertisement at the Board meeting next following. Records of advertisements will be kept in detail sufficient to show that a reasonable number of qualified vendors were invited to bid.

Bids shall be opened publicly by the School Business Administrator/Board Secretary or designee before one or more witnesses at a previously designated time and place. Contracts will be awarded, on a resolution duly adopted by the Board, to the lowest responsible bidder who submits the lowest responsible bid, except that the Board may choose to reject all bids, to readvertise, or to purchase under a State contract. The Board may disqualify a bidder who would otherwise be determined to be the lowest responsible bidder in accordance with N.J.S.A. 18A:18A-4. Whenever two or more bids are the lowest bids submitted by responsible bidders, the Board shall determine to which bidder the contract will be awarded.

The bid of a vendor who claims, before bids are opened, a mistake or omission in its preparation will be returned unopened. A bidder who discovers a mistake or omission after bids have been opened may withdraw the erroneous bid provided he or she gives immediate written notice of the mistake or omission and certification, supported by clear evidence, that he or she exercised reasonable care in the examination of the specifications and preparation of the bid. Any bidder who withdraws an opened bid shall forfeit any bid security deposited with the bid in accordance with law.



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Purchases Subject to Bid

In accordance with the provisions of N.J.A.C. 6A:23A-5.4, pursuant to the authority granted the Commissioner of Education under N.J.S.A. 18A:55-2 and N.J.S.A. 18A:7F-60, the Commissioner shall subject to review for the withholding of State funds any school that fails to obey the provisions of the Public Contract law, N.J.S.A. 18A:18A-1 et seq. The amount of funds to be withheld shall equal the amount of the contract awarded in violation of the provisions of N.J.S.A. 18A:18A-1 et seq. except for violations related to the award of contracts under the extraordinary unspecifiable services (EUS) provision which shall be governed by the provisions of N.J.S.A. 18A:18A-46.1.

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

N.J.A.C. 6A:23A-5.4; 6A:27-9.1 et seq.

Adopted: 17 May 2018



## 6340 MULTIPLE YEAR CONTRACTS

The Board of Trustees may enter a multiple year contract for goods and services permitted by law whenever the extended contract will serve the needs of the school and yield greater return for the expenditure.

The School Business Administrator/Board Secretary is directed to investigate the advantage to the school of multiple year contracts. Investigation should include, but need not be limited to, a comparison of the costs of multiple year and single year contracts, an analysis of trends in the costs and availability of the goods or services to be provided, the projected needs of the school, and an inquiry into the reliability and stability of the vendor.

Except for those contracts exempted from the requirement by law, all multiple year contracts will contain a cancellation clause or a clause conditioning annual extension of the contract on the appropriation of sufficient funds to meet the Board's obligation.

All multiple year contracts must be approved by the Board. When the estimated annual cost of a multiple year contract exceeds the bid threshold established by law and the subject of the contract is not exempt from bidding, the contract shall be advertised in accordance with law and the bidding procedures of this school.

N.J.S.A. 18A:18A-5; 18A:18A-42

Adopted: 17 May 2018



## 6350 COMPETITIVE CONTRACTING

Competitive contracting may be used in lieu of public bidding for specialized goods or services that exceed the bid threshold provided the process is administered by a purchasing agent, by legal counsel of the Board of Trustees, or by the School Business Administrator and pursuant to N.J.S.A. 18A:18A-4.1. et seq. Competitive contracting may only be used for the purposes provided in N.J.S.A. 18A:18A-4.1. Unless an exception is provided for under N.J.S.A. 18A:18A-42 permitting a longer contract duration, contracts awarded under competitive contracting may be for a term not to exceed five years.

The purchasing agent will prepare a request for proposal documentation, which will include all requirements deemed appropriate and necessary to allow for full and free competition between vendors, information necessary for potential vendors to submit a proposal, and a methodology by which the Board will evaluate and rank proposals received from vendors. The methodology for the awarding of competitive contracts will be based on an evaluation and ranking and will be developed in a way that is intended to meet the specific needs of the school and where such criteria will not unfairly or illegally discriminate against or exclude otherwise capable vendors. The methodology for awarding competitive contracts will comply with such rules and regulations as the Director of the Division of Local Government Services in the Department of Community Affairs may adopt in accordance with N.J.S.A. 18A-4.4.

Request for Proposal documentation will be published in an official newspaper of the Board at least twenty days prior to the date established for the submission of proposals. The Board may charge a fee for the proposal documentation that will not exceed \$50.00 or the cost of reproducing the documentation, whichever is greater.

Each interested vendor will be required to submit a proposal which will include all the information required by the request for proposals. Failure to meet the requirements of the request for proposals may result in the Board disqualifying the vendor from further consideration. Under no circumstances will the provisions of a proposal be subject to negotiation by the Board.

If the Board, at the time of solicitation, utilizes its own employees to provide the goods or perform the services, or both considered for competitive contracting, the Board will, at any time prior to, but no later than the time of solicitation for competitive contracting proposals, notify affected employees of the Board's intention to solicit competitive contracting proposals pursuant to N.J.S.A. 18A:18A-4.5.c. Employees or their representatives will be permitted to submit recommendations and proposals affecting wages, hours, and terms and conditions of employment in such a manner as to meet the goals of the competitive contract. If employees are represented by an organization that has negotiated a contract with the Board, only the bargaining unit will be authorized to submit such recommendations or proposals. When requested by such





employees, the Board will provide such information regarding budgets and the costs of performing the services by such employees as may be available. Nothing will prevent such employees from making recommendations that may include modifications to existing labor agreements in order to reduce such costs in lieu of award of a competitive contract, and agreements implementing such recommendations may be considered as cause for rejecting all other proposals.

The purchasing agent will evaluate all proposals only in accordance with the methodology described in the request for proposals. After proposals have been evaluated, the purchasing agent will prepare a report evaluating and recommending the award of a contract or contracts. The report will be prepared pursuant to N.J.S.A. 18A:18A-4.5.d. The report will be made available to the public at least 48 hours prior to the awarding of the contract, or when made available to the Board, whichever is sooner. The Board will have the right to reject all proposals for any of the reasons set forth in N.J.S.A. 18A:18A-22.

Award of a contract will be made by resolution of the Board within sixty days of the receipt of the proposals, except that the proposals of any vendors who consent thereto, may, at the request of the Board, be held for consideration for such longer period as may be agreed.

The report prepared pursuant to this Policy and Regulation No. 6350 will become part of the public record and will reflect the final action of the Board. Contracts will be executed pursuant to N.J.S.A. 18A:18A-40.

The Secretary of the Board will publish a notice in the official newspaper of the Board summarizing the award of a contract pursuant to N.J.S.A. 18A:18A-4.5g.

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

Adopted: 17 May 2018



### 6360C POLITICAL CONTRIBUTIONS – CHARTER SCHOOL

#### Political Contribution Disclosure Requirements

In accordance with the requirements of Section 2 of P.L. 2005, Chapter 271 (N.J.S.A. 19:44A-20.26), the Board of Trustees shall have on file, to be maintained with other documents related to a contract, the following documents to award a contract to any business entity receiving a contract with an anticipated value in excess of \$17,500, regardless of the basis upon which the contract is awarded:

1. A Political Contribution Disclosure (PCD) form submitted by the business entity (at least ten days prior to award); and
2. A Business Registration Certificate (anytime prior to award).

“Business entity” means a natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of New Jersey or any other State or foreign jurisdiction.

The \$17,500 contract amount is not related to the Board’s bid threshold and does not exempt the charter school from the requirements of the Public School Contracts Law or other applicable purchasing statutes.

The \$17,500 contract amount threshold is subject to the principle of aggregation rules in accordance with the Division of Local Government Services guidance. Unlike the Public School Contracts Law, aggregation thresholds for this Policy and Chapter 271 purposes shall be calculated at the vendor level – meaning, when a vendor receives more than \$17,500 in a charter school fiscal year, a PCD form shall be required.

The disclosure provisions of N.J.S.A. 19:44A-20.26 do not apply in cases where there is a “public emergency” that requires the immediate delivery of goods or services.

Insurance companies and banks are prohibited under State law from making political contributions. However, because the PCD form reflects contributions made by partners, Boards of Directors, spouses, etc., PCD forms are required ten days prior to the approval of a depository designation resolution or insurance company contract awarded by the Board. A PCD form is also required when a contract in excess of \$17,500 is made to an insurance broker. A PCD form is required from the company receiving the contract, regardless of the entity issuing an insurance policy.



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Political Contributions – Charter School

PCD forms are required for charter school contracts in excess of \$17,500 with a New Jersey Department of Education “Approved In-State Private School for the Disabled”. Chapter 271 also applies to in-State private special education schools, supplemental educational services under NCLB, early childhood school providers – DHS approved, and other similar programs.

If the charter school spends more than \$17,500 in a school year with a newspaper, the selection of the newspaper is subject to the provisions of Chapter 271.

PCD forms are not required for regulated public utility services, as the Board is required by the Board of Public Utilities to use a specific utility. This exception does not apply to non-regulated public utility services, such as generated energy (not tariffed), or long-distance telephone services where other procurement practices are used.

PCD forms are not required for membership to the New Jersey School Boards Association.

A non-profit organization having proper documentation from the Internal Revenue Service (IRS) showing it is registered with the IRS as a 501(c) type corporation is not required to file a PCD form.

A PCD form is not required for contracts with governmental agencies, including State colleges and universities.

If the original contract provided for the possibility of an extension(s), Chapter 271 compliance is not required if the extension/continuation is based on that original contract.

N.J.S.A. 19:44A-1 et seq.

N.J.A.C. 6A:23A-22.11

New Jersey Department of Community Affairs Local Finance Notices - 6/4/07 & 1/15/10

Adopted: 17 May 2018



### 6362C CONTRIBUTIONS TO BOARD MEMBERS AND CONTRACT AWARDS – CHARTER SCHOOL

As a condition of receiving charter school aid, charter schools shall comply with the provisions of N.J.A.C. 6A:23A-22.11 to ensure the charter school maintains honest and ethical relations with vendors and shall guard against favoritism, improvidence, extravagance, and corruption in its contracting processes and practices.

For the purposes of this Policy, “business” means any corporation, partnership, firm, enterprise, franchise, trust, association, sole proprietorship, union, political organization, or other legal entity, but shall not include a local public school district or any other public entity. “Business entity” means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other State or foreign jurisdiction. “Interest” means the ownership or control of more than ten percent of the profits or assets of a business entity or ten percent of the stock in the case of a business entity that is a corporation for profit, as appropriate.

In accordance with the provisions of N.J.A.C. 6A:23A-22.11:

1. No Board of Trustees will vote upon or award any contract in the amount of \$17,500 or greater to any business entity which has made a contribution reportable by the recipient under P.L. 1973, c. 83 (N.J.S.A. 19:44A-1 et seq.) to a member of the Board of Trustees during the preceding one-year period.
2. Contributions reportable by the recipient under P.L. 1973, c. 83 (N.J.S.A. 19:44A-1 et seq.) to any member of the Board of Trustees from any business entity doing business with the charter school are prohibited during the term of a contract.
3. When a business entity referred to in 2. 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 other business entity having an interest therein shall be deemed to be a contribution by the business entity.
4. The disclosure requirement set forth in section 2 of P.L. 2005, c. 271 (N.J.S.A. 19:44A-20.26) also shall apply when the contract is required by law to be publicly advertised for bids.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Contributions to Board Members and Contract  
Awards – Charter School

A Business Entity Disclosure Certification (BED-C) shall be submitted by the business entity for all contracts of \$17,500 or greater in order to facilitate disclosure of contributions to Board members by a business entity. The BED-C shall be reviewed prior to the award of any contract in excess of \$17,500 to ensure the Board's compliance with N.J.A.C. 6A:23A-22.11.

The requirements of N.J.A.C. 6A:23A-22.11 shall not apply to a contract when a charter school emergency requires the immediate delivery of goods or services. With the exception of charter schools previously subject to the requirements of N.J.A.C. 6A:10-2.1(e), N.J.A.C. 6A:23A-22.11 shall not apply to contributions made prior to December 21, 2009.

N.J.A.C. 6A:23A-22.11

Adopted: 17 May 2018



## 6421 PURCHASES BUDGETED

The Board of Trustees directs the establishment of procedures for the purchase of budgeted goods and services that will make prudent use of school resources and yield the maximum value for the school. The School Business Administrator/Board Secretary shall authorize all purchases that are within a budget line item and are consistent with the purpose for which the funds were appropriated.

No purchase order may be placed until the School Business Administrator/Board Secretary has determined whether the proposed purchase is subject to bid, whether sufficient funds exist in the line item, and whether the goods are available elsewhere in the school.

Whenever the estimated value of a purchase or contract for goods or services other than professional services N.J.S.A. 18A:18A-5(1) and work by employees of the Board N.J.S.A. 18A:18A-5(3) is fifteen percent or more of the bid threshold established in accordance with N.J.S.A. 18A:18A-3 and N.J.S.A. 18A:18A-37 and is not made under a State contract, the purchasing agent shall, whenever practicable, solicit at least two quotations from independent vendors. All quotations received will be attached to and retained with a copy of the voucher used to pay the vendor.

All contracts that are in the aggregate less than fifteen percent of the bid threshold may be awarded by the School Business Administrator/Board Secretary without soliciting competitive quotations.

The purchase or contract may be awarded on the basis of the lowest responsible quotation received or to the vendor who submits the quotation most advantageous to the Board on the basis of price and other factors. If it is determined that it is impractical to seek quotations for an extraordinary, unspecifiable service or that the purchase or contract for which quotations were sought should not be awarded on the basis of the lowest quotation received, the reasons for that determination will be set forth in writing and attached to the resulting purchase order or contract.

Supplies commonly used in the school will be standardized to the extent that it is educationally feasible to do so. Alternate suggestions will be made to a requisitioner if better service, delivery, economy, or utility can be achieved by a change in the proposed order.

When a purchase order is placed or a contract entered, the School Business Administrator/Board Secretary or designee shall commit the expenditure against a specific budget line item or project category in order to guard against the creation of liabilities in excess of appropriations.

N.J.S.A. 18A:18A-1 et seq.; 18A:18A-37; 18A:22-8  
N.J.A.C. 5:34-2.1; 5:34-2.2

Adopted: 17 May 2018



6423C EXPENDITURES FOR NON-EMPLOYEE ACTIVITIES, MEALS,  
AND REFRESHMENTS – CHARTER SCHOOL

There may be charter school activities where expenditures for non-employee activities, meals, and refreshments may occur. Expenditures for non-employee activities, meals, and refreshments for charter school activities are allowed provided the expenses are in accordance with the provisions of N.J.A.C. 6A:23A-22.9. For the purposes of this Policy, unless the context clearly indicates otherwise, “activities” means events or functions provided or held for the benefit of students, dignitaries, and other “non-charter school” employees (e.g. parents) which are paid from public funds. “Dignitary” means a notable or prominent public figure; a high level official; or one who holds a position of honor. A dignitary, for purposes of this Policy, is not a charter school employee or Board of Trustees member.

Allowable expenditures for non-employee charter school Board of Trustees’ activities shall include:

1. All reasonable costs, including light meals and refreshments, directly related to activities that benefit students and are part of the instructional program including expenditures for field trips and extracurricular programs that are not solely for entertainment. Nothing in this Policy or N.J.A.C. 6A:23A-22.9 shall preclude the Board of Trustees from using student activity funds or accepting donations to support student activities that are solely for student entertainment;
2. All reasonable costs directly related to activities of dignitaries and other “non-charter school” employees (e.g. parents), including light meals and refreshments and any other directly related expense. Expenditures for this purpose shall be minimal and infrequent;
3. All reasonable costs of commencement and convocation activities for students; and
4. Expenditures related to charter school employees to the extent such employees are essential to the conduct of the activity.

The Board shall, at a minimum, take actions regarding student activities as follows:

1. Pre-approve field trip destinations;
2. Establish dollar thresholds for awards to recognize special accomplishments; and



3. Establish a budget supported by general fund revenues for each category of activity in a non-discriminatory manner (e.g. football, boys soccer, girls soccer, photography club). Student activity funds are excluded.

Pursuant to N.J.S.A. 18A:11-12 and State of New Jersey Department of Treasury, Office of Management and Budget Circular 08-19-OMB and 06-14-OMB, the following costs shall not be permitted using public funding:

1. Receptions, dinners, or other social functions held for or honoring any employee or group of employees of the charter school (e.g. breakfast, luncheon, dinner, or reception for retirees or award recipients). This does not prohibit the charter school from honoring employees without a social function or using public funds to support reasonable costs of employee recognition awards (e.g. teacher of the year awards, years of service awards). Use of public funds for reasonable costs of employee awards is a local discretionary expenditure;
2. Meals or refreshments served to guests at any athletic event or other games or contests; and/or
3. Expenses for alcoholic beverages.

The School Business Administrator/Board Secretary and/or designee shall maintain documentation to support activities, meals, and refreshments at charter school events. The documentation shall include: a description of the activity; the purpose/justification of the activity expressed in terms of the goal(s) or objective(s) of the charter school; the make-up of the group participating in the activity; and the names and titles of Board members or employees included in the group.

N.J.A.C. 6A:23A-22.9

Adopted: 17 May 2018





### 6424 EMERGENCY CONTRACTS

Any contract may be negotiated or awarded for a Board of Trustees without public advertising for bids and bidding notwithstanding that the contract price will exceed the bid threshold when an emergency affecting the health or safety of occupants of school property requires the immediate delivery of goods or the performance of services.

An actual or imminent emergency must exist requiring the immediate delivery of the goods or the performance of the service. Emergency contracts may not be used unless the need for the goods or services could not have been reasonably foreseen or the need for such goods or services has arisen notwithstanding a good faith effort on the school to plan for the purchase of any goods or services required by the school. Under no circumstance shall emergency purchasing procedures be used to enter into a multi-year contract.

If the School Business Administrator/Board Secretary is satisfied that an emergency exists, he/she shall be authorized to award a contract or contracts for such purposes as may be necessary to respond to the emergent needs pursuant to the provisions of N.J.S.A. 18A:18A-7 et seq.

If conditions permit, the School Business Administrator/Board Secretary shall seek quotations from more than one source. If the expenditures are expected to be in excess of the bid threshold, the School Business Administrator/Board Secretary shall attempt to obtain no fewer than three quotations.

As soon as possible, but within three days of declaring the emergency, the Lead Person shall notify the Executive County Superintendent of the nature of the emergency and the estimated need for goods or services necessary to respond to it.

When emergency conditions have eased, the School Business Administrator/Board Secretary shall utilize the regular purchasing system to obtain estimates from suppliers, vendors, and contractors for materials and/or services that will eliminate the circumstances that created the emergency.

The School Business Administrator/Board Secretary shall prepare and submit a final report to the Board on every occasion an emergency contract is negotiated or awarded in accordance with the provisions of N.J.S.A. 18A:18A-7.

N.J.S.A. 18A:18A-7  
N.J.A.C. 5:34-6.1

Adopted: 17 May 2018



## 6440 COOPERATIVE PURCHASING

The Board of Trustees recognizes that centralized, cooperative purchasing tends to maximize the value received for each dollar spent. The Administration is encouraged to seek savings that may accrue to this school by means of joint agreements for the purchase of goods or services with the governing body of the municipality or the county within whose boundaries the school is wholly or partly located, or by means of contracts entered into by the New Jersey State Treasury Department, Division of Purchase and Property.

A cooperative pricing system is a purchasing system in which the lead agency advertises for bids, awards a master contract to the vendor providing for its own needs and for the prices to be extended to registered members, and notifies them of the bid prices awarded. The registered members then contract directly with the vendor for their own needs, subject to the specifications in the master contract.

A joint purchasing system is a cooperative purchasing system in which the lead agency has complete purchasing responsibility for the registered members, and the only contractual relationship is between the lead agency and the vendor.

A cooperative purchasing system is either a joint purchasing or cooperative pricing system.

When the lead agency is a Board of Trustees or Educational Service Commission and the entire membership of the cooperative purchasing system established and properly registered with the New Jersey Division of Local Government Services are Boards of Education, the purchase of work, materials or supplies shall be conducted pursuant to the Public Schools Contract Law (N.J.S.A. 18A:18A-11 et seq.)

The School Business Administrator/Board Secretary is hereby authorized to negotiate such joint agreements for goods and services which the Board may determine to be required and which the Board may otherwise lawfully purchase for itself with such approved contracting units as may be appropriate in accordance with State law, the policies of this Board, and the dictates of sound purchasing procedures.

No cooperative or joint purchase may be entered without Board approval of an agreement that specifies the categories of work, materials and supplies to be purchased; the manner of advertising for bids and the awarding of contracts; the method by which payment will be made by each participating Board of Trustees, municipality or county, and such other terms deemed necessary to carry out the purposes of the agreement. Agreements for cooperative and joint purchasing will be subject to all bidding requirements imposed by law. Purchases made through the State Treasury Department may be made without bid.

Each participant's share of expenditures for purchases under any such agreement shall be appropriated and paid in the manner set forth in the agreement and in the manner as for other expenses of the participant.



The Board may by contract or lease provide electronic data processing services for the Board of Trustees of another school; and may undertake with such other Board, the joint operation of electronic data processing of their official records and other information relative to their official activities, services and responsibilities. The records and other information originating with any Board participating in such contract or lease may be combined, compiled, and conjoined with the records and other information of any and all participating local units for the purposes of such electronic data processing; and any provisions of law requiring such records to be kept confidential or to be retained by any Board or any officer or agency thereof shall be deemed to be isolated thereby.

A contract or lease to provide electronic data processing services shall set forth the charge for all services provided, or in the case of a joint undertaking the proportion of the cost each party thereto shall assume and specify all the details of the management of the joint undertaking, and any other matters that may be deemed necessary for insertion therein, and may be amended from time to time by the contracting parties.

Any party to a contract for joint operation of electronic data processing services may act as agent for any or all parties in acquiring, by lease, purchase or otherwise, any property, facilities or services, in appointing such officers and employees as may be necessary and directing its activities, to the same extent as a Board of Trustees is authorized to do separately.

In the event that any controversy or dispute shall arise among the parties (except a municipality or a county) to any such agreement, the same shall be referred to the County Superintendent of the county in which the school is situated for determination and the determination shall be binding, subject to appeal to the Commissioner of Education and the State Board pursuant to law. In the event the school is in more than one county, the controversy or dispute shall be referred to the County Superintendents of the counties for joint determination, and if they shall be unable to agree upon a joint determination within thirty days, the controversy or dispute shall be referred to the Commissioner of Education for determination.

In a cooperative purchasing system established and properly registered with the New Jersey Division of Local Government Services where the lead agency is a Board of Trustees or Educational Service Commission and the membership of the system is Boards of Education and local contracting units as defined in N.J.S.A. 40A:11-2(1), the purchase of any work, materials or supplies shall be conducted pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and N.J.A.C. 5:34-7.

N.J.S.A. 18A:18A-10 through 14

N.J.S.A. 40A:11-1 et seq.

N.J.A.C. 5:34-7

N.J.A.C. 6A:23-7.4

Adopted: 17 May 2018



## 6450 CHOICE OF VENDOR

The Board of Trustees recognizes its position as a major purchaser of goods and services in the community served by the school. It is the intention of the Board to purchase goods and services of the requisite quality at the lowest possible cost and to invite widespread competition in order to achieve this end. Where all other considerations are equal, however, the Board will exercise a preference for dealing with established local merchants and service providers from within the boundaries of the school.

The School Business Administrator/Board Secretary is authorized to place purchase orders with local merchants and providers when their prices and terms are competitive with other vendors. Nothing in this policy shall be deemed to circumvent the requirements of law regarding public purchasing.

All vendors shall supply assurances that they do not practice discrimination as described in the administrative code. All vendors shall be informed that harassment of any kind, of school students or employees by their representatives is prohibited.

N.J.S.A. 18A:6-8; 18A:12-2; 18A:18A-15(b)

Adopted: 17 May 2018



### 6470C PAYMENT OF CLAIMS – CHARTER SCHOOL

The Board of Trustees directs the prompt payment of legitimate claims by suppliers of goods and services to the charter school, provided that each bill or obligation of this Board is fully itemized and verified before a warrant is drawn for its payment.

When an invoice is received, the School Business Administrator/Board Secretary or designee shall verify the voucher was properly submitted, acceptable goods were received or satisfactory services rendered, the expenditure is included in the Board's budget and funds are available for its payment, and the amount of the invoice is correct.

The School Business Administrator/Board Secretary shall identify and investigate, if necessary, the reason for any increase to a purchase order. If it is found by the School Business Administrator/Board Secretary that an increase to a purchase order is warranted, the School Business Administrator/Board Secretary shall either approve a revision to the original purchase order with the reason noted, approve the issuance of a supplemental purchase order for the difference, or cancel the original purchase order and issue a new purchase order. If it is found an increase is not warranted, the purchase order shall be cancelled and the goods returned. 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.

The charter school's financial systems shall be programmed to:

1. Limit system access so that only appropriate Business office staff may make purchase order adjustments;
2. Reject adjustments in excess of any established approval thresholds;
3. Prevent unauthorized changes to be processed;
4. 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;
5. Reject duplicate purchase order numbers;
6. Reject duplicate invoice numbers; and
7. Prepare an edit/change report listing all payments made in excess of the originally approved purchase order amount.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

### FINANCES

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Payment of Claims – Charter School

The School Business Administrator/Board Secretary 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.

If funds are not available in the budget line account to which the expenditure will be charged, funds may be transferred in accordance with Board Policy.

The Board must approve all claims for payment, except such payments that are to be paid from funds derived from athletic events or other activities of student organizations. However, in accordance with N.J.S.A. 18A:19-4 and N.J.S.A. 18A:19-4.1, the Board may by Board resolution designate a person in addition to the Board Secretary to audit any account and demand to be paid, and provide for approval of such account or demand by such designated person or the Board Secretary prior to presentation to the Board. Any such approval of payment must be presented to the Board for ratification at the next regular Board meeting. The Board may, in the resolution, establish a maximum dollar amount for which payment may be authorized without prior Board approval.

All claims shall be fully itemized, verified, and shall be submitted for Board review and approval or ratification. Claims must be submitted to the Board in the form of a list that includes the number, amount, and date of the warrant; the payee; the reason for the expenditure; and the account charged. All claims that equal or exceed fifteen percent of the bid threshold amount established pursuant to N.J.S.A. 18A:18A-3, except for payrolls and debt service, shall be verified by affidavit or by signed declaration in writing in accordance with the provisions of N.J.S.A. 18A:19-3.

The list of claims must be accompanied by the original records that include copies of the purchase order, the receiving report, the vendor's invoice, and the purchase requisition. The list of approved warrants will be included in the minutes of the Board meeting.

When a claim for payment is duly approved in accordance with this Policy, the School Business Administrator/Board Secretary and/or a designated staff member shall promptly prepare a warrant for payment, cancel the commitment placed against the appropriate account, and post the actual expenditure. All warrants shall be signed by the Board President, Board Secretary, and/or Lead Person as appropriate to the charter school.

N.J.S.A. 18A:17-36; 18A:18A-3; 18A:19-1 et seq.; 18A:19-3;  
18A:19-4; 18A:19-4.1; 18A:22-8.1  
N.J.A.C. 6A:23A-22.15

Adopted: 17 May 2018



## 6471 SCHOOL TRAVEL

The Board of Trustees shall ensure the effective and efficient use of funds by adopting and implementing policies and procedures that are in accordance with N.J.S.A. 18A:11-12 and State of New Jersey Department of the Treasury, Office of Management and Budget (NJOMB) Circulars 08-19-OMB and 06-14-OMB (OMB Circulars) and any superseding circulars pertaining to travel, meals, events and entertainment, and the additional requirements set forth in N.J.A.C. 6A:23A-7. If any superseding circulars of the Office of Management and Budget conflict with the provisions of N.J.A.C. 6A:23A-7, the provisions of the superseding circulars shall govern.

### A. Definitions

1. For the purposes of this Policy, “travel expenditures” means those costs paid by the school using local, State, or Federal funds, whether directly by the school or by employee reimbursement, for travel by school employees and Board of Trustees members, to the following five types of travel events:
  - a. Training and seminars - means 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;
  - b. Conventions and conferences - means general programs, sponsored by professional associations on a regular basis, which address subjects of particular interest to a school or are convened to conduct association business. The primary purpose of employee attendance at conferences and conventions is the development of new skills and knowledge or the reinforcement of those skills and knowledge in a particular field related to school operations. These are distinct from formal staff training and seminars, although some training may take place at such events;
  - c. School sponsored events - means conferences, conventions, receptions, or special meetings where the school plans, develops, implements, and coordinates the event and is the event’s primary financial backer. School employees are actively involved in working the event and other employees may attend as participants;



- d. Regular school business - means all regular official business travel, including attendance at meetings, conferences, and any other gatherings which are not covered by the definitions included in a., b., and c. above. Regular school business travel also includes attendance at regularly scheduled in-State county meetings and Department of Education sponsored or association sponsored events provided free of charge and regularly scheduled in-State professional development activities with a registration fee that does not exceed \$150 per employee or Board member. Beginning in 2009-2010 the \$150 limit per employee or Board member may be adjusted by inflation; and
- e. Retreats - means meetings with school employees and school Board members, at which organizational goals and objectives are discussed.

### B. School Travel Expenses

- 1. Any sections in either the State or Federal Circulars that conflict with New Jersey school law (N.J.S.A. 18A:1-1 et seq.) shall not be included in this Policy nor authorized under N.J.A.C. 6A:23A-7.1 et seq. This includes, but is not limited to, the authority to issue travel charge cards as allowed under the State Circular, but not authorized for schools under New Jersey school law.
- 2. School travel expenditures shall include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees directly related to participation in the event.
- 3. School travel expenditures in accordance with this Policy and N.J.A.C. 6A:23-7.1 et seq. shall include costs for all required training and all travel authorized in school employee contracts and school Board policies. This includes, but is not limited to, required professional development, other staff training and required training for Board members, and attendance at specific conferences authorized in existing employee contracts, provided that such travel meets the requirements of N.J.A.C. 6A:23-7.1 et seq.
- 4. All such expenditures are subject to the requirements of N.J.A.C. 6A:23-7.1 et seq., including but not limited to, inclusion in the annual travel limit, prior Board approval, separate tracking, and per diem reimbursements.





### C. School Travel Requirements

1. All travel by Board of Trustees employees and Board members must be educationally necessary and fiscally prudent and all school travel expenditures shall be:
  - a. Directly related to and within the scope of the employee's or Board member's current responsibilities and, for school employees, the school's professional development plan, the school building professional development plan, and an employee's individual professional development plan;
  - b. For travel that is critical to the instructional needs of the school or furthers the efficient operation of the school; and
  - c. In compliance with State travel payment guidelines as established by the Department of the Treasury and with guidelines established by the Federal Office of Management and Budget; except 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. The Board specifies in this Policy the applicable restrictions and requirements set forth in the State and Federal guidelines including, but not limited to, types of travel, methods of transportation, mileage allowance, subsistence allowance, and submission of supporting documentation including receipts, checks, or vouchers.
2. Reimbursement for all in-State and out-of-State travel shall be made pursuant to N.J.S.A. 18A:11-12. In accordance with the provisions of N.J.A.C. 6A:23A-5.9:
  - a. 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 New Jersey schools, reimbursement for lodging may be permitted only where the sponsoring organization obtains a waiver pursuant to the provisions of N.J.A.C. 6A:23A-7.11. Where the event is national or regional in scope and targeted to school 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 miles.



- b. Where a travel event has a total cost that exceeds \$5,000, regardless of the number of attendees, or where more than five individuals from the school are to attend a travel event out-of-State, the school 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 working days.
- c. For all employee and Board member travel events out of the country, regardless of cost or number of attendees, the school 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 working days. It is expected that approvals will be rare.

#### D. Travel Reimbursements

1. Travel reimbursements will be paid only upon compliance with all provisions of N.J.A.C. 6A:23A-7 and the Board's procedures and approval requirements. The Board will not ratify or approve payments or reimbursements for travel after completion of the travel event, except as provided at N.J.A.C. 6A:23A-7.4(d).

#### E. Board Member Voting On School Travel

1. A Board member shall recuse him/herself from voting on travel if the Board member, a member of his/her immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial involvement that may reasonably be expected to impair his/her objectivity or independence of judgment.
2. A Board member shall not act in his/her official capacity in any matter in which he/she 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.



F. Maximum Travel Budget

1. Annually in the prebudget year, the Board shall establish by Board resolution, a maximum travel expenditure amount for the budget year which the school shall not exceed. The Board resolution shall also include the maximum amount established for the prebudget year and the amount spent to date.
  - a. The maximum school travel expenditure amount shall include all travel supported by local and State funds.
  - b. The Board may elect to exclude travel expenditures supported by Federal funds from the maximum travel expenditure amount. If Federal funds are excluded from the established maximum amount, the Board shall include in the resolution the total amount of travel supported by Federal funds from the prior year, prebudget year, and projected for the budget year.
  - c. Exclusion of Federal funds from the annual maximum travel budget does not exempt such travel from the requirements applicable to State and local funds.
2. The Board of Trustees, pursuant to the provisions of N.J.A.C. 6A:23A-7.3(b), authorizes an annual maximum amount per employee not to exceed \$1,500 for regular business travel only for which prior Board approval is not required.
  - a. The annual maximum shall not exceed \$1,500 and shall be subject to the approval requirements in N.J.S.A. 18A:19-1.
  - b. Regular school business travel as defined in N.J.A.C. 6A:23A-1.2 includes attendance at regularly scheduled in-State county meetings and Department of Education sponsored or association sponsored events free of charge. It also includes regularly scheduled in-State professional development activities for which the registration fee does not exceed \$150 per employee or Board member.
  - c. Regular school business travel as authorized in this Policy requires approval of the Lead Person prior to obligating the school to pay related expenses and prior to attendance at the travel event.



- (1) The Lead Person shall designate an alternate approval authority to approve travel requests in his/her absence when necessary to obtain timely Board approval.
- (2) Regulation 6471 provides the procedures for the internal levels of approval required prior to Lead Person or designee approval of the travel event, as applicable.

### G. Travel Approval Procedures

1. All travel requests for employees of the school shall be approved in writing by the Lead Person and approved by a majority of the full voting membership of the Board, except where the Board has excluded regular business travel from prior approval pursuant to the provisions of N.J.A.C. 6A:23A-7.3(b), prior to obligating the school to pay related expenses and prior to attendance at the travel event.
  - a. The Lead Person shall designate an alternate approval authority to approve travel requests in his/her absence when necessary to obtain timely Board approval.
  - b. Regulation 6471 provides the procedures for the internal levels of approval required prior to the Lead Person's or designee's approval of the travel event, as applicable.
2. All travel requests for Board members shall require prior approval by a majority of the full voting membership of the Board, except where the Board has excluded regular business travel from prior approval pursuant to the provisions of N.J.A.C. 6A:23A-7.3(b), and the travel shall be in compliance with N.J.S.A. 18A:12-24 and N.J.S.A. 18A:12-24.1.
3. The Board may 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. General or blanket pre-approval is not authorized.
4. Where occasional unforeseen emergent situations arise wherein a travel request cannot obtain prior approval of the Board, justification shall be included in the text of the travel request. Such requests shall require prior written approval of the Lead Person or designee and the Executive County Superintendent or designee. The Board shall ratify the request at its next regularly scheduled meeting. Travel to conferences, conventions, and symposiums are not considered to be emergencies and shall not be approved after the fact.



### H. Required Documentation for Travel

1. Neither the Lead Person or designee, nor the Board shall approve a travel request unless the written request for travel includes the following information:
  - a. Name and dates of event;
  - b. A list of Board members and/or employees to attend either by name or title;
  - c. Estimated cost associated with travel;
  - d. A justification and brief statement that includes the primary purpose for the travel and the key issues that will be addressed at the event and their relevance to improving instruction or the operation of the school. For training events, whether the training is needed for a certification required for continued employment, continuing education requirements, requirements for Federal or State law, or other purpose related to the programs and services currently being delivered or soon to be implemented in the school, or related to school operations;
  - e. Account number and funding source – Federal, State, private, or local; and
  - f. In the case of annual events, total attendance and cost for the previous year.
2. Detailed documentation shall be maintained on file in the school which demonstrates compliance with the Board's travel policy, including travel approvals, reports, and receipts for all school funded expenditures, as appropriate.

### I. Accounting for School Travel

1. The School Business Administrator/Board Secretary or designee shall prepare itemized travel budgets by function and object of expense for each cost center, department or location maintained in the school's accounting system, as applicable, as part of the preparation of and documentation for the annual school budget:
  - a. The aggregate amount of all travel budgets shall not exceed the Board approved maximum travel expenditure amount for the budget year as required by N.J.A.C. 6A:23A-7.3.



2. The School Business Administrator/Board Secretary shall maintain separate accounting for school travel expenditures as necessary to ensure compliance with the school'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's accounting system. The tracking system shall be sufficient to demonstrate compliance with the Board's policy and N.J.A.C. 6A:23-7, and shall be in a detailed format suitable for audit.
  3. The School Business Administrator/Board Secretary or designee, shall review and approve all requests for travel expenditure reimbursement submitted for expenses incurred in the course of school business as to cost and support documentation required by N.J.A.C. 6A:23A-7:
    - a. The School Business Administrator/Board Secretary shall not approve or issue payment of travel expenditures or reimbursement requests until all required documentation and information has been submitted to support the payment and shall not approve any travel expenditure that when added to already approved travel expenditures would exceed the Board approved maximum travel expenditure amount for the budget year.
  4. The School Business Administrator/Board Secretary shall be responsible for the adequacy of documentation of transactions processed by their staff and the retention of that documentation to permit audits of their records.
  5. An employee of the Board, a Board member, or organization, shall not receive payment, either partial or full, for travel and travel-related expenses in advance of the travel pursuant to N.J.S.A. 18A:19-1 et seq. The payment of travel and travel-related expenses shall be made personally by a school employee or Board member and reimbursed at the conclusion of the travel event. This applies to travel-related purchases for which a purchase order is not applicable. This provision does not preclude the school from paying the vendor directly with the proper use of a purchase order (e.g., for registration, airline tickets, hotel).
- J. Sanctions for Violations of Travel Requirements
1. Any Board of Trustees that violates its established maximum travel expenditure as set forth in N.J.A.C. 6A:23A-7.3, or that otherwise is not in compliance with the travel limitations set forth in N.J.A.C. 6A:23A-7 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 pursuant to N.J.S.A. 18A:11-12 and N.J.S.A. 18A:7F-60.



2. A person who approves any travel request or reimbursement in violation of N.J.A.C. 6A:23A-7 shall be required to reimburse the school in an amount equal to three times the cost associated with attending the event pursuant to N.J.S.A. 18A:11-12:
    - a. As required in N.J.A.C. 6A:23A-7.7(b)(1) the Board designates the School Business Administrator/Board Secretary as the person(s) with the final approval authority for travel and therefore shall be subject to this penalty.
  3. An employee or Board member who violates the school's travel policy or these rules shall be required to reimburse the school in an amount equal to three times the cost associated with attending the event pursuant to N.J.S.A. 18A:11-12.
  4. In the event it is determined a violation of the provisions of N.J.A.C. 6A:23A-7 has occurred after Board payment has been made, the Lead Person shall be responsible to ensure the sanctions as outlined in N.J.A.C. 6A:23A-7.7 are imposed. If a violation is determined prior to payment or reimbursement of the travel event, no consequences as outlined in N.J.A.C. 6A:23A-7.7 shall be imposed; however, the Lead Person may impose disciplinary action as necessary.
  5. The annual audit conducted pursuant to N.J.S.A. 18A:23-1 shall include test procedures to ensure compliance with this Policy and travel limitations set forth in N.J.A.C. 6A:23A-7 and N.J.S.A. 18A:11-12.
- K. Prohibited Travel Reimbursements
1. The following types of expenditures are not eligible for reimbursement:
    - a. Subsistence reimbursement for one-day trips, except for meals expressly authorized by and in accordance with the provisions of N.J.A.C. 6A:23A-7.12;
    - b. Subsistence reimbursement for overnight travel within the State, except where authorized by the Commissioner in accordance with the procedures set forth in N.J.A.C. 6A:23A-7.11;
    - c. Travel by Board members or employees whose duties are unrelated to the purpose of the travel event or who are not required to attend to meet continuing education requirements or to comply with law or regulation;



- d. Travel by spouses, civil union partners, domestic partners, immediate family members, and other relatives;
- e. Costs for employee attendance for coordinating other attendees' accommodations at the travel event;
- f. Lunch or refreshments for training sessions and retreats held within the school including in-service days and for employee participants traveling from other locations within the school;
- g. Training to maintain a certification that is not required as a condition of employment (example: CPE credits to maintain a CPA license if the employee is not required to be a CPA for continued school employment);
- h. Charges for laundry, valet service, or entertainment;
- i. Limousine services and chauffeuring costs to or during the event;
- j. Car rentals, either utilized for airport transportation or transportation at a conference, convention, etc., unless absolutely necessary for the conduct of school business. Justification must accompany any request for car rentals. If approved, the most economical scheduling of car rental is to be used, including the use of subcompacts, discounted, and special rates. An example of the justified use of car rental is when an employee is out of State, making inspections at various locations, and the use of public transportation is impracticable. When car rental is authorized, the employee shall not be issued an advance payment for the anticipated expense associated with the rental;
- k. Alcoholic beverages;
- l. Entertainment costs including amusement, diversion, and social activities and any costs directly associated with such costs (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities);
- m. Gratuities or tips in excess of those permitted by Federal per diem rates;





- n. Reverse telephone charges or third party calls;
- o. Hospitality rooms;
- p. Souvenirs, memorabilia, promotional items, or gifts;
- q. Air fare without documentation of quotes from at least three airlines and/or online services; and
- r. Other travel expenditures that are unnecessary and/or excessive.

### L. Travel Methods

1. For the purposes of this Policy, “transportation” means necessary official travel on railroads, airlines, shuttles, buses, taxicabs, school-owned or leased vehicles, and personal vehicles.
2. The purchase or payment of related transportation expenses shall be made by purchase order or personally by a school employee or Board member and reimbursed at the conclusion of the travel event. An actual invoice or receipt for each purchase or expense shall be submitted with a claim for reimbursement.
3. Pursuant to OMB Circulars, the following travel methods requirements apply:
  - a. Air and rail tickets shall be purchased via the Internet, if possible, using airline or online travel services such as Travelocity, Expedia, or Hotwire;
  - b. Air travel shall only be authorized when determined that it is necessary and advantageous to conduct school business:
    - (1) The most economical air travel should be used, including the use of discounted and special rates;
    - (2) The following options should be considered when booking tickets:
      - (a) Connecting versus nonstop flights;
      - (b) Departing earlier or later compared to the preferred departure time;



- (c) Utilizing alternative airports within a city, i.e. Chicago, Illinois – Midway Airport versus O'Hare Airport;
  - (d) Utilizing alternative cities, i.e. Newark versus Philadelphia;
  - (e) Utilizing "low cost" airlines; and
  - (f) Exploring alternate arrival and/or departure days.
- (3) No employee or Board member can earn benefits as a result of school funded travel. Employees and Board members are prohibited from receiving "Frequent Flyer" benefits accruing from school funded travel;
- (4) Airfare other than economy (i.e., Business or First Class) shall not be fully reimbursed by the school except when travel in such classes:
- (a) Is less expensive than economy;
  - (b) Avoids circuitous routings or excessive flight duration; or
  - (c) Would result in overall transportation cost savings.
- (5) All airfare other than economy and not covered by the above exceptions purchased by an employee or Board member shall only be reimbursed at the economy rate for the approved destination;
- (6) Cost estimates on travel requests and associated authorizations shall be consistent with current airline tariffs, with consideration of available special fares or discounts, for the requested destination;
- (7) Airline tickets shall not be booked until all necessary approvals have been obtained;
- (8) Justification shall be required when actions by a traveler result in additional expenses over and above the authorized travel request. Sufficient justification shall be considered only for factors outside the control of the purchaser. Additional expenses without sufficient justification shall not be reimbursed; and



- (9) Justification shall accompany requests for airline ticket reimbursement when purchased by employees or Board members contrary to the above regulations. Sufficient justification shall be considered only for factors outside the control of the purchaser. Noncompliant purchases without sufficient justification shall not be reimbursed. Reimbursement of purchases with sufficient justification shall be otherwise permitted and reimbursed in accordance with the above procedures.
- c. Rail travel shall only be authorized when determined that it is necessary and advantageous to conduct school business:
- (1) The most economical scheduling of rail travel shall be utilized, including excursion and government discounts, whenever applicable;
  - (2) When one employee or Board member is traveling within the Northeast Corridor, NJ Transit shall be used as the rail option. Use of Amtrak will not be authorized unless it is the only means of travel available;
  - (3) The use of high speed rail services, such as Acela, shall not be authorized;
  - (4) When two or more employees and/or Board members are traveling to the same event in the Northeast Corridor (between Boston, MA and Washington, DC), rail travel shall not be authorized. In those cases, the travelers must use a school vehicle or, if not available, a personally-owned vehicle must be used; and
  - (5) All rail travel, including rail travel in the Northeast Corridor must be processed in the same manner as prescribed for air travel above.
- d. Use of a school-owned or leased vehicle shall be the first means of ground transportation. Use of a personally-owned vehicle on a mileage basis shall not be permitted for official business where a school-owned or leased vehicle is available:



- (1) Mileage allowance in lieu of actual expenses of transportation shall be allowed at the rate authorized by the annual State Appropriations Act, or a lesser rate at the Board's discretion for an employee or Board member traveling by his/her personally-owned vehicle on official business:
  - (a) In accordance with the OMB circular, if any condition in an existing negotiated contract is in conflict with the circular, such as the mileage reimbursement rate, the provision of the contract will prevail;
  - (b) Parking and toll charges shall be allowed in addition to mileage allowance;
  - (c) Reimbursement for travel to points outside the State by automobile shall be permitted when such arrangements prove to be more efficient and economical than other means of public transportation;
  - (d) In determining the relative costs of private and public transportation, all associated costs (i.e., tolls, taxicabs, airport, or station transfers, etc.) shall be considered;
  - (e) All employees and Board members using privately-owned vehicles in the performance of their duties for the school shall present a New Jersey Insurance Identification Card indicating that insurance coverage is in full force and effect with companies approved by the State Department of Banking and Insurance. The card shall be made available to the Lead Person or designee before authorization to use privately-owned vehicles;
  - (f) Employees and Board members who are out-of-State residents must provide appropriate insurance identification in lieu of the New Jersey Insurance Identification Card;
  - (g) School-owned or leased vehicles shall be utilized in accordance with N.J.A.C. 6A:23A-6.12;



- (h) Necessary taxicab charges are permitted. However, travel to and from airports, downtown areas, and between hotel and event site shall be confined to regularly scheduled shuttle service, whenever such service is complimentary or is less costly. If shuttle service is not available, taxicabs may be used; and
- (i) Cruises are not permitted for travel events or transportation.

### M. Routing of Travel

#### 1. Pursuant to OMB Circulars:

- a. All travel shall be by the most direct, economical, and usually-traveled route. Travel by other routes as a result of official necessity shall only be eligible for payment or reimbursement if satisfactorily established in advance of such travel.
- b. In any case where a person travels by indirect route for personal convenience, the extra expense shall be borne by the individual.
- c. Reimbursement for expenses shall be based only on charges that do not exceed what would have been incurred by using the most direct, economical, and usually traveled route.

### N. Subsistence Allowance – Overnight Travel

- 1. Pursuant to the OMB Circulars, one-day trips that do not involve overnight lodging shall not be eligible for subsistence reimbursement, except for meals expressly authorized by and in accordance with the provisions of N.J.A.C. 6A:23A-7.12.
- 2. Pursuant to the OMB Circulars, generally, overnight travel shall not be eligible for subsistence reimbursement if travel is within the State. Overnight travel is permitted if such travel is authorized pursuant to N.J.A.C. 6A:23A-7.11(c), or is a required component of a grant, donation, or other funding agreement with the school. The specific required overnight in-State travel event must be detailed in the approved grant, donation, or other fund acceptance agreement along with the number of employee(s), Board member(s), and total cost. All reimbursements are subject to these rules unless the funding acceptance agreement specifies otherwise.



3. The Commissioner is authorized to grant waivers for overnight travel for school Board members and school employees to attend in-State conferences in accordance with N.J.A.C. 6A:23A-7.11(c). If a waiver is granted by the Commissioner, it shall permit reimbursement for travel expenses for only those individuals whose home to the convention commute exceeds fifty miles.
4. Overnight travel within the State shall not be eligible for subsistence reimbursement if travel is on the day prior to the start of the conference. Reimbursement shall be prohibited for lodging prior to check-in time for the first day of the event or after check-out time on the last day of the event.
5. The United States General Services Administration publishes a schedule of Federal per diem rates in the Federal Register for approved overnight travel by the event location. The latest Federal per diem rates schedule for lodging, meals, and incidental expenses by location can be found at [www.gsa.gov](http://www.gsa.gov). The following restrictions apply to allowable per diem reimbursements.
  - a. Allowable per diem reimbursement for lodging, meals, and incidentals shall be actual reasonable costs, not to exceed the Federal per diem rates for the event location. Registration and conference fees are not subject to the Federal per diem rate caps. If the event location is not listed, the maximum per diem allowance shall be \$31 for meal/incidental expenses and \$60 for lodging, or amounts listed in any superseding NJOMB circular.
  - b. Pursuant to N.J.S.A. 18A:11-12(o), reimbursement for lodging expenses for overnight travel, out-of-State or in-State as authorized by the Commissioner, 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 Federal per diem rates.
    - (1) If the hotel at the site of the current travel event is not available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate at the site of the current event.
    - (2) If there is no hotel at the site of the current travel event (e.g. Atlantic City Convention Center), then reimbursement for lodging shall not exceed the Federal per diem rate.



- c. If the meal is not part of a one-sum fee for a travel event, reimbursement may be approved for the full cost of an official convention meal that the employee or Board member attends, when such meal is scheduled as an integral part of the convention or conference proceedings.
    - (1) Receipts shall be submitted in order to obtain reimbursement in such situations. The amount of the Federal per diem rate for the corresponding meal shall be deducted from that day's subsistence allowance.
  - d. The allowance for a meal or meals, or incidentals shall not be eligible for reimbursement when included and paid in the registration fee, the cost of lodging or transportation charge.
  - e. Receipts shall be required for all hotel and incidental expenses.
  - f. In any case in which the total per diem reimbursement is greater than the Federal per diem rates, the costs shall be considered excessive in the absence of substantial justification accompanying the travel voucher submitted by the employee or Board member. In such cases, receipts shall be submitted for all costs including meals.
  - g. Employees and Board members shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits or is more advantageous to the conduct of school business.
  - h. Actual subsistence expenses shall not be reimbursable if paid by the traveler to a member of his/her family, to another school employee, or to a member of the family of another school employee.
- O. Meal Allowance – Special Conditions – And Allowable Incidental Travel Expenditures
- 1. Meals for in-State travel shall not be eligible for reimbursement except as expressly authorized within N.J.A.C. 6A:23A-7.
  - 2. Meals during one-day, out-of-State trips required for school business purposes may be authorized for breakfast, lunch, and/or dinner in an amount permitted by NJOMB. The Commissioner shall post the most current rates on the Department of Education website for reference.



3. Lunch for training sessions and retreats may be authorized for an amount up to \$7 per person only when it is necessary that employees or Board members remain at a site other than their school and there are no viable options for lunch at the off-site location.
  - a. If lunch is included in a one-sum registration fee for the training session, the full amount is eligible for reimbursement if reasonable.
  - b. Refreshments for breaks may also be provided at training sessions and retreats held at a site other than the school. Providing lunch for staff meetings and in-service days or for staff that come from other parts of the school shall not be permitted (See N.J.A.C. 6A:23A-7.12(d)).
  - c. In accordance with N.J.S.A. 18A:11-12a(1)(d), employee and Board member retreats shall be held onsite unless there is no school site available.
4. Subsistence expenses for an employee or Board member shall not be allowed at the school or within a radius of ten miles thereof, except for meals expressly authorized by and in accordance with the provisions of Section O of this Policy and N.J.A.C. 6A:23A-7.12. Non-allowed expenses include, but are not limited to, meals and refreshments for staff meetings and in-service days.
5. Reimbursement may be approved for the cost of an official luncheon or dinner, up to \$7 and \$10, respectively, that an employee or Board member is authorized to attend, where such a meal is scheduled as an integral part of an official proceeding or program related to school business and the employee's responsibilities.
  - a. School business above refers to the management operations of the school and does not refer to activities that benefit students and are part of the instructional program. Pursuant to N.J.A.C. 6A:23A-5.8(b)(4), all reasonable expenditures related to school employees that are essential to the conduct of a student activity are permitted.
6. Regular meetings, special meetings, and work sessions of the Board of Trustees shall be limited to light meals and refreshments for all Board members.





- a. The meals may be served to employees who are required to attend the event and where it is impractical for the employee to commute to and from his or her residence between the end of the work day and the beginning of the event, or where the employee is required to remain at the school to prepare for the event.
  - b. The school shall acquire the light meals and refreshments by the solicitation of quotes if required pursuant to N.J.S.A. 18A:18A-1 et seq.
  - c. Where the school's food service program can prepare comparable meals at a lower cost, the food service program shall be used.
  - d. The average cost per meal shall not exceed \$10.
  - e. The school shall purchase or prepare foods that are sufficient to provide each Board member, dignitary, non-employee speaker, or allowable staff member one meal. Meals should be carefully ordered to avoid left-over food. Unintended left-over food should be donated to a charitable shelter or similar facility, if at all possible.
7. Allowable incidental travel expenses are defined as those that are essential to transacting official business.
- a. Charges for telephone calls on official business may be allowed. The voucher must show the dates on which such calls were made, the points between which each call was made and the cost per call.
  - b. Employees and Board members using their personally-owned telephone for business may request reimbursement, less Federal Communications Tax. Calls for business are tax exempt and the telephone company will make allowances for the tax if the employee or Board member certifies to the telephone company when paying bills for personally-owned phones that said calls were business calls.
  - c. Incidental expenses, when necessarily incurred by the traveler in connection with the transaction of official business, may be submitted for reimbursement only when the necessity and nature of the expense are clearly and fully explained on the travel voucher and the voucher is approved. Travel vouchers shall be supported by receipts showing the quantity and unit price.



P. Records and Supporting Documentation

1. All persons authorized to travel on business must keep a memorandum of expenditures chargeable to the school, noting each item at the time the expense is incurred, together with the date incurred.
2. The travel voucher shall be completed by the employee or Board member to document the details of the travel event. The travel voucher must be signed by the employee or Board member to certify to the validity of the charges for which reimbursement is sought. The form must also bear the signatures of approval officials for processing.
3. Sufficient documentation shall be maintained centrally by the school to support payment and approval of the travel voucher.
4. Each person authorized to travel shall submit a brief report that includes the primary purpose for the travel, the key issues addressed at the event and their relevance to improving instruction or the operations of the school. This report shall be submitted prior to receiving reimbursement.
5. Documentation for requests for travel reimbursement shall show:
  - a. The dates and individual points of travel, number of miles traveled between such points, and kind of conveyance used;
  - b. If the distance traveled between any given points is greater than the usual route between these points, the reason for the greater distance must be stated;
  - c. The hours of the normal work day and actual hours worked must be shown when requesting meal reimbursement for non-overnight travel;
  - d. Original receipts shall be required for all reimbursable expenses, except for meals that qualify for per diem allowances and for parking meters;
  - e. Actual vendor receipts for personal credit card charges shall be attached to reimbursement requests. Credit card statements shall not be accepted as documentation of expenses;



- f. Personal charges on a hotel bill shall be deducted and shown on the bill;
  - g. When lodging is shared jointly, the fact must be stated on the travel voucher;
  - h. Where travel is not by the most economical, usually-traveled route, the employee or Board member reimbursement request shall set forth the details of the route, the expenses actually incurred, the hour of departure, the hour of arrival, and an explanation for the use of costlier travel arrangements;
  - i. When travel is authorized in the employee's or Board member's own automobile on a mileage basis, the points between which travel was made and the distance traveled between each place must be shown. A statement as to ownership of the auto or other conveyance used, as well as a certification that liability insurance is in effect, must be documented;
  - j. Reimbursement requests must be supported by other receipts as required;
  - k. The voucher shall be itemized; and
  - l. Reimbursement requests shall be rendered monthly when in excess of \$25. Travel for a single travel event must be reported as soon as possible after the trip.
6. All outstanding travel vouchers for the school year ending June 30 shall be submitted as soon as possible after June 30 regardless of amount, notwithstanding N.J.A.C. 6A:23A-7.13(e)(12).
7. Travel mileage reimbursement requests of the just completed school year, that are not submitted by July 30 or the date approved by the for the closing of books, whichever is earlier, for the just completed school year shall not be approved or paid.

N.J.S.A. 18A:11-12 et seq.  
N.J.A.C. 6A:23A-5.9; 6A:23A-7 et seq.

Adopted: 17 May 2018



### 6472 TUITION ASSISTANCE

The Board of Trustees recognizes the importance of advanced educational experience, coursework, and degrees for employees. The Board of Trustees may provide tuition assistance to an employee in accordance with contract provisions in a collective bargaining agreement, an individual employment contract, or as per any other employment agreement or contract approved by the Board.

In accordance with the provisions of N.J.S.A. 18A:6-8.5, in order for the Board of Trustees to provide tuition assistance to an employee for coursework taken at an institution of higher education or additional compensation upon the acquisition of additional academic credits or completion of a degree program at an institution of higher education, the institution shall be a duly authorized institution of higher education as defined in Section 3 of P.L.1986, c.87 (C.18A:3-15.3).

The employee shall be required to obtain approval from the Lead Person prior to enrollment in any course for which tuition assistance is sought. In the event the Lead Person denies the approval, the employee may appeal the denial to the Board of Trustees. In the case of tuition assistance for the Lead Person, the approval shall be obtained from the Board of Trustees.

In accordance with the provisions of N.J.S.A. 18A:6-8.5.c., tuition assistance or additional compensation shall be provided only for a course or degree related to the employee's current or future job responsibilities.

Nothing in N.J.S.A. 18A:6-8.5 shall be construed to limit the authority of the Board to establish more stringent requirements for the provision of tuition assistance or additional compensation. The provisions of this Policy and N.J.S.A. 18A:6-8.5 shall not be deemed to impair an obligation set forth in a collective negotiations agreement or an individual contract of employment in effect on May 6, 2010.

N.J.S.A. 18A:6-8.5

Adopted: 17 May 2018



## 6480 PURCHASE OF FOOD SUPPLIES

The Board of Trustees authorizes the purchase of certain food supplies without advertising for bids.

For the purpose of this policy, “food supplies” means only those supplies that are to be eaten or drunk and those substances that may enter into the composition of a food in the operation of a school cafeteria or in a home economics class.

The Board of Trustees authorizes the School Business Administrator/Board Secretary or designee to purchase all food supplies without advertising for bids in accordance with N.J.S.A. 18A:18A-5 and N.J.A.C. 6A:23A-16.5 et seq.

The School Business Administrator/Board Secretary or designee shall obtain price quotations for all food supplies purchased without advertising for bids in accordance with N.J.A.C. 6A:23A-16.5 et seq.

Vendors interested in providing food supplies to the school shall submit a written request to the School Business Administrator/Board Secretary or designee to receive specifications for food supplies to be purchased by the school. The School Business Administrator/Board Secretary or designee will maintain a list of interested vendors and will mail specifications for food supplies to those vendors who requested such specifications.

Each time a purchase of food supplies is to be made, the School Business Administrator/Board Secretary or designee shall solicit quotations from interested, eligible vendors. Quotations for fresh or frozen fruits, vegetables, and meats need not be solicited more than once in any two week period.

The School Business Administrator/Board Secretary or designee shall provide definite and uniform specifications governing standards of quality to each eligible vendor from whom quotations are solicited. Specifications for food supplies will indicate a time in which all quotations must be submitted to the school for consideration.

All quotations from interested, eligible vendors will be evaluated by the School Business Administrator/Board Secretary or designee. Food supplies shall be purchased from the vendor who submits the lowest quotation, except that food supplies may be purchased from another vendor who submitted a quotation when the School Business Administrator/Board Secretary or designee can justify the purchase. Any such justification, together with all quotations received, shall be kept in permanent record form, attached to the purchase order and available to school officials, the Board, and the State Department of Education for a minimum of three years following the purchase.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Purchase of Food Supplies

The School Business Administrator/Board Secretary or designee may purchase food supplies for any school cafeteria or home economics class to the extent of not more than \$500.00 any month without soliciting quotations provided the School Business Administrator/Board Secretary provides a written signed statement filed with the invoice indicating the reason why quotations could not be obtained. The signed statement filed with the invoice shall be retained for review and audit.

Nothing in this Policy shall prevent the Board from purchasing food supplies by advertising for bids and awarding contracts in accordance with N.J.S.A. 18A:18A-4.

N.J.S.A. 18A:18A-4 et seq.; 18A:18A-5a.(6); 18A:18A-6  
N.J.A.C. 6A:23A-16.5

Adopted: 17 May 2018



### 6510C PAYROLL AUTHORIZATION – CHARTER SCHOOL

The most substantial allocation of public funds for the operation of the charter school is that made to the employees of the charter school for their services. Compensation will be tendered only to persons duly employed by this Board and only for services rendered.

Each Board resolution to employ or reemploy a person will include: the person's name, position, and tenure status; the salary or rate of pay the person is to receive; the method of payment; the wage guide from which wages are derived; the budget category to which the wages are to be charged; the period of time for which employment is authorized; and the school, grade, class or special assignment, as appropriate.

No person may be assigned duties as a substitute employee whose employment has not been approved by the Board. The list to be approved by the Board will include the names of recommended substitutes, the duties to which each may be assigned, and the rate of pay. Substitute authorization will ordinarily be valid for one school year.

The minutes of Board meetings will record personnel actions of the Board, to include, but not be limited to, the appointment, promotion, resignation, retirement, death, discharge, compensation, or leave of absence for each employee. The minutes will also include effective dates for personnel action.

Certain categories of staff members designated by the Lead Person, shall be required to use a time clock or sign in and out of work daily in order to verify days and hours worked. The service of extra-duty personnel must be certified by the appropriate supervisor before payment can be made.

The Lead Person and the School Business Administrator/Board Secretary are authorized to withhold salary or wages for services not rendered, in accordance with Board policy.

Staff members shall be paid in accordance with the provisions in their collective bargaining agreement and/or in accordance with a schedule provided to all employees prior to the beginning of the contract or school year.

In accordance with N.J.A.C. 6A:23A-22.8, at least once every three years, between the months of September through May, the Lead Person shall require each charter school employee to report to a central location(s) and produce picture identification and sign for release of his or her paycheck or direct deposit voucher. The Lead Person may exclude per diem substitutes from the required verification. The accepted picture identification shall be in the form of a charter school issued identification card, valid drivers' license, official passport, or other picture identification issued by a State, county, or other local government agency.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Payroll Authorization – Charter School

The Lead Person shall designate an appropriately qualified staff member to match the picture identification to the employee roster maintained by the office of personnel or human resources prior to release of the pay check or direct deposit voucher. Where no appropriate identification can be produced, the School Business Administrator/Board Secretary shall withhold paychecks or stop direct deposits until such time the payee/charter school employee can produce appropriate identification or until an investigation and corrective action is concluded, as appropriate to the circumstances.

Upon completion of the payroll check distribution verification procedures set forth in this Policy and N.J.A.C. 6A:23A-22.8, the Lead Person shall submit a certification of compliance, in a form prescribed by the Department of Education, to the Executive County Superintendent. Verification of the charter school's compliance with the provisions of N.J.A.C. 6A:23A-22.8 will be required as part of the annual audit.

The payroll journal will be certified by the Board Secretary, the President of the Board, and approved by the Lead Person.

N.J.S.A. 18A:17-35; 18A:19-9 et seq.  
N.J.A.C. 6A:23A-22.8

Adopted: 17 May 2018





## 6520 PAYROLL DEDUCTIONS

The Board of Trustees shall, in accordance with law or employee authorization, make deductions from an employee's paycheck and remit the amounts deducted to the agent designated by the employee.

Deductions will routinely be made as required for Federal income tax, social security and medicare; New Jersey income tax, unemployment assistance, and other miscellaneous taxes; and by the New Jersey Division of Pensions.

Deductions may also be made, provided they have been duly authorized by the employee in writing, for contributions on the employee's behalf for:

1. The payment of premiums for group life, accidental death or dismemberment, hospitalization, medical, surgical, major medical, health and accident, and legal insurance plans, N.J.S.A. 18A:16-13;
2. Tax sheltered annuities or custodial accounts, N.J.S.A. 18A:66-127; and
3. Payments to a credit union, N.J.S.A. 40A:19-17.

Contributions shall be made as soon as is reasonably possible after the funds have been deducted from an employee's salary. No contribution shall be made on behalf of an employee until the amount contributed has been deducted from the employee's salary.

An employee who wishes to pay into a tax sheltered annuity or mutual fund offered by a firm not approved by this Board for payroll deductions must make his/her payment individually.

No Board employee shall withhold or pay to another or purchase or have assigned, other than by court order, any compensation for the services rendered by an employee of this school.

N.J.S.A. 18A:16-9; 18A:66-19; 18A:66-30; 18A:66-78; 18A:66-128  
N.J.S.A. 43:3C-9  
N.J.S.A. 52:14-15.9; 52:18A-107 et seq.  
N.J.S.A. 54:8A-9  
N.J.A.C. 6A:23-2.8; 6A:23-2.10

Adopted: 17 May 2018



### 6620 PETTY CASH

The Board of Trustees authorizes the establishment of petty cash funds in accordance with this policy. The Board directs the implementation of appropriate controls to protect the funds from abuse.

The Board hereby establishes imprest petty cash funds in the care of the following persons and in the following amounts:

Account Title	Custodian(s)	Amount	Maximum Single Expenditure
Petty Cash	Business Office Clerk	\$500	\$200

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 school. Each request for petty cash funds must be in a written document that is signed by the person making the request; supporting documents, if any, will be affixed to the request.

The custodian of a petty cash fund shall submit to the Board Secretary a request for replenishment when the moneys available in the fund have declined to fifty percent or less of the authorized amount of the fund. The Board Secretary 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 box 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 fund will report to the Board on amounts disbursed from the fund not less than once each year.

N.J.S.A. 2C:21-15  
N.J.S.A. 18A:19-13; 18A:23-2  
N.J.A.C. 6A:23-2.9 et seq.

Adopted: 17 May 2018



### 6700 INVESTMENTS

The Board of Trustees directs the prompt investment at interest of any unencumbered funds available for the discretionary use of the Board. Such funds may be invested in bonds or other obligations of the United States; bonds of those Federal agencies in which such investment is permitted by law; the New Jersey Cash Management Fund; bonds or obligations of a county, municipality, or school; and public depositories located within the boundaries of the State of New Jersey that secure public funds in accordance with statute.

The School Business Administrator/Board Secretary is authorized to invest school funds in accordance with this policy.

Any interest earned on the investment of school funds will be combined with general school revenues.

The Treasurer shall report to the Board each month the cash in all accounts on deposit and all investment assets. The Board Secretary shall report to the Board each month the amount of funds in investments, investment interest earned, and all investment transactions.

N.J.S.A. 17:9-41 et seq.; 17:12B-241

N.J.S.A. 18A:17-34; 18A:17-36; 18A:20-37; 18A:24-47

N.J.S.A. 40:3-7

N.J.S.A. 40A:5-14; 40A:5-15.1

Adopted: 17 May 2018



## 6810 FINANCIAL OBJECTIVES

The Board of Trustees recognizes its responsibility to the taxpayers of the school and the State to expend public moneys wisely and prudently for the maintenance of a thorough and efficient system of public education and to institute appropriate controls and accounting procedures.

The Board shall use accounting and reporting directives as prepared, published and distributed by the Commissioner of Education in addition to any books, materials or bulletins, for the guidance of school officials in establishing and maintaining the double entry bookkeeping and accounting system mandated in N.J.A.C. 6A:23-2.1.

The Board shall develop a system of accounting and reporting objectives that make it possible to present fairly and with full disclosure the funds and activities of the school and to determine and demonstrate compliance with finance-related legal and contractual matters. The Board shall develop an accounting system that is organized and operated on a fund basis and shall report governmental, proprietary and fiduciary funds in the fund financial statements to the extent they have activities that meet the criteria for using those funds. The Board shall establish and maintain those funds required by law and sound financial administration (only the minimum number of funds consistent with legal and operating requirements should be established) and use the modified accrual or accrual basis of accounting as appropriate in measuring financial position and operating results in accordance with GAAP and regulatory provisions. Transfers shall be recognized in the accounting period in which the interfund receivable and payable arise.

The Board shall adopt an annual budget and include the adopted annual budget in the minutes of the Board. A detailed budget statement, which includes the classification of expenditures by program and function shall be prepared on a fund basis in accordance with N.J.S.A. 18A:22-8 and on a form prescribed by the Commissioner. A detailed budget shall be prepared for each special project, capital project, and Federal or State grant. This budget shall be maintained, along with all authorized revisions, on file in the Board of Trustees business office. The Board shall take appropriate action, as necessary, to maintain a balanced budget.

The Board shall ensure the accounting system provides the basis for appropriate budgetary control, and that budgetary comparison schedules are included in the appropriate financial statements and schedules for governmental funds in accordance with GAAP.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Financial Objectives

The Board shall use a common terminology and classification consistently throughout the budget, the accounts, and the financial reports of each fund, and shall adopt a chart of accounts prepared in conformity with N.J.A.C. 6A:23-2.2(g)1.

N.J.S.A. 18A:4-14; 18A:4-14.1; 18A:18A-1 et seq.;  
18A:19-1 et seq.; 18A:22-7 et seq.  
N.J.A.C. 6A:23-2.2 et seq.

Adopted: 17 May 2018



### 6811C FINANCIAL REQUIREMENTS – CHARTER SCHOOL

A charter school Board of Trustees may incur debt for a period no greater than twelve months except:

1. During the first year the charter school is approved when the debt is incurred by the charter school Board of Trustees for a period no longer than January 15 of the preceding school year to June 30 of the first school year of the charter; and
2. For all other years the charter school is approved when the debt incurred by the charter school board of trustees for a period of twelve months or greater is:
  - a. Fully secured by the value of the real property or other asset, so that the total value of all such debt does not exceed the total appraised value of the property or asset by which the debt is secured; and
  - b. Non-recourse to the charter school.

A charter school Board of Trustees may acquire real property by a lease or a lease with an option to purchase for use as a school facility providing that the charter school Board of Trustees shall ensure:

1. The term of the lease does not exceed the length of the charter;
2. The lease contains a provision terminating the obligation to pay rent upon the denial, revocation, non-renewal or surrender of the charter; and
3. The lease does not contain a provision accelerating the obligation to pay rent in the event of default.

A district Board of Education shall only transmit State and local public funds to a charter school after the final granting of the charter by the Commissioner of Education of Education has occurred. If funds are withheld pending the final granting of the charter, the district Board of Education shall pay all withheld funds to the charter school with the first scheduled payment after the effective date of the charter.

A charter school shall be subject to monitoring by the Commissioner of Education to ensure that the percentage of school funds spent in the classroom is at least comparable to the average percentage of school funds spent in the classroom in all other public schools in the State. The calculation for this percentage in both the annual budget and the Comprehensive Annual Financial Report is based on National Center for Educational Statistics as published by the U.S. Department of Education.



After completion of the school year, the district Board of Education may petition the Commissioner of Education for a lower rate for the charter school's per student amount for the specific grade level if the charter school spends significantly less than budgeted and has accumulated a sizable surplus.

1. The Commissioner of Education may reduce the rate based on a determination of excessive surplus. The criteria for excess surplus are determined by the Commissioner of Education pursuant to N.J.S.A. 18A:7F-7.
2. A charter school may submit comments to the Commissioner of Education regarding the petition for a lower rate for the charter school's budget amount per student for the specific grade level from the district of residence of the charter school or non-resident district(s).

If, at any time, the Commissioner of Education denies, revokes or does not renew a school's charter, or a charter school Board of Trustees surrenders its charter or becomes insolvent, all assets of the charter school Board of Trustees, after satisfaction of all outstanding claims by creditors, are subject to equitable distribution by the Commissioner of Education among the participating district of residence and non-resident district(s). A charter school Board of Trustees shall include a provision in its bylaws concerning distribution of assets upon denial, revocation, non-renewal or surrender of its charter or insolvency of the charter school that is consistent with this provision of N.J.A.C. 6A:23A-22.4.

N.J.A.C. 6A:23A-22.4

Adopted: 17 May 2018



## 6820 FINANCIAL REPORTS

The Board of Trustees directs the School Business Administrator/Board Secretary and the Treasurer of School Moneys, or designee, to make such accurate and timely reports to county, State, and Federal offices as required by law and rules of the State Board of Education. In addition, the School Business Administrator/Board Secretary and Treasurer, or designee, shall report to the Board on the financial condition of the school in accordance with law and in the manner and form required by the State Department of Education. There shall be a common terminology and classification system used consistently throughout the budget, the accounts, and the financial reports of each fund. The school will establish and implement an adequate internal control structure and procedures for financial reporting.

The School Business Administrator/Board Secretary shall prepare monthly financial statements, reports of financial condition, operating results, and other pertinent information in accordance with directions issued by the Commissioner of Education, to facilitate management control of financial operations, legislative oversight and, where necessary or desired, for external reporting purposes.

In the event the Board has approved a budget with an expanded coding structure, the School Business Administrator/Board Secretary shall present the financial report in two forms. One form shall use the minimum level chart of accounts established by the State Department of Education and the other shall use the expanded chart of accounts approved by this Board in accordance with Policy No. 6220.

If no line item account has encumbrances and expenditures that in total exceed the line item appropriation in violation of N.J.A.C. 6A:23A-16.10(a), the School Business Administrator/Board Secretary shall so certify to the Board each month. If a violation has occurred, corrective action as outlined in N.J.A.C. 6A:23A-16.10(c)3.i shall be taken by the Board.

The Board of Trustees, after review of the monthly financial reports and upon consultation with the appropriate school officials, shall certify in the minutes of the Board each month that no fund has been overexpended in violation of N.J.A.C. 6A:23A-16.10(b) and that sufficient funds are available to meet the school's financial obligations for the remainder of the fiscal year. If the Board is unable to make such a certification, the Lead Person shall initiate the steps outlined in N.J.A.C. 6A:23A-16.10(b) and shall reflect such directive in the minutes of the Board. If the Board makes such certification but one or more Board members vote no to the certification, the Board shall provide to the Executive County Superintendent the Board vote, names of the members that voted no, and the reason for the no vote.





# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Financial Reports

If the reports of the School Business Administrator/Board Secretary and the Treasurer differ in cash receipts or expenditures, the School Business Administrator/Board Secretary shall resolve the difference prior to the next meeting of the Board. Any difference that cannot be rectified shall be referred immediately to the Auditor. In the event the School Business Administrator/Board Secretary is more than two months behind in submitting the financial report to the Board pursuant to N.J.S.A. 18A:17-9, the Lead Person shall report this non-compliance to the Executive County Superintendent.

N.J.S.A. 18A:17-9; 18A:17-36

N.J.S.A. 54:4-75

N.J.A.C. 6A:23A-16.2; 6A:23A-16.9; 6A:23A-16.10

Adopted: 17 May 2018



### 6830 AUDIT AND COMPREHENSIVE ANNUAL FINANCIAL REPORT

The Board of Trustees will prepare and publish a Comprehensive Annual Financial Report (CAFR) in accordance with the requirements of N.J.S.A. 18A:23-1 through 18A:23-7 and N.J.A.C. 6A:23A-16.2(i).

The Board shall annually cause an audit to be made of the school's accounts and financial transactions. The audit will be conducted in accordance with law by the public school accountant appointed by the Board. The Board will engage only a licensed public school accountant to conduct the audit in accordance with N.J.S.A. 18A:23-1 et seq. who has an external peer/quality report performed in accordance with the requirements of N.J.A.C. 6A:23A-16.2(j).

The audit shall include test measures to assure that documentation prepared for income tax purposes complies fully with the requirements of Federal and State laws and regulations regarding the compensation which is required to be reported and the requirements of N.J.A.C. 6A:23A-4.2 and 6A:23A-4.3.

The Board Secretary will receive the audit report and recommendations of the public school accountant and prepare or have prepared a synopsis or a summary of the annual audit and recommendations prior to the holding of the Board meeting where the Board will take action on the report. Copies of the synopsis or summary will be available for distribution to interested parties at the meeting.

Within thirty days of the receipt of the audit report, the Board will, at a regularly scheduled public meeting, cause the recommendations of the public school accountant to be read and discussed and the discussion duly noted in the minutes of the Board meeting.

The Board will implement the audit recommendations and report such implementation to the Commissioner.

In the event the school has repeat audit findings in the Auditor's Management Report submitted with the CAFR in any year shall, within thirty days of the CAFR submission, submit to the Executive County Superintendent or State fiscal monitor, as applicable, a specific corrective action plan for addressing the repeat audit findings in accordance with the provisions of N.J.A.C. 6A:23A-4.4.



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Audit and Comprehensive Annual Financial Report

The Board directs the Lead Person and other appropriate school officers and employees to cooperate fully with the public school accountant and to keep faithfully such records and reports as will assist in the audit process.

N.J.S.A. 18A:23-1; 18A:23-2; 18A:23-2.1; 18A:23-3; 18A:23-4;

18A:23-5; 18A:23-8

N.J.A.C. 6A:23A-4.2; 6A:23A-4.3

Adopted: 17 May 2018



## 7000 PROPERTY

<u>Number</u>	<u>Title</u>
7230	Gifts, Grants, and Donations
7243	Supervision of Construction
7300	Disposition of Property
7410	Maintenance and Repair (M)
7420	Hygienic Management (M)
7421	Indoor Air Quality Standards
7422	School Integrated Pest Management Plan (M)
7424	Bed Bugs
7425	Lead Testing of Water in Schools
7430	School Safety (M)
7432	Eye Protection (M)
7433	Hazardous Substances
7434	Smoking in School Buildings and on School Grounds (M)
7435	Alcoholic Beverages on School Premises
7436	Drug Free Workplace (M)
7440	School Security (M)
7441	Electronic Surveillance In School Buildings and On School Grounds (M)
7450	Property Inventory
7460	Energy Conservation
7480	Motor Vehicles on School Property
7481	Unmanned Aircraft Systems (UAS also known as Drones)
7490	Animals on School Property
7513	Recreational Use of Playgrounds
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7522	School Provided Technology Devices to Staff Members
7610	Vandalism



## 7230 GIFTS, GRANTS, AND DONATIONS

The Board of Trustees 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 Lead Person may accept on behalf of the Board any such gift less than \$500 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 school or any gift the ownership of which would tend to deplete the resources of the school. The Board shall not provide public moneys 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 respect 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 students and the educational program of the school. 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 Lead Person 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 school to consult with the Principal or Lead Person before appropriating funds to that end;



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Gifts, Grants, and Donations

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.

N.J.S.A. 18A:20-4; 18A:20-11 et seq.

Adopted: 17 May 2018



### 7243 SUPERVISION OF CONSTRUCTION

The Board of Trustees directs that the Lead Person, Assistant Lead Person, and/or School Business Administrator/Board Secretary be responsible for the supervision of all building construction. Supervision shall include field inspection of the contractor's operations, administrative review of the activities of the architect relating to the construction, and any other construction matters relating to the interests of the school.

The Lead Person, Assistant Lead Person, and/or School Business Administrator/Board Secretary shall report periodically to the Board that by his/her personal knowledge the work of the construction contractor and the architect is being performed in accordance with the plans, specifications, and contracts approved by the Board.

A change order involving additional cost will be submitted for Board review.

Upon completion of a building project and a final inspection of all its aspects by the architect, contractors, and school officials, a recommendation for acceptance shall be made to the Board by the Lead Person.

N.J.S.A. 18A:18A-16; 18A:18A-43; 18A:18A-44

Adopted: 17 May 2018



### 7300 DISPOSITION OF PROPERTY

The Board of Trustees believes the efficient administration of the school requires the disposition of property and goods no longer necessary for school purposes. The Board directs the periodic review of all school 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. The disposition of any school property will be in accordance with this Policy and applicable laws.

Real estate property will be disposed of by sale or otherwise, in accordance with N.J.S.A. 18A:20-5 through 18A:20-7 and N.J.A.C. 6A:26-7.4. If an approved site, or interest therein, is to be altered or disposed of through sale, transfer or exchange of all or part of the total acreage, including facilities, if applicable, a written request for approval of the disposal will be made to the Division of Administration and Finance (Division) in accordance with the requirements of N.J.A.C. 6A:26-7.4. The Division will notify the school of its approval or disapproval.

The Board may, by resolution and by sealed bid or public auction, authorize the sale of its personal property not needed for school purposes, and disposal of any property declared scrap or waste. 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. In the event no bids are received for personal property or the personal property is not sold at private sale pursuant to, N.J.S.A. 18A:18A-45, the Board may declare the personal property as scrap or waste and dispose of it locally.

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 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.





# POLICY

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Disposition of Property

The Lead Person shall develop regulations for the disposition of school 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 and applicable laws.

N.J.S.A. 18A:18A-5; 18A:18A-45; 18A:20-5 through 18A:20-7  
N.J.A.C. 6A:26-7.4

Adopted: 17 May 2018



## 7410 MAINTENANCE AND REPAIR

The Board of Trustees recognizes that the fixed assets of this school represent a significant investment of this community; their maintenance is, therefore, of prime concern to the Board.

The Board will develop, approve, and implement a comprehensive maintenance plan in accordance with the requirements of N.J.A.C. 6A:26A-3.1 and 6A:26A-3.2. A “comprehensive maintenance plan” means a multi-year maintenance plan developed by a school covering required maintenance activities for the school facility in the school pursuant to N.J.A.C. 6A:26A-1.1 et seq.

Required maintenance activities, in accordance with N.J.A.C. 6A:26A-2.1, are those specific activities necessary for the purpose of keeping a school facility open and safe for the use or in its original condition, and for keeping its constituent building systems fully and efficiently functional and for keeping their warranties valid. The activities address interior and exterior conditions; include preventative and corrective measures; and prevent premature breakdown or failure of the school facility and its building systems.

Expenditures for required maintenance activities set forth in N.J.A.C. 6A:26A-2.1 shall be accounted for in accordance with the requirements of N.J.A.C. 6A:26A-2.2.

The required annual maintenance budget amount in the comprehensive maintenance plan shall be included in the school’s annual budget certified for taxes in accordance with the provisions of N.J.A.C. 6A:26A-4.1(a). The required annual maintenance budget amount shall be calculated and adjusted in accordance with the provisions of N.J.A.C. 6A:26A-4.1(b). The Executive County Superintendent, in accordance with the provisions of N.J.A.C. 6A:26A-4.1(c), may not approve the school’s budget if the required annual maintenance budget is not included in the budget certified for taxes.

Maintenance and repair requests and repairs shall be processed in accordance with the procedures as outlined in Regulation 7410.

N.J.S.A. 18A:18A-43; 18A:21-1  
N.J.A.C. 6A:26A-1.1 et seq.; 6A:23A-6.9

Adopted: 17 May 2018



## 7420 HYGIENIC MANAGEMENT

The Board of Trustees recognizes that the health and physical well-being of the students and staff of this school depend in large measure upon the cleanliness and sanitary management of the school.

The Board directs that a program of hygienic management be instituted in the school and explained annually to all staff members. The school shall be inspected for cleanliness and sanitation by the Assistant Lead Person on a regular basis.

The Board will cooperate with the local board of health in the sanitary inspection of the school's toilets, washrooms, food vending machines, water supply, and sewage disposal systems.

The Lead Person shall prepare, in consultation with the school medical inspector, regulations, first aid and emergency medical procedures that utilize universal precautions in the handling and disposal of blood and body fluids, whether or not students or staff members with HIV infection are present. School staff members and volunteers shall be provided the supplies for implementing the procedures. In particular, school nurses, custodians, and teachers shall be trained in proper handling procedures. These regulations and procedures will comply with the regulations of the State Department of Health and State Department of Labor (OSHA Standards for Occupational Exposure to Bloodborne Pathogens) and recommendations of the Centers for Disease Control and Prevention.

### Bloodborne Pathogens

The Board recognizes that school employees may in the performance of their duties reasonably anticipate contact with human blood or other potentially infectious body fluids that may expose them to bloodborne pathogens such as Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV). In accordance with Federal OSHA regulations, the Board will establish a written Exposure Control Plan designed to eliminate or minimize employee exposure to such infection. The plan shall list all job classifications and tasks in which exposure occurs; describe and require the implementation of workplace controls to eliminate or minimize exposure; require the provision of hepatitis B vaccination to employees who have occupational exposure; and require the provision of a training program for employees who have occupational exposure. The plan shall be updated annually and as required to include new or revised employee positions with occupational exposure. A copy of the plan shall be made accessible to employees.



### Disposal of Medical Waste

The Lead Person shall prepare, in consultation with the school medical inspector, a medical waste disposal program to ensure all medical waste, including needles and sharps, are disposed of in accordance with the rules and regulations of the New Jersey Department of Health.

### Chemical Hygiene

The Board also recognizes that certain school employees who work in laboratories may be exposed to hazardous chemicals in the course of their duties. In accordance with Federal OSHA regulations, the Board will establish practices that are capable of protecting employees from health hazards presented by hazardous chemicals used in the workplace. The plan shall contain the locations of hazardous chemicals and shall enunciate a plan capable of protecting employees from associated health hazards and keeping exposure of employees below specified limits. The Chemical Hygiene Plan shall be readily available to employees and shall contain at least the following elements:

1. Standard operating procedures for using hazardous chemicals in laboratory work;
2. Criteria that the Board will use to determine and implement control measures to reduce employee exposure;
3. The requirement that fume hoods and other protective equipment are functioning properly and that measures are taken to ensure adequate performance of such equipment;
4. Provision for employee information and training;
5. The circumstances under which a particular laboratory operation, procedure or activity shall require prior approval from the Assistant Lead Person before implementation;
6. Provisions for medical consultation;
7. Designation of personnel responsible for implementation of the chemical hygiene plan; and
8. Provisions for additional employee protection for work with particularly hazardous substances.



The Board directs that the program of chemical hygiene be implemented by the Chemical Hygiene Officer. The Assistant Lead Person will serve as Chemical Hygiene Officer for the school and shall be responsible for the examination of all school facilities to determine where hazardous chemicals are used and to ensure compliance of all school facilities with the Chemical Hygiene Plan.

The Lead Person shall develop and supervise a program for the cleanliness and sanitary management of the school building, school grounds, and school equipment pursuant to statute, rules of the State Board of Education, and regulations of the State Board of Health.

The day to day monitoring of the cleanliness of the school building shall be the responsibility of the Building Principal.

29 C.F.R. 1910

N.J.A.C. 6:3-8.1; 6A:16-1.4; 6A:16-2.3(e); 6A:26-12.4

Adopted: 17 May 2018



## 7421 INDOOR AIR QUALITY STANDARDS

The Board of Trustees will provide air quality for school employees in the school building that meet the standards established by the New Jersey Department of Labor pursuant to N.J.A.C. 12:100-13.

The Board will designate the Assistant Lead Person as the individual, who is responsible to assure compliance with New Jersey Department of Labor standards. The designated person will assure that preventative maintenance programs for heating, ventilating and air conditioning (HVAC) systems are implemented and documented and that general and local exhaust ventilation is used for employees working with equipment or products that could reasonably be expected to result in hazardous chemicals or particulate exposure. The designated person shall check to make sure HVAC systems are working properly when the building temperatures are outside of the range of 68 to 79 degrees Fahrenheit and make sure buildings without mechanical ventilation have operable windows, doors, vents, stacks and other portals designated or used for natural ventilation are operational. The designated person will also promptly investigate all employee complaints of signs or symptoms that may be associated with building-related illnesses.

The Board will make sure air quality will be maintained at acceptable standards during renovation and remodeling that results in the diffusion of dust, stone and other small particles, toxic gases or other harmful substances in quantities hazardous to health. The designated person will notify employees at least twenty-four hours in advance, or promptly in emergency situations of work to be performed on the building that may induce air contaminants into their work area.

The designated person will respond to a complaint received by the Department of Labor within fifteen working days of receipt of the complaint.

N.J.A.C. 12:100-13.2 et seq.  
N.J.A.C. 5:23

Adopted: 17 May 2018



## 7422 SCHOOL INTEGRATED PEST MANAGEMENT PLAN

The New Jersey School Integrated Pest Management Act of 2002 requires schools to implement a school integrated pest management policy that includes an Integrated Pest Management Plan. In accordance with the requirements of the Act, the Board shall ensure implementation of Integrated Pest Management (IPM) procedures to control pests and minimize exposure of children, faculty, and staff to pesticides. These procedures shall be applicable to all school property in the Classical Academy Charter School.

### IPM Coordinator (IPMC)

The Lead Person shall be designated as the school's Integrated Pest Management Coordinator (IPMC) and is responsible for the implementation of the school integrated pest management policy.

### Integrated Pest Management Procedures in Schools

Implementation of Integrated Pest Management (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.

The Integrated Pest Management Coordinator (IPMC) shall 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 Lead Person, in collaboration with the school Building Principal(s) and the IPMC, shall be responsible for the development of the IPM Plan for the school. The school's Integrated Pest Management (IPM) Plan is a blueprint of how the school will manage pests through IPM methods. The school's IPM Plan will state the school's goals regarding the management of pests and the use of pesticides for all school property. The Plan will reflect the school's site-specific needs and a description of how each component of the school's Integrated Pest Management Policy and Regulation will be implemented for all school property.



## Education/Training

The school community will be educated about potential pest problems and IPM methods used to achieve the pest management objectives.

The IPMC, other school staff, and pesticide applicators involved with implementation of the school's IPM policy will be trained in appropriate components of IPM as it pertains to the school environment.

Students and parents/legal guardians will be provided information on this policy and instructed on how they can contribute to the success of the IPM program.

## Recordkeeping

Records of pesticide use shall be maintained on site to meet the requirements of the State regulatory agency and the Board.

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 Building Principal, working with the IPMC, is responsible for timely notification to students, parents or legal guardians and the school staff of pesticide treatments pursuant to the School Integrated Pest Management Act.

## Re-entry

Re-entry to a pesticide treated area shall conform to the requirements of the School Integrated Pest Management Act.

## Pesticide Applicators

The IPMC shall ensure that applicators follow State regulations, including licensing requirements and label precautions, and must comply with all components of the School Integrated Pest Management Policy.

## Evaluation

The Lead Person will report annually to the Board on the effectiveness of the IPM Plan and make recommendations for improvement as needed.





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School Integrated Pest Management Plan

The school's Integrated Pest Management Plan, Policy and Regulation shall be implemented not later than June 12, 2004. The Board directs the Lead Person to develop Regulations/Procedures for the implementation of School Integrated Pest Management Plan.

N.J.S.A. 13:1F-19 through 13:1F-33

Adopted: 17 May 2018



## 7424 BED BUGS

The Board of Trustees is concerned for students who may have bed bugs in their home with the potential for these students to bring bed bugs into the school building. Bed bugs can be transmitted from one location to another in backpacks, clothing, books, and other items. A bed bug infestation is unlikely in a school and the Board adopts this Policy as a proactive action to prevent infestation and to stop bed bugs from spreading within the school setting if a bed bug is transmitted into a school.

Bed bugs are parasitic insects that feed exclusively on blood and are mainly active at night, but are not exclusively nocturnal. A common bed bug prefers human blood and typically feeds on their hosts without being noticed. Bed bugs are not known to transmit disease, but cause reasonable distress and health concerns for many people. The presence of bed bugs in a home does not mean the home is unclean, bed bugs can be found in any home.

Bed bugs typically do not infest people as they hide during the day and come out during the night. Bed bugs are attracted to humans primarily by carbon dioxide, warmth, and by some chemicals. Bed bugs prefer exposed skin, preferably the face, neck, and arms of a sleeping person. Bed bug bites may lead to a range of skin manifestations from no visible effects to prominent blisters. The bite usually produces a swelling with no red spots, but when many bugs feed on a small area, reddish spots may appear after the swelling subsides. Effects also may include skin rashes, psychological effects, and allergic symptoms.

Any staff member who observes what may be bed bug bites on a student shall send the student to the school nurse. The school nurse shall examine the student to determine if there are any bed bugs present on the student or if the bites may be bed bug bites. The school nurse will inform the Principal and contact the student's parent on the results of the examination.

In the event the school nurse observes what appears to be a bed bug on the student or on the student's possessions, the school nurse will inform the Principal who will arrange for a licensed pest management professional to complete an inspection of the student's classroom(s) to determine if bed bugs are present in the classroom area. If a licensed pest management professional cannot complete an inspection within twenty-four hours of the request from the school, the school custodial staff will vacuum the student's classroom(s) with a vacuum cleaner using a new vacuum cleaner bag and when finished the staff member shall seal the bag and discard it in a receptacle outside the school building. If the vacuum does not have a bag, the contents of the vacuum shall be emptied into a secure plastic bag, sealed, and discarded into a receptacle outside the school building. The Principal shall determine if the classroom(s) should be occupied by staff and students until the inspection by a licensed pest management professional is conducted.



In the event the inspection determines bed bugs are in the school, the area(s) where bed bugs have been found or could be found will be treated by a licensed pest management professional.

The parent of any student who is found to have a live bed bug on them will be contacted by the school nurse and the parent will be required to pick-up their child to arrange for the child to return home to change clothes and to inspect any items the student brings to school. Upon the student's return to school, the student will be required to report to the school nurse who will examine the child and the child's possessions. If there are no signs of bed bugs on the student or in or on the student's possessions, the student will be able to resume their school day. The school nurse may determine to examine the child subsequent to their initial return to school to ensure the student and possessions are free of bed bugs. In the event the nurse finds live bed bugs on the student or in or on the student's possessions upon the student's initial return to school, or upon any subsequent examination by the school nurse, the school nurse will contact the parent and require the parent to pick-up the student from school.

The Principal, in consultation with the school nurse, will determine if the parents of other students should be informed of the presence of bed bugs in an area of the school where their child may have been or is during the school day. This determination will be made on a case-by-case basis. Parents of other students may not be informed if bed bugs are found on a student or in or on the student's possessions, and are not found in the school building. The school will comply with all notification requirements and other requirements of the New Jersey Pest Management Act, the school's Pest Management Plan, and any other applicable law.

Any student suspected of having bed bugs in their home or on or in their possessions will be treated with discretion, dignity, and respect. The school will offer the student counseling, if needed. The Principal or designee will work sensitively with parents of any student living in an infested home to develop strategies for preventing the further spread of bed bugs.

Adopted: 17 May 2018



## 7425 LEAD TESTING OF WATER IN SCHOOLS

The health, safety, and welfare of the children in the school are of utmost importance to the Board of Trustees. The potential exposure to lead-contaminated drinking water poses serious health problems, particularly for children, as well as for teachers and school personnel, since the risk of lead contamination can come from pipe and plumbing fixtures in school facilities or on school grounds. The Board shall assure the availability of potable drinking water through sanitary means in school facilities or on school grounds. The Board of Trustees shall provide, in accordance with N.J.A.C. 6A:26-12.4, testing for lead in all school sources of drinking water.

The Board shall conduct lead sampling and analysis in all drinking water outlets to which a student or staff member has or may have access in each school facility, other facility, or temporary facility, as soon as practicable, but no later than July 13, 2017, unless the school qualifies for an exemption in accordance with N.J.A.C. 6A:26-12.4(d)(h)(i). This testing shall be conducted with a lead sampling plan in accordance with N.J.A.C. 6A:26-12.4(d)1, 2, and 3, and shall be in accordance with the Safe Drinking Water Act, N.J.S.A. 58:12A-1.

Within twenty-four hours after the Board or designee has completed a review of final laboratory results in accordance with the provisions of N.J.A.C. 6A:26-12.4(e), the test results shall be made publicly available at the school facility and on the Board of Trustees' website. If any results exceed the permissible lead action level, the Board shall provide written notification to the parents of all students attending the facility, facility staff, and the New Jersey Department of Education. This notification shall include: a description of the measures taken by the Board or designee to immediately end the use of each drinking water outlet where the water quality exceeded the permissible lead action level; the measures taken to ensure that alternate drinking water has been made available to all students and staff members; and information regarding the health effects of lead in accordance with N.J.A.C. 6A:26-12.4(e)1 and 2. After the initial screening, the Board will conduct these lead screenings every six years and shall sample for lead after the replacement of any drinking water outlet or any other alteration to plumbing or service lines that may impact lead levels at the outlet, in accordance with N.J.A.C. 6A:26-12.4(f)1 and 2.

The Board shall submit to the New Jersey Department of Education by June 30 of each year a statement of assurance, that the school completed lead testing in accordance with N.J.A.C. 6A:26-12.4; that notifications were provided consistent with N.J.A.C. 6A:26-12.4; and that alternative drinking water continues to be made available to all students and staff, if necessary, pursuant to N.J.A.C. 6A:26-12.4(g).



# POLICY

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Lead Testing of Water in Schools

The Board may apply for reimbursement for the costs of any water supply testing and analysis conducted, in accordance with N.J.A.C. 6A:26-12.4(j).

N.J.S.A. 58:12A-1 et seq.

N.J.A.C. 6A:26-12.4

Adopted: 17 May 2018



## 7430 SCHOOL SAFETY

The Board of Trustees recognizes that it is required by law to take measures for the safety of students and school employees.

The Board shall provide, publish, and post rules for safety and the prevention of accidents; instruct students in safety and accident prevention; provide protective devices where they are required by law for the safety of students 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 Lead Person shall prepare regulations governing school safety and the prevention of accidents and fire that include as a minimum the requirements of law and the applicable rules of various departments of State government. Such regulations shall provide procedures and precautions for the safety of students in school, employees in the performance of their duties, users of school vehicles, students in transit to and from school, injured students and employees, and visitors to the school. Safety regulations shall be promulgated to all school employees and shall be reviewed and evaluated annually. The Lead Person is directed to instruct teaching staff members in proper safety precautions.

N.J.S.A. 18A:6-2; 18A:40-12.1; 18A:40-12.2

N.J.S.A. 40:67-16.7

N.J.A.C. 6A:16-1.4; 6A:26-12.5

Adopted: 17 May 2018



## 7432 EYE PROTECTION

The Board of Trustees directs the rigorous implementation and enforcement of eye safety practices for students, staff members, and visitors exposed to conditions potentially hazardous to the eyes in the instructional program of this school.

The Lead Person shall be responsible for the continual monitoring of the school program, including, but not limited to, all vocational education, industrial arts education, science education, technology education and arts education, for conditions under which students, staff members, or visitors are exposed to a process or activity that might have a tendency to cause damage to the eyes.

Each student, staff member, and visitor exposed to a condition identified as hazardous to the eyes must wear an eye protective device appropriate to the activity and certified to meet the standards established by the State Board of Education, the American National Standard Practice for Occupational and Educational Eye and Face Protection, ANSI Z87.1-1979, and American National Standard Practice for the Safe Use of Lasers, ANSI Z136.1-1986 and the New Jersey Administrative Code. The eye protective device shall be supplied by the Board, except that the student, staff member, or visitor may wear personal eye wear that is appropriate to the activity and certified, in writing, by a licensed optician or other qualified licensed eye professional to meet or exceed those standards. School owned eye protective devices shall be inspected regularly by the appropriate staff member, and defective or poorly fitting devices shall be returned to the Principal for repair or discard. Any shared eye protective devices shall be disinfected between uses by the method prescribed by the school medical inspector.

Each classroom, shop, laboratory, and other area of the school in which students or staff members are exposed to caustic materials that can cause damage to the eyes shall be equipped with an emergency eye wash fountain in accordance with standards established by the Department of Education.

The Building Principal shall ensure that each area in the school identified as housing an activity hazardous to the eyes shall be posted with conspicuous signs that warn participants that an appropriate eye protective device must be worn during the activity. Staff members of such activities are responsible for instructing students in appropriate eye safety practices and for serving as exemplary models in the implementation of such practices.



The Board authorizes each staff member responsible for an activity or process hazardous to the eyes to compile and maintain, for the duration of the course of study, a list of students in the course who wear contact lenses.

A student who refuses or persistently neglects to wear an eye protective device when required to do so or fails to observe established eye safety practices shall be dismissed from the day's class by his/her teacher. Any such dismissal from class will be considered to be an absence, in accordance with Board policy on student attendance, and an accumulation of such absences may result in loss of course credit.

A staff member who refuses or persistently neglects to wear an eye protective device when required to do so or fails to observe established eye safety practices may be disciplined for insubordination for failing to obey the rules established by this Board. The proper implementation of eye protection practices shall be a criterion in the evaluation of every staff member required to observe such practices.

A visitor to the school who refuses or persistently neglects to wear an eye protective device when required to do so or fails to observe established eye safety practices may be requested to leave the school premises.

The Lead Person shall promulgate regulations to implement this policy that conform to rules of the State Board of Education and shall provide in-service training to staff members whose instructional duties include activities hazardous to the eyes. The Lead Person shall report annually to the Board on the implementation of the eye protection program and the eye injuries, if any, occurring in the course of the instructional program.

N.J.S.A. 18A:40-12.1; 18A:40-12.2  
N.J.A.C. 6A:26-12.5

Adopted: 17 May 2018





### 7433 HAZARDOUS SUBSTANCES

The Board of Trustees will enforce the law governing hazardous substances in the school. Employees of this school shall be informed of the hazards related to the handling of certain substances and trained to work with hazardous substances.

Hazardous substance means any substance or substance in a mixture included on the hazardous substance list developed by the New Jersey Department of Health and Senior Services. Hazardous substances 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 five hundred pounds or more in a container in a public or private school or child care center 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;
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 public or private school or child care center 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 or child care center.

No person shall use or allow the use of any hazardous substance in or on any building or grounds used as a public school or child care center when children are expected to be present.

The Lead Person may delegate authority for the maintenance of hazardous substances and for the development of safety and training standards for the handling of such substances to a safety officer.

The Lead Person shall conduct periodic audits of hazardous substances in use in the school, ascertain that such substances are being handled in accordance with appropriate safety requirements, and determine that the employees who are required to handle hazardous substances are properly equipped to do so.

The Lead Person shall take such action as may be necessary and feasible to minimize the use of hazardous substances in the school.

The Lead Person shall report periodically to the Board on hazardous substances in school use and the purpose of each.

N.J.S.A. 34:5A-1 et seq.; 34:5A-10.1 et seq.

N.J.A.C. 6A:16-1.4; 6A:19-10.5

N.J.A.C. 8:59-1 et seq.

Adopted: 17 May 2018



7434 SMOKING IN SCHOOL BUILDINGS AND  
ON SCHOOL GROUNDS

The Board of Trustees believes that the right of persons to smoke must be balanced against the right of nonsmokers to breathe air untainted by tobacco smoke.

For purpose of this Policy, “smoking” means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked, including the use of smokeless tobacco and snuff, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

For the purpose of this Policy, “electronic smoking device” means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

For the purpose of this Policy, “school buildings” and “school grounds” means and includes land, portions of land, structures, buildings, and vehicles, owned, operated, or used for the provision of academic or extracurricular programs sponsored by the school or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and other central facilities including, but not limited to, kitchens and maintenance shops. “School buildings” and “school grounds” also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; greenhouses; garages; facilities used for non- instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. “School buildings” and “school grounds” also includes other facilities as defined in N.J.A.C. 6A:26-1.2; playgrounds; and other recreational places owned by local municipalities, private entities, or other individuals during those times when the school has exclusive use of a portion of such land.

In accordance with N.J.S.A. 26:3D-58 and N.J.A.C. 8:6-7.2, the Board prohibits smoking at all times anywhere in school buildings or on school grounds.

Notwithstanding any provision of this Policy, smoking by students is prohibited and governed by Policy No. 5533.

A sign indicating smoking is prohibited in school buildings and on school grounds will be posted at each public entrance of a school building in accordance with law. The sign shall also indicate violators are subject to a fine. Students and school employees who violate the provisions of this Policy shall be subject to appropriate disciplinary measures and may be subject to fines in accordance with law.



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Smoking in School Buildings and  
on School Grounds

The Principal or designee may order the departure and removal of any person who continues to smoke in violation of this Policy and the law after being ordered to stop smoking in school buildings or on school grounds. The Principal or designee may request the assistance of law enforcement to accomplish this departure and removal.

In the event a person is found to have violated this Policy and the law, the Principal or designee may file a complaint with the appropriate Municipal Court or other agency with jurisdiction as defined in N.J.A.C. 8:6-9.1(c).

The Board of Trustees will comply with any provisions of a municipal ordinance which provides restrictions on or prohibitions against smoking equivalent to, or greater than, those provided in N.J.S.A. 26:3D-55 through N.J.S.A. 26:3D-63.

N.J.S.A. 26:3D-55 through 26:3D-63

N.J.A.C. 6A:16-1.3

N.J.A.C. 8:6-7.2; 8:6-9.1 through 8:6-9.5

Adopted: 17 May 2018



## 7435 ALCOHOLIC BEVERAGES ON SCHOOL PREMISES

The knowing possession, without legal authority, or knowing consumption of any alcoholic beverage by any person on school premises is a disorderly persons offense.

The Board of Trustees prohibits the possession and consumption of an alcoholic beverage, without the express written permission of the Lead Person, by any person in any school building and on school property or at any school sponsored activity.

The Board will report to law enforcement officials and prosecute as appropriate any person who violates law and this policy, except that any student who possesses or uses or is under the influence of alcohol on school premises or at any school sponsored activity will be treated in accordance with law and Policy Nos. 3218, 4218, and 5530.

School employees who violate this policy or are present on school premises or at any school sponsored activity while under the influence of alcohol will be subject to discipline, which may include dismissal or certification of tenure charges, as appropriate.

N.J.S.A. 2C:33-15 et seq.

N.J.S.A. 18A:40A-12

N.J.S.A. 24:21-2 et seq.

Adopted: 17 May 2018



## 7436 DRUG FREE WORKPLACE

The Board of Trustees 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 school 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 Lead Person within five days of its occurrence. The Lead Person will, within ten days of the date on which notice of the conviction is received, report any such conviction resulting from drug use in the workplace to any Federal agency from which the school has received funds through a grant.

The Board directs the Lead Person 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 student or employee who violates this policy will be treated in accordance with law and Policy Nos. 3218, 4218, and 5530.

This policy will be distributed to each school employee, including all those engaged in the performance of services under a Federal grant, and will be prominently posted in the school.

41 U.S.C.A. Chapter 10  
34 CFR 85.600 et seq.  
N.J.S.A. 2C:33-15 et seq.  
N.J.S.A. 24:21-2 et seq.

Adopted: 17 May 2018



### 7440 SCHOOL SECURITY

The Board of Trustees believes the buildings and facilities of the school represent a substantial community investment. The Board directs the development and implementation of a plan for school security to protect the school community's investment in the school buildings and facilities.

The school security program will include: maintenance of facilities that are secure against unwelcome intrusion; protection against fire hazards and faulty equipment; and compliance with safe practices in the use of electrical, plumbing, heating, and other school building equipment. The Board directs close cooperation of school officials with law enforcement, fire officials, and other emergency agencies.

The Lead Person shall designate a school administrator as a School Safety Specialist for the school in accordance with the provisions of N.J.S.A. 18A:17-43.3. The School Safety Specialist shall be required to acquire a New Jersey Department of Education School Safety Specialist certification in accordance with the provisions of N.J.S.A. 18A:17-43.2. The School Safety Specialist shall also serve as the school's liaison with local law enforcement and national, State, and community agencies and organizations in matters of school safety and security.

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 access improperly.

Building records and funds shall be kept in a safe place and secured as appropriate and necessary.

Protective devices designed to be used as safeguards against illegal entry and vandalism may be installed when appropriate. The Board may approve the employment of school resource officers, school security officers, and/or law enforcement officers in situations in which special risks are involved.

N.J.S.A. 18A:17-43.1; 18A:17-43.2; 18A:17-43.3

Adopted: 17 May 2018



## 7441 ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS

The Board of Trustees authorizes the use of electronic surveillance systems in school buildings and on school grounds to enhance the safety and security for school staff, students, community members, and other building occupants and to protect the school's buildings and grounds.

The content produced by the surveillance system under certain circumstances may be considered a student record and if so it will be subject to the Board of Trustees policy and regulation regarding confidential student records. If the content of the surveillance system becomes the subject of a disciplinary proceeding, it shall be treated like other evidence in the proceeding.

In accordance with the provisions of N.J.S.A. 18A:41-9, if at least one school building of the school is equipped with video surveillance equipment that is capable of streaming live video wirelessly to a remote location, the Board of Trustees shall enter into a Memorandum of Understanding (MOU) with local law enforcement authorities providing the authorities with the capacity to activate the equipment and view live streaming video. The MOU shall include the provisions of N.J.S.A. 18A:41-9 and any additional information required by law enforcement officials. In the event the parties to the MOU are unable to reach an agreement regarding any provision required to be included in the MOU as per N.J.S.A. 18A:41-9a, the County Prosecutor shall make the final determination regarding that provision. Nothing in N.J.S.A. 18A:41-9 shall be construed as to require the installation of video surveillance equipment capable of streaming live video wirelessly to a remote site from a school building that does not have the ability to have live streaming video.

The Board of Trustees shall post signage in a prominent, public place in buildings and on school grounds where electronic surveillance equipment may be used.

In addition to posting, the school shall notify school staff members, parent(s), and students that electronic surveillance may be used in school buildings and on school grounds through publication in student and staff handbooks, school calendars, notice sent home with students, or any other effective means to publish the school's use of electronic surveillance equipment in school buildings and on school grounds.

N.J.S.A. 18A:41-9

Adopted: 17 May 2018





### 7450 PROPERTY INVENTORY

As steward of this school's property, the Board of Trustees recognizes that efficient management and the replacement of lost, damaged, or stolen property depend upon an accurate inventory and properly maintained property records.

The Board shall conduct a complete inventory by physical count of all school-owned equipment and supplies through a perpetual inventory.

For purposes of this policy, "equipment" means a unit of furniture or furnishings, an instrument, a machine, an apparatus, or a set of articles that retains its shape and appearance with use, is nonconsumable, costs at least \$2,000 as a single unit, and does not lose its identity when incorporated into a more complex unit.

The School Business Administrator/Board Secretary shall ensure that inventories are systematically and accurately recorded and that property records of equipment are adjusted annually. Major items of equipment shall be subject to annual spot check inventory to determine loss, mislocation, or depreciation; any major loss shall be reported to the Board. Property records of consumable supplies shall be maintained on a continuous inventory basis.

The School Business Administrator/Board Secretary shall maintain a system of property records that show, as appropriate to the item recorded, description and identification, manufacturer, year of purchase, initial cost, location, condition and depreciation, and current evaluation in conformity with insurance requirements.

N.J.S.A. 18A:4-14  
N.J.A.C. 6:20-4.3

Adopted: 17 May 2018



## 7460 ENERGY CONSERVATION

The Board of Trustees is committed to the conservation of natural as well as fiscal resources and directs the Lead Person to develop and implement regulations for the conservation of energy in the management of the school building.

The Board further directs all employees of this school to cooperate in the program of energy conservation.

Adopted: 17 May 2018



## 7480 MOTOR VEHICLES ON SCHOOL PROPERTY

The school grounds owned and maintained by this Board of Trustees are subject to damage by motor vehicles. Accordingly, the Board has provided areas, adjacent to the school building, in which employees of the school and visitors to the school may drive and park motor vehicles.

The Board prohibits the use or presence of any motor vehicle, including motorcycles, all-terrain vehicles, snow mobiles, and mopeds, for any purpose on any part of the school property owned by the Board other than the driving and parking areas established by the Board except as expressly permitted by the Lead Person and School Business Administrator/Board Secretary.

The Board directs the Lead Person to have conspicuous notices posted forbidding the parking of motor vehicles in undesignated areas of the school grounds.

The Board reserves the right to prosecute in a court of competent jurisdiction any person whose violation of this rule results in damage to the property of this school.

N.J.S.A. 2C:17-3  
N.J.S.A. 18A:37-3

Adopted: 17 May 2018



## 7481 UNMANNED AIRCRAFT SYSTEMS (UAS also known as DRONES)

The Board of Trustees is concerned for the safety of all staff members, students, parents, community members, and visitors while on school grounds. The Board of Trustees recognizes the operation of an unmanned aircraft system (UAS) on school grounds or flying an unmanned aircraft on or over school grounds presents a public safety issue as school grounds are populated many hours of the day by students, staff members, parents, and community members.

An unmanned aircraft system is the unmanned aircraft and all the associated support equipment, control station, data links, telemetry, communications and navigation equipment, etc. necessary to operate the unmanned aircraft. The unmanned aircraft is the flying portion of the system by a pilot via a ground control system, or autonomously through the use of an on-board computer, communication links and any additional equipment that is necessary for the unmanned aircraft to operate safely. A model aircraft is considered an unmanned aircraft.

The Board of Trustees prohibits the operation of an unmanned aircraft system on school grounds, the launching or landing of an unmanned aircraft on school grounds, or the flying of an unmanned aircraft over school grounds at all times.

However, the Board of Trustees may authorize the use of an unmanned aircraft system on school grounds for an approved school purpose.

The use of an unmanned aircraft system on school grounds for school purposes that is owned and operated by a contractor must be approved by the Board of Trustees. Such request must include documentation (to include: the pilot's certificate, medical certification, aircraft registration, etc.) supporting the contractor's compliance with all applicable Federal Aviation Administration regulations and any State and local laws for the operation of an unmanned aircraft system and proof of insurance coverage for the specific use as required by the Board of Trustees. The minimum insurance coverage shall be determined by the Board after consultation with the Board's insurance company and Board Attorney.

The use of an unmanned aircraft system on school grounds for school purposes that is owned and operated by the Board of Trustees or owned and operated by a student and used in an approved school program must be operated under the supervision of a school staff member(s). The unmanned aircraft system shall only be operated on school grounds and the unmanned aircraft shall only be launched or landed on school grounds or flown over school grounds. The Lead Person or designee shall approve the specific activity(ies) or event(s) in which an unmanned aircraft system may be used. The Lead Person or designee shall ensure the use of a school-owned or student-owned unmanned aircraft system is in compliance with all applicable



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Unmanned Aircraft Systems (UAS also known as Drones)

Federal Aviation Administration regulations and State and local laws for the operation of an unmanned aircraft system. In addition, the Lead Person or designee shall ensure the Board of Trustees has insurance coverage for the use or operation of an unmanned aircraft system. The insurance coverage shall be determined by the Board after consultation with the Board's insurance company and Board Attorney.

The Board of Trustees will take appropriate action in accordance with Federal Aviation Administration regulations and/or any State and local laws against any violations of the provisions of this Policy.

Adopted: 17 May 2018



### 7490 ANIMALS ON SCHOOL PROPERTY

The Board of Trustees will make every reasonable effort to maintain school grounds in a condition appropriate for the activities of school students.

Pet animals are not permitted on school grounds, except by the express permission of the Building Principal. Without such permission, a pet owner who brings or permits his/her animal on school grounds has committed an act of trespass. If an animal is found running at large on school grounds, its owner will be deemed to have permitted the animal to enter school property.

The Board directs the Building Principal to give notice regarding the prohibition of pets by posting appropriate signs on school property. The Principal shall report to the appropriate municipal authorities any pet that runs at large on school property and any pet owner whose animal is present on school property is in violation of this policy.

Adopted: 17 May 2018



## 7513 RECREATIONAL USE OF PLAYGROUNDS

The Board of Trustees requires that the playground of the school affords residents with a recreational area when school is not in session. The Board reserves the right to determine, in the interest of the safety of school community residents and the integrity of the school facility, the uses to which the playground may be put and the hours when it may be used.

The Board will publish rules of conduct, which shall govern all persons who use the facilities of this school. Students and employees of this school who violate those rules will be subject to discipline. The Board directs that any other person who violates a rule of this Board be requested to leave the school premises.

Because of its potential for hazard, no object that is powered by fuel or battery shall be brought onto the school grounds for any purpose that is primarily recreational without the express permission of the Principal. Such objects include, but are not limited to, mini-bikes, mopeds, motorized model airplanes, and rockets.

N.J.S.A. 18A:20-17 et seq.

Adopted: 17 May 2018



### 7520 LOAN OF SCHOOL EQUIPMENT

The Board of Trustees believes that school owned equipment is a valuable resource that may be loaned for community use under certain conditions and when such use does not interfere with the educational program of the school.

The Board may lend specific items of equipment on the written request of the user when approval has been granted by the Lead Person and when such equipment is unobtainable elsewhere.

School equipment may be removed from school property by students or staff members only when such equipment is necessary to accomplish a task arising from their school or job responsibilities. The consent of the Lead Person is required for such removal. The removal of school equipment from school property by students or employees for personal use is prohibited.

The user of school owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use, regardless of any assignment of negligence, and shall be responsible for its safe return. When equipment authorized for loan requires the services of a qualified operator, the user shall employ the services of a person designated by this school and shall pay such costs as may have been set for such services.

Adopted: 17 May 2018





### 7522 SCHOOL PROVIDED TECHNOLOGY DEVICES TO STAFF MEMBERS

The Board of Trustees may provide technology devices to staff members for the express purpose of enhancing productivity and improving operational efficiency. The purpose of this Policy is to establish general guidelines for the issuance and utilization of any school technology device provided to staff members. For the purposes of this Policy, "technology device" or "device" shall include, but not be limited to, portable devices such as computers, laptops, tablets, cellular telephones, or any other computing or electronic devices the school provides to staff members to be used in their school business related responsibilities.

A technology device provided by the school to a staff member may include pre-loaded software. A staff member shall not download additional software onto the technology device or tamper with software included on the technology device. Only school authorized staff members may load or download software onto a school provided technology device. A staff member(s) will be designated to administer and implement the issuance of school technology devices to staff members.

In the event the Board of Trustees provides a technology device to a staff member, the staff member shall be required to sign an agreement with the Board of Trustees requiring the staff member to comply with certain provisions. These provisions may include, but are not limited to:

1. A technology device provided to a staff member shall be used for the sole and express purpose of conducting official school business;
2. Use of all such devices is subject to the school's acceptable use of technology policies and any other Board policies regarding appropriate and acceptable conduct by a staff member;
3. All technology devices are considered the personal property of the Board of Trustees and shall be returned upon termination of employment with the school or immediately upon request by the Lead Person or designee;
4. Technology devices provided by the school to staff members may include the school's software image and pre-loaded software for specific tasks. The installation of other software images or software on such technology devices may only be done by school authorized staff members;



5. Staff members that are provided technology devices are expected to take all appropriate measures and precautions to prevent the loss, theft, damage, and/or unauthorized use of such technology devices. These appropriate measures and precautions for school provided technology devices to staff members shall include, but are not limited to, the following:
  - a. Keep the technology device in a locked and secured environment when not being used;
  - b. Do not leave the technology device in a vehicle for prolonged periods of time, especially in extreme temperatures;
  - c. Keep food and drinks away from all technology devices and work areas;
  - d. Prohibit the use of any technology device by any other person except as authorized by the Lead Person or designee;
  - e. Do not leave the technology device unattended at any time in an unsecured location (e.g., an unlocked empty classroom or office); and
  - f. Keep the technology device in sight at all times while in public places, such as public transportation, airports, restaurants, etc.
  
6. Should the staff member have reason to believe the technology device may have been stolen, the staff member must:
  - a. Immediately report the incident to his/her immediate supervisor;
  - b. File an official police report documenting the theft; and
  - c. Provide a copy of the police report to his/her immediate supervisor.

If a staff member fails to adhere to these procedures, the staff member will be held legally and financially responsible for the replacement of such technology device. A staff member may be financially responsible for the loss or damage of a technology device;

7. A staff member must contact the school designated staff member in the event the technology device is not functioning properly or for repairs and/or required maintenance;



8. The Board of Trustees is under no legal, financial, or other obligation to provide a replacement technology device to any employee whose device is lost, stolen, or damaged;
9. Any technology device provided to a staff member is the property of the Board of Trustees. As such, the staff member shall have no expectation of privacy in the use of such device. The technology device may have security settings, monitoring or auditing software, tracking technology, and any other software that could monitor the use of the technology device;
10. The staff member(s) designated to administer and implement the issuance of technology devices to staff members shall:
  - a. Maintain direct oversight of the inventory of devices, service contracts, agreements, and internal controls for all school provided technology devices provided to staff members; and
  - b. Ensure compliance with regulatory policies and procedures as applicable.
11. Any violation of Board of Trustees policies or procedures including, but not limited to, school provided technology devices to staff members; acceptable use of computer networks, computers, and resources; and/or inappropriate staff conduct may result in appropriate disciplinary action.

A copy of this Policy shall be attached to the agreement that shall be signed by any staff member who receives a technology device in accordance with the provisions of this Policy.

Adopted: 17 May 2018



### 7610 VANDALISM

The Board of Trustees believes that all school property should be respected and all persons who use or have access to school property should respect such property and take pride in the institutions of this community and the school.

Any person who purposely or knowingly damages school property or damages school property recklessly or negligently in the employment of fire, explosives or another dangerous means listed in accordance with N.J.S.A. 2C:17-2 or purposely or recklessly tampers with the tangible property of the school so as to endanger school property shall be reported to the appropriate law enforcement agency. Where the damage to school property is more than minimal or has been caused by a student or a minor not a student of this school, the Board will hold liable for the amount of the damage the parent(s) or legal guardian(s) having legal custody and control of the minor responsible for the damage.

A person convicted of an offense that involves an act of graffiti will be required to reimburse the school the cost of damages and may be required to perform community service, which may include removing the graffiti from the property, in accordance with the law. In addition, the courts may suspend or postpone driving privileges of any person, at least thirteen and under eighteen years of age, if convicted of an act of graffiti.

A person who purposely defaces or damages school property with any symbol that exposes persons to violence, contempt, or hatred on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability is guilty of a crime and shall be reported to appropriate law enforcement authorities. The Board may also report to the appropriate law enforcement agencies any person whose vandalism of school property is serious or chronic.

The Lead Person shall develop regulations to implement this policy and to protect textbooks, school equipment, and school facilities from undue wear, damage, or loss.

N.J.S.A. 2C:33-10 et seq.  
N.J.S.A. 18A:34-2; 18A:37-3

Adopted: 17 May 2018



### 8000 OPERATIONS

<u>Number</u>	<u>Title</u>
8130	School Organization (M)
8140	Student Enrollments (M)
8210	School Year
8220	School Day
8310	Public Records
8311	Managing Electronic Mail
8320	Personnel Records
8330	Student Records (M)
8335	Family Educational Rights and Privacy Act
8350	Records Retention
8420	Emergency and Crisis Situations (M)
8431	Preparedness for Toxic Hazard
8441	Care of Injured and Ill Persons (M)
8442	Reporting Accidents
8451	Control of Communicable Disease (M)
8453	HIV/AIDS
8454	Management of Pediculosis
8461	Reporting Violence, Vandalism, Harassment, Intimidation, Bullying, Alcohol, and Other Drug Abuse (M)
8462	Reporting Potentially Missing or Abused Children (M)
8465	Hate Crimes and Bias-Related Acts (M)
8467	Weapons (M)
8468	Crisis Response
8470	Response to Concerted Job Action
8500	Food Services
8505	Local Wellness Policy/Nutrient Standards for Meals and Other Foods (M)
8506	School Lunch Program Biosecurity Plan (M)
8507	Breakfast Offer Versus Serve (OVS)
8508	Lunch Offer Versus Serve (OVS)
8540	School Nutrition Programs
8561	Procurement Procedures for School Nutrition Programs
8600	Transportation (M)
8630	Bus Driver/Bus Aide Responsibility (M)
8660	Transportation by Private Vehicle (M)
8670	Transportation of Disabled Students (M)
8710	Property Insurance
8740	Bonding



# POLICY

<u>Number</u>	<u>Title</u>
8750	Employee Indemnification
8760	Student Accident Insurance
8770	School Board Insurance Group
8810	Religious Holidays
8820	Opening Exercises/Ceremonies



## 8130 SCHOOL ORGANIZATION

The Board of Trustees directs the organization of the instructional program of this school in grades six through eight.

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

Adopted: 17 May 2018



### 8140 STUDENT ENROLLMENTS

The Board of Trustees recognizes that efficient operations require an accurate and up to date accounting of the number of students enrolled in the school(s).

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

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

The Lead Person or designee will ensure compliance with the requirements outlined in the New Jersey Department of Education Charter School Enrollment System for reporting school enrollment counts. The Department of Education uses the enrollment information reported through the Charter School Enrollment System to calculate school aid payments.

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

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

Adopted: 17 May 2018





### 8210 SCHOOL YEAR

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

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

A school day shall consist of not less than four hours of actual instruction. A half-day class shall be considered the equivalent of a full day's attendance only if the class is in session for four hours or more, exclusive of recess periods or lunch periods.

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

The Lead Person shall annually prepare and submit to the Board a school calendar no later than June 1. The Board reserves the right to alter the school calendar when such alteration is feasible and serves the best interests of the students of this school.

N.J.S.A. 18A:25-3; 18A:36-2; 18A:36-16

N.J.A.C. 6A:32-8.3

Adopted: 17 May 2018



## 8220 SCHOOL DAY

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

The school will be in session for students on those days recommended by the Lead Person and approved by the Board.

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

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

Adopted: 17 May 2018



### 8310 PUBLIC RECORDS

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

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

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

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

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

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



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

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

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

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

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

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



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

Except as otherwise provided by law or regulation, the fee assessed for the duplication of a government record embodied in the form of printed matter shall be \$.05 per letter size page or smaller, and \$.07 per legal size page or larger. If the school can demonstrate that its actual costs for duplication of a government record exceed the per page rates, the school shall be permitted to charge the actual cost of duplicating the record. The actual cost of duplicating the record, upon which all copy fees are based, shall be the cost of materials and supplies used to make a copy of the record, but shall not include the cost of labor or overhead expenses associated with making the copy except as provided for in N.J.S.A. 47:1A-5.c.

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

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

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

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



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

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

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

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

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

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

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



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

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

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

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

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

The provisions of this policy and N.J.S.A. 47:1A-1 et seq. shall not abrogate any exemption of a public or government record from public access heretofore made pursuant to N.J.S.A. 47:1A-1 et seq.; any other statute; resolution of either or both Houses of the Legislature; regulation promulgated under the authority of any statute or Executive Order of the Governor; Executive Order of the Governor; Rules of Court; any Federal law; Federal regulation; or Federal order.

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

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

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

Adopted: 17 May 2018



### 8311 MANAGING ELECTRONIC MAIL

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

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

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

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

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

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





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

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

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

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

Adopted: 17 May 2018



### 8320 PERSONNEL RECORDS

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

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

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

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

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

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

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



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

OPERATIONS  
8320/page 2 of 2  
Personnel Records

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

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

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

Adopted: 17 May 2018



### 8330 STUDENT RECORDS

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

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

#### General Considerations

The Board of Trustees shall compile and maintain student records and regulate access, disclosure, or communication of information contained in educational records in a manner that assures the security of such records in accordance with the provisions of N.J.A.C. 6A:32-7.1 et seq. 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 certified school personnel who originate(s) the record. The school shall provide annual, written notification to parents, adult students, and emancipated minors of their rights in regard to student records and student participation in educational, occupational, and military recruitment programs. Copies of the applicable State and Federal laws and local policies shall be made available upon request. The school shall make every effort to notify parents and adult students in their dominant language.

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

No liability shall be attached to any member, officer, or employee of the Board of Trustees permitting access or furnishing student records in accordance with N.J.A.C. 6A:32-7.1 et seq.



### Student Information Directory

A student information directory is a publication of the Board of Trustees that includes information relating to a student as defined in N.J.A.C. 6A:32-2.1. This information includes: name; grade level; date and place of birth; dates of school attendance; major field of study; participation in officially recognized activities; weight and height relating to athletic team membership; degrees; awards; the most recent educational agency attended by the student; and other similar information. The student information directory shall be used only by authorized school personnel and for designated official use by judicial, law enforcement, and medical personnel and not for general public consumption. In the event the school publishes a student information directory, the Lead Person or designee will provide a parent or adult student a ten-day period to submit to the Lead Person a written statement prohibiting the school from including any or all types of information about the student in any student information directory before allowing access to such directory to educational, occupational, and military recruiters pursuant to N.J.S.A. 18A:36-19.1 and P.L. 107-110 sec. 9528, Armed Forces Recruiter Access to Students and Student Recruiting Information of the No Child Left Behind Act of 2001.

### School Contact Directory for Official Use

A school contact directory for official use is a compilation by the school that includes the following information for each student: name; address; telephone number; date of birth; and school enrollment. The school shall compile and maintain a school contact directory for official use that is separate and distinct from the student information directory. The student contact directory may be provided for official use only to judicial and law enforcement personnel, and to medical personnel currently providing services to the student in question. To exclude any information from the school contact directory for official use the parent, adult student, or emancipated minor shall notify the Lead Person or designee in writing.

### Mandated and Permitted Student Records

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

Permitted student records are those student records not mandated pursuant to N.J.A.C. 6A:32-7.3, but authorized by the Board to promote the student's educational welfare. The Board shall authorize the permitted records to be collected by adopting Policy and Regulation 8330, which will list such permitted records.



### Maintenance and Security of Student Records

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

Records for each individual student may be stored electronically or in paper format. When student records are stored electronically, proper security and back-up procedures shall be administered.

Student health records, whether stored on paper or electronically, shall be maintained separately from other student records, until such time as graduation or termination, whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated record. Records shall be accessible during the hours in which the school program is in operation.

Any school internet website shall not disclose any personally identifiable information about a student without receiving prior written consent from the student's parent, in accordance with the provisions of N.J.S.A. 18A:36-35. Personally identifiable information means student names; student photos; student addresses; student e-mail addresses; student phone numbers; and locations and times of class trips.

### Access to Student Records

Only authorized organizations, agencies, or persons as defined in N.J.A.C. 6A:32-7.5 shall have access to student records, including student health records. Access to student records shall be provided to persons authorized such access under N.J.A.C. 6A:32-7.1 et seq. within ten days of a request, but prior to any review or hearing conducted in accordance with N.J.A.C. 6A.

The school shall control access to, disclosure of, and communication regarding information contained in student health records to assure access only to people permitted by Federal and State statute and regulations in accordance with N.J.A.C. 6A:32-7.5.

The school may charge a reasonable fee for reproduction of student records, not to exceed the schedule of costs set forth in N.J.S.A. 47:1A-5, provided that the cost does not effectively prevent the parents or adult students from exercising their rights under N.J.A.C. 6A:32-7 or other Federal and State rules and regulations regarding students with disabilities, including N.J.A.C. 6A:14.



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

Only authorized organizations, agencies, or persons as defined in N.J.A.C. 6A:32-7.5 shall have access to student records, including student health records.

Nothing in N.J.A.C. 6A:32-7.1 et seq. or in Policy and Regulation 8330 shall be construed to prohibit school personnel from disclosing information contained in the student health record to students or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the student or other persons.

In complying with N.J.A.C. 6A:32-7 – Student Records, individuals shall adhere to requirements pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act (OPRA) and 34 CFR Part 99, the Family Educational Rights and Privacy Act (FERPA).

#### Conditions for Access to Student Records

All authorized organizations, agencies, and persons defined in N.J.A.C. 6A:32-7.1 et seq. shall have access to the records of a student subject to conditions outlined in N.J.A.C. 6A:32-7.6(a).

#### Rights of Appeal for Parents and Adult Students

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

To request a change in the record or to request a stay of disclosure pending final determination of the challenged procedure, the parent or adult student shall follow the procedures pursuant to N.J.A.C. 6A:32-7.7(b).

Appeals relating to student records for students with disabilities shall be processed in accordance with the requirements of N.J.A.C. 6A:32-7.7(b).

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



### Retention and Disposal of Student Records

A student record is considered to be incomplete and not subject to the provisions of the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq., while the student is enrolled in the school. The school shall retain the student health record and the health history and immunization record according to the School Records Retention Schedule, as determined by the New Jersey State Records Committee.

Student records of currently enrolled students, other than that described in N.J.A.C. 6A:32-7.8(e), may be disposed of after the information is no longer necessary to provide educational services to a student and in accordance with the provisions of N.J.A.C. 6A:32-7.8(b).

Upon graduation or permanent departure of a student from the school, the parent or adult student shall be notified in writing that a copy of the entire student record will be provided to them upon request. Information in student records, other than that described in N.J.A.C. 6A:32-7.8(e), may be disposed of, but only in accordance with the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq. Such disposition shall be in accordance with the provisions of N.J.A.C. 6A:32-7.8(c)2.

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

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

N.J.S.A. 18A:36-19; 18A:36-19.1; 18A:40-4; 18A:40-19  
N.J.A.C. 6A:32-7.1; 6A:32-7.2; 6A:32-7.3; 6A:32-7.4; 6A:32-7.5;  
6A:32-7.6; 6A:32-7.7; 6A:32-7.8

Adopted: 17 May 2018





## 8335 FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

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

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

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

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

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

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

Adopted: 17 May 2018



## 8350 RECORDS RETENTION

The New Jersey Department of the Treasury - Records Management Services places all public records on Records Retention Schedules that list the minimum legal and fiscal time periods public records must be retained by State and local governmental and educational agencies. Records Management Services determines these retention periods in conformance with State and Federal codes, regulations, and statutes of limitation. Final approval of the schedules comes from the State Records Committee, which is comprised of representatives of the Attorney General, State Treasurer, State Auditor, Director of Local Government Services, and the director of the division.

Part and parcel to a good records management program is the timely destruction of records once their retention period has expired. This pertains to the destruction of paper records as well as those that are microfilmed, have been imaged, or are electronic. Unique records disposal request (such as the disposal of fire damaged records which have not yet outlived their retention period) require specific authorization from the State Records Committee.

As per the Destruction of Public Records Act of 1953 (P.L. 1953, c. 410), the Board of Trustees must receive prior written authorization from Records Management Services to dispose of their public records regardless of the medium in which the information is maintained. Authorization to dispose public records shall be submitted electronically by the school custodian of such records to Records Management Services. Records must be retained in accordance with the Records Retention Schedules and shall not be disposed until approval for such disposal is obtained from Records Management Services.

Adopted: 17 May 2018



## 8420 EMERGENCY AND CRISIS SITUATIONS

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

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

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

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

In accordance with N.J.S.A. 18A:41-1, at least one fire drill and one school security drill will be conducted each month within school hours, including any summer months, which the school is open for instructional programs. A school security drill means an exercise, other than a fire drill, to practice procedures that respond to an emergency situation including, but not limited to, a non-fire evacuation, lockdown, bomb threat, or active shooter situation that is similar in duration



to a fire drill. The school is required to hold a minimum of two active shooter, non-fire evacuation, bomb threat, and lockdown security drills annually. Fire alarm systems shall be initiated only during a fire drill evacuation. Responses made necessary by the unplanned activation of emergency procedures or by any other emergency shall not be substituted for a required school security drill.

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

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

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

N.J.S.A. 2C:33-3

N.J.S.A. 18A:41-1 et seq.

N.J.A.C. 6A:16-5.1; 6A:27-11.2

Adopted: 17 May 2018



## 8431 PREPAREDNESS FOR TOXIC HAZARD

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

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

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

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

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

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

Adopted: 17 May 2018



## 8441 CARE OF INJURED AND ILL PERSONS

The Board of Trustees directs the Lead Person to provide the prompt and appropriate medical attention for students, staff members, or visitors who are injured or become ill on school grounds or during a school sponsored event, activity, or field trip.

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

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

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

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

Student disabilities attributable to substance abuse will be handled in accordance with Policy 5530. Injuries that occur in the course of school bus transportation will be handled in accordance with regulations implementing Policy 8630.

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

Adopted: 17 May 2018



### 8442 REPORTING ACCIDENTS

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

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

A copy shall be retained by the Lead Person and a copy shall be sent to the business office.

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

Adopted: 17 May 2018



## 8451 CONTROL OF COMMUNICABLE DISEASE

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

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

The teacher may exclude from the classroom and the Lead Person may exclude from the school building any student who appears to be ill or has been exposed to a communicable disease. A student may be isolated in school to await the arrival of or instructions from an adult member of his/her family. If the school medical inspector or the school nurse is present in the building, his/her recommendation shall be sought before any such exclusion or isolation is ordered.

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

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

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

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

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

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

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

Adopted: 17 May 2018





## 8453 HIV/AIDS

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

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

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

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

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

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



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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HIV/AIDS

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

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

N.J.S.A. 26:5C-5; 26:5C-6; 26:5C-7; 26:5C-8;  
26:5C-9; 26:5C-10; 26:5C-11;  
26:5C-12; 26:5C-13; 26:5C-14

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

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

Adopted: 17 May 2018



## 8454 MANAGEMENT OF PEDICULOSIS

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

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

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

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

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



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

Grades Six through Eight – When a single case of active head lice has been identified by the school nurse, parents of children in a class or on a team may be sent a Head Lice Alert Notice, the school’s Management of Pediculosis Information Packet, and this Policy at the discretion of the Principal or designee and the school nurse. Parents may request information regarding head lice from the school nurse. The school nurse will perform a head check of any student if requested by the parent.

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

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

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

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

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

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

Adopted: 17 May 2018



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

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

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

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

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

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



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

The report shall be used to grade the school for the purpose of assessing its effort to implement policies and programs consistent with the provisions of P.L. 2002, c.83 (C.18A:37-13 et seq.). The school shall receive a grade determined by averaging the grades of the school. The Commissioner shall promulgate guidelines for a program to grade schools for the purposes of N.J.S.A. 18A:17-46. The grade received by a school and the school shall be posted on the homepage of the school's website. The grade for the school shall be posted on the homepage of the school's website. A link to the report shall be available on the school's website. The information shall be posted on the websites within ten days of the receipt of a grade by the school.

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



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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

under their respective bargaining agreements, appeal the Board's determination to the Commissioner of Education and subsequently to the State Board of Education, or appeal the decision to the Superior Court of New Jersey. The availability of appeal options shall be based upon the action taken by the Board.

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

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

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

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

Adopted: 17 May 2018



### 8462 REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN

The Board of Trustees recognizes early detection of missing, abused, or neglected children is important in protecting the health, safety, and welfare of all children. In recognition of the importance of early detection of missing, abused, or neglected children, the Board of Trustees adopts this Policy pursuant to the requirements of N.J.S.A. 18A:36-24 and 18A:36-25. The Board provides this Policy for its employees, volunteers, or interns for the early detection of missing, abused, or neglected children through notification of, reporting to, and cooperation with the appropriate law enforcement and child welfare authorities pursuant to N.J.S.A. 18A:36-24 and 18A:36-25 et seq., N.J.A.C. 6A:16-11.1, and N.J.S.A. 9:6-8.10.

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

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

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

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





# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Reporting Potentially Missing or Abused Children

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

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

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

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

N.J.S.A. 18A:36-24; 18A:36-25 et seq.  
N.J.A.C. 6A:16-11.1

Adopted: 17 May 2018



## 8465 HATE CRIMES AND BIAS-RELATED ACTS

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

### Definitions

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

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

### Required Actions

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



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

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

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

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

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

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

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

Adopted: 17 May 2018



### 8467 WEAPONS

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

18 U.S.C. 921

20 U.S.C 1415

Adopted: 17 May 2018



## 8468 CRISIS RESPONSE

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

The Board establishes through the person of the Lead Person or his/her designee, a Crisis Team whose responsibility it shall be to act:

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

The Crisis Team may consist of the following membership:

1. The Lead Person, or his/her designee;
2. An administrator from the school;
3. A member of the Child Study Team;
4. Teacher representative(s);
5. School Nurse;
6. Others as deemed appropriate to the function of the Crisis Team; e.g., a fire department representative, EMT specialist, other school or community representatives.

The Crisis Team shall be convened at least on an annual basis:

1. To review established policy and procedures;
2. To orient new members as to their responsibilities;
3. To maintain and reinforce lines of communication between the various disciplines and specialists who make up the Crisis Team.

Adopted: 17 May 2018



### 8470 RESPONSE TO CONCERTED JOB ACTION

In the event of a concerted job action, including but not limited to a work stoppage by any employee or groups of employees, the Lead Person shall be empowered to take necessary steps within statutory limits to protect the safety and welfare of students and staff and to ensure the security of school property, both real and personal. The Board of Trustees shall meet, in emergency session if necessary, as quickly and as frequently as required to ratify or alter the steps taken by the Lead Person.

#### Emergency Powers of the Lead Person

The broad powers conferred on the Lead Person by this policy or elsewhere in this policy manual include, but are not necessarily limited to, the authority to:

1. Decide whether school shall remain open or closed and change school opening and closing times as the Lead Person deems appropriate;
2. Cancel all extra- and co-curricular activities when the Lead Person deems cancellation to be in the best interest of the school;
3. Arrange a meeting place for the Board and a place for the school administration to function off school premises and outside the community, if necessary or desirable;
4. Arrange for the installation of unlisted telephone numbers in the school, in alternate Board and administrative facilities, in the homes of the Board President and the Lead Person, and in a nearby unidentified location;
5. Purchase or lease portable radio communication devices for use within the building as a security measure;
6. Arrange for daily press releases via the designated Board spokesperson;
7. Employ around-the-clock security for the school building and grounds and increase that security when deemed appropriate;
8. Employ support staff help if school employees honor picket lines;
9. Arrange rental of storage facilities off school premises for vendor deliveries during picketing;



10. Employ a locksmith to change locks on all outside doors, repair damaged locks, and prepare extra keys as needed for staff to function;
11. Arrange transportation across picket lines for any staff members who are concerned for the safety of their vehicles and/or their persons;
12. Establish an identification system that will ensure that only authorized personnel can enter the school building;
13. Establish emergency working hours for administrative, supervisory, custodial, and office staff as necessary to ensure that the school building is secured;
14. Expend moneys to communicate to students, parent(s) or legal guardian(s), and the community at large the day-to-day circumstances of the work stoppage and to issue special instructions to students;
15. Withhold paychecks from striking employees, in accordance with this policy;
16. Advise nonworking employees and all other employees of the status of the work stoppage, decisions of the Board, decisions of the courts, if any;
17. Issue special directives and notices to nonworking employees and other employees;
18. Accept assistance from volunteers as needed;
19. Alter the educational program as required to cope with an emergency situation;
20. Cancel leaves of absence for the duration of the emergency;
21. Purchase food for personnel forced to remain in the school building during any emergency and for those who are involved in extended negotiations sessions;
22. Institute criminal prosecution of any individual apprehended or witnessed in the act or suspected of causing damage to school equipment, supplies, facilities, vehicles, or grounds;
23. Remove vital communication equipment such as postage meters, typewriters, computers, word processors, addressing devices, photocopiers, and duplicating machines from school premises to an alternate site and place such communication equipment under around-the-clock security;





24. Establish a special internal and external communication and documentation system for events occurring at each facility during a job action; and
25. Take such other emergency steps as the Lead Person deems necessary and expedient to protect the safety and welfare of staff and students and the integrity of the school.

The Lead Person shall report promptly to the Board all emergency actions taken pursuant to this policy.

## Emergency Board Policies

The following emergency policies of the Board of Trustees shall apply:

1. All usual policy adoption and revision procedures shall be suspended for the duration and the policy may be adopted, revised, or rescinded at any regular or special meeting of the Board;
2. Effective immediately, all employee absence for medical reasons, regardless of the duration of the absence, must be substantiated by a physician's written verification;
3. Each unauthorized absence shall result in an appropriate payroll deduction;
4. Payment for services rendered up to the date of a work stoppage will be processed, but no salary will be paid to an employee who does not report to work on a day when a concerted job action is in process;
5. Board members and administrators shall be reimbursed for expenses incurred for transportation, telephone, and meals in conjunction with attendance at meetings and negotiating sessions during a concerted job action;
6. Every reasonable effort shall be made to meet with employee representatives during a concerted job action to seek the grounds for the earliest possible settlement of differences;
7. The Board President may call meetings of the Board on less than adequate notice during a work stoppage, in strict accordance with applicable requirements of the Open Public Meetings Act;



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Response to Concerted Job Action

- 8 In the event a previously negotiated contract has expired and no successor agreement has been accepted by the parties, no deductions other than those required by Federal and State law will be made from the wages of employees who participate in a concerted job action.

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

Adopted: 17 May 2018



## 8500 FOOD SERVICES

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

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

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

The school shall participate in the Federal Child Nutrition Program.

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

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

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

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

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

Adopted: 17 May 2018



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

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

The Principal or a School Wellness Policy Coordinator designated by the Principal will be responsible to ensure the school complies with the requirements in this Policy. The Lead Person will designate a Wellness Policy Coordinator who will have the authority and responsibility to ensure the school complies with the requirements outlined in this Policy.

A. Wellness Policy Goals

The goals as outlined below shall apply to the school.

1. Goals for Nutrition Promotion – The following activities will be coordinated in the school:
  - a. Age-appropriate posters will be posted on the walls where food and beverages are served to students highlighting and encouraging the value of good nutrition.
  - b. The school lunch program will have promotional days during the school year where at least one new nutritional alternative menu item will be featured as part of the menu pattern meal component. The food service staff members will promote this nutritional alternative during meal service with posters, flyers, and/or hand-outs regarding the nutritional menu item alternative.
  - c. The Principal or School Wellness Policy Coordinator will encourage food products that meet the nutrition standards of the HHFKA when used as an incentive or reward for student accomplishments, club or activity achievements, and/or success in competitions within the school.



- d. Food service staff, in consultation with the Principal or School Wellness Policy Coordinator, will coordinate obtaining student input on menu planning that will include taste testing of new nutritional food, satisfaction surveys, and other activities that will promote nutrition awareness.
  - e. Food service staff will place the healthier food items in the service line where students are more likely to choose them.
  - f. Parents will be provided the nutritional standards of the HHFKA and encourage parents to pack lunches and snacks that meet the HHFKA nutritional standards.
2. Goals for Nutrition Education – The following activities will be coordinated in the school:
- a. The Principal or School Wellness Policy Coordinator will ensure each student receives at least one presentation per school year that promotes good nutrition and nutrition education. These presentations may be provided through classroom visits from school staff members trained in nutrition, school-wide or group assembly programs, during health/physical education classes during the school year, or any other presentation manner. This requirement may be provided as part of nutrition education provided to students as part of the school’s curriculum.
  - b. The Principal or School Wellness Policy Coordinator will post the nutritional guidelines of the HHFKA in the area of the school building where food and beverages are served.
  - c. The school lunch menu will include nutritional information, activities, recipes, and/or any other information that encourages the selection of healthy food items and for students to make informed choices about nutrition, health, and physical activity.
3. Goals for Physical Activity
- a. The following activities will be coordinated in the middle school:
    - (1) All students shall receive health/physical education under the supervision of a properly certified teaching staff member as required by the New Jersey Department of Education.



- (2) The Board of Trustees may offer middle school students opportunities to participate in after-school intramural and/or interscholastic team activities coordinated and under the supervision of school staff members.
    - (3) The Board of Trustees will support after-school activities and clubs where physical activity for students is included as a key component to the activity's or club's purpose. These clubs may include, but not be limited to, gardening clubs, walking clubs, and exercise classes.
4. Goals for Other School-Based Activities - The following activities will be coordinated in the school:
  - a. The school will establish a School Wellness Committee (SWC). The SWC will:
    - (1) Be comprised of a Principal, at least one health/physical education teacher, a school nurse, at least two parents, at least two students, at least one food service staff member representing all school levels in the school, and the School Wellness Policy Coordinator; and
    - (2) Meet at least four times per year to establish goals for and oversee school health and safety policies and programs, including development, implementation, and periodic review and update of the school-wide Wellness Policy.
  - b. The Principal or School Wellness Policy Coordinator will coordinate information being disseminated to students and parents promoting the school lunch program, nutrition, and nutrition education.
  - c. The school will celebrate a School Wellness Week, as determined by the Lead Person, where schools will have special activities throughout the week to promote nutrition and physical activity. These special activities will be planned and coordinated by the school's Principal and/or School Wellness Policy Coordinator.



- d. The Principal and/or School Wellness Policy Coordinator will encourage fund-raising activities that promote physical activity such as walk-a-thons, teacher-student activity competitions, family activity nights, and school dances.
5. Annual School Progress Report
    - a. The goals for nutrition promotion, nutrition education, physical activity, and other school-based activities that promote student wellness shall be evaluated annually by the Principal or designee of the school and the School Wellness Policy Coordinator in an Annual School Progress Report provided to the Lead Person before May 1.
    - b. The Annual School Progress Report shall present the extent to which the school is in compliance with this Policy, the progress made in attaining the goals of this Policy, any recommended changes to this Policy, and an action plan for the following school year to achieve the school's annual goals and objectives.
  6. Annual School Summary Progress Report
    - a. Upon receiving the Annual School Progress Report, the School Wellness Policy Coordinator will compile an Annual School Summary Progress Report to be presented to the Lead Person and Board of Trustees at a public meeting before May 30 of the current school year. The public will be provided an opportunity to review and comment on the Annual School Summary Progress Report at the Board meeting.
  7. Additional Wellness Policy Goals
    - a. Nothing in this Policy shall prevent an individual school in the school from developing and implementing additional activities, approved by the Lead Person or designee, to those required in this Policy.



B. Nutrition Guidelines for All Foods and Beverages

1. The Board of Trustees requires the school to comply with the Federal school meal nutrition standards and the Smart Snacks in accordance with the requirements HHFKA. The nutritional standards shall apply to all foods and beverages sold in the school as part of the menu pattern meal, a la carte, in school stores, snack bars, or vending machines. The requirements for any food or beverages sold in schools must meet a range of calorie and nutrient requirements as outlined in the HHFKA and a smart snack calculator shall be on file in the school for each product sold.
2. The school will comply with the HHFKA beverage requirements and beverage portion requirements for each appropriate grade level. The school will make potable water available to children at no charge in the place where breakfast, lunch, and afterschool snacks are served during meal service.
3. On-campus fundraisers involving food or beverage items must meet the Smart Snack standards of the HHFKA. The nutrition standards of the HHFKA do not apply to non-school hours, weekends, and off-campus fundraising events. The United States Department of Agriculture defines school day as starting from midnight to thirty minutes after the end of the school day. Fundraisers involving the sale of food or beverages must be pre-approved by the Principal or designee and the School Wellness Policy Coordinator.
4. The Board of Trustees will permit food in the school that is not sold to students to be brought into school by parents, students, or staff members for classroom activities, parties, or snacks, or other food provided to students as an incentive. Any occasion where food is brought into the school for such purposes must be approved by the Principal or designee, who will ensure safeguards are in place to protect students who may have a food or related allergy.

C. School Coordinator

1. The School Wellness Policy Coordinator shall be available to consult with school-based administrators, staff members, and the School Wellness Policy Coordinator(s) on the school's Wellness Policy.





2. The School Wellness Policy Coordinator shall also be responsible to ensure parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the Board of Trustees, school administrators, and the general public are permitted to participate in the development, implementation, review, and update of this Wellness Policy.
  3. The School Wellness Policy Coordinator shall be responsible to inform and update the public (including parents, students, and others in the community) about the content, implementation, updates and implementation status of the school's Wellness Policy through the school's website, school publications, and/or other school communications made available to the public.
    - a. The information and update shall provide as much information as possible about the school nutrition environment, including a summary of the events and activities related to the Wellness Policy implementation in the school.
- D. Wellness Policy Assessment
1. The School Wellness Policy Coordinator will prepare an assessment of the school's Wellness Policy in accordance with the requirements of the United States and New Jersey Departments of Agriculture on the extent to which the school(s) in the school are in compliance with the school's Wellness Policy, the extent to which the school's Wellness Policy compares to model school wellness policies, and a description of the progress made in attaining the goals outlined in the school's Wellness Policy.
  2. The School Wellness Policy Coordinator will present this assessment to the Board of Trustees at a public Board meeting, make such assessment available to the public, and recommend any updates to the Policy accordingly.
- E. Records
1. The School Wellness Policy Coordinator shall ensure records are maintained to document compliance with the requirements of the School Wellness Policy. Such records will include, but not be limited to:
    - a. The Board-approved Wellness Policy;



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Local Wellness Policy/Nutrient Standards for  
Meals and Other Foods

- b. Documentation demonstrating the Policy has been made available to the public;
- c. Documentation of the efforts made in the school to review and update the Policy;
- d. Documentation demonstrating compliance with the annual public notification requirements;
- e. Documentation demonstrating the most recent assessment on Policy implementation; and
- f. Documentation demonstrating the most recent assessment on the implementation of the School Wellness Policy has been made available to the public.

### F. Publication/Dissemination

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

The Healthy, Hunger-Free Kids Act of 2010

Adopted: 17 May 2018



## 8506 SCHOOL LUNCH PROGRAM BIOSECURITY PLAN

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

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

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

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

Adopted: 17 May 2018



## 8507 BREAKFAST OFFER VERSUS SERVE (OVS)

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

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

- Fruit (including optional vegetable)
- Grains (including optional meat/meat alternate)
- Milk

Students are allowed to decline one of the four food items offered, but must select at least a half cup of either fruit or half cup of vegetable or half cup of a fruit/vegetable combination.

After taking the half cup fruit or half cup of vegetable or half cup of a fruit/vegetable combination, students must select at least two additional food items in the full amounts (per grade group requirements) to count toward the reimbursable offer versus serve meal.

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

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

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

Breakfast OVS will be implemented in this charter school.

Adopted: 17 May 2018



## 8508 LUNCH OFFER VERSUS SERVE (OVS)

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

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

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

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

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

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

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



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Lunch Offer Versus Serve (OVS)

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

Lunch OVS will be implemented in this charter school.

Adopted: 17 May 2018



## 8540 SCHOOL NUTRITION PROGRAMS

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

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

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

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

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

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



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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School Nutrition Programs

Applications shall be reviewed in a timely manner. An eligibility determination will be made, the family will be notified of its status, and the status will be implemented as soon as possible within ten operating days of the receipt of the completed application. Any student found eligible shall be offered free or reduced price meals or free milk immediately upon the establishment of his/her eligibility and shall continue to receive such meals during the pendency of any inquiry regarding his/her eligibility in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture. Carry-over of previous year's eligibility for students shall be in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.

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

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

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





# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

OPERATIONS

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School Nutrition Programs

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

7 C.F.R. 210.1 et seq.

N.J.S.A. 18A:33-5; 18A:58-7.2

N.J.A.C. 2:36

Adopted: 17 May 2018



## 8561 PROCUREMENT PROCEDURES FOR SCHOOL NUTRITION PROGRAMS

The Board of Trustees adopts this Policy to identify their procurement plan for the United States Department of Agriculture's (USDA) School Nutrition Programs. School Nutrition Programs include, but are not limited to: the National School Lunch Program (NSLP); School Breakfast Program (SBP); Afterschool Snack Program (ASP); Special Milk Program (SMP); Fresh Fruit and Vegetable Program (FFVP); Seamless Summer Option (SSO) of the NSLP; Summer Food Service Program (SFSP); the At-Risk Afterschool Meals component of the Child and Adult Care Food Program (CACFP); and the Schools/Child Nutrition USDA Foods Program.

The Board of Trustees is ultimately responsible for ensuring all procurement procedures for any purchases by the Board of Trustees and/or a food service management company (FSMC) comply with all Federal regulations, including but not limited to: 7 CFR Parts 210, 220, 225, 226, 245, 250; 2 CFR 200; State procurement statutes and administrative codes and regulations; local Board of Education procurement policies; and any other applicable State and local laws. FSMC's billing invoices will be monitored to ensure compliance with Federal and State procurement regulations and will comply with any additional monitoring requirements as outlined in the approved FSMC Contract.

The procurement procedures contained in this Policy will be implemented beginning immediately, until amended. All procurements must maximize full and open competition. Source documentation will be maintained by the School Business Administrator/Board Secretary or designee and will be available to determine open competition, the reasonableness, the allowability, and the allocation of costs.

The Board of Trustees intentionally seeks to prohibit conflicts of interest in all procurement of goods and services.

### A. General Procurement

The procurement procedures will maximize full and open competition, transparency in transactions, comparability, and documentation of all procurement activities. The school's plan for procuring items for use in the School Nutrition Programs is as follows:

1. The School Business Administrator/Board Secretary will ensure all purchases will be in accordance with the Federal Funds Procurement Method Selection Chart – State Agency Form #358 - Appendix. Formal procurement procedures will be used as required by 2 CFR 200.318-.326 and any State and local procurement code and regulations. Informal procurement procedures (small purchase) will be required for purchases under the most restrictive small purchase threshold.



2. The following procedures will be used for all purchases: The following chart is NOT APPLICABLE to this school.

Product/ Services	Estimated Dollar Amount	Procurement Method	Evaluation	Contract Award Type	Contract Duration/ Frequency

### Micro-Purchases:

Purchases of supplies or services, within the micro-purchase threshold (the aggregate amount does not exceed \$3,500 as defined by 2 CFR 200.67) will be awarded without soliciting competitive price quotations if the price is reasonable. Purchases will be distributed equitably among qualified suppliers with reasonable prices. Records will be kept for micro-purchases.

3. Formal bid procedures will be applied on the basis of centralized system; individual school; multi-school system; and/or State contract.
4. Because of the potential for purchasing more than the public or non-public informal/small purchase threshold amount, or the Board approved threshold if less, it will be the responsibility of the School Business Administrator/Board Secretary to document the amounts to be purchased so the correct method of procurement will be followed.

### B. Formal Procurement

When a formal procurement method is required, the following competitive sealed bid or an Invitation for Bid (IFB) or competitive proposal in the form of a Request for Proposal (RFP) procedures will apply:

1. An announcement of an IFB or a RFP will be placed in the Board designated official newspaper to publicize the intent of the Board of Trustees to purchase needed items. The advertisement for bids/proposals or legal notice will be published in the official newspaper for at least one day in accordance with the provisions of N.J.S.A. 18A:18A-21.



2. An advertisement in the official newspaper for at least one day is required for all purchases over the school's small purchase threshold as outlined in Appendix – Federal Funds Procurement Method Section Chart. The advertisement will contain the following:
  - a. A general description of items to be purchased;
  - b. The deadline for submission of questions and the date written responses will be provided, including addenda to bid specifications, terms, and conditions as needed;
  - c. The date of the pre-bid meeting, if provided, and if attendance is a requirement for bid award;
  - d. The deadline for submission of sealed bids or proposals; and
  - e. The address of the location where complete specifications and bid forms may be obtained.
3. In an IFB or RFP, each vendor will be given an opportunity to bid on the same specifications.
4. The developer of written specifications or descriptions for procurements will be prohibited from submitting bids or proposals for such products or services.
5. The IFB or RFP will clearly define the purchase conditions. The following list includes requirements, not exclusive, to be addressed in the procurement document:
  - a. Contract period;
  - b. The Board of Trustees is responsible for all contracts awarded (statement);
  - c. Date, time, and location of IFB/RFP opening;
  - d. How the vendor is to be informed of bid acceptance or rejection;
  - e. Delivery schedule;



- f. Requirements (terms and conditions) the bidder must fulfill in order for bid to be evaluated;
- g. Benefits to which the Board of Trustees will be entitled if the contractor cannot or will not perform as required;
- h. Statement assuring positive efforts will be made to involve minority and small business;
- i. Statement regarding the return of purchase incentives, discounts, rebates, and credits to the Board of Trustees' nonprofit school food service account;
- j. Contract provisions as required in Appendix II to 2 CFR 200;
- k. Contract provisions as required in 7 CFR 210.21(f) for all cost reimbursable contracts;
- l. Contract provisions as required in 7 CFR 210.16(a)(1-10) and 7 CFR 250.53 for food service management company contracts;
- m. Procuring instrument to be used are purchase orders from firm fixed prices after formal bidding;
- n. Price adjustment clause for renewal of multi-year contracts as defined in N.J.S.A. 18A:18A-42. The "index rate" means the annual percentage increase rounded to the nearest half percent in the implicit price deflator for State and local government purchases of goods and services computed and published quarterly by the U.S. Department of Commerce, Bureau of Economic Analysis;
- o. Method of evaluation and type of contract to be awarded (solicitations using an IFB are awarded to the lowest responsive and responsible bidder; solicitations using a RFP are awarded to the most advantageous bidder/offeror with price as the primary factor among factors considered);
- p. Method of award announcement and effective date (if intent to award is required by State or local procurement requirements);



- q. Specific bid protest procedures including contact information of person and address and the date by which a written protest must be received;
  - r. Provision requiring access by duly authorized representatives of the Board of Trustees, New Jersey Department of Agriculture (NJDA), United States Department of Agriculture (USDA), or Comptroller General to any books, documents, papers, and records of the contractor which are directly pertinent to all negotiated contracts;
  - s. Method of shipment or delivery upon contract award;
  - t. Provision requiring contractor to maintain all required records for three years after final payment and all other pending matters (audits) are closed for all negotiated contracts;
  - u. Description of process for enabling vendors to receive or pick up orders upon contract award;
  - v. Provision requiring the contractor to recognize mandatory standards/policies related to energy efficiency contained in the Energy Policy and Conservation Act (PL 94-163);
  - w. Signed statement of non-collusion;
  - x. Signed Debarment/Suspension Certificate, clause in the contract or a copy of search results from the System for Award Management (SAM);
  - y. Provision requiring "Buy American" as outlined in 7 CFR Part 210.21(d) and USDA Guidance Memo SP 38-2017; and
  - z. Specifications and estimated quantities of products and services prepared by the school and provided to potential contractors desiring to submit bids/proposals for the products or services requested.
6. If any potential vendor is in doubt as to the true meaning of specifications or purchase conditions, interpretation will be provided in writing to all potential bidders by the School Business Administrator/Board Secretary or designee and will specify the deadline for all questions.



- a. The School Business Administrator/Board Secretary will be responsible for securing all bids or proposals.
  - b. The School Business Administrator/Board Secretary will be responsible to ensure all Board of Trustees procurements are conducted in compliance with applicable Federal, State, and local procurement regulations.
  - c. The following criteria will be used in awarding contracts as a result of bids/proposals. Price must be the highest weighted criteria. Examples of other possible criteria include quality, service, delivery, and availability.
7. In awarding a RFP, a set of award criteria in the form of a weighted evaluation sheet will be provided to each bidder in the initial bid document materials. Price alone is not the sole basis for award, but remains the primary consideration among all factors when awarding a contract. Following evaluation and negotiations, a firm fixed price or cost reimbursable contract is awarded.
- a. The contracts will be awarded to the responsible bidder/proposer whose bid or proposal is responsive to the invitation and is most advantageous to the Board of Trustees, price as the primary, and other factors considered. Any and all bids or proposals may be rejected in accordance with the law.
  - b. The School Business Administrator/Board Secretary or designee is required to sign on the bid tabulation of competitive sealed bids or the evaluation criterion score sheet of competitive proposals signifying a review and approval of the selections.
  - c. The School Business Administrator/Board Secretary shall review the procurement system to ensure compliance with applicable laws.
  - d. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product specified was received.
  - e. Any time an accepted item is not available, the School Business Administrator/Board Secretary will select the acceptable alternate. The contractor must inform the School Business Administrator/Board Secretary within one workday if a product is not available. In the event a nondomestic agricultural product is to be provided to the Board of Trustees, the contractor must obtain, in advance, written approval for the product. The School Business Administrator/Board Secretary must comply with the Buy American Provision.



- f. Full documentation regarding the reason an accepted item was unavailable, and the procedure used in determining acceptable alternates, will be available for audit and review. The person responsible for this documentation is the School Business Administrator/Board Secretary.
- g. The School Business Administrator/Board Secretary is responsible for maintaining all procurement documentation.

### C. Small Purchase Procedures

If the amount of purchases for items is less than the school's small purchase threshold as outlined in the Federal Funds Procurement Method Selection Chart – See Appendix, the following small purchase procedures including quotes will be used. Quotes from a minimum number of three qualified sources will be required.

1. Written specifications will be prepared and provided to all vendors.
2. Each vendor will be contacted and given an opportunity to provide a price quote on the same specifications. A minimum of three vendors shall be contacted.
3. The School Business Administrator/Board Secretary or designee will be responsible for contacting potential vendors when price quotes are needed.
4. The price quotes will receive appropriate confidentiality before award.
5. Quotes/Bids will be awarded by the School Business Administrator/Board Secretary. Quotes/Bids will be awarded on the following criteria. Quote/Bid price must be the highest weighted criteria. Examples of other possible criteria include quality, service, delivery, and availability.
6. The School Business Administrator/Board Secretary will be responsible for documentation of records to show selection of vendor, reasons for selection, names of all vendors contacted, price quotes from each vendor, and written specifications.
7. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product specified is received.





8. Any time an accepted item is not available, the School Business Administrator/Board Secretary will select the acceptable alternate. Full documentation will be made available as to the selection of the acceptable item.
9. The School Business Administrator/Board Secretary or designee is required to sign all quote tabulations, signifying a review and approval of the selections.

D. Noncompetitive Proposal Procedures

If items are available only from a single source when the award of a contract is not feasible under small purchase, sealed bid or competitive negotiation, noncompetitive proposal procedures will be used:

1. Written specifications will be prepared and provided to the vendor.
2. The School Business Administrator/Board Secretary will be responsible for the documentation of records to fully explain the decision to use the noncompetitive proposal. The records will be available for audit and review.
3. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product or service specified was received.
4. The School Business Administrator/Board Secretary will be responsible for reviewing the procedures to be certain all requirements for using single source or noncompetitive proposals are met.
5. The noncompetitive micro-purchase method shall be used for one-time purchases of a new food item if the amount is less than \$3,500 to determine food acceptance by students and provide samples for testing purposes. A record of noncompetitive negotiation purchase shall be maintained by the School Business Administrator/Board Secretary or designee. At a minimum, the record of noncompetitive purchases shall include: item name; dollar amount; vendor; and reason for noncompetitive procurement.
6. A member or representative of the Board of Trustees will approve, in advance, all procurements that result from noncompetitive negotiations.



E. Miscellaneous Provisions

1. New product evaluation procedures will include a review of product labels and ingredients; an evaluation of the nutritional value; taste tests and surveys; and any other evaluations to ensure the new product would enhance the program.
2. The Board of Trustees agrees the reviewing official of each transaction will be the School Business Administrator/Board Secretary.
3. Payment will be made to the vendor when the contract has been met and verified and has met the Board of Trustees' procedures for payment. (If prompt payment is made, discounts, etc., are accepted.)
4. Specifications will be updated as needed.
5. If the product is not as specified, the following procedure, including, but not limited to, will take place: remove product from service; contact vendor for approved alternate product; or remove product from bid.

F. Emergency Purchases

1. If it is necessary to make a one-time emergency procurement to continue service or obtain goods, and the public exigency or emergency will not permit a delay resulting from a competitive solicitation, the purchase must be authorized using a purchase order signed by the School Business Administrator/Board Secretary. The emergency procedures to be followed for such purchases shall be those procedures used by the school for other emergency purchases consistent with N.J.S.A. 18A:18A-7. All emergency procurements shall be approved by the School Business Administrator/Board Secretary. At a minimum, the following emergency procurement procedures shall be documented to include, but not be limited to: item name; dollar amount; vendor; and reason for emergency.

G. Purchasing Goods and Services – Cooperative Agreements, Agents, and Third-Party Services (Piggybacking)

1. When participating in intergovernmental and inter-agency agreements the Board of Trustees will ensure that competitive procurements are conducted in accordance with 2 CFR Part 200.318-.326 and applicable program regulations and guidance.



2. When utilizing the services of a co-op, agent, or third party the Board of Trustees will ensure that the following conditions have been met:
    - a. All procurements were subject to full and open competition and were made in accordance with Federal/State/local procurement requirements;
    - b. The existing contract allows for the inclusion of additional Board of Educations and/or Board of Trustees that were not contemplated in the original procurement to purchase the same supplies/equipment through the original award;
    - c. The specifications in the existing contract meets their needs and that the items being ordered are in the contract;
    - d. The awarded contract requires all the Federally required certifications; e.g. Buy American, debarment, restrictions on lobbying, etc.;
    - e. The agency will confirm the addition of their purchasing power (goods or services) to the procurement in scope or services does not create a material change, resulting in the needs to re-bid the contract;
    - f. Administrative costs (fees) for participating in the agreement are adequately defined, necessary and reasonable, and the method of allocating the cost to the participating agencies must be specified;
    - g. The Buy American provisions are included in the procurement of food and agricultural products; and
    - h. The agreement includes the basis for and method of allocating each discount, rebate, or credit and how they will be returned to each participating agency when utilizing a cost-reimbursable contract.
- H. Records Retention
1. The Board of Trustees shall agree to retain all books, records, and other documents relative to the award of the contract for three years after final payment. If there are audit findings that have not been resolved, the records shall be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit. Specifically, the Board of Trustees shall maintain, at a minimum, the following documents:



- a. Written rationale for the method of procurement;
- b. A copy of the original solicitation;
- c. The selection of contract type;
- d. The bidding and negotiation history and working papers;
- e. The basis for contractor selection;
- f. Approval from the State agency to support a lack of competition when competitive bids or offers are not obtained;
- g. The basis for award cost or price;
- h. The terms and conditions of the contract;
- i. Any changes to the contract and negotiation history;
- j. Billing and payment records;
- k. A history of any contractor claims;
- l. A history of any contractor breaches; and
- m. Any other documents as required by N.J.S.A. 18A:18A – Public School Contracts Law.

### I. Code of Conduct for Procurement

1. All procurements must ensure there is open and free competition and adhere to the most restrictive Federal, State, and local requirements. The Board of Trustees 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. All procurements will be in accordance with this Policy and all applicable provisions of N.J.S.A. 18A:18A – Public School Contracts Law.



2. 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.
  3. 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.
  4. 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.
  5. All questions and concerns regarding procurement solicitations, contract evaluations, and contract award, shall be directed to the School Business Administrator/Board Secretary.
- J. Food Service Management Company (FSMC)
1. In the operation of the school's food service program, the school shall ensure that a FSMC complies with the requirements of the Program Agreement, the school's Free and Reduced School Lunch Policy Statement, all applicable USDA program policies and regulations, and applicable State and local laws. In order to operate an a la carte food service program, the FSMC shall agree to offer free, reduced price, and full price reimbursable meals to all eligible children.
  2. The school shall monitor the FSMC billing invoices to ensure compliance with Federal and State procurement regulations.
  3. In accordance with N.J.S.A. 18A:18A-5a.(22), RFPs are required in all solicitations for a FSMC.

N.J.S.A. 18A:18A – Public School Contracts Law



## APPENDIX

FEDERAL FUNDS PROCUREMENT METHOD SELECTION CHART		
THERE ARE TWO (2) PROCUREMENT METHODS, FORMAL AND INFORMAL. THE METHOD THE SCHOOL FOOD AUTHORITIES (SFA) NEEDS TO USE DEPENDS ON TWO (2) FACTORS, THE AMOUNT OF THE CONTRACT AND WHETHER THE SFA IS A PUBLIC/CHARTER OR NON-PUBLIC SCHOOL.		
NEW JERSEY PUBLIC/CHARTER SCHOOLS PURCHASING THRESHOLDS		
AMOUNT	ACTIVITY	PROCUREMENT METHOD
INFORMAL PROCUREMENT		
Below \$3,500 *	Micro - purchases 2 CFR 200.320(a)	Sound Business Practice *
	SINGLE TRANSACTION AGGREGATE COST LESS THAN \$3,500	
* Or LESS than \$3,500 if local SFA Procurement Policies are more restrictive		
SMALL PURCHASE PROCEDURES		
\$3,501 up to \$29,000/\$40,000	N.J.S.A. 18A:18A-37 ANY PURCHASE EXCEEDING \$3,500 REQUIRES A QUOTE UP TO THE APPLICABLE N.J.S.A. BID THRESHOLDS OF \$29,000 (without a QPA*) OR \$40,000 (with a QPA*)	Quotation using SFA Internal Procurement Procedures
NOTE: ANNUAL AGGREGATE AMOUNTS		
FORMAL PROCUREMENT		
\$29,000 or \$40,000 and above	N.J.S.A. 18A:18A-37 Bid Threshold without a QPA* - \$29,000 Bid Threshold with a QPA* - \$40,000	Bid - Invitation for Bid (IFB) OR Request for Proposal (RFP)
* QUALIFIED PURCHASING AGENT		
NEW JERSEY NON-PUBLIC SCHOOL PURCHASING THRESHOLDS		
AMOUNT	ACTIVITY	PROCUREMENT METHOD
INFORMAL PROCUREMENT		
Below \$3,500 *	Micro - purchases 2 CFR 200.320(a) Single Transaction aggregate cost less than \$3,500	Sound Business Practice *
* Or LESS than \$3,500 if local SFA Procurement Policies are more restrictive		
\$3,501 - \$149,999	Small purchase procedures 2 CFR 200.320(b)	Quotation using SFA Internal Procurement Procedures
FORMAL PROCUREMENT		
\$150,000 and above	As per Federal requirements in 2 CFR Parts 200.317 - 200.326	Bid - Invitation for Bid (IFB) OR Request for Proposal (RFP)

State Agency Form #358 - July 2017

Adopted: 17 May 2018



## 8600 TRANSPORTATION

Transportation to and from school for students attending the Classical Academy Charter School shall be the responsibility of the sending school district.

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

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

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

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

Adopted: 17 May 2018



## 8630 BUS DRIVER/BUS AIDE RESPONSIBILITY

The Board of Trustees requires all school bus drivers and bus aides employed by the school or employed by a contracted school bus company to be reliable persons of good moral character who possess the qualifications necessary to perform the duties of the position. Anyone driving a school bus used to transport students to and from school and school related activities must meet all requirements of N.J.S.A. 18A:39-17, 18, 19.1, and 20 and all New Jersey Motor Vehicle Commission (NJMVC) rules governing school bus drivers. All school bus drivers must possess the appropriate license and endorsement(s) to drive a school bus in the State of New Jersey and are subject to all the Federal and State requirements to maintain the appropriate license.

“Employer” for the purposes of this Policy and Regulation means a Board of Trustees or a contractor that provides student transportation services under contract with the Board of Trustees. In the event the school employs school bus drivers and bus aides and/or uses a contractor for transportation services, the “employer” for school employed school bus drivers and bus aides shall be the Board of Trustees and the “employer” for contracted school bus drivers and bus aides shall be the contractor that provides student transportation under contract with the Board of Trustees.

School bus drivers and bus aides shall meet criminal history background check requirements pursuant to N.J.S.A. 18A:6-7.1(c) and tuberculin testing requirements pursuant to applicable State statutes and administrative codes. School bus drivers and bus aides shall be considered under the Federal Family Educational Rights and Privacy Act (FERPA) to be school officials who have a legitimate educational interest to parts of a student’s record relating to transportation, without parental consent, as outlined in N.J.A.C. 6A:27-12.1(j)1.

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





School bus drivers and bus aides shall receive training in the use of a student's educational records and in their responsibility to ensure the privacy of the student and his or her records. In addition, permanent and substitute school bus drivers and bus aides shall be trained for the functions of their positions and in a safety education program as outlined in N.J.A.C. 6A:27-11.1 et seq.

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

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

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

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

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



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

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

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

N.J.S.A. 18A:6-7.1 et seq.; 18A:25-2; 18A:39-17; 18A:39-18;  
18A:39-19.1; 18A:39-19.2; 18A:39-19.3; 18A:39-19.4;  
18A:39-28

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

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

Adopted: 17 May 2018



## 8660 TRANSPORTATION BY PRIVATE VEHICLE

The Board of Trustees prohibits transportation by private vehicle of students of this school between the school and a school activity.

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

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

Adopted: 17 May 2018



## 8670 TRANSPORTATION OF DISABLED STUDENTS

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

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

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

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

N.J.S.A. 18A:39-2.1; 18A:46-19.6; 18A:46-23

N.J.A.C. 6A:14-3.9(a)7; 6A:27-5.1 et seq.

Adopted: 17 May 2018



## 8710 PROPERTY INSURANCE

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

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

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

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

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

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

Adopted: 17 May 2018



## 8740 BONDING

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

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

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

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

Adopted: 17 May 2018



### 8750 EMPLOYEE INDEMNIFICATION

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

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

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

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

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



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Employee Indemnification

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

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

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

N.J.S.A. 40A:10-52

Adopted: 17 May 2018





## 8760 STUDENT ACCIDENT INSURANCE

The Board of Trustees recognizes injuries to students may occur from accidents occurring in the course of attendance at school and participation in the athletic and co-curricular programs of the school.

In accordance with the provisions of N.J.S.A. 18A:43-1, the Board is not required to, but may arrange for, maintain, and may pay the premiums for insurance coverage by a qualified insurer for loss sustained by students through accidental means while participating in those school activities insured by the Board's insurance provider. This insurance coverage, if purchased by the Board, will not cover all school activities and will be secondary insurance requiring all claims be submitted to the student's parent's or legal guardian's insurance provider before being submitted to the school's insurance provider. All claim decisions and payment amounts will be made by the school's insurance provider in accordance with the terms of the insurance policy purchased by the Board. The insurance coverage provided under this program will be based on a payment schedule and may not provide for full payment of such claims.

The Board, if such insurance is provided, may require payment to the Board by students to whom the benefit of such insurance is extended, of a proportional share of premiums or any part thereof in accordance with the provisions of N.J.S.A. 18A:43-2. In the event the Board requires such payment, the amount to be paid by students shall be established by a schedule determined by the Board, but no student electing not to participate in the accident insurance coverage shall be required to make any payment toward the cost of the premiums.

The Board may provide parent(s) or legal guardian(s) the opportunity to purchase insurance coverage, at no cost to the Board, for injury resulting from accidents sustained by students occurring in the course of attendance at school and participation in the athletic and co-curricular programs of the school.

The Lead Person and/or designee will recommend suitable and qualified insurance providers for Board consideration and approval. Parent(s) or legal guardian(s) of students who may be eligible for such insurance coverage will be notified of its availability.

In accordance with the provisions of N.J.S.A. 18A:43-3, in the event the Board elects to provide this student accident insurance, it shall not be construed to impose any liability on the part of the Board for an injury sustained by a student as a result of or in connection with any activities outlined in N.J.S.A. 18A:43-1 or as a result of or in connection with the conduct of the physical education program of the school.

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

Adopted: 17 May 2018



# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

OPERATIONS  
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School Board Insurance Group

### 8770 SCHOOL BOARD INSURANCE GROUP

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

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

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

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

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

Adopted: 17 May 2018



### 8810 RELIGIOUS HOLIDAYS

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

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

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

U.S. Const., First Amendment

N.J. Const., Art. 1, paragraph 4

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

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

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

Adopted: 17 May 2018



## 8820 OPENING EXERCISES/CEREMONIES

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

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

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

Adopted: 17 May 2018



### 9000 COMMUNITY

<u>Number</u>	<u>Title</u>
9100	Public Relations
9120C	Public Relations Program – Charter School (M)
9130	Public Complaints and Grievances
9140	Citizens Advisory Committees (M)
9150	School Visitors
9160	Public Attendance at School Events
9180	School Volunteers
9190	Community Organizations
9200	Cooperation Between Parents and School
9210	Parent Organizations
9230	Parental Responsibilities
9240	Rights of Parents
9260	Parental Liability for Vandalism
9280	Parent Conferences
9320	Cooperation with Law Enforcement Agencies (M)
9323	Notification of Juvenile Offender Case Disposition
9324	Sex Offender Registration and Notification
9400	News Media Relations
9541	Student Teachers/Interns
9550	Educational Research Projects
9560	Administration of School Surveys
9700	Special Interest Groups
9713	Recruitment by Special Interest Groups (M)
9720	Solicitations by Vendors



## 9100 PUBLIC RELATIONS

The Board of Trustees directs the implementation of a public relations program to foster the continuing and constructive cooperation of this school with parent(s) or legal guardian(s), community organizations and institutions, representatives of business and industry, and other members of the community served by the school.

The Lead Person shall consult with representatives of the community in the development of educational goals for the school, objectives and standards for the educational program, and the family life education curriculum. The Board encourages the involvement of community members in the governance of the school through advisory committees, in accordance with Policy No. 9140.

The Board respects the contributions to community life made by business, industry, labor, charitable organizations, cultural institutions, volunteer associations, and other community groups that enrich the educational potential of the community. The Lead Person shall be alert to opportunities for an educational program expanded and enriched by utilization, both within and without the school, of a diversity of community resources. A file of community resources shall be maintained in the school building.

The Board directs all school employees to acquaint residents with the work of the school; to give thoughtful and courteous consideration to all inquiries and suggestions and carefully investigate all complaints; to make parent(s) or legal guardian(s) feel welcome in the school and in the classroom; to cooperate with parent organizations and other groups of residents seeking information or offering assistance to the school; to treat all students with firmness, sensitivity, intelligence, and fairness so as to command their respect and enlist the cooperation of their parent(s) or legal guardian(s); and to work with others in a manner conducive to high morale and meriting the respect of the community.

Adopted: 17 May 2018



## 9120C PUBLIC RELATIONS PROGRAM – CHARTER SCHOOL

The Board of Trustees believes all reasonable means should be employed to keep the target community informed on matters of importance regarding school programs, finances, personnel, policies, and operations.

The Board will determine which of its official actions have sufficient community impact and interest to warrant special release; the Board alone will release to the news media information about those matters of importance. The Board President may release information regarding Board actions of lesser importance as they have been recorded in the minutes of the Board meetings and upon the request of media representatives. The release of all other publications, photographs, and documents depicting the accomplishments of the students and staff of the charter school shall be approved by the Lead Person or designee.

The charter school will not release or publish photographs or release other personal identifying information of an individual student without the prior written permission of the parent(s) or legal guardian(s) or from the adult student. Written permission slips for such release from each parent(s) or legal guardian(s) or adult student will be obtained by the Lead Person or designee for the students in their school building. These written permission forms shall be maintained by the Lead Person or designee. Group photographs may be released by the charter school without permission, but in no event will an individual student in a group photograph be identified by name and/or by other personal identifier without written permission from the parent(s) or legal guardian(s) or adult student.

The Lead Person shall direct an information program designed to acquaint the target community and the public generally with the achievements and the needs of the charter school. As a minimum, information shall be disseminated regarding the charter school's educational goals; the charter school's guarantee of equal educational opportunity; the charter school's programs for basic skills improvement, special education, bilingual education, and English as a second language; and summary reports of the administration of Statewide assessment tests. Every effort shall be made to foresee and avoid problems caused by misunderstanding or lack of information.

The public information program may include the publication and distribution of a charter school newsletter, meetings with parent(s) or legal guardian(s) and interested residents, a presentation and interpretation of the proposed annual budget, periodically distributed calendars and notices of events, the Lead Person's annual report, and a student handbook, as well as the release of news and photographs of school activities for publication. Notices, publications, and other written materials may be prepared in languages other than English when necessary and appropriate for understanding.



The Board of Trustees adopts the following strategies to minimize the cost of public relations as defined in N.J.A.C. 6A:23A-9.3(c)14 in accordance with N.J.A.C. 6A:23A-22.6.

Charter school publications shall be produced and distributed in the most cost-efficient manner possible that will enable the charter school to inform and educate the target community. The use of expensive materials or production techniques where lower cost methods are available and appropriate, such as the use of multi-color glossy publications instead of suitable, less expensive alternatives, is prohibited.

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 charter school or Board operations to the public that are excessive in nature are prohibited.

Nothing in N.J.A.C. 6A:23A-22.6 and this Policy shall preclude Board of Trustees from accepting donations or volunteer services from community members, local private education foundations and local business owners to conduct or assist in public relations services. Examples include, but are not limited to: providing charter school flyers, newsletters, or other materials containing charter school related information of public concern to local businesses, public meeting places, or other local organizations to display or make available for dissemination; making charter school related information of public concern available to local newspapers to publish related articles; and utilizing volunteered services of local community members, charter school employees, members of parent organizations or local businesses with expertise in related areas such as printing, advertising, publishing, or journalism.

The Board of Trustees will establish annually prior to budget preparation, a maximum dollar limit for public relations, as defined in N.J.A.C. 6A:23A-9.3(c)14. In the event it becomes necessary to exceed the established maximum dollar limit for public relations, the Lead Person shall recommend to the Board of Trustees an increase in the maximum dollar amount for public relations. Any increase in the maximum dollar amount shall require formal Board action.

N.J.A.C. 6A:23A-22.6

Adopted: 17 May 2018





### 9130 PUBLIC COMPLAINTS AND GRIEVANCES

Any person or group having a legitimate interest in the school may present a request, suggestion, or complaint concerning school personnel, the educational program, instructional or resource materials, or the operations of the school. The Board directs the establishment of procedures for the hearing and settlement of requests and complaints that provide a means for resolving them fairly and impartially, permit appropriate redress, and protect school personnel from unnecessary harassment.

When a Board member is confronted with an issue, he/she will withhold comment, commitment and/or opinion and refer the complaint or inquiry to the Lead Person, who shall review the complaint according to established procedures.

Only in those cases where satisfactory adjustment cannot be made by the Lead Person and the staff shall communications and complaints be referred to the Board for resolution.

Any misunderstandings or disputes between the public and school staff should, whenever possible, be settled by direct, informal discussions among the interested parties. It is only when such informal meetings fail to resolve differences that more formal procedures shall be employed. A complaint about a school program or personnel should be addressed to the Building Principal; a complaint about instructional or resource materials should be addressed to the Lead Person.

The Lead Person shall establish procedures for the hearing of requests and complaints regarding school personnel, the educational program, instructional and resource materials, and the operation of the school. Procedures will be governed by the following guidelines:

1. The matter will be resolved initially, wherever possible, by informal discussions between or among the interested parties.
2. A matter that cannot be resolved informally may be appealed at successive levels of authority, up to and including the Board of Trustees.
3. The complaint and its immediate resolution will be reduced to writing at the first and at each successive level of appeal.
4. A reasonable period of time, not to exceed five working days, will be permitted for the filing of an appeal in writing at each successive level. A decision at each level of appeal must be rendered in writing no later than seven working days after the appeal is filed, except that the Board shall have forty-five calendar days to make its decision.



5. In the case of complaints about instructional or resource materials, the initial complaint must set forth in writing the author, title, and publisher of the materials as well as those specific portions of the material or the work to which objection is taken; the complainant's familiarity with the work; the reasons for the objection; and the use of the work in the school. The Lead Person shall appoint a committee of professional staff members and community representatives to review the challenged material against the standards for the selection of resource materials established by Board policy. The committee will report its findings to the Board. No challenged material may be removed from the curriculum or from a collection of resource materials except by action of the Board of Trustees, and no challenged material may be removed solely because it presents ideas that may be unpopular or offensive to some. Any Board action to remove material will be accompanied by the Board's statement of its reasons for the removal.
6. A complainant shall be notified that a decision of the Board may be appealed to the Commissioner of Education.

Adopted: 17 May 2018



## 9140 CITIZENS ADVISORY COMMITTEES

The success of the school system depends, to a large extent, on open channels of communication between the school community and the community at large. Citizens advisory committees are particularly useful in keeping the Board of Trustees and the administration informed with regard to community opinion and in representing the community in the study of specific school problems.

The Board may establish advisory committees as standing committees to serve in a liaison function between the local community and the school, as permanent committees for funded programs as the law requires, and as the need arises.

In creating a new advisory committee, the Board shall appoint members of the community who are able and interested in the subject and concerned about the school; appoint members who represent a wide range of community interests and backgrounds; appoint a chairperson; and appoint one or more Board members to serve as ex officio members.

In charging a new advisory committee, the Board shall define the committee assignment in writing, set a date for a preliminary and final report, and establish a budget. Expenditures of school funds by advisory committees shall be made only upon the approval of the Board.

Recommendations of an advisory committee shall not reduce the responsibility of the Board, which may accept or reject recommendations in the exercise of its statutory discretion.

Meetings of an advisory committee that are open to or attended by fewer than a majority of the members of the Board are not subject to the Open Public Meetings Act and need not be open to the public, except as expressly permitted by the Board.

N.J.A.C. 6:30-1.5; 6:31-1.14(b)  
20 U.S.C.A. 3801 et seq.

Adopted: 17 May 2018



## 9150 SCHOOL VISITORS

The Board of Trustees welcomes and encourages visits to school by parent(s) or legal guardian(s), other adult residents of the community, and interested educators. In order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons into the school, the Board directs the enforcement of rules governing school visits.

The Lead Person possesses the authority to prohibit the entry of any person into the school or to expel any person from the school when there is reason to believe the presence of such person would be inimical to the good order of the school. If such a person refuses to leave the school grounds or creates a disturbance, the Lead Person is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

Visitors shall be required to register their presence in the school. No staff member shall transact business with or permit the continuing presence in the school of a visitor who has not been duly registered.

No visitor may confer with a student in school without the approval of the Lead Person; any such conference may take place only in the presence of a teaching staff member and/or administrator.

The Lead Person shall develop regulations that will protect students and employees of the school from disruption to the educational program and the efficient conduct of their assigned tasks.

N.J.S.A. 2C:18-3

N.J.S.A. 18A:17-42; 18A:20-1; 18A:20-34

Adopted: 17 May 2018



## 9160 PUBLIC ATTENDANCE AT SCHOOL EVENTS

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

The Board may bar the attendance of any person at a school event whose conduct constitutes a disruption. The Board prohibits the possession and consumption of alcoholic beverages at any function sponsored by the school, and, further, prohibits wagering on school premises.

Adopted: 17 May 2018



## 9180 SCHOOL VOLUNTEERS

The Board of Trustees recognizes the services of volunteers can enrich the educational program, assist teaching staff members in the performance of their duties, and enhance the relationship between the school and the community. The Board authorizes a program for the utilization of volunteer services in the school(s) of the school.

An unpaid volunteer is not required to complete a criminal history record check. A volunteer is not required to be approved by the Board.

Volunteers must be persons of known character, responsibility, and integrity.

The Lead Person shall not be obligated to utilize the proffered services of a volunteer whose abilities or interests do not serve the needs of students.

Each school volunteer shall be given a copy of this Policy and the rules of conduct.

The following guidelines shall govern the service of school volunteers:

1. Volunteers may serve only under the direction and supervision of an appropriately certified or licensed staff member;
2. Volunteers should clearly understand their duties and responsibilities and perform no service outside those duties;
3. Volunteers serve only in a support capacity; only appropriately certified or licensed staff members are responsible for educational planning and decisions and the teaching of new concepts;
4. Volunteers shall respect the individuality, dignity, and worth of each child;
5. Volunteers are not permitted access to student records;
6. Volunteers should exercise discretion in discussing their school activities with others in the community and must maintain confidential any information that if disclosed would violate Federal and State laws;
7. Volunteers may consult with the Lead Person regarding their duties and responsibilities; and
8. Volunteers shall receive no financial remuneration from the Board.

N.J.S.A. 18A:6-7.1; 18A:6-7.2

Adopted: 17 May 2018



## 9190 COMMUNITY ORGANIZATIONS

The Board of Trustees respects the contributions to community life made by business, industry, labor, charitable organizations, cultural institutions, volunteer associations and other community groups that enrich the educational potential of the community.

The Board directs the Lead Person to be alert to the opportunities for an educational program expanded and enriched by utilization, both within and without the school, of a diversity of community resources.

The Lead Person shall establish an advisory committee of resource persons and representatives of business, industry, and community organizations to assist him/her in utilization of community resources in the instructional program and in the more effective and efficient operation of the school.

Adopted: 17 May 2018



### 9200 COOPERATION BETWEEN PARENTS AND SCHOOL

Classical Academy Charter School was founded on the principle that parents, families, staff, and community members can and should work together in structured and meaningful ways. The Board of Trustees believes that the education of children is a joint responsibility that the Board shares with the parents(s) or legal guardian(s) of students. The school will make every effort possible to make families partners in their children's education and is committed to ongoing and open communication with families.

Families have different levels of availability and may not speak English in their home. Therefore, efforts will also be made to connect with families in their home language. The Lead Person and staff will work to create an environment where families feel welcome, valued, and useful through various forms of communication and collaboration outlined below.

It is the position of the Board that parents share the ultimate responsibility for their children's in-school behavior and should work cooperatively with the school as needed to address student behavior.

The Board directs that cooperation be encouraged by parent-teacher conferences that permit two-way communication between home and school; open houses in the school that provide parents with the opportunity to see the school facilities, meet the faculty, and observe the program on a first hand basis; meetings of staff members and groups of the parents of those students having special abilities, needs, or problems; and special events of a cultural, ethnic, or topical nature.

Adopted: 17 May 2018





### 9210 PARENT ORGANIZATIONS

The Board of Trustees will encourage and support organizations of parent(s) or legal guardian(s) whose objectives are to promote the educational interests of school students.

No parent organization may organize students or sponsor school activities or solicit moneys in the name of this school or of any school in the school without the prior approval of the Board. Such approval must be sought by written application to the Lead Person.

Representatives of recognized parent organizations shall be treated by school employees as interested friends of the school and as supporters of public education in the school.

The Board relies upon parent organizations to operate in a manner consistent with public expectations for the school and reserves the right to withdraw recognition from any parent organization whose actions are inimical to the interests of the students of this school.

Adopted: 17 May 2018



### 9230 PARENTAL RESPONSIBILITIES

The Board of Trustees believes that children benefit when parents recognize and fulfill their responsibility to encourage and support the learning process.

Parents can help children learn by:

1. Learning about the school's mission and educational program;
2. Reinforcing the academic and behavioral standards at home, rules and accepting responsibility for a child's improper conduct;
3. Reading communication from the school and signing and returning them promptly when so requested;
4. Promptly signing school papers, including graded tests and behavioral reports;
5. Establishing a daily routine for students;
6. Providing a quiet space for students to study;
7. Providing positive reinforcement of student progress and success;
8. Discussing academics and student work among family members;
9. Assisting students with homework, or reminding students to contact teachers for homework support;
10. Ensuring that their student complete all of their homework every night;
11. Attending conferences arranged for the exchange of information on the child's progress in school; and
12. Scheduling family matters to minimize interference with school time.

Adopted: 17 May 2018



## 9240 RIGHTS OF PARENTS

The Board of Trustees recognizes that the parent(s) or legal guardian(s) of each child are ultimately responsible for the care and custody of that child, and that both parent(s) or legal guardian(s) share that responsibility equally. The Board recognizes as well that, where only one parent has legal custody of a child, the rights and responsibilities of the other parent may be limited. The Board believes that the interests of the 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(s) or legal guardian(s) of a student enrolled in this school possesses full parental rights of access to the student and to information about the student, notwithstanding any separation of the parent(s) or legal guardian(s) 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 parent(s) or legal guardian(s) for access to their child, to their child's teachers, and to information about their child.

Every parent, except as prohibited by Federal and State law, shall have access to records and information pertaining to his/her unemancipated child, including, but not limited to, medical, dental, insurance, child care and educational records, whether or not the child resides with the parent, unless that access is found by the court to be not in the best interest of the child or the access is found by the court to be sought for the purpose of causing detriment to the other parent.

The place of residence of either parent shall not appear on any records or information released pursuant to the provisions of this section.

A child's parent(s), guardian(s) or legal custodian(s) may petition the court to have a parent's access to the records limited. If the court, after a hearing, finds that the parent's access to the record is not in the best interest of the child or that the access sought is for the purpose of causing detriment to the other parent, the court may order that access to the records be limited. Proper notice of court action 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 custody and establishes the rights and limitation of the noncustodial parent or terminates the parental rights of the noncustodial parent.

Nothing in this policy shall be construed as limiting in any way the rights of the noncustodial parent whose parental rights have not been terminated to full access to his/her child's records.

N.J.S.A. 18A:35-4.6 et seq.; 18A:47-4; 18A:47-8  
N.J.A.C. 6A:14-1.3; 6A:14-2.9; 6A:32-7.1; 6A:32-7.5

Adopted: 17 May 2018



## 9260 PARENTAL LIABILITY FOR VANDALISM

The school property held in trust by this Board of Trustees represents a substantial investment of the taxpayers of the school; liability for the willful and malicious destruction of that property should be borne by those directly and indirectly responsible.

The Board further believes that parent(s) or legal guardian(s) are ultimately responsible for the supervision and discipline of students and that the knowledge that they are vicariously liable for the acts of their children and wards will encourage parent(s) or legal guardian(s) to exercise that responsibility more vigorously.

Where any property, real or personal, owned by this Board has been willfully and maliciously damaged by any minor, whether or not the person is enrolled in this school, the Board shall bring civil action against the parent(s) or legal guardian(s) having legal custody and control of the person at the time the damage was caused, for the full amount of the damage.

N.J.S.A. 18A:37-3

Adopted: 17 May 2018



### 9280 PARENT CONFERENCES

The Board of Trustees endorses the parent-teacher conference as an effective means of permitting parent(s) or legal guardian(s) and teachers to share information about students and the educational program in a constructive setting.

The Lead Person is directed to schedule parent-teacher conferences at such times as will permit the maximum attendance of parent(s) or legal guardian(s), including working parent(s) or legal guardian(s); to encourage the participation of parent(s) or legal guardian(s); and to provide in-service training to teachers to assist them in making most effective use of the conference.

The Board believes that the information exchanged in parent-teacher conferences can be of great importance to the student's ability to profit educationally; such conferences are, therefore, an essential part of the instructional program and an integral part of a teacher's professional responsibility. Accordingly, all teachers are required to attend the parent conferences scheduled for the children assigned to them. A teacher's failure to observe this policy may be cause for discipline.

The Board regards parent-teacher conferences as non-adversarial meetings in which all persons present are united in a common interest in the educational well-being of the student. The parent(s) or legal guardian(s) of the student may bring to the conference additional persons who share that interest and wish to aid the parent(s) or legal guardian(s) and the teacher. When a parent(s) or legal guardian(s) desires the representation of legal counsel at the conference, however, the Board may wish to be similarly represented. Accordingly, the parent(s) or legal guardian(s) who plans to bring legal counsel to a parent-teacher conference shall notify the school Principal of that intention no later than five working days in advance of the conference in order that the Lead Person may secure such legal representation as he/she may deem advisable.

The purposes of the parent-teacher conference are best served when all persons present share freely and candidly their knowledge of the student's educational progress and information relating to that progress. Any person present may make and preserve notes, for his/her benefit, of the information shared and may, if permitted, make a tape recording of the conference as an aid to memory or to share with an absent parent or legal guardian. Because the presence of the tape recorder may act to impede the free exchange necessary to an effective conference, however, either the parent(s) or legal guardian(s) or the teacher may refuse the other's request that a tape recorder be used.

Adopted: 17 May 2018



## 9320 COOPERATION WITH LAW ENFORCEMENT AGENCIES

The Board of Trustees acknowledges the law compelling school attendance vests in the Board a custodial responsibility for the children in its charge and a duty to protect those children from persons not associated with the school.

The Board further recognizes that its interest in helping children understand and respect the law is best served by a close and cooperative relationship with local law enforcement. The Board adopts Policy and Regulation 9320 in accordance with N.J.A.C. 6A:16-6.1 et seq. to ensure cooperation between school staff and law enforcement officials in all matters relating to the unlawful possession, distribution and disposition of controlled dangerous substances, as defined in N.J.S.A. 24:21-2, including anabolic steroids, drug paraphernalia, alcoholic beverages and/or firearms as defined in subsection f. of N.J.S.A. 2C:39-1.(f); and other deadly weapons as defined in N.J.S.A. 2C:39-1.(r) and in the planning and conduct of law enforcement activities and operations occurring on school property, including arrest procedures and undercover school operations. The Board directs the Lead Person to institute a program of such communication and cooperation.

Policy and Regulation 9320, as adopted by the Board, will be submitted for approval to the County Superintendent of Schools in accordance with N.J.A.C. 6A:16-6.2(a)2.

Policy and Regulation 9320 have been developed and approved by the Board to protect the interests of students and serve the legitimate needs of law enforcement in accordance with N.J.A.C. 6A:16-6.1 et seq.

N.J.A.C. 6A:16-6.1 et seq.

Adopted: 17 May 2018



### 9323 NOTIFICATION OF JUVENILE OFFENDER CASE DISPOSITION

The Lead Person has a need to receive and have access to juvenile justice proceedings involving juveniles who are registered students in the school building. The Lead Person shall have access to information relating to juvenile justice proceedings in accordance with N.J.S.A. 2A:4A-60.

The Lead Person may request from law enforcement agencies at the time of charge, adjudication or disposition, information as to the identity of a juvenile student charged, the adjudication and the disposition. The Lead Person may inform school staff members of this information if the Lead Person deems it appropriate for maintaining order, safety or discipline in the school or for planning programs relevant to the juvenile's educational and social development. This information will not become part of the juvenile student's permanent school record and shall not be maintained except as authorized by regulation of the Department of Education.

A law enforcement or prosecuting agency shall at the time of charge, adjudication or disposition, advise the Lead Person of the school where the juvenile is enrolled, of the identity of the juvenile charged, the offense charged, the adjudication and the disposition if:

1. The offense occurred on school property or a school bus, occurred at a school-sponsored function or was committed against an employee or official of the school; or
2. The juvenile was taken into custody as a result of information or evidence provided by school officials; or
3. An offense, if committed by an adult, would constitute a crime and the offense:
  - a. Resulted in death or serious bodily injury or involved an attempt or conspiracy to cause death or serious bodily injury; or
  - b. Involved the unlawful use or possession of a firearm or other weapon; or
  - c. Involved the unlawful manufacture, distribution or possession with intent to distribute a controlled dangerous substance or controlled substance analog; or
  - d. Was committed by a juvenile who acted with a purpose to intimidate an individual or group of individuals because of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability; or
  - e. Would be a crime of the first or second degree.



# POLICY

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Notification of Juvenile Offender Case Disposition

Information provided in accordance with the section above shall be treated as confidential. The Lead Person may inform school staff members of this information if the Lead Person deems it appropriate for maintaining order, safety or discipline in the school or to planning programs relevant to the juvenile's educational and social development. This information will not become part of the juvenile student's permanent school record and shall not be maintained except as authorized by regulation of the Department of Education.

Law enforcement or the prosecuting agency may provide the Lead Person with information identifying one or more juveniles who are under investigation or who have been taken into custody for the commission of any act that would constitute an offense if committed by an adult when the law enforcement or prosecuting agency determines that the information may be useful to the Principal in maintaining order, safety, or discipline in the school or in planning programs relevant to the juvenile's educational and social development. Information provided in accordance with the section above shall be treated as confidential, but the Lead Person may inform school staff members of this information if the Lead Person deems it appropriate for maintaining order, safety or discipline in the school or for planning programs relevant to the juvenile's educational and social development. No information provided in accordance with this paragraph shall be maintained.

The school shall comply with the Department of Education rules and regulations concerning the creation, maintenance and disclosure of student records regarding Lead Person notification of juvenile offender case disposition and this policy.

P.L.1982, c.79

R.S.53:1-15

P.L.1985, c.69

Adopted: 17 May 2018





### 9324 SEX OFFENDER REGISTRATION AND NOTIFICATION

The Board of Trustees and administration will comply with the guidelines developed by the New Jersey Attorney General's Office and will work cooperatively with the County Prosecutor's Office and the Clifton Police Department regarding the requirements of N.J.S.A. 2C:7-1 et seq. (Megan's Law).

The Megan's Law notification statute applies to all sex offenders who are required to register pursuant to N.J.S.A. 2C:7-1 et seq. The offenses requiring registration by persons convicted, an adjudicated delinquent or a person acquitted by reason of insanity are as indicated in New Jersey Statutes Annotated.

#### Definitions

- A. Tier One offenders encompass those that are a "low risk of re-offense", thus constituting a low risk of harm to the community. This offender is one who, because of the type of crime, the lack of violence in his/her behavior, the lack of a substantial criminal history and the existence of ties to the community presents no more than a possible risk of re-offense.
- B. Tier Two offenders encompass those who are a "moderate risk of re-offense", thus constituting a moderate risk of harm to the community in that the pertinent documents demonstrate that they are reasonably likely to re-offend, warranting limited notice for the protection of the public.
- C. Tier Three offenders encompass those who are a "high risk of re-offense" in that the available record demonstrates that there is a probable risk of re-offense, warranting notice to the community likely to encounter the offender.

The County Prosecutors Office determines the specific schools, community organizations and residences to receive notification.

The school is automatically included on the notification list and is not required to register to be notified under Tier Two or Tier Three notifications. Where the risk of re-offense is determined by the County Prosecutor's Office to be moderate or high in accordance with the law, the County Prosecutor's Office and/or the appropriate law enforcement office will notify the Lead Person of the targeted school(s). The Lead Person should not notify the target school(s), but may contact the Prosecutor's Office if the Lead Person thinks that a school in the notification area has been inadvertently omitted. The school is entitled to receive the offender's name and a recent photograph, along with a physical description, the offense of which he/she was convicted, their address, place of employment and/or schooling, and vehicle license number.



The Board of Trustees shall take appropriate steps to educate and alert those staff members who are charged with the care and supervision of children, emphasizing that this information is intended to assist such staff members in the protection of their charges, not to provide notification to the community at large. All sex offender notification information to the community must be released by the appropriate law enforcement agency or the County Prosecutor's Office. The school and/or any school staff member shall keep all sex offender notification information confidential. In the event the school is notified a student is a Tier One or Two sex offender, the school will cooperate with the local law enforcement and the County Prosecutor's Office on community notification consistent with the law and guidelines of the New Jersey Attorney General's Office.

The County Prosecutor's Office will be asked to provide guidance to the school staff members. The Board of Trustees, working in conjunction with the County Prosecutor's Office and/or a local law enforcement office, will hold meetings and other educational programs at a particular school for staff regarding the safeguarding of the school's children. There will be a strong emphasis on providing pertinent information, constructive knowledge and guidance to the community, as well as advice concerning the consequences of vigilante activity.

The Lead Person notified by the Prosecutor's Office will have the discretion to make the determination as to which employees within the school should be informed of the notification. The Lead Person should share the notice with any person who in the course of the duties of his/her employment or assignment is regularly in a position to observe unauthorized persons in or near the property of the notified school. If any persons to be notified by the Lead Person are employees of private contractors, the Lead Person will notify the private vendor who will provide notice to the employees. The Lead Person shall only notify school appropriate school staff of Tier Two or Tier Three notifications and not to provide notification to the community at large. Guidance to the school in providing this information to staff members will be obtainable from the County Prosecutor's Office.

N.J.S.A. 2C:7-1 et seq.

Guidelines - New Jersey Office of the Attorney General

Adopted: 17 May 2018



## 9400 NEWS MEDIA RELATIONS

Representatives of the local newspapers and radio and television stations are an important link in the communications chain between the school and the community it serves. The maintenance of a good working relationship with members of the media is essential to meeting the objectives of the school and community relations program.

The Board of Trustees must give formal approval to all basic practices governing relations between news media and the school and reserves the right to negotiate, on terms most favorable to the school, for the radio broadcasting, televising, filming, or sound recording of any school event by an outside agency.

The Lead Person shall be the chief communications representative of the Board. He/she shall be readily available to media representatives, provide media representatives with all appropriate and necessary information, suggest or supply feature articles or stories, prepare "press kits," assist school and parent organizations with press relations, meet periodically with media representatives, and protect school personnel from any unnecessary demands on their time by news media representatives.

The Lead Person must approve in advance interviews between staff members or students and media representatives and authorize the release of photographs, video or digital images of school subjects, personnel, or students. Photographs, video or digital images of disabled children shall not be disseminated or used in print or media in any way if they are identified as disabled unless permission is granted by the parent(s) or legal guardian(s). Photographs, video or digital images of children placed in the school by DYFS shall not be published without the permission of the Division case worker. Where the release of a photograph may violate the privacy of a student or staff member, the Lead Person or designee must first secure the written permission of the staff member or the student's parent(s) or legal guardian(s).

Adopted: 17 May 2018



### 9541 STUDENT TEACHERS/INTERNS

The Board of Trustees encourages cooperation with colleges and universities in the education of teachers, because the public school offers an experience essential to their training, interaction with students and teachers at work in the classroom. Accordingly, the schools of this school will accept students from accredited institutions of higher learning as junior or senior student teachers/interns.

The Board, upon the recommendation of the Lead Person, shall approve student teachers/interns.

Student teachers/interns shall be assigned by the Lead Person. The Lead Person shall assign student teachers/interns throughout the school in a manner that assures that no single group of students will be subject to excessive student teacher/intern classroom hours.

Student teachers/interns shall comply with the health examination required by rules of the State Board of Education and that required for teaching staff members by this Board.

The Board of Trustees requires every student teacher/intern possess a county substitute credential issued in accordance with N.J.A.C. 6A:9B-7.1.

Student teachers/interns shall at all times be subject to the policies of this Board. Student teachers/interns serving in the schools of this school shall be responsible to the Principal for their conduct and to the cooperating teacher for their performance.

Students and other affiliates of educational institutions will be offered the opportunity to visit and observe our school in the course of teacher training programs and educational research projects. Such students will be treated as visitors and will be under the direct supervision of the Lead Person.

N.J.A.C. 6A:9A-4 et seq; 6A:9A-5 et seq.; 6A:9B-7.1

Adopted: 17 May 2018



## 9550 EDUCATIONAL RESEARCH PROJECTS

The Board of Trustees will cooperate, whenever appropriate and feasible, with organizations and individuals conducting bona fide educational research involving students enrolled in the school.

All educational research by persons other than school employees must be approved in advance by the Board. A written application for approval must state the purpose of the research, the specific ways in which students will be involved, the estimated duration of the project, the persons who will conduct the research project and their relevant affiliations, and any possible benefits to students or to the school. Approval will be granted only to those projects that will serve the interests of students and the educational program; approval will not be granted to projects that will impede or significantly disrupt the instructional program approved by the Board.

Parent(s) or legal guardian(s) will be informed of any educational research project that involves their children and may request the removal of their children from the project.

The conduct of research activities must rigorously protect students' privacy. Approved researchers may be given access to student records in accordance with rules of the State Board of Education and Board Policy No. 8330, but shall not abuse this privilege by using information in any way that may embarrass or harm individual students or their families. The Board must be satisfied that strict standards of anonymity and confidentiality will be observed.

N.J.A.C. 6A:32-7.5

Adopted: 17 May 2018



## 9560 ADMINISTRATION OF SCHOOL SURVEYS

The Protection of Pupil Rights Amendment (PPRA) requires written consent for certain student surveys, analysis and/or evaluations funded in whole or in part by a program of the United States Department of Education. The school will comply with the PPRA consent requirements and Policy 2415.05 for certain student surveys, analysis, and/or evaluations.

The school will also comply with the requirements of 34 CFR Part 98 – Student Rights in Research, Experimental Programs and Testing for certain programs administered by the Secretary of the United States Department of Education:

1. Instructional material used in connection with any research or experimentation program and project shall be made available for inspection by parents/legal guardians of students engaged in such program or project in accordance with the requirements of 34 CFR Part 98.3.
2. Prior written parental/legal guardian consent is required for any surveys, analysis, and/or evaluations that involve psychiatric or psychological examination, testing, or treatment; if the primary purpose is to reveal information as specified in 34 CFR Part 98.4(a)(1).
  - a. 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.
  - b. 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.

However, academic and nonacademic surveys, assessments, analyses, and/or evaluations may be administered to students for programs or activities that are not funded in whole or in part by a program of the United States Department of Education and/or programs not administered by the Secretary of the United States Department of Education as defined in 34 CFR Part 98.1. In accordance with N.J.S.A. 18A:36-34, the school shall receive prior written informed consent from a student's parent or legal guardian before administering these academic and nonacademic surveys, assessments, analyses, and/or evaluations that reveal information concerning:

1. Political affiliations;



2. Mental or psychological problems potentially embarrassing to the student or the student's family;
3. Sexual behavior and attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of other individuals with whom a respondent has a close family relationship;
6. Legally recognized privileged or analogous relationships, such as lawyers, physicians, and ministers;
7. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under a program;
8. Social security number; or
9. Religious practices, affiliations, or beliefs of the student or parent(s) or legal guardian(s).

When administering an academic and/or nonacademic survey, assessment, analysis, and/or evaluation that concern the issues listed in 1. through 9. above, the Lead Person shall request written informed consent at least two weeks prior to the administration of the survey. The request for consent shall provide the parent/legal guardian the opportunity to view a copy of the document at a convenient location and time. The student shall not participate in the administration of the academic and/or nonacademic surveys, assessments, analyses, and/or evaluations if the requested written informed consent is not obtained.

N.J.S.A. 18A:36-34  
34 CFR Part 98

Adopted: 17 May 2018



## 9700 SPECIAL INTEREST GROUPS

The Board of Trustees recognizes the contributions of persons and organizations outside the school may take the form of materials, activities, and awards that tend to serve the interests of the contributor as well as benefit the school and students. For the purposes of this Policy, “organizations outside the school” shall be any organization, group, activity, club, association, agency, or individual that is not approved or sponsored by the Board of Trustees.

The Board reserves the right to review, approve, or reject proposed contributions from organizations outside the school. Proposed contributions may be rejected by the Board, including but not limited to, proposed contributions that have the primary effect of advancing the name, product, or special interest of a person, corporation, or organization; fail to meet school standards of accuracy and good taste; are of little or no educational value to students; make unreasonable demands upon the time and energies of staff and students or upon the resources of the school; interrupt or interfere with the regular school program; or involve a direct cost to the school.

The approval of the use of any material or the conduct of any activity offered by an organization outside the school shall not under any circumstances be construed as an endorsement by this Board of any interest, cause, or organization.

Permission to solicit or raise funds on school premises will be granted only to those persons and organizations whose purposes are consistent with the goals of this school and the interests of the community and are in accordance with the Board’s fundraising policy. Solicitation or fundraising may not interfere with the orderly operation of the school. The Board will not be responsible for the protection of or accounting for such funds and these funds may not be deposited in any school account.

The Board will not permit the distribution of literature to or through students in the school for any organization outside the school.

However, distribution of literature to or through students in the school may be approved by the Lead Person or designee if the organization requesting the distribution of literature is a local, State, county or Federal governmental agency and the information is determined by the Lead Person or designee to be of special interest to school students or the community. Written requests for the distribution of this literature must be submitted to the Lead Person or designee with one copy of the specific literature to be distributed. The approval and method of the distribution of literature will be at the discretion of the Lead Person or designee. Any approval for such distribution will be consistent with the governing principles of the First Amendment of the United States Constitution. In no circumstance will the school release confidential student information.





# POLICY

## CLASSICAL ACADEMY CHARTER SCHOOL

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Special Interest Groups

The Board prohibits the distribution of political literature to or through the students of this school in the school building or on school grounds that promotes, favors, or opposes the candidacy of any candidate for election at any annual school election, or the adoption of any bond issue, proposal, or any public question submitted at any general, municipal or school election. No student shall be requested or directed by any school official or employee to engage in any activity that tends to promote, favor, or oppose any such candidacy, bond issue, proposal or a public question submitted at any election.

The Board will permit the award of scholarships or prizes to deserving students provided that information regarding students is released only in accordance with Policy No. 8330 on Student Records, the manner of selection of the recipient is approved by the Lead Person or designee and includes consultation with appropriate staff members, and the nature of the prize or award is approved by the Lead Person or designee.

N.J.S.A. 18A:42-4

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

Adopted: 17 May 2018



## 9713 RECRUITMENT BY SPECIAL INTEREST GROUPS

The Board of Trustees prohibits recruitment activities by outside organizations on school premises, regardless of the purpose of the recruitment or the nature of the recruitment agency. Except as required and referenced below, no information about individual students will be released for the purpose of approaching students for educational, occupational, military, or any other recruitment purpose.

However, a school that receives funds under ESEA, on request from a military recruiter or an institution of higher education, must provide access to the names, addresses, and telephone listings for secondary students. Parent(s), legal guardian(s) and/or the adult student may request that such information not be released for the child without the prior written parental, legal guardian and/or adult student approval. The school will give military recruiters the same right of access to secondary students as generally provided to post-secondary institutions and prospective employers.

Parent(s) or legal guardian(s) and adult students will be informed annually in writing of their right to request a student's excusal from participation in all recruitment activities and/or from a listing in the student information directory distributed for recruitment purposes.

Nothing in this policy shall be construed as requiring the Board to approve or participate in an activity that appears to advance or inhibit any particular religious sect or religion generally.

N.J.S.A. 18A:36-19.1

No Child Left Behind §9528

Adopted: 17 May 2018



## 9720 SOLICITATIONS BY VENDORS

The Board of Trustees will permit vendors to solicit students and parent(s) or legal guardian(s) for the sale of goods and services through the school, provided that the Board has given prior approval to the vendor and to the solicitation.

The Lead Person shall review each vendor's request to solicit sales and shall recommend to the Board for its approval only those that offer a product or service that is related to the educational goals of this school and offers good value to purchasers.

Any funds collected on behalf of a vendor approved by the Board under this policy shall be kept in a separate account pending transfer to the vendor. The Board disclaims any responsibility for any such funds.

In the event that more than one vendor requests permission to solicit sales of a particular product or service, or the Lead Person seeks a vendor to provide a particular product or service to parent(s) or legal guardian(s) or students, the Lead Person shall seek quotations from qualified vendors in order to determine which will provide the greater value to purchasers.

The Board reserves the right to withdraw its approval of any vendor at any time.

Adopted: 17 May 2018

