

HASBROUCK HEIGHTS BOARD OF EDUCATION

Thursday, February 17, 2022

Regular Meeting Agenda (Final)

Time: 7:30 p.m.

I. A. Meeting called to order at:

B. Announcement of adequate meeting:

The New Jersey Open Public Meeting Law was enacted to insure the right to the public to have advance notice of and to attend the meetings of public bodies at which business affecting their interest is discussed or acted upon.

Pursuant to the New Jersey Open Public Meeting Act, Public Law 1975, Chapter 231, the Board Secretary caused notice of this meeting to be given to the public and the press on **January 26, 2022** Said notices was posted at the Hasbrouck Heights Municipal Building, Hasbrouck Heights Board of Education Office, Hasbrouck Heights Middle and High School, Euclid Elementary School, Lincoln Elementary School and Hasbrouck Heights School District Website.

Notice of said meeting was published under legal notice in The Record.

C. Roll Call

II. Flag Salute

III. Presentations/Awards:

IV. Public Hearing on Resolutions to be acted upon this meeting.

Residents are requested to state their names, addresses and subject matter. Issues raised by members of the public may or may not be responded to by the Board. All comments will be considered and a response will be forthcoming if and when appropriate. The Board asks that members of the public be courteous and mindful of the rights of other individuals when speaking. Specifically, comments regarding students and employees of the District are discouraged and will not be responded to by the Board. Students and employees have specific legal rights afforded by the laws of New Jersey. The Board bears no responsibility nor will it be liable for any comments made by members of the public. Members of the public should consider their comments in light of the legal rights of those affected or identified in their comments and be aware that they are legally responsible and liable for their comments.

- V. Approval of Minutes: February 2, 2022
- VI. Correspondence and Report of School Business Administrator/Board Secretary
- VII. Report of the Board President
- VIII. Report of the Superintendent
- IX. Committee and Liaison Reports:
 - A. Education/Curriculum
 - B. Special Education
 - C. Technology
 - D. Facilities
 - E. Recreation
 - F. Finance
 - G. Personnel
 - H. Policy
 - I. NJ/BCSBA
 - J. Borough Council Liaison
 - K. Faculty Liaison
 - L. PTA Liaison

X. Resolutions:

Awards:

None

Education /Curriculum Committee

E02-01-22 Approve Monthly Superintendent Discipline Report

E02-02-22 Approve Monthly Superintendent HIB Report

E02-03-22 Approve Monthly District Calendar

E02-04-22 Approve Training

E02-05-22 Approve ELL Plan

E02-06-22 Approve Revised District Calendar (2022-2023 S/Y)

Special Education Committee

S02-01-22 Approve Monthly OOD Placements

S02-02-22 Approve Special Services

S02-03-22 Approve Amendment Contracted Services

Technology Committee

None

Facilities Committee

B02-01-22 Approve Facilities Calendar

Recreation Committee

R02-01-22 Approve Field Trip Calendar

R02-02-22 Approve Fundraisers

R02-03-22 Approve CPR Class

Finance Committee

F02-01-22 Approve Financial Certification

F02-02-22 Approve Actual Payroll for January

F02-03-22 Approve Estimated Payroll for February

F02-04-22 Approve Bill Authorization – February

F02-05-22 Approve Actual Bills List – N/A

F02-06-22 Approve Board Secretary's Report – N/A

F02-07-22 Approve Line Item Transfers – N/A

F02-08-22 Approve Purchases

F02-09-22 Approve Change Orders

F02-10-22 Approve Shared Services Agreement

F02-11-22 Approve SBJC Joint Transportation Agreement 2022-2023 S/Y

Personnel

P02-01-22 Approve Personnel Action

P02-02-22 Approve Personnel Action

P02-03-22 Approve Personnel Action

P02-04-22 Approve Personnel Action

P02-05-22 Approve Personnel Action

P02-06-22 Approve Personnel Action

P02-07-22 Approve Personnel Action

P02-08-22 Approve Personnel Action

P02-09-22 Approve Personnel Action

P02-10-22 Approve Personnel Action

P02-11-22 Approve Personnel Action

P02-12-22 Approve Personnel Action

Policy Committee:

PL02-01-22 Approve Policies/Regulations

XI. Old Business

XII. New Business

XIII. Open Public Hearing

Residents are requested to state their names, addresses and subject matter. Issues raised by members of the public may or may not be responded to by the Board. All comments will be considered and a response will be forthcoming if and when appropriate. The Board asks that members of the public be courteous and mindful of the rights of other individuals when speaking. Specifically, comments regarding students and employees of the District are discouraged and will not be responded to by the Board. Students and employees have specific legal rights afforded by the laws of New Jersey. The Board bears no responsibility nor will it be liable for any comments made by members of the public. Members of the public should consider their comments in light of the legal rights of those affected or identified in their comments and be aware that they are legally responsible and liable for their comments.

XIV. Private Session (If necessary)

XV. Adjournment

**HASBROUCK HEIGHTS BOARD OF EDUCATION
RESOLUTIONS – February 17, 2022 (Final)**

AWARDS AND PRESENTATIONS:

None

RESOLUTIONS:

EDUCATION/CURRICULUM COMMITTEE:

RESOLUTIONS:

E02-01-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021 – 2022 school year:

Accept Monthly Discipline Report

E02-02-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021 – 2022 school year:

Accept Monthly Superintendent HIB Report and approves the actions recommended by the Superintendent for the following incidents:
(if applicable)

2022 – HS – 0

2022 – MS - 0

2022 – LS - 0

2022 – ES - 4 (one investigation)

Listed above are the number of investigations as of February 2, 2022

E02-03-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021-2022 school year:

The monthly district calendar

E02-04-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021-2022 school year:

Amend Resolution #E01-11-22 for M. Durmas to attend virtual Orton Gillingham training 2/28/22 – 3/4/22 @ \$1275 from Title III funds

E02-05-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021-2022 school year:

Approve English Language Learner – three year plan – 2021 – 2024
(on file in the business office)

E02-06-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2022-2023 school year:

Approve the revised 2022 – 2023 school district calendar **(Attachment A)**

SPECIAL EDUCATION COMMITTEE:

RESOLUTIONS:

S02-01-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following OOD Placements for the 2021– 2022 school year:

Approve OOD Placements **(Attachment B)**

S02-02-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following Special Services for the 2021 – 2022 school year:

Student 1000623 – home instruction – social studies 1 hr/wk plus prep, science @ 1 hr/wk plus prep, Math @ 1.5 hrs/wk plus prep, and reading and writing @ 1.5 hrs/wk plus prep @ \$40/hr from 1/31/22 – 6/24/22

S02-03-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following Contracted Special Services for the 2021 - 2022 school year:

Amend resolution S09-05-22 – to extend contract with BCSS for CST coverage through March 2022 – not to exceed \$58,080

TECHNOLOGY COMMITTEE:

RESOLUTIONS:

None

FACILITIES COMMITTEE:

RESOLUTIONS:

B02-01-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021 – 2022 school year:

Monthly Facilities Calendar

RECREATION COMMITTEE:

RESOLUTIONS:

R02-01-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021-2022 school year:

District Field Trip Calendar

R02-02-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following Fundraisers for the 2021-2022 school year:

MS Student Council – Loops for Love – asking for donations from 2/17/22 – 3/01/22

Junior Aviator Student Council Pi Day – raffles for the opportunity to pie a teacher on 3/14/22

MS student Food Drive for the Center for Food Action during the month of March

R02-03-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021-2022 school year:

HARP will provide a 4 hour Heartsaver CPR Class to the Future Nurse's Club Members @ no cost to district

FINANCE COMMITTEE:

RESOLUTIONS:

- F02-01-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education pursuant to NJAC 6A:23-2.11-4 and upon consultation with district officials, certifies that to the best of its knowledge, no major account of funds have been over expended in violation of NJAC 6A:23-2.11(a) and that sufficient funds are available to meet the district's needs.
- F02-02-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the actual payroll for the month of January 2022 in the amount of \$1,964,231.16 and that the President of the Board and the School Business Administrator are hereby authorized to sign warrants up to and including the above.
- F02-03-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the estimated payroll for the month of February at \$1,800,000 and that the President of the Board and the School Business Administrator are hereby authorized to sign warrants up to and including the above \$1,800,000.
- F02-04-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the President of the Board and the Board Secretary are hereby authorized to sign warrants for supplies and materials received and services rendered to the Hasbrouck Heights School District for the month of February.
- F02-05-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021-2022 school year:

Bills List for the month of N/A

Fund 10	General Fund	\$
Fund 20	Special Revenue	\$
Fund 30	Capital Projects	\$
Fund 40	Debt Service	\$
Fund 60	Enterprise	\$
Fund 95	Student Activity	\$
Total		\$

Fund 10	Voided Checks	\$
Fund 20	Voided Checks	\$
Fund 60	Voided Checks	\$
Fund 95	Voided Checks	\$

F02-06-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Board of Education approve the following reports in accordance with NJAC 6A:23-2.11 (a) and NJAC 6A:23-2. 11 (b).

Board Secretary's Report
Cash Report
Monthly Fund Transfer Report
N/A

F02-07-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021 – 2022 school year:

Approve the monthly line item transfers for N/A

F02-08-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following purchases for the 2021 – 2022 school year:

Contract #NCPA 01-44

PO #201104 – Go Guardian for LS @ \$1,070 cost to district

Quotes Received:

PO #201103 – VanDine Motors – new snow plow for our district vehicle
@ \$6,958.66

F02-09-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021 – 2022 school year:

Approve Change orders for Kitchen & Cafeteria Renovation

PO 200662 – EI Associates on going contract:

Original Contract \$60,800

Change order #1 \$61,300

Change order #2 \$38,000

Total Contract \$160,100

(on file in business office)

F02-10-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2022 - 2025 school year:

Approve the Shared Services Agreement with the South Hackensack Board of Education for Business Office Services, commencing 7/01/22 – 06/30/25
(on file in the business office)

F02-11-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2022 - 2023 school year:

Approve the 2022 – 2023 Joint Transportation Agreement with the South Bergen Jointure Commission **(on file in the business office)**

PERSONNEL COMMITTEE:

RESOLUTIONS:

P02-01-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021-2022 school year:

Keys Assistant:
S. Gafner @ \$16

P02-02-22 Be it Resolved that upon the recommendation of the Superintendent of Schools, the Hasbrouck Heights Board of Education approve the following student teacher/practicum and/or field experience/observation placement for the 2021 – 2022 school year:

Rescind J. Crabbe as assistant baseball coach

P02-03-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021-2022 school year:

Approve Memorandum of agreement between the HHBOE and HHEA dated 12/9/21 **(on file in board office)**

P02-04-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021 - 2022 school year:

F. Avella – transfer from HS teacher to CST LDTC @ MA+30 Step 9 @ \$69,875 plus MIF @ \$700 starting 2/28/22

P02-05-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021 - 2022 school year:

Home Instruction:*

1 hr/wk plus prep – E. McGinty – SS @ \$40/hr Student #1000623

1 hr/wk plus prep – V. Tsakelovia – Science @ \$40/hr – Student #1000623

1.5 hrs/wk plus prep – K. Caputo – Math @ \$40/hr – Student 1000623

1.5 hrs/wk plus prep – M. Sicilian – Reading and Writing – Student 1000623

*all beginning 1/31/22 – 6/24/22

P02-06-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021 - 2022 school year:

A provisional contract not to exceed 90 days pending receipt of all data per NJSA 18A:6-7.7. If criteria is met full contract will be offered

Substitutes:

(Attachment C)

P02-07-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021 - 2022 school year:

Amend Resolution P06-02-21 to include longevity for M. Ryan – Cross Country Coaching @ \$698

P02-08-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021 - 2022 school year:

M. Ryan – retro longevity for coaching cross country @ \$1,386

P02-09-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021 - 2022 school year:

Extra Pay:

R. Perdomo – Contact Tracing not to exceed 40 hrs @ \$32/hr

P02-10-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2022 - 2023 school year:

Coaches:

J. Keller – Head Girls Soccer – Step 3 @ pending contract settlement with HHEA

P02-11-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021 - 2022 school year:

Amend Resolution #P08-02-22 – V. McCue 6th per stipend pro-rated for 1st and 2nd marking period only

P02-12-22 Be it Resolved that upon the recommendation of the Superintendent of Schools the Hasbrouck Heights Board of Education approve the following for the 2021 - 2022 school year:

Coaches:

M. Dare – Assistant Boys Baseball Coach @ Step 1 @ \$4141

POLICIES/REGULATIONS:

RESOLUTIONS:

PL02-01-22 Be it Resolved that the Hasbrouck Heights Board of Education approve first/second reading of the following new or revised policies/regulations/exhibits or by laws, attached to the minutes:
(Attachment D)

First Readings:

Policy/Regulation #2415.05 - Student Surveys, Analysis, Examination, Testing, or Treatment

Policy/Regulation #2622 – Student Assessment

Policy/Regulation #2431.4 – Prevention and Treatment of Sports-Related Concussions and Head Injuries

Policy/Regulation #2460.30 – Additional/Compensatory Special Education and Related Services

Policy/Regulation #8465 – Bias Crimes and Bias-Related Acts

Policy/Regulation #9560 – Administration of School Surveys

Policy/Regulation #3233 – Political Activities

Policy/Regulation #5541 – Anti – Hazing

Policy/Regulation #0164.6 – Remote Public Board Meetings during a Declared Emergency

Policy/Regulation #5460 High School Graduation

Hasbrouck Heights Public Schools 2022-2023 School Calendar

Attachment A

July 2022						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August 2022						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September 2022						
S	M	T	W	T	F	S
					2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October 2022						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November 2022						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2022						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August 31
September 1
September 2
September 5
September 6
September 7

October 5
October 10

October 12

November 8

November 10-11

November 23
November 24-25
December 23
Dec. 26-30
January 2

January 3
January 16

February 20-24
February 27
April 6
April 7
April 10-14
April 17
May 29

June 22-26

June 20
June 22

June 26
June 27

New Staff Orientation
Staff Report Only (PD Day)
Schools Closed
Labor Day – Schools Closed
Staff Only Report
First Day of School - (Students Only AM) In-Service for Staff PM
Yom Kippur – Schools Closed
Columbus Day – Schools Closed
Single Session Day (Students Only)
Election Day – In-Service for Staff (No Students)
NJECA Convention – Schools Closed
Single Session Day
Thanksgiving Recess
Single Session Day
Holiday Recess
New Year's Day (Observed-Schools Closed)
Schools Re-open
Dr. Martin Luther King Jr. Birthday – Schools Closed
Winter Recess
Schools Re-open
Single Session Day
Schools Closed
Spring Recess
Schools Re-open
Memorial Day – Schools Closed
Single Session Days (Students only)
Middle School Graduation (Rain Date June 21)
High School Graduation (Rain Date June 23)
Last Day of School
Teacher Check-Out

Three snow days have been built into the calendar.
If one snow day is left unused, schools will be closed on June 26, 2023, the last day of school will be June 23, 2023, and Teacher Check-Out will be June 26, 2023. If two snow days are left unused, schools will be closed on June 26, 2023 and May 30, 2023. If three snow days are left unused, schools will be closed on June 26, 2023, May 30, 2023 and May 26, 2023. **If more than three snow days are used, schools will be in session during the Spring Recess starting, in reverse order, with Friday, April 14, 2023.**

Total Days for Students - 183
Total Days for Teachers - 187

	= Staff Only Report
	= Single Session Day
	= Schools Closed

January 2023						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2023						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March 2023						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April 2023						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May 2023						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June 2023						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Approved: January 27, 2022
Revised: February 17, 2022

February 2022 Board Meeting

Local ID	Attending School	ESY Tuition	Tuition SY 21/22
1002306	Reed Academy	\$1,215.20	\$103,291.20
1000710	Felician School for Exceptional Children	\$7,033.00	\$61,288.53
1001558	Peter Cooper School	\$12,835.00	\$60,211.00
1000806	David Gregory School	\$8,666.40	\$51,998.40
7006	BCSS Springboard	-	\$61,740.00
487	BCSS Springboard	\$6,500.00	\$61,740.00
1000485	Hewitt School REALM Program	\$12,835.00	\$60,211.00
20642	Forum School	\$8,641.71	\$74,071.80
1000074	Forum School	\$8,641.71	\$74,071.80
5375	BCSS Springboard	-	\$61,740.00
4947	Ridgefield Memorial H.S.	-	\$43,623.00
1000323	Sage Day High School - new school	\$3,977.00	\$66,559.00
1001448	SBJC Lodi Annex	\$3,900.00	\$57,925.00
1106	Ridgefield Memorial H.S.	\$6,793.00	\$43,623.00
1001267	BCSS Bleshman School	\$6,500.00	\$76,860.00
1001944	SBJC Moonachie Annex	\$3,900.00	\$44,960.00
1001906	SBJC Maywood Annex	\$3,900.00	\$59,700.00
286	Alpine Learning Group	\$16,379.70	\$98,278.20
7251	The Community School	-	\$46,713.60
6939	Leonida HS	\$6,500.00	\$37,627.00
1000091	Windsor Learning Center	\$9,990.00	\$59,940.00
1000077	Sage Day High School	-	\$66,559.00
20746	SBJC Lodi Annex	\$3,900.00	\$69,950.00
1000620	SBJC Lodi Annex	\$3,900.00	\$57,925.00
1001723	SBJC Maywood Annex (starting in Sept)	-	\$59,700.00
1002413	Winslow Township started in Sept	-	
1002797	SBJC Little Ferry (transferred in 10/14/21)	-	\$69,950.00
1002493	SBJC Lodi Annex (starting in 10/29/21)	-	\$69,950.00
1001474	Evergreen Program BCSS (start 1/13/2022)	-	\$62,640.00
1002164	Windsor Learning Academy (start 2/16/2022)	-	

New Subs	County/State	Rate
Zamir Mickens	C	16.50
Samantha Ker	S	18.00
Norah Avoletta	C	16.50
Gabriella Litterio	C	16.50
Hani Jawabrah	C	16.50
Stephanie Miotto	C	16.50

POLICY GUIDE

PROGRAM

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

Jan 22

M

[See POLICY ALERT Nos. 222 and 226]

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

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

A. Definitions

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

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

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

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



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PROGRAM

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

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

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

- B. Parents’ or Emancipated Students’ Right to Inspection of Materials - 34 CFR §98.3 and 20 USC §1232(c)
1. All instructional material, including teachers’ manuals, films, tapes, or other supplementary instructional material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program or any research or experimentation program or project shall be available for inspection by the parents of the children engaged in such program or project in accordance with 20 USC §1232h(a) and 34 CFR §98.3(a).
 - a. The district shall provide reasonable access to instructional material within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(C)(ii).
 2. The parent shall have the right, upon request, to inspect a survey created by a third party before the survey is administered or distributed to their student pursuant to 20 USC §1232h(c)(1)(A)(i).
 - a. The district shall provide reasonable access to such survey within a reasonable period of time after the request is received in accordance with 20 USC §1232h(c)(1)(A)(ii).



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



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



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



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



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

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

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

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

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

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

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

The Protection of Pupil Rights Amendment (PPRA)

20 USC §1232h

34 CFR Part 98

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

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

Revised (First Reading): February 17, 2022



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[See POLICY ALERT Nos. 197, 205, 209, 211, 220, and 226]

2622 STUDENT ASSESSMENT

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 are 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.

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 the Commissioner deems appropriate. The system and related schedule of Statewide assessments shall be approved by the New Jersey State Board of Education. The school district shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments pursuant to N.J.A.C. 6A:8-4.1(c) and (d).

Pursuant to N.J.A.C. 6A:8-4.1(c), all students at grade levels three through twelve, and at any other grade(s) designated by the Commissioner pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled. The school district will provide accommodations or modifications to the Statewide assessment system in accordance with the provisions of N.J.A.C. 6A:8-4.1(d).

Students with disabilities as defined in N.J.A.C. 6A:14-1.3 shall participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10. The school district shall administer the alternative State assessment for students with disabilities in accordance with the provisions of N.J.A.C. 6A:8-4.1(d)3.

The school district shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(a)6, (f), (g), (h), or (i), as applicable.



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The school district shall maintain an accurate record of each student's performance on Statewide assessments and maintain for every student a ninth grade through graduation transcript in accordance with the provisions of N.J.A.C. 6A:8-4.2(d). The Superintendent shall report assessment results to the public and provide educators, parents, and students with assessment results in accordance with the provisions of N.J.A.C. 6A:8-4.3.

N.J.S.A. 18A:7C-1 et seq.; 18A:7E-2; 18A:7E-3
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

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[See POLICY ALERT No. 226] - NEW

R 2622 STUDENT ASSESSMENT

A. Statewide Assessment System – N.J.A.C. 6A:8-4.1

1. The school district shall, according to a schedule prescribed by the Commissioner of Education, administer the applicable Statewide assessments, including the following major components: the elementary assessment component for grades three through five; the middle school assessment component for grades six through eight; the high school assessment component; and the alternative State assessment for students with disabilities; and provide notification to each student entering grades three through twelve of the Statewide assessment schedule.
2. Pursuant to N.J.A.C. 6A:8-4.1(c), all students at grade levels three through twelve, and at any other grade(s) designated by the Commissioner of Education pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled.
 - a. The school district shall provide all appropriate accommodations or modifications to the Statewide assessment system as specified by the New Jersey Department of Education (NJDOE) 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 specified in a student's Individualized Education Program (IEP) or 504 plan in accordance with N.J.A.C. 6A:8-4.1(d)1.
 - (1) The school district may administer the Statewide assessments in mathematics to ELLs in their native language, when available, and/or English.



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- (2) The school district shall have the option for a first-year ELL of substituting a NJDOE-approved language proficiency test only for the English language arts component of the Statewide assessment, when the student has entered the United States after June 1 of the calendar year prior to the test administration.
 - b. The school district 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.
 - c. At specific times prescribed by the Commissioner of Education, the school district shall administer the alternative State assessment for students with disabilities to students with severe disabilities who cannot participate in other assessments due to the severity of their disabilities in accordance with N.J.A.C. 6A:8-4.1(d)3.
 - d. The school district shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(a)6, (f), (g), (h), or (i), as applicable.
3. Test Administration Procedures and Security Measures
- a. The school district shall be responsible for ensuring the security of all components of the Statewide assessment system that are administered within the school district.
 - b. All Statewide assessments shall be administered in accordance with the NJDOE's required test administration procedures and security measures.
 - c. Any breach of such procedures or measures shall be immediately reported to the Superintendent or designee.



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B. Documentation of Student Achievement – N.J.A.C. 6A:8-4.2

1. After each test administration, the NJDOE shall provide the Superintendent the following:
 - a. Rosters of student performance in each content area;
 - b. Individual student reports; and
 - c. School and school district summary data, including school and school district means, numbers tested, and percent achieving at each performance level.
 - (1) The school district summary data shall be aggregated and disaggregated, and school summary data shall be disaggregated, for students with disabilities as defined in N.J.A.C. 6A:14-1.3 and for ELLs.
2. The school district shall transmit within ten business days any official records, including transcripts, of students who transfer to other school districts or institutions.
3. The school district shall maintain an accurate record of each student's performance on Statewide assessments.
4. The school district shall maintain for every student a ninth grade through graduation transcript that contains the following, as available:
 - a. Results of all applicable State assessments, including assessments that satisfy graduation requirements set forth at N.J.A.C. 6A:8-5.1(a)6;
 - b. Results of any English language proficiency assessments according to N.J.A.C. 6A:8-5.1(h);
 - c. Evidence of instructional experience and performance in the New Jersey Student Learning Standards (NJSLS);
 - d. Evidence of technological literacy;



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- e. Evidence of career education instructional experiences and career development activities;
- f. Evidence of State-issued occupational licenses and credentials, industry-recognized occupational credentials, and/or technical skill assessments for students enrolled in NJDOE-approved career and technical education programs pursuant to N.J.A.C. 6A:19-3.2; and
- g. Any other information deemed appropriate by the school district.

C. Accountability – N.J.A.C. 6A:8-4.3

- 1. The Superintendent shall report final results of annual assessments to the Board and members of the public at a public meeting within sixty days of receipt of the information from the NJDOE.
- 2. The Superintendent shall provide educators, parents, and students with results of annual assessments as required under N.J.A.C. 6A:8-4.2(a) and B.1. above, within thirty days of receipt of information from the NJDOE.
- 3. The school district 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 the Statewide or local assessments.
- 4. All students shall be expected to demonstrate the knowledge and skills of the NJSLs as measured by the Statewide assessment system.

D. Annual Review and Evaluation of School Districts – N.J.A.C. 6A:8-4.4

- 1. The NJDOE shall review the performance of schools and school districts by using a percent of students performing at the proficient level as one measure of annual measurable objective (AMO) and incorporating a progress criterion indicative of systemic reform.



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- a. The review shall include the performance of all students, including students with disabilities as defined by N.J.A.C. 6A:14-1.3, students from major racial and ethnic groups, economically disadvantaged students, and ELLs.
- b. The review shall take place at each grade level in which Statewide assessments are administered, using the AMO targets.

E. Public Reporting – N.J.A.C. 6A:8-4.5

1. In accordance with the requirements of N.J.A.C. 6A:8-4.5, the NJDOE shall report annually to the New Jersey 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 NJDOE's annual New Jersey School Report Card in accordance with N.J.S.A. 18A:7E-2 through 5.
2. After each test administration, the NJDOE shall report to the Board on the performance of all students and of student subgroups.

F. Parental Notification

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

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

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

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

A. Athletic Head Injury Safety Training Program

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

B. Prevention

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



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

C. Signs or Symptoms of Concussion or Other Head Injury

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



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

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

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



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2. The staff member supervising a student who has been removed from athletic competition or practice in accordance with D.1. above or another staff member shall contact the student's parent and the Principal or designee as soon as possible after the student has been removed from the athletic competition or practice.
 - a. A parent shall monitor their student for symptoms of a concussion or other head injury upon receiving such notification.

E. Medical Examination and Written Medical Clearance

1. A student who was removed from athletic competition or practice in accordance with D.1. shall not participate in further athletic competition or practice until:
 - a. The student is examined by a physician or other licensed healthcare provider trained in the evaluation and management of concussions;
 - b. The student receives written medical clearance from a physician trained in the evaluation and management of concussions to return to competition or practice; and
 - c. The student returns to regular school activities and is no longer experiencing symptoms of the injury while conducting those activities.
2. The student's written medical clearance from a physician must indicate a medical examination has determined:
 - a. The student's injury was not a concussion or other head injury, the student is asymptomatic at rest, and the student may return to regular school activities and is no longer experiencing symptoms of the injury while conducting those activities; or
 - b. The student's injury was a concussion or other head injury and the student's physician will monitor the student to determine when the student is asymptomatic at rest and



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

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

F. Graduated Return to Athletic Competition and Practice Protocol

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

a. Back to Regular Activities (Such as School)

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

b. Light Aerobic Activity

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



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c. Moderate Activity

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

d. Heavy, Non-Contact Activity

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

e. Practice and Full Contact

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

f. Athletic Competition

The student may return to athletic competition or practice.

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



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

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

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Additional/Compensatory Special Education
and Related Services

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

R 2460.30 ADDITIONAL/COMPENSATORY SPECIAL EDUCATION AND RELATED SERVICES

The Board of Education shall provide additional or compensatory special education and related services to students with disabilities beyond the age of twenty-one pursuant to N.J.S.A. 18A:46-6.3.

As used in N.J.A.C. 18A:46-6.3(h) and this Regulation, “parent” means the natural or adoptive parent, the legal guardian, resource family parent when willing to so serve, a surrogate parent, or a person acting in the place of a parent, such as a grandparent or stepparent with whom the student lives, or a person legally responsible for the student’s welfare. “Parent” shall also include an adult student who has attained the age of eighteen, who is not under legal guardianship, and who is entitled to receive special education and related services.

A. Additional Special Education and Related Services

1. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:
 - a. In the 2021-2022 school year, provide special education and related services contained in an Individualized Education Program (IEP) to a student with disabilities who attains the age of twenty-one during the 2020-2021 school year, provided the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2021-2022 school year.



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Additional/Compensatory Special Education
and Related Services

- (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.a. and A.1. shall not be eligible to receive such education and services beyond June 30, 2022, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.
2. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:
 - a. In the 2022-2023 school year, provide special education and related services contained in an IEP to a student with disabilities who attains the age of twenty-one during the 2021-2022 school year, provided the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2022-2023 school year.
 - (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.b. and A.2. shall not be eligible to receive such education and services beyond June 30, 2023, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.
3. Notwithstanding the provisions of N.J.S.A. 18A:46-6, N.J.S.A. 18A:46-8, or of any other law, rule, or regulation concerning the age of eligibility for special education and related services to the contrary, the Board shall:



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Additional/Compensatory Special Education
and Related Services

- a. In the 2023-2024 school year, provide special education and related services contained in an IEP to a student with disabilities who attains the age of twenty-one during the 2022-2023 school year, provided that the parent of the student and the IEP team determine that the student requires additional or compensatory special education and related services, including transition services, during the 2023-2024 school year.

- (1) A student receiving special education and related services pursuant to N.J.S.A. 18A:46-6.3.c. and A.3. shall not be eligible to receive such education and services beyond June 30, 2024, unless otherwise provided in a student's IEP or as ordered by a hearing officer, complaint investigation, or court of competent jurisdiction.

B. Rights, Privileges, and Remedies

1. A student receiving special education and related services, including transition services, pursuant to N.J.S.A. 18A:46-6.3 and this Regulation shall be afforded the same rights, privileges, and remedies provided to students with disabilities pursuant to State law, New Jersey State Board of Education regulations concerning special education, and the Federal "Individuals with Disabilities Education Act," (IDEA) 20 USC §1400 et seq.
2. Any disputes that arise with respect to the provision or nature of services provided to a student with disabilities in the additional year as provided in accordance with N.J.S.A. 18A:46-6.3.a., b. and c., and A. above may be addressed as determined by the parent of the student with disabilities, by either:
 - a. Mediation;
 - b. A written request for a complaint investigation submitted to the Director of the Office of Special Education Policy and Dispute Resolution in the New Jersey Department of Education; or



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- c. A special education due process hearing pursuant to IDEA, N.J.S.A. 18A:46, or administrative code.

C. Funding

1. The special education and related services, including transition services, provided to students with disabilities pursuant to the provisions of N.J.S.A. 18A:46-6.3 and this Regulation, to the extent permitted by Federal law, be paid for from the monies received by the State or a school district under the Federal “Coronavirus Aid, Relief, and Economic Security (CARES) Act,” Pub.L.116-136, the Federal “Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, 2021,” Pub.L.116-260, the Federal “American Rescue Plan (ARP) Act,” Pub.L.117-2, or any other Federal funding provided to address the impact of the coronavirus pandemic on elementary and secondary schools as it becomes available.
2. To the extent the Federal funds described in N.J.S.A. 18A:46-6.3.e.(1) and C.1. above do not cover the costs borne by the school district to provide the special education and related services, including transition services, to students with disabilities pursuant to the provisions of N.J.S.A. 18A:46-6.3 and this Regulation, the State of New Jersey shall appropriate funds as necessary from the Property Tax Relief Fund to reimburse the school district for these costs.
3. The special education and related services funded pursuant to the provisions of N.J.S.A. 18A:46-6.3.e. may include, but are not limited to, the additional staff, programs, and facilities deemed necessary by the school district to provide the special education and related services, including transition services, required under N.J.S.A. 18A:46-6.

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

8465 **BIAS HATE CRIMES AND BIAS-RELATED ACTS**

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

Definitions

A "**bias hate crime**" means 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;; **religion; gender; disability;; religion;** sexual orientation;; **gender identity or expression; national origin;** or ethnicity.

A "bias-related act" means is an act directed at a person, group of persons, private property, or public property that is motivated in whole or in part by racial;; gender;; disability;; religion; or sexual orientation;; **gender identity or expression; national origin;** or ethnic prejudice. A bias-related act need not involve conduct that constitutes a criminal offense.

All **bias hate** crimes are also bias-related acts, but not all bias-related acts will constitute a **bias hate** crime.

Required Actions

School employees shall immediately notify the Principal and the Superintendent or designee when in the ~~Whenever any school employee in the~~ course of ~~their his/her~~ employment they develops reason to believe that ~~(1) a bias hate crime or bias-related act has been committed or is about to be committed in accordance with N.J.A.C. 6A:16-6.3(e). 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~~



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~~school hours, or (2) a student enrolled in the school has been or is about to become the victim of a hate crime, whether committed on or off school property or during operating school hours, the school employee shall immediately notify the Building Principal and Superintendent, who in turn,~~

The Superintendent or designee shall promptly notify the _____ local pPolice dDepartment and the bBias iInvestigation oOfficer for the county prosecutor's office when a bias crime or bias-related act has been committed or is about to be committed in accordance with N.J.A.C. 6A:16-6.3(e)1.

The Principal and the Superintendent or designee shall immediately notify the _____ local pPolice dDepartment and the bias investigation officer for the county prosecutor's office immediately where if there is reason to believe that a bias hate crime or bias-related act 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 in accordance with N.J.A.C. 6A:16-6.3(e)2.

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

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



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It is understood a referral to the _____ **local pPolice dDepartment** or county prosecutor's office **pursuant to the Memorandum of Agreement between Education and Law Enforcement Officials** 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 _____ **local pPolice dDepartment** or the county prosecutor's office request otherwise, the school district may continue to investigate a suspected **bias hate** crime or bias-related act occurring on school **grounds 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 **bias hate** crime or bias-related act pending the arrival of the _____ **local pPolice dDepartment** or the county prosecutor's office. The school officials, **where when** feasible, will cover or conceal such evidence until the arrival of the _____ **local pPolice dDepartment** or county prosecutor's office.

N.J.S.A. 2C:16-1

N.J.A.C. 6A:16-6.1 ~~et seq.~~; **6A:16-6.2**; 6A:16-6.3(e)

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

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[See POLICY ALERT No. 226]

R 8465 BIAS HATE CRIMES AND BIAS-RELATED ACTS

A. Definitions

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

B. Procedure For Reporting **Bias Hate Crimes and Bias-Related Acts**

1. A school employee **shall immediately** ~~will~~ notify the ~~Building Principal and the Superintendent or designee when whenever the school employee,~~ in the course of ~~their~~ ~~his/her~~ employment, ~~they~~ develops reason to believe that:
 - a. A **bias hatecrime or a bias-related act** has been committed or is about to be committed on school **grounds property**; ~~or~~
 - b. A **bias hatecrime or a bias-related act** has been or is about to be committed by ~~any~~ student, ~~whether~~ on or off school **grounds, property** and whether ~~or not~~ such offense was or is ~~about~~ to be committed during operating school hours; or
 - c. ~~That~~ ~~Aa~~ student enrolled in the school has been or is about to become the victim of a **bias hate crime or bias-related act**, ~~whether committed on or off school grounds, property or during operating school hours.~~



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2. The ~~Superintendent or designee Building Principal~~ shall promptly will notify the ~~Superintendent, the~~ _____ local ~~pPolice dDepartment~~ and the ~~bBias iInvestigation oOfficer~~ for the county prosecutor's office **when a bias crime or bias-related act has been committed or is about to be committed on school grounds, or has been or is about to be committed by a student on or off school grounds, and whether such offense was or is to be committed during operating school hours, or a student enrolled in the school has been or is about to become the victim of a bias crime or bias-related act on or off school grounds, or during operating school hours.**
3. The ~~Principal and the~~ Superintendent or designee shall immediately notify the _____ local ~~pPolice dDepartment~~ and the **bias investigation officer for the county prosecutor's office immediately where if there is reason to believe that a bias hate crime or bias-related act 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.**

~~C. Procedure For Reporting Bias Incidents~~

1. ~~A school employee should immediately notify the Building Principal whenever the school employee, in the course of his/her employment, develops reason to believe that:~~
 - a. ~~A bias related act has been committed or is about to be committed on school property; or~~
 - b. ~~A bias related act has been or is about to be committed by any student, whether on or off school property and whether or not such bias related act was or is to be committed during school hours.~~
2. ~~The Building Principal will notify the Superintendent and the~~ _____ ~~Police Department.~~



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3. ~~In deciding whether to refer the matter of a bias related act to the _____, Police Department or the county prosecutor's office, the Building Principal and the Superintendent, should consider:~~
 - a. ~~The nature and seriousness of the conduct; and~~
 - b. ~~The risk that the conduct posed to the health, safety and well-being of any student, school employee or member of the general public.~~
4. ~~The Building Principal will consult with the Superintendent and should consider:~~
 - a. ~~That the police department or the county prosecutor's office may possess, or have access to, other information that could put the suspected bias related act in proper context, which could shed light on the motivation for the act or some other unsolved hate crime; and~~
 - b. ~~The possibility that the suspected incident could escalate or result in some form of retaliation that might occur within or outside school property.~~

CD. Nature of Referral

1. The mandatory referral for suspected or committed **bias hate crimes** and ~~the presumptive referral for suspected or committed bias-related acts as described in N.J.A.C. 6A:16-6.3(e) and this the R~~regulation is only a request to the law enforcement agencies to conduct an investigation and is nothing more than the transmittal of information which may be pertinent to any such law enforcement investigation.
2. ~~Any referral in accordance with this regulation is not an accusation or formal charge.~~
3. ~~Any referral pursuant to this regulation is predicated on the basis of reasonable suspicion, which is less than probable cause, less than the proof sufficient to sustain an adjudication of delinquency or a finding of guilt in a court of law and less than the proof sufficient to justify the imposition of school discipline.~~



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4. ~~All doubts by school officials should be resolved in favor of referring a matter to the _____ Police Department or the county prosecutor's office.~~

DE. Concurrent Jurisdiction

1. Unless the _____ **local pPolice dDepartment** or the county prosecutor's office request otherwise, ~~the school officials district~~ may continue to investigate a suspected **bias hate** crime or bias-related act occurring on school **grounds property** and may take such actions as necessary and appropriate to redress and remediate any such acts.
2. ~~The Sschool~~ officials will **immediately** discontinue **any ongoing school the in-school** investigation if the _____ **local pPolice dDepartment** or the county prosecutor's office believe the school investigation could jeopardize an on-going law enforcement investigation or otherwise endanger the public safety.
 - a. **Upon notice provided in D.2. above, school officials will take no further action without providing notice to and receiving the assent of the local police department or the county prosecutor's office.**

EF. Preservation of Evidence

1. School officials will secure and preserve any such graffiti or other evidence of a suspected **bias hate** crime or bias-related act pending the arrival of the _____ **local pPolice dDepartment** or the county prosecutor's office.
2. The school officials, when feasible, will cover or conceal such evidence until the arrival of the _____ **local pPolice dDepartment** or county prosecutor's office in a manner designed to minimize the harm and continued exposure to students by such evidence, ~~but that will not permanently damage or destroy such evidence or otherwise limit its utility in an ongoing investigation or prosecution.~~



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3. The _____ Police Department and/or the county prosecutor's office will photograph or otherwise document the location and content of any such graffiti or other bias-based evidence as soon as possible, so that the graffiti or other evidence may be removed or eliminated at the school district's earliest opportunity.

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[See POLICY ALERT No. 226]

9560 ADMINISTRATION OF SCHOOL SURVEYS

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

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

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



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



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



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C. Violations – N.J.S.A. 18A:36-34.d.

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

D. Compliance with Federal Law

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

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

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

3233 POLITICAL ACTIVITIES

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

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

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

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



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

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

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

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

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

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

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

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

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[See POLICY ALERT No. 226] - NEW

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

5541 ANTI-HAZING

A safe and civil environment in school is necessary for students to learn and achieve high academic standards. Hazing is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe and disciplined environment. The Board of Education prohibits acts of hazing and adopts this Policy against hazing in accordance with N.J.S.A. 18A:37-32.2. The provisions of this Policy apply to one high school; one middle school; and 2 elementary schools in the school district.

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

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

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



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

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

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

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



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

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

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

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

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

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

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

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[See POLICY ALERT No. 222]

0164.6 REMOTE PUBLIC BOARD MEETINGS DURING A DECLARED EMERGENCY

A. Purpose – N.J.A.C. 5:39-1.1

1. The purpose of N.J.A.C. 5:39-1.1 et seq. and Bylaw 0164.6 is to ensure a Board of Education or Board of Trustees of a charter school can conduct official public business in an open and transparent manner whenever a declared emergency requires a local public body to conduct a public meeting without physical attendance by members of the public.
2. Nothing in N.J.A.C. 5:39-1.1 et seq. prevents a local public body from holding a remote public meeting under such other circumstances as may be permitted by the Open Public Meetings Act, N.J.S.A. 10:4-1 et seq.

B. Definitions – N.J.A.C. 5:39-1.2

For the purpose of this Bylaw and in accordance with N.J.A.C. 5:39-1.2, the following words and terms have the following meanings, unless the context clearly indicates otherwise:

"Adequate notice" shall have the same definition as at N.J.S.A. 10:4-8; however, for the purpose of N.J.A.C. 5:39-1.1 et seq., and to the extent not otherwise set forth at N.J.S.A. 10:4-8, the notice transmitted to at least two newspapers for publication may occur through electronic mail or other electronic means that is accepted or requested by the newspaper.

"Annual notice" means a schedule of regular meetings of the public body to be held in the succeeding year noticed pursuant to N.J.S.A. 10:4-8 and 10:4-18. For the purpose of N.J.A.C. 5:39-1.1 et seq., the annual notice may be transmitted through electronic mail to newspapers and persons requesting an annual notice pursuant to N.J.S.A. 10:4-18. If the declared emergency prevents the local public body from mailing an annual notice to individuals requesting notice pursuant to N.J.S.A. 10:4-18, it shall be mailed to individuals for whom the local public body does not have an electronic mail account as soon as practicable.



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"Board" or "Board of Education" means a Board of Education or a Board of Trustees of a charter school as defined as a "local public body" or "public body" as per N.J.A.C. 5:39-1.2.

"Declared emergency" means a public health emergency, pursuant to the Emergency Health Powers Act, P.L. 2005, c. 222 (N.J.S.A. 26:13-1 et seq.), or a state of emergency, pursuant to P.L. 1942, c. 251 (N.J.S.A. App.A.9-33 et seq.), or both, or a state of local disaster emergency that has been declared by the Governor and is in effect.

"Electronic notice" means advance notice available to the public via electronic transmission of at least forty eight hours, giving the time, date, location and, to the extent known, the agenda of any regular, special, or rescheduled meeting, which shall accurately state whether formal action may or may not be taken at such meeting.

"Internet" means the international computer network of both Federal and non-Federal interoperable packet switched data networks.

"Live streaming" means the live audio and video transmission of a remote public meeting over the Internet.

"Local public body" means any "public body," as that term is defined in N.J.S.A. 10:4-8, with territorial jurisdiction equal to or less than a county. This term shall include Boards of Education, counties, municipalities, boards and commissions created by one or more counties or municipalities, and any authorities subject to N.J.S.A. 40A:5A-1 et seq., including fire districts and other special districts, along with joint meetings or regional service agencies as defined in N.J.S.A. 40A:65-3.

"Public business" means and includes all matters which relate in any way, directly or indirectly, to the performance of the public body's functions or the conduct of its business.

"Public meeting" means and includes any gathering whether corporeal or by means of communication equipment which is attended by, or open to, all of the members of a public body, held with the intent, on the part of the members of the body present, to discuss or act as a unit upon the specific



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public business of that body. Meeting does not mean or include any such gathering (1) attended by less than an effective majority of the members of a public body, or (2) attended by or open to all the members of three or more similar public bodies at a convention or similar gathering.

"Remote public meeting" means a public meeting that is conducted by any means of electronic communication equipment permitted pursuant to N.J.A.C. 5:39-1.1 et seq.

C. Circumstances Under Which a Board of Education May Hold a Remote Public Meeting During a Declared Emergency for Conducting Public Business – N.J.A.C. 5:39-1.3

1. In addition to any circumstances under which public meetings held by means of communication equipment may be authorized pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-1 et seq., the Board may hold a remote public meeting to conduct public business during a declared emergency if the emergency reasonably prevents the Board from safely conducting public business at a physical location with members of the public present.
2. If, during a declared emergency, the Board holds a physical meeting in a location where, pursuant to State and/or Federal guidelines meant to mitigate the risk of a contagious infection, the declared emergency necessitates capacity restrictions reducing the number of individuals that can be present in the meeting room to an amount below that reasonably expected for the public meeting by the Board, the Board must either hold the public meeting at another location with adequate capacity for the reasonably expected attendance by the public or hold the public meeting as both an in-person meeting and a remote public meeting.
 - a. As set forth at N.J.A.C. 5:39-1.4(c), no in-person meeting shall proceed if the room capacity does not permit any member of the public to attend.



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3. Nothing in N.J.A.C. 5:39-1.3 shall be interpreted to prevent the Board from broadcasting the audio and/or video of, or taking remote public comment during, a public meeting that the public can physically attend without being subject to public health-related capacity restrictions.
- D. Minimum Technological and Procedural Requirements for Remote Public Meetings Necessitated by a Declared Emergency – N.J.A.C. 5:39-1.4
1. If a declared emergency requires the Board to hold a remote public meeting to conduct public business, the Board shall use an electronic communications technology that is routinely used in academic, business, and professional settings, and can be accessed by the public at no cost.
 - a. Participant capacity on the selected platform should be consistent with the reasonable expectation of the public body for public meetings of the type being held and shall not be limited to fewer than fifty public participants (beyond those persons required to conduct business at the meeting).
 2. Remote public meetings may be held by means including, but not limited to, audio-only teleconferencing, electronic communications platforms with video and audio, and Internet-accessible technology, such as live-streaming.
 - a. If an electronic communications platform or Internet-accessible technology is being utilized for a remote public meeting, a telephonic conference line shall also be provided to allow members of the public to dial-in by telephone to listen and provide public comment as otherwise required by law.
 - b. The Board **shall** require members of the public to state, prior to providing public comment, whether they wish to speak and to identify themselves prior to speaking.



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3. The Board shall provide the public with similar access to a remote public meeting as members of the Board, staff of the Board, and any individuals seeking one or more approvals from the Board.
 - a. If a remote public meeting is held by audio and video, the public shall also have the opportunity to participate in the meeting in both audio and video capacities.
 - b. The Board meeting held in-person shall not prohibit members of the public from attending in-person.
4. Any remote public meeting where sworn testimony is being taken shall be broadcast by video, as well as by audio.
 - a. All individuals giving sworn testimony at a remote public meeting shall appear by video in addition to audio.
5. Any presentations or documents that would otherwise be viewed or made available to members of the public physically attending the Board meeting shall be made visible on a video broadcast of the remote public meeting or made available on the Internet website or webpage of the entity governed by the Board, or the Internet website or webpage of the entity responsible for appointing the members of the Board.
 - a. If a document would be made available to individual members of the public in hard copy while physically attending the meeting, the document shall be made available in advance of the meeting for download through an internet link appearing either on the meeting notice, or near the posting of the meeting notice, both on the website and at the building where the meeting would otherwise be held.
 - b. If the Board does not have its own website, such documents shall be available upon request ahead of the meeting and provided through an official social media account if one exists.



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6. The Board holding a remote public meeting shall allow members of the public to make public comment by audio, or by audio and video, if the remote public meeting is held over both audio and video, during the meeting.
 - a. In advance of the remote public meeting, the Board shall allow public comments to be submitted to the **Business Administrator/Board Secretary** by electronic mail and in written letter form by a reasonable deadline.
 - b. The Board shall **not accept** text-based public comment received during a remote public meeting held through an electronic communications platform or Internet-accessible technology. Public comments submitted before the remote public meeting through electronic mail or by written letter shall be read aloud and addressed during the remote public meeting in a manner audible to all meeting participants and the public.
 - c. The Board shall impose a reasonable time limit, where permitted by law, of **three** minutes on individual public comments and the same limits shall be placed on the reading of written comments. Each comment shall be read from the beginning, until the time limit is reached. The Board may pass over duplicate written comments; however, each duplicate comment shall be noted for the record with the content summarized. If the Board elects to summarize duplicative comments, the Board must not summarize certain duplicative comments while reading other duplicative comments individually.
7. The electronic communications technology used for a remote public meeting must have a function that allows the Board to mute the audio of all members of the public, as well as allow members of the public to mute themselves.



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- a. Any electronic communications platform or Internet-accessible technology used for a remote public meeting shall also allow the Board to regulate participation by individual members of the public.
 - b. A telephonic audio conference call line must have a queueing or similar function for regulating public comment.
8. Subject to D.5. and D.6. above, the Board shall adopt, by resolution, standard procedures and requirements for public comment made during a remote public meeting, as well as for public comments submitted in writing ahead of the remote public meeting.
- a. Such procedures and requirements shall include standards of conduct to be followed by members of the public when making comment.
 - b. The procedures and requirements for making public comment, along with an explanation of the audio muting function of the electronic communications platform being used, shall be announced at the beginning of the remote public meeting.
 - c. Regulation of conduct by members of the public on a remote public meeting shall be consistent with law and practices followed if a member of the public disrupts an in-person meeting. The following procedures shall be incorporated:
 - (1) The Board shall facilitate a dialogue with the commenter to the extent permitted by the electronic communications technology;



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- (2) If a member of the public becomes disruptive during a remote public meeting, including during any period for public comment, the member of the Board charged with running the remote public meeting shall mute or continue muting, or direct appropriate staff to mute or continue muting, the disruptive member of the public and warn that continued disruption may result in being prevented from speaking during the remote public meeting or removed from the remote public meeting.
 - (a) Disruptive conduct includes sustained inappropriate behaviors, such as, but not necessarily limited to, shouting, interruption, and use of profanity.
 - (3) A member of the public who continues to act in a disruptive manner after receiving an initial warning may be muted while other members of the public are allowed to proceed with their questions or comments.
 - (a) If time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to make their comment. Should the person remain disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting, or removed from the remote public meeting.
- 9. Electronic communications platforms and Internet-accessible technologies used for remote public meetings shall be hosted on FedRAMP Moderate Impact Level Authorized dedicated servers or in a FedRAMP Moderate Impact Level Authorized Cloud, unless the host of the dedicated servers or cloud provides annual evidence of satisfactory cybersecurity internal controls through a SOC2 audit report.



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- a. When using cloud services, the technology vendor shall check provider credentials and contracts to ensure FedRAMP Moderate Impact compliance unless annual evidence of satisfactory internal controls is provided through a SOC2 audit report.
- E. Notice of Remote Public Meetings; Statement in Minutes – N.J.A.C. 5:39-1.5
- 1. Adequate notice of a remote public meeting must include, in addition to the content required pursuant to N.J.S.A. 10:4-8, clear and concise instructions for accessing the remote public meeting, the means for making public comment, and where relevant documents, if any, will be made available.
 - 2. In addition to adequate notice, the Board shall also provide electronic notice of a remote public meeting, except as may be permitted pursuant to N.J.S.A. 10:4-9.3 and E.3. below.
 - a. The electronic notice shall contain the content required pursuant to N.J.S.A. 10:4-8 and 10:4-9.1 and E.1. above, and shall be posted on the Internet website or webpage of Board and/or school district, or the entity responsible for appointing the members of the Board.
 - (1) If the Board does not have a website, electronic notice shall be provided on an official social media platform of the Board; however, electronic notice is not required if the Board does not have an internet presence.
 - (2) Unless otherwise prohibited by the declared emergency, the content of the electronic notice shall also be posted on the main access door of the building where the public would routinely attend public meetings of the Board in-person. The notice must be viewable from the outside.



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3. If during a declared emergency the Board elects to issue electronic notice of a remote public meeting in lieu of, rather than in addition to, adequate public notice, as permitted pursuant to N.J.S.A. 10:4-9.3, the Board shall limit public business discussed or effectuated at the meeting to matters:
 - a. Necessary for the continuing operation of government and which relate to the emergency declaration connected with the declared emergency; or
 - b. Requiring decision during the remote public meeting due to imminent time constraints.
4. Nothing in N.J.A.C. 5:39-1.5 prohibits the Board from holding a remote public meeting, notwithstanding the failure to provide adequate notice and electronic notice where permitted pursuant to N.J.S.A. 10:4-9.
5. If the Board expects to conduct remote public meetings for a series of regularly scheduled meetings advertised in its annual notice, the annual notice shall be revised at least seven days prior to the next regularly scheduled meeting, indicating which meeting(s) will be held as a remote public meeting and shall contain clear and concise instructions for accessing those remote public meetings, the means for making public comment, and where relevant documents, if any, will be made available.
 - a. In addition to the means of notice transmission required pursuant to N.J.S.A. 10:4-18, the revised annual notice shall be posted on the Internet website or webpage of the Board and/or school district, or the entity responsible for appointing the members of the Board.
 - b. If the Board does not have its own website, the revised notice shall be provided on an official social media platform unless the Board does not have an Internet presence.



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- c. Unless otherwise prohibited by the declared emergency, the content of the electronic notice shall also be posted on the door of the main public entrance to the building where the public would routinely attend public meetings held by the Board.
 - (1) Notice must also be posted on the door for any designated and clearly delineated handicap accessible entrance. These notices must be viewable from the outside.
- 6. If a previously scheduled Board meeting was to allow public attendance without a public health-related restriction as to capacity, but the Board intends to hold the same meeting as a remote public meeting due to a declared emergency and the change is not reflected in a revised annual notice issued pursuant to E.5. above, the Board shall issue adequate and electronic notice for said meeting pursuant to E.1. and E.2. above as if the meeting were not included in the annual notice.
- 7. At the commencement of every remote public meeting of the Board, the person presiding shall announce publicly, and shall cause to be entered in the minutes of the meeting, an accurate statement to the effect that:
 - a. Both adequate and electronic notice of the meeting has been provided, specifying the time, place, and manner in which such notice was provided;
 - b. Only electronic notice of the meeting has been provided, specifying the time, place, and manner in which such notice was provided, and that discussion and effectuation of public business shall be limited to only those matters:
 - (1) Necessary for the continuing operation of government and that relate to the applicable emergency declaration; or



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- (2) Requiring decision during the remote public meeting due to imminent time constraints; or
- c. That adequate notice and electronic notice was not provided, in which case such announcement shall state:
 - (1) The reason(s) why the matter(s) discussed are of such urgency and importance, as contemplated pursuant to N.J.S.A. 10:4-9(b)(1), and the nature of the substantial harm to the public interest likely to result from a delay in the holding of the meeting;
 - (2) That the remote public meeting will be limited to discussion of, and acting with respect to, such matters of urgency and importance;
 - (3) The time, place, and manner in which notice of the meeting was provided; and
 - (4) Either that the need for such meeting could not reasonably have been foreseen at a time when adequate notice and/or electronic notice could have been provided, in which event, such announcement shall specify the reason why such need could not reasonably have been foreseen; or that such need could reasonably have been foreseen at a time when adequate notice and/or electronic notice could have been provided, but such notice was not provided, in which event the announcement shall specify the reason why adequate notice and/or electronic notice was not provided.
- 8. Where the Board is required by law to provide a meeting agenda, or otherwise provides a meeting agenda by practice at its regularly scheduled meetings, prior to the commencement of the remote public meeting, the Board shall also make a copy of the agenda available to the public for download through an Internet link appearing either on the meeting notice, or near the posting of the meeting notice on the website.



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- a. The notice shall also be posted at the building where the meeting would otherwise be held prior to the commencement of the remote public meeting.

F. Executive or Closed Session During Remote Public Meetings

1. A Board entering into an executive or closed session shall ensure that audio or video of the session cannot be accessed, except by those individuals that are participating in the session.
 - a. A separate non-public conference line or e-platform session may be employed for this purpose.
2. The secretary of the Board should take roll call with each individual affirmatively identifying themselves prior to commencing the closed session.
3. If a closed session is held through a telephonic conference call a separate call-in line should be made available to ensure confidentiality.
4. For closed sessions during remote public meetings held through video conferencing, audio recording should be muted and video recording blocked by a graphic labeled "Executive Session".
5. As with in-person meetings, the Board shall have read into the record the reason(s) for entering into executive session.

N.J.A.C. 5:39-1.1 et seq.

Revised (First Reading): February 17, 2022



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High School Graduation

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[See POLICY ALERT Nos. 186, 205, 208, 209, 211, and 226]

5460 HIGH SCHOOL GRADUATION

The Board of Education will recognize the successful completion of the secondary school instructional program by the award of a State-endorsed diploma certifying the student has met all State and local requirements for high school graduation in accordance with N.J.A.C. 6A:8-5.1 et seq. The Board will annually certify to the Executive County Superintendent each student who has been awarded a diploma and has met the requirements for graduation.

As defined in N.J.A.C. 6A:8-1.3, “credit” means the award for the equivalent of a class period of instruction, which meets for a minimum of forty minutes, one time per week during the school year or as approved through N.J.A.C. 6A:8-5.1(a)2 and A.1.b. below.

A. High School Graduation Requirements – N.J.A.C. 6A:8-5.1

1. For a State-endorsed diploma, the Board shall develop, adopt, and implement graduation requirements that prepare students for success in post-secondary degree programs, careers, and civic life in the 21st century, and that include the following:
 - a. A graduating student must have earned a minimum of **140** credits in courses designed to meet all of the New Jersey Student Learning Standards (NJSLS), including, but not limited to, the following credits:
 - (1) At least twenty credits in English language arts aligned to grade nine through twelve standards;
 - (2) At least fifteen credits in mathematics, including Algebra I or the content equivalent; geometry or the content equivalent; and a third year of mathematics that builds on the concepts and skills of algebra and geometry and that prepares students for college and 21st century careers;



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- (3) At least fifteen credits in science, including at least five credits in laboratory biology/life science or the content equivalent; one additional laboratory/inquiry-based science course, which shall include chemistry, environmental science, or physics; and one additional laboratory/inquiry-based science course;
 - (4) At least fifteen credits in social studies, including satisfaction of N.J.S.A. 18A:35-1 and 18A:35-2; five credits in world history; and the integration of civics, economics, geography, and global content in all course offerings;
 - (5) At least two and one-half credits in financial, economic, business, and entrepreneurial literacy;
 - (6) At least three and three-quarters credits in health, safety, and physical education during each year of enrollment, distributed as one hundred fifty minutes per week, as required by N.J.S.A. 18A:35-5, 7, and 8;
 - (7) At least five credits in visual and performing arts;
 - (8) At least five credits in world languages or student demonstration of proficiency as set forth in N.J.A.C. 6A:8-5.1(a)2ii(2) and A.1.b.(2)(b) below;
 - (9) Technological literacy, consistent with the NJSLS, integrated throughout the curriculum;
 - (10) At least five credits in 21st century life and careers, or career-technical education; and
 - (11) Electives as determined by the high school program sufficient to total a minimum of **140** credits.
- b. The 120-credit requirement set forth in N.J.A.C. 6A:8-5.1(a)1. and in A.1.a. above may be met in whole or in part through program completion of a range of experiences that enable students to pursue a variety of individualized learning opportunities, as follows:



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- (1) The district shall establish a process to approve individualized student learning opportunities that meet or exceed the NJSLS.
- (a) Individualized student learning opportunities in all NJSLS areas include, but are not limited to, the following:
- (i) Independent study;
 - (ii) Online learning;
 - (iii) Study abroad programs;
 - (iv) Student exchange programs; and
 - (v) Structured learning experiences, including, but not limited to, work-based programs, internships, apprenticeships, and service learning experiences.
- (b) Individualized student learning opportunities based upon specific instructional objectives aimed at meeting or exceeding the NJSLS shall:
- (i) Be based on student interest and career goals as reflected in the Personalized Student Learning Plans;
 - (ii) Include demonstration of student competency;
 - (iii) Be certified for completion based on the district process adopted according to N.J.A.C. 6A:8-5.1(a)2.ii. and A.1.b.(2) below; and
 - (iv) Be on file in the school district and subject to review by the Commissioner of Education or designee.



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- (c) Group programs based upon specific instructional objectives aimed at meeting or exceeding the NJSLS shall be permitted and shall be approved in the same manner as other approved courses.
- (2) The district shall establish a process for granting of credits through successful completion of assessments that verify student achievement in meeting or exceeding the NJSLS at the high school level, including standards achieved by means of the individualized student learning opportunities enumerated at N.J.A.C. 6A:8-5.1(a)2 and A.1.b. above. Such programs or assessments may occur all or in part prior to a student's high school enrollment; no such locally administered assessments shall preclude or exempt student participation in applicable Statewide assessments at grades three through twelve.
 - (a) The district shall choose assessments that are aligned with or exceed the NJSLS and may include locally designed assessments.
 - (b) The district shall choose from among the following assessment options to determine if students have achieved the level of language proficiency designated as Novice-High as defined by the American Council on the Teaching of Foreign Languages (ACTFL) and recognized as fulfilling the world languages requirement of the NJSLS:
 - (i) The Standards-based Measurement of Proficiency (STAMP) online assessment;
 - (ii) The ACTFL Oral Proficiency Interview (OPI) or the Modified Oral Proficiency Interview (MOPI); or
 - (iii) New Jersey Department of Education-approved locally designed competency-based assessments.



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- (3) The district shall establish a process to approve post-secondary learning opportunities that may consist of Advanced Placement (AP) courses, College-Level Examination Program (CLEP), or concurrent/dual enrollment at accredited higher education institutions.
- (a) The district shall award credit for successful completion of an approved, accredited college course that assures achievement of knowledge and skills that meets or exceeds the NJSLS.
- c. Local student attendance requirements, **as indicated in Policy and Regulation 5200**
- d. Other requirements established by the Board of Education as indicated below:
- 40 hours of Community Service;**
Any Statewide Assessment or graduation requirements as determined by the NJDOE;
- e. Any statutorily mandated requirements for earning a high school diploma;
- f. The requirement that all students demonstrate proficiency by achieving a passing score on the English Language Arts (ELA) and mathematics components of the State graduation proficiency test or through the alternative means at N.J.A.C. 6A:8-5.1(h) and A.7. below, if applicable, or for students who take the State graduation proficiency test but do not achieve a passing score through the alternative means set forth at N.J.A.C. 6A:8-5.1(g) and (i) and A.6. and A.8. below:
- (1) Students in the graduating classes of 2019, 2020, 2021, and 2022 shall be required to demonstrate proficiency by achieving a passing score on the high school end-of-course PARCC assessments in ELA 10 and Algebra I or through alternative means set forth at N.J.A.C. 6A:8-5.1(f), (h), and (i) and A.5., A.7., and A.8. below.



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~~g. For students who have not demonstrated proficiency on the ELA and/or mathematics components of the State graduation proficiency test, the opportunity for the following will be provided:~~

- ~~(1) Remediation, pursuant to N.J.S.A. 18A:7C-3.; and~~
- ~~(2) One or more additional opportunities to demonstrate proficiency on the State graduation proficiency test, pursuant to N.J.S.A. 18A:7C-6.~~

~~h. Students graduating from an adult high school shall demonstrate proficiency in the ELA and mathematics components of the State graduation proficiency test, or through alternative means set forth at N.J.A.C. 6A:8-5.1(f) through (i) and A.5. through A.8. below.~~

2. In the development of Personalized Student Learning Plans according to N.J.A.C. 6A:8-3.2(a), the district shall actively encourage all students who have otherwise met the requirements for high school graduation according to N.J.A.C. 6A:8-5.1(a)1 through 3 and A.1.a. through A.1.c. above, to include in their programs of study the following additional credits:

- a. Five credits in mathematics during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers;
- b. Five credits in a laboratory science during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers;
- c. Five credits in social studies during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers; and
- d. Five credits in world languages during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers.

3. The district shall provide to the Executive County Superintendent the district's graduation requirements each year they are evaluated through Quality Single Accountability Continuum (QSAC) and



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update the district's filed copy each time the graduation policy is revised.

4. The district shall provide each student entering high school and their parents with a copy of the district's requirements for a State-endorsed diploma and the programs available to assist students in attaining a State-endorsed diploma, in accordance with N.J.S.A. 18A:7C-5.
5. **To ensure adequate transition to the new Statewide assessment systems, the district shall provide students in the graduating classes of 2018, 2019, 2020, 2021, and 2022 who have not demonstrated proficiency on the high school end-of-course PARCC assessments in ELA 10 and Algebra I with the opportunity to demonstrate competence through one of the alternative means set forth below:**
 - a. **For the graduating classes of 2018, 2019, 2020, 2021, and 2022, students who did not take the ELA 10 and the Algebra I end-of-course PARCC assessment or who take but do not achieve a passing score on both assessments, as required by N.J.A.C. 6A:8-5.1(a)6 and A.1.f. above, may satisfy the State requirement to demonstrate proficiency in English language arts and/or mathematics in one of the following ways:**
 - (1) **Achieve a passing score, as determined by the Commissioner of Education, on a corresponding substitute competency test in English language arts and/or mathematics, as applicable, or substitute a passing score on another end-of-course PARCC assessment, including ELA 9, ELA 11, Geometry, or Algebra II; or**
 - (2) **Meet the criteria of the portfolio appeals process.**
6. **For students in the graduating classes of 2023, 2024, and 2025, the alternative means referenced at N.J.A.C. 6A:8-5.1(a)6 and A.1.f. above shall be as follows:**
 - a. **Achieve a passing score, as determined by the Commissioner of Education and approved by the New Jersey State Board of Education, on a corresponding substitute competency test in English language arts and/or mathematics, as applicable; and/or**



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b. Demonstrate proficiency through the portfolio appeals process, pursuant to N.J.S.A. 18A:7C-3.

7. All English language learners (ELLs) shall satisfy the requirements for high school graduation, except ELLs may demonstrate they have attained State minimum levels of proficiency through passage of the portfolio appeals process in their native language, when available, and passage of a New Jersey Department of Education-approved, English fluency assessment.
8. Students, including students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act who participate in the alternative assessment for students with disabilities, are not required to participate in repeated administrations of high school assessment components required at N.J.A.C. 6A:8-4.1(c).
9. For students in the graduating classes of 2019, 2020, 2021, and 2022, the New Jersey Department of Education (NJDOE) shall consider high school end-of-course State assessments to be equivalent to the corresponding high school end-of-course PARCC assessments.

B. High School Diplomas – N.J.A.C. 6A:8-5.2

1. The Board of Education shall award a State-endorsed high school diploma to prospective graduates who have met all of the requirements adopted in accordance with N.J.A.C. 6A:8-5.1(a), (c), or N.J.A.C. 6A:8-5.2(d) and A.1 above, C.1. below, or B.4. below.
2. The Board shall not issue a high school diploma to any student not meeting the criteria specified in the rule provisions referenced in B.1. above.
 - a. The district shall provide students exiting grade twelve without a diploma the opportunity for continued high school enrollment to age twenty or until the requirements for a State-endorsed diploma have been met, whichever comes first.
 - b. The district shall allow any out-of-school individual to age twenty who has otherwise met all State and local graduation requirements but has failed to pass the State proficiency test to demonstrate proficiency through



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alternative means as set forth at N.J.A.C. 6A:8-5.1(a)6 through N.J.A.C. 6A:8-5.1(i) and in A.1.f. through A.8. above, as applicable, pursuant to the standards applicable to the student's graduating class. Students in graduating classes prior to 2018 shall demonstrate proficiency as set forth for the classes of 2018 through 2022 at N.J.A.C. 6A:8-5.1(f)1 and A.5.a. above. Upon certification of passing the test applicable to the student's class in accordance with N.J.A.C. 6A:8 and this Policy, a State-endorsed diploma shall be granted by the high school of record.

3. Pursuant to N.J.A.C. 6A:20-1.4, the Commissioner of Education shall award a State-issued high school diploma based on achieving the Statewide standard score on the General Education Development test (GED) or other adult education assessments to individuals age sixteen or older who are no longer enrolled in school and have not achieved a high school credential.
4. The Commissioner of Education shall award a State-issued high school diploma to individuals age sixteen or older and no longer enrolled in high school based on official transcripts showing at least thirty general education credits leading to a degree at an accredited institution of higher education. Included in the thirty general education credits must be a minimum of fifteen credits with at least three credits in each of the five general education categories as follows: English; mathematics; science; social science; and the humanities.
5. The Board shall award a State-endorsed high school diploma to any currently enrolled student, regardless of grade level, who:
 - a. Has demonstrated proficiency in the State graduation proficiency test, pursuant to N.J.A.C. 6A:8-5.1(a)6 and A.1.f. above, or as set forth at N.J.A.C. 6A:8-5.1(g) and A.6. above:
 - (1) The Board shall award a State-endorsed high school diploma to any currently enrolled student in the graduating classes of 2019, 2020, 2021, and 2022 who has demonstrated proficiency in the high school end-of-course PARCC assessments in ELA 10 and Algebra I, or as set forth in N.J.A.C. 6A:8-5.1(f) and in A.5. above;



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- b. Has presented official transcripts showing at least thirty general education credits leading to a degree at an accredited institution of higher education; and
 - c. Has formally requested such early award of a State-endorsed high school diploma.
 - 6. Pursuant to N.J.S.A. 18A:7C-7 and 18A:7E-3, the Superintendent shall report annually to the Board at a public meeting not later than September 30, and to the Commissioner of Education:
 - a. The total number of students graduated;
 - b. The number of students graduated under the substitute competency test process;
 - c. The number of students graduated under the portfolio appeals process;
 - d. The number of students receiving State-endorsed high school diplomas as a result of meeting any alternate requirements for graduation as specified in their individualized education programs (IEP);
 - e. The total number of students denied graduation from the twelfth grade class; and
 - f. The number of students denied graduation from the twelfth grade class solely because of failure to pass the high school end-of-course PARCC assessments, the State graduation proficiency test, substitute competency tests, or portfolio appeals process based on the provisions of N.J.A.C. 6A:8.
- C. Students with Disabilities – N.J.A.C. 6A:8-5.1(c) and N.J.A.C. 6A:14-4.11
 - 1. Through the IEP process set forth at N.J.A.C. 6A:14-3.7 and pursuant to N.J.A.C. 6A:14-4.11, the Board may specify alternate requirements for a State-endorsed diploma for individual students with disabilities as defined at N.J.A.C. 6A:14-1.3.
 - a. The district shall specifically address any alternate requirements for graduation in a student's IEP, in accordance with N.J.A.C. 6A:14-4.11.



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- b. The district shall develop and implement procedures for assessing whether a student has met the specified alternate requirements for graduation individually determined in an IEP.
 2. The IEP of a student with a disability who enters a high school program shall specifically address the graduation requirements. The student shall meet the high school graduation requirements pursuant to N.J.A.C. 6A:8-5.1 and A. above, except as specified in the student's IEP. The IEP shall specify which requirements would qualify the student with a disability for the State-endorsed diploma issued by the Board responsible for the student's education.
 3. **Graduation with a State-endorsed diploma is a change of placement that requires written notice pursuant to N.J.A.C. 6A:14-2.3(f) and (g).**
 - a. **As part of the written notice, the parent shall be provided with a copy of the procedural safeguards statement published by the NJDOE.**
 - b. **As with any proposal to change the educational program or placement of a student with a disability, the parent may resolve a disagreement with the proposal to graduate the student by requesting mediation or a due process hearing prior to graduation.**
 - c. **In accordance with N.J.A.C. 6A:14-3.8(d), a reevaluation shall not be required.**
 - d. When a student graduates or exceeds the age of eligibility, the student shall be provided a written summary of their academic achievement and functional performance prior to the date of the student's graduation or the conclusion of the school year in which the student exceeds the age of eligibility. The summary shall include recommendations to assist the student in meeting their postsecondary goals.
 4. If a student attends a school other than that of the school district of residence that is empowered to grant a diploma, the student shall have the choice of receiving the diploma of the school attended or the diploma of the school district of residence.



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- a. If the school the student is attending declines to issue a diploma to the student, the Board of the school district of residence shall issue the student a diploma if the student has satisfied all State and local graduation requirements, as specified in the student's IEP.
5. If the Board grants an elementary school diploma, a student with a disability who fulfills the requirements of their IEP shall qualify for and receive a diploma.
6. Students with disabilities who meet the standards for graduation according to N.J.A.C. 6A:14-4.11 and C. of this Policy shall have the opportunity to participate in graduation exercises and related activities on a nondiscriminatory basis.

D. State Seal of Biliteracy – N.J.A.C. 6A:8-5.3

1. The Board may award a State Seal of Biliteracy to any student who has met all requirements in N.J.A.C. 6A:8-5.2 and B. above and demonstrates proficiency in the following:
 - a. One or more world languages via an approved assessment pursuant to N.J.A.C. 6A:8-5.3(f) and D.6. below during the student's next to last or final year of high school; and
 - (1) Pursuant to N.J.S.A. 18A:7C-15, a foreign language other than English also shall include, but not be limited to, American Sign Language, Latin, and Native American languages.
 - b. English language arts as set forth in N.J.A.C. 6A:8-5.1(a)6 and A.1.f. above.
2. A Board that chooses to award the State Seal of Biliteracy shall incorporate the process into the developed, adopted, and implemented Policy 5460 – High School Graduation pursuant to N.J.A.C. 6A:8-5.1(a) and A.1. above, denoting participation in the voluntary program. A Board choosing to participate shall submit, in accordance with N.J.A.C. 6A:8-5.1(d) and A.3. above, a copy of Policy 5460 – High School Graduation that reflects the option for students to participate in the State Seal of Biliteracy.



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3. The Board of Education shall pay the costs for related assessments and transcript insignias.
4. The Board of Education shall do the following:
 - a. Provide the NJDOE with information regarding students who qualify for the State Seal of Biliteracy pursuant to N.J.A.C. 6A:8-5.3(a) and D.1. above;
 - b. Present each student who qualifies pursuant to D.1. above with a New Jersey Department of Education-issued certificate;
 - c. Include the Commissioner of Education-developed insignia on the student's transcript; and
 - d. Maintain appropriate records to identify students who have earned the State Seal of Biliteracy.
5. The Board shall not award a State Seal of Biliteracy to any student who does not meet the criteria in N.J.A.C. 6A:8-5.3(a) and D.1. above and shall not include the Commissioner of Education-developed insignia on the student's transcript.
6. A list of New Jersey Department of Education-approved, nationally recognized assessments and the Statewide scores necessary for a student to satisfy requirements for the State Seal of Biliteracy shall be set by a resolution approved by the New Jersey State Board of Education.
 - a. If an approved assessment, pursuant to N.J.A.C. 6A:8-5.3(f) and D.6. above, does not exist for a particular language, the Board may administer a NJDOE-approved, locally designed proficiency-based assessment.

N.J.S.A. 18A:7C-3; 18A:7C-5; 18A:7C-6, 18A:7C-7; 18A:7C-15; 18A:7E-3
18A:35-1; 18A:35-2; 18A:35-5; 18A:35-7; 18A:35-8
N.J.A.C. 6A:8-1.3; 6A:8-5.1 et seq.; 6A:14-1.3; 6A:14-2.3; 6A:14-3.7
6A:14-3.8; 6A:14-4.11; 6A:20-1.4

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