

HASBROUCK HEIGHTS BOARD OF EDUCATION  
Hasbrouck Heights, New Jersey 07604  
Policy

File Code: 4211.1

**YELLOW HIGHLIGHTED TO BE REMOVED; BOLDDED TO BE ADDED**

#### AFFIRMATIVE ACTION/SEXUAL HARASSMENT

The Hasbrouck Heights board of education guarantees to all persons equal access to all categories of employment, retention and advancement regardless of race, color, ancestry, age, creed, religion, sex, affectional or sexual orientation, political affiliation, marital status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual or non-applicable handicap.

An affirmative action program shall be a part of every aspect of employment not limited to but including upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation including fringe benefits; employment selection or selection for training and apprenticeships; promotion; or tenure.

The board designated affirmative action officer shall identify and recommend correction of any existing inequities, and any that occur in the future.

#### Harassment and Favoritism

The board of Education is an affirmative action employer and holds all its employees responsible for maintaining a working environment that is free from all discriminatory practices. Harassment or favoritism on any basis included in the board's statement of equal access to employment, retention and advancement is prohibited.

Administrators and supervisors shall be familiarized with the actions which constitute harassment and favoritism. This material shall be included in the legally mandated affirmative action inservice training for all employees, and shall be clear and specific (see policy 2224). When harassment has been determined to have taken place, disciplinary action will follow. All such determination shall be reported to the board.

#### Sexual Harassment

The board of education shall maintain a working environment that is free from sexual harassment.

Administrators and supervisors will make it clear to all staff that sexual harassment is prohibited in the workplace or educational setting. Specifically, no supervisory employee shall threaten or insinuate, either directly or indirectly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, evaluation, compensation, assignment or advancement. No supervisory employee shall promise or suggest, either directly or indirectly, that an employee's submission to sexual advances will result in any improvement in any terms or condition of employment of an employee.

Sexually harassing conduct in the workplace committed by nonsupervisory personnel is also prohibited.

Staff may file a formal grievance related to sexual harassment. The affirmative action officer will receive all complaints and carry out a thorough investigation and will protect the rights of both the person making the complaint and the alleged harasser.

Findings of discrimination in the form of sexual harassment will result in appropriate disciplinary action.

The superintendent shall direct the development of regulations, including grievance forms and procedures for implementation of this policy and shall submit an annual report to the board on the effectiveness of both policy and procedures.

### AFFIRMATIVE ACTION PROGRAM

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

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

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

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

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

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

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

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

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

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



## 1523 COMPREHENSIVE EQUITY PLAN

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

The Comprehensive Equity Plan shall include the following:

1. A needs assessment that includes pupil assessment and behavioral data disaggregated by gender, race, ethnicity, Limited English Proficiency, Special Education, Migrant, date of enrollment, pupil suspension, expulsion, Child Study Team referrals, Pre-Kindergarten through grade twelve promotion/retention data, Pre-Kindergarten through grade twelve completion rates, and re-examination and re-evaluation of classification and placement of pupils in special education programs if there is overrepresentation within a certain group; staffing practices; quality of program data; and stakeholder satisfaction data;
2. A description of how other Federal, State, and district policies, programs, and practices are aligned to the Comprehensive Equity Plan;
3. Adequate yearly progress targets for closing the achievement gap;
4. Professional development targets regarding the knowledge and skills needed to provide a thorough and efficient education as defined by the Core Curriculum Content Standards; differentiated instruction and formative assessments aligned to Core Curriculum Content Standards; and high expectations for teaching and learning; and
5. Annual targets addressing district needs in equity in school and classroom practices that are aligned to professional development targets.

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

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

## 1530 EQUAL EMPLOYMENT OPPORTUNITIES

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

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

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

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

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

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

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

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

N.J.S.A. 18A:6-5; 18A:6-6; 18A:28-10; 18A:29-2  
N.J.A.C. 6A:7-1.1 et seq.; 6A:7-1.8

Cross reference: Policy Guide Nos. 1510, 1550 and  
Regulation Guide Nos. 1530

## R 1530 EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCEDURE

### A. Purpose and Application

1. The purpose of this procedure is to give any district employee or candidate for employment the opportunity to appeal an alleged denial of equal employment opportunity in violation of State statutes and administrative codes, and Federal laws and Policy No. 1530, guaranteeing "equal access to all categories of employment without regard to the candidate's race, color, creed, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, socioeconomic status, or disability."
2. This procedure is intended to facilitate an equitable and just resolution of a dispute at the most immediate level and should be implemented in an informal manner.
3. Every reasonable effort will be made to expedite the process in the interest of a prompt resolution. Time limits may, however, be extended with the consent of all parties.
4. All participants in the procedure will respect the confidentiality that this district accords to information about individual employees.

### B. Definitions

1. "Board of Education" means the Board of Education of the South Bergen Jointure Commission School District.
2. "Complaint" means an alleged discriminatory act or practice.
3. "Complainant" means a staff member who alleges a discriminatory act or practice.
4. "Day" means a working or calendar day as identified.
5. "Discriminatory act or practice" means denial of equal employment opportunity in violation of State statutes and administrative codes and Federal laws and Policy No. 1530.
6. "School district" means the South Bergen Jointure Commission School District.

C. Procedure

1. A complainant who believes that he/she has been harmed or adversely affected by a discriminatory practice or act prohibited by law and/or policy shall discuss the matter with his/her immediate supervisor in an attempt to resolve the matter informally.
2. If the matter is not resolved to the satisfaction of the complainant within thirty working days, the complainant may submit a written complaint to the Affirmative Action Officer. The complaint will include:
  - a. The complainant's name and address,
  - b. The specific act or practice that the complainant complains of,
  - c. The school employee, if any, responsible for the allegedly discriminatory act,
  - d. The results of discussions conducted in accordance with paragraph C1, and
  - e. The reasons why those results are not satisfactory.
3. The Affirmative Action Officer will investigate the matter informally and will respond to the complaint in writing no later than seven working days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent.
4. The response of the Affirmative Action Officer may be appealed to the Superintendent in writing within three working days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have acted discriminatorily.
5. On his/her timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than seven working days after the request for a hearing has been submitted. The Superintendent may also require the presence at the hearing of the staff member charged with a discriminatory act and any other person with knowledge of the act complained of.
6. The Superintendent will render a written decision in the matter no later than seven working days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties.

7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than three working days after receipt of the Superintendent's decision. The appeal shall include:
  - a. The original complaint,
  - b. The response to the complaint,
  - c. The Superintendent's decision,
  - d. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented, and
  - e. The complainant's reason for believing the Superintendent's decision should be changed.
8. A copy of the appeal to the Board must be given to the staff member, if any, charged with a discriminatory act.
9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.
10. The Board will render a written decision no later than forty-five calendar days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.
11. The complainant will be informed of his/her right to appeal the Board's decision to the:
  - a. Commissioner of Education  
New Jersey State Department of Education  
P.O. Box 500  
Trenton, New Jersey 08625-0500  
Telephone: (877) 900-6960 or the
  - b. New Jersey Division on Civil Rights  
Trenton Regional Office  
Office of the Attorney General  
140 East Front Street – 6<sup>th</sup> Floor  
Trenton, New Jersey 08625-0090  
Telephone: (609) 292-4605



D. Record

1. The records of any complaint processed in accordance with this procedure shall be maintained in a file kept by the Affirmative Action Officer.
2. A copy of the decision rendered at the highest level of appeal will be kept in the employee's personnel file.

AFFIRMATIVE ACTION PROGRAM FOR EMPLOYMENT  
AND CONTRACT PRACTICES

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

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

The Board will not enter into any contract with a person, agency, or organization that discriminates on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status, either in employment practices or in the provision of benefits or services to pupils or employees.

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

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

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

7. The complainant may appeal the Superintendent's decision to the Board by filing a written appeal with the Board Secretary no later than three working days after receipt of the Superintendent's decision. The appeal will include:
  - a. The original complaint,
  - b. The response to the complaint,
  - c. The Superintendent's decision,
  - d. A transcript of the hearing, if one has been made, or a summary of the hearing to which all parties have consented, and
  - e. The complainant's reason for believing the Superintendent's decision should be changed.
8. A copy of the appeal to the Board must be given to the staff member, if any, charged with a violation of the Affirmative Action Plan.
9. The Board will review all papers submitted and may render a decision on the basis of the proceedings below. If the complainant so requests, the Board may convene a hearing, at which all parties may be represented by counsel and may present and examine witnesses, who will testify under oath.
10. The Board will render a written decision no later than forty-five calendar days after the appeal was filed or the hearing held, whichever occurred later. Copies of the decision will be given to all parties.
11. The complainant will be informed of his/her right to appeal the Board's decision to the:
  - a. Commissioner of Education  
New Jersey State Department of Education  
P.O. Box 500  
Trenton, New Jersey 08625-0500  
Telephone: (877) 900-6960 or the
  - b. New Jersey Division on Civil Rights  
Trenton Regional Office  
Office of the Attorney General  
140 East Front Street – 6<sup>th</sup> Floor  
Trenton, New Jersey 08625-0090  
Telephone: (609) 292-4605

D. Record

1. The records of any complaint processed in accordance with this procedure shall be kept in a file maintained by the Affirmative Action Officer.
2. A copy of the decision rendered at its highest level of appeal will be kept in the complainant's personnel file.

AFFIRMATIVE ACTION PROGRAM FOR EMPLOYMENT AND  
CONTRACT PRACTICES COMPLAINT PROCEDURE

A. Purpose and Application

1. The purpose of this procedure is to give any district employee or candidate for district employment the opportunity to appeal an alleged violation of the district's Affirmative Action Program for employment and contract practices, as set forth in Policy No. 1550 or in a plan formally adopted by the Board of Education and approved by the Commissioner.
2. No qualified handicapped person, shall, on the basis of handicap, be subjected to discrimination in employment and the Board will take positive steps to employ and advance in employment qualified handicapped persons in programs and activities.
3. This procedure is intended to facilitate an equitable and just resolution of a dispute at the most immediate level and should be implemented in an informal manner.
4. Every reasonable effort will be made to expedite the process in the interest of a prompt resolution. Time limits may, however, be extended with the consent of all parties.
5. All participants in the procedure will respect the confidentiality that this district accords to information about individual staff members.

B. Definitions

1. "Board of Education" means the Board of Education of the South Bergen Jointure Commission School District.
2. "Complaint" means an alleged violation of the district's Affirmative Action Plan or Policy.
3. "Complainant" means a staff member who alleges a violation of the district's Affirmative Action Plan or Policy No. 1550.
4. "Day" means a working or calendar day as identified.
5. "School district" means the South Bergen Jointure Commission School District.
6. "Violation" means the failure of a district official or employee to take the positive steps outlined in Policy No. 1550 or the duly approved Affirmative Action Plan to remove impermissible bias or preference from all aspects of district employment or contract practices and/or to correct the results of past discrimination.

C. Procedure

1. A complainant who believes that he/she has been harmed or adversely affected by a failure to enforce the district's Affirmative Action Plan for employment and contract practices shall discuss the matter with his/her immediate supervisor in an attempt to resolve the matter informally.
2. If the matter is not resolved to the satisfaction of the complainant within thirty working days, the complainant may submit a written complaint to the Affirmative Action Officer. The complaint will include:
  - a. The complainant's name and address,
  - b. The specific failure to act that the complainant complains of,
  - c. The school officer or employee, if any, responsible for the alleged violation of the Affirmative Action Plan,
  - d. The results of discussions conducted in accordance with paragraph C1, and
  - e. The reasons why those results are not satisfactory.
3. The Affirmative Action Officer will investigate the matter informally and will respond to the complaint in writing no later than seven working days after receipt of the written complaint. A copy of the complaint and the response will be forwarded to the Superintendent.
4. The response of the Affirmative Action Officer may be appealed to the Superintendent in writing within three working days after it has been received by the complainant. The appeal will include the original complaint, the response to the complaint, and the complainant's reason for rejecting the response. A copy of the appeal must be given to the staff member alleged to have violated the Affirmative Action Plan.
5. On his/her timely request (that is, submitted before the expiration of the time within which the Superintendent must render a decision), the complainant will be given an informal hearing before the Superintendent, at a time and place convenient to the parties, but no later than seven working days after the request for a hearing has been submitted. The Superintendent may also require the presence at the hearing of the staff member charged with violation of the Affirmative Action Plan and any other person with knowledge of the violation complained of.
6. The Superintendent will render a written decision in the matter no later than seven working days after the appeal was filed or the hearing was held, whichever occurred later. Copies of the decision will be given to all parties and to the Board of Education.

## AFFIRMATIVE ACTION PROGRAM FOR SCHOOL AND CLASSROOM PRACTICES

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

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

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

1. Ensuring there are no differential requirements for completion of course offerings or programs of study solely on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status;
2. Ensuring courses shall not be offered separately on the basis of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, religion, disability, or socioeconomic status;

- a. Portions of classes which deal exclusively with human sexuality may be conducted in separate developmentally appropriate sessions for male and female pupils, provided that the course content for such separately conducted sessions is the same.
3. Reducing or preventing the underrepresentation of minority, female, and male pupils in all classes and programs including gifted and talented, accelerated, and advanced classes;
4. Ensuring that schools demonstrate the inclusion of a multicultural curriculum in its instructional content, materials and methods, and that pupils understand the basic tenet of multiculturalism;
5. Ensuring that African American history, as well as the history of other cultures, is infused into the curriculum and taught as part of the history of the United States, pursuant to N.J.S.A. 18A:35-1 and the New Jersey Core Curriculum Content Standards; and
6. Ensuring that instruction on the Holocaust and other acts of genocide is included in the curriculum of all elementary and secondary schools, as developmentally appropriate, pursuant to N.J.S.A. 18A:35-28.

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

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

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



**N.J.S.A. 18A:36-20**  
**N.J.A.C. 6A:7-1.7**

Legal References: N.J.S.A. 10:5 Law Against Discrimination  
N.J.S.A. 18A:6-5, -6 Inquiry as to religion and religious tests prohibited  
N.J.S.A. 18A:7d et al Quality Education Act  
N.J.S.A. 18A:18A-17 Facilities for handicapped persons  
N.J.S.A. 18A:26-1, -1.1 Citizenship of teachers, etc. ...  
N.J.S.A. 18A:29-2 Equality of compensation for male and female teachers  
N.J.S.A. 18A:58-16 Rules (state aid)  
N.J.A.C. 6:4-1.1 et. seq. Equality in educational programs  
See particularly:  
N.J.A.C. 6:4-1.3, -1.6  
N.J.A.C. 6:8-4.3 Quality Assurance  
N.J.A.C. 6:8-4.10 State and Federally mandated programs and services

Executive Order 11246 as amended

Equal Pay Act of 1963 as amended, 29 U.S.C.A. § 201

Title IX of the Education Amendments of 1972, 20 U.S.C.A. 1681

Title VII of the Civil Rights Act of 1964 as amended by  
the Equal Employment Opportunities Act of 1972, 42 U.S.C.A. 2000e et seq.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A. 794 et seq.

Education of the Handicapped Act, 20 U.S.C.A. 1401 et seq.

Meritor Savings Bank v. Vinson, 106 S. Ct. 2399 (1986)

School Board of Nassau County v. Arline, 107 S. Ct. 1123 (1987)

Vinson v. Superior Court of Alameda County, 740 P.2d 404 (Cal. Sup. Ct. 1987)

Manual for the Evaluation of Local School Districts (P.T.M. No. 700.7, revised July 1988)

Cross References: 2224 Affirmative action  
3320 Purchasing procedures  
4111 Recruitment, selection and hiring  
4112.8 Nepotism  
4118.111 Grievance procedure--Title IX  
5145.4 Equal educational opportunity  
6121 Affirmative action

DATE REQUESTED

February 2011 Facilities

[illegible]

ATTACHMENT B

## HASBROUCK HEIGHTS HIGH SCHOOL CHEERLEADING RULES & CODE OF CONDUCT

(Highlighted items to be removed; bolded items to be added)

### ATTENDANCE RULES

1. Attendance at all practices, games, rallies, competitions, and fund raisers is mandatory.
2. No absences from practices due to truancy or cutting are allowed or you will be dismissed from the team.
3. Proper notification must be given to the coach if you will not be in attendance.
  - a) Failure to notify a coach of an absence will result in receiving one cut.
  - b) Do not schedule other appointments on practice days. You are responsible for notifying your coach when you will be absent. Telling your captain(s) does not count.
4. If you are absent from school the day of a game you can not cheer or if you miss the last practice before a game you can not participate in special cheers/dances for that game.
5. If you do not participate in gym for medical reasons, you can not cheer.
6. Regular attendance at practice is a requirement. Missing practice because of a job is unacceptable. Any other situations must be acceptable to the coach, who should be notified in advance of any absence.
7. Lateness is unacceptable. If you are more than 10 minutes late to practice it will be considered half a cut. If you are late to a game, you will sit out that quarter.
8. Transportation to and from all practices is your own responsibility Leaving early from practice or a game is unacceptable.
9. Summer practices will be scheduled during the month of August. You must submit any planned vacations to your coach before the end of school.
10. For each violation of these rules you will receive one cut. If you receive two cuts you will be dismissed from the team.

### RESPONSIBILITIES OF CHEERLEADERS

1. You are expected to maintain active participation at all times. If you are not performing to your best potential, the coach may remove you from the line.  
(e.g., not saying the words to cheers, chewing gum, excessive talking in line).
2. If you fail to maintain active participation, you will be dismissed from the team.
3. You are expected to give full attention to your coach and captains at all times. Disrespect of any kind will not be tolerated.
4. You are expected to share the responsibility of creating new cheers and dances.
5. Practices, games, and competitions will be announced in advance. It is your responsibility to maintain active communication with your teammates and coach.
6. Proper practice and game and competition attire is expected.
  - a. Practice attire: consists of clothing suitable for easy movement in dancing.
    - ◆ hair is tied back from shoulders and face
    - ◆ socks with sneakers and shoe laces
    - ◆ fingernails are maintained at a length that promotes safety
    - ◆ sneakers - no running shoes **of any brand or Keds**
    - ◆ no spandex or cut-off shirts
    - ◆ no gum chewing
    - ◆ no jewelry
    - ◆ no denim shorts or pants
  - b. Game and Competition attire: consists of your full uniform or you may be unable to cheer **or compete**.  
The following requirements must be met to participate:



- ◆ Make-up kept to a minimum
  - ◆ No jewelry
  - ◆ No gum chewing
  - ◆ Clean uniform and sneakers
  - ◆ Clear nail polish only
7. It is your responsibility to keep friends away from practice and competition areas.
  8. Each cheerleader is expected to return her uniform in the condition it was received. All uniforms must be returned at the end of the season to receive credit for participation.
  9. If you are suspended from a game or competition for any reason, you must attend the event in full uniform.
  10. If you are having difficulty learning a particular section of a cheer or dance you must seek help. If difficulty persists you will be asked to sit out until you have mastered that section of the cheer or dance.
  11. If an injury occurs you must report it to your coach immediately on the day it occurs.
  12. Medical problems must be brought to the coach's attention immediately. ie: allergies to bees, medication, asthma etc.
  13. Cheerleaders must ride the bus to and from all away football games.
  14. Varsity Cheerleaders must be willing to continue the tradition of decorating the senior football players' lockers before each game, as well as the tradition of decorating their homes prior to the annual Thanksgiving Day game. The coach will be responsible for organizing and supervising these events.

#### TEAM SELECTION PROCEDURES:

##### I. Criteria for Squad Status

Any student who is at least an incoming freshman, in good academic standing, will be eligible to be a member of the sub-varsity squad.

#### Try Outs:

**Try Outs will take place at the start of the season. Try outs will not determine placement of squads or lines; instead be used to as a way to see the team member's current skill level. The coaches will use this as a tool to work with both squads during the course of the season.**

#### II. Varsity Squad

- A. Score in the top places in try-outs.
- B. Participants will be judged in the following areas:
  - 1 Dance
  - 1 Chant

The following jumps and dance skills will be evaluated: Toe Touch, Hitch Kick, Leap, Double Turn, Switch Leap, Free Skill, and any other skill determined by the coach, announced well in advance of the try-outs.

- C. Overall evaluation will be made in collaboration with the participant's practice performance as well as the formal try-out scores. The coach will make the final decision using the above criteria.
- D. All who participate on the squad for three years must be on the varsity squad.

#### I. Varsity Squad:

**All sophomore, junior and seniors will be placed on the Varsity Squad provided they were members of the Developmental Sub-Varsity Squad the prior year. All extenuating circumstances will be decided by the Athletic Director and/or Principal.**

#### III. Junior Varsity Squad

**Any participant who does not meet the varsity requirements will be a member of the junior varsity squad.**

#### II. Developmental Sub-Varsity Squad:

**No freshman will compete on the Varsity Squad; freshman cheerleaders participate for one year on the Developmental Sub-Varsity Squad. Anyone new to the program will be placed on the Sub-Varsity Squad no matter what grade level. In the event that we do not have enough cheerleaders to cheer at**

**freshman and junior varsity games (below 10 cheerleaders), all sophomores on the Varsity Squad will be required to cheer at the junior varsity home games. All extenuating circumstances will be decided by the Athletic Director and/or Principal.**

#### **Participation**

**Cheerleaders will be required to cheer at all home and away Varsity, Junior Varsity and Sub-Varsity games. Therefore, it is a responsibility of the coach to assign cheerleaders in a fair and equitable manner to these games. No cheerleader should be required to cheer at all three events. Seniors are not required to cheer at Junior Varsity or Sub-Varsity games.**

#### **GAME PARTICIPATION:**

**Varsity cheerleaders will be required to cheer at all varsity home and away games (approximately 10 games). The Developmental Sub-Varsity cheerleaders will be required to cheer at all home freshman and junior varsity games (approximately 11 games).**

#### **SELECTION OF PLACEMENT POSITIONS:**

- I. All placements for dance show will be at the coaches' determination.**
- II. All decisions on placements for lifts and stunts will be at the coaches' determination.**
- III. All the placements for the regular sideline cheers will be in grade order only - seniors in the front row, juniors in the middle row, and sophomores in the back row. The placement of cheerleaders in the rows will be at the coaches' determination.**
- IV. Placement for all Sub-Varsity sideline cheers will be equally rotated by the coaching staff, either with a game-by-game rotation, or a rotation for certain cheers. The goal is to provide each freshman cheerleader with equal time in the front row.**

#### **CAPTAIN SELECTION PROCESS:**

##### **VARSITY CAPTAINS**

- 1. There is no preset number of captains or co-captains**
- 2. Selection of captains and co-captains will be at the discretion of the coach  
Captains will be any senior who has successfully completed the previous 3 years of participation at the discretion of the coaches. The Athletic Director or Principal will have the discretion to remove or select a captain for extenuating circumstances.**
- 3. Captains must be an incoming senior with at least two years of varsity experience. Captains may rotate if necessary.**

**To be chosen as a captain you must have demonstrated the following throughout the time you have been on the team:**

**The captain will be expected to demonstrate the following throughout the season:**

- a) ability to create and instruct new cheers and dances;**
- b) ability to effectively communicate with the coach;**
- c) adherence to all rules and regulations;**
- d) responsibility in meeting requirements of the team (attendance, fund raising, equipment).**
- e) maintain focus of goals at all times**
- f) maintain positive rapport with teammates and coach**
- g) be looked to by team as a leader**

##### **JV CAPTAINS**



- 1) There is no preset number of captains or co-captain
- 2) Selection of captains and co-captains will be at the discretion of the coach
- 3) It is not mandatory that captains have previous JV experience
- 4) To be chosen as JV captain, you should demonstrate an ability to serve as a team leader, show the ability to create new cheers and dances, communicate effectively with coach and team, and exhibit adherence to rules.

## JV CAPTAINS

- 1) **There will be no JV captains.**

## CONDUCT

- 1) You must abide by all school rules for sports participation.
- 2) Always remember, whether you are in full uniform or just wearing your jacket, etc. you are representing your team, school, and town. Conduct detrimental to the image of the team will not be tolerated.
- 3) **ABSOLUTELY NO SMOKING!!!** (this includes on and off school property). Any violation will result in suspension and/or dismissal as described in school policy.
- 4) Desirable Traits of Cheerleaders:
  - C HEERFUL
  - H ONEST
  - E NERGETIC
  - E AGER TO LEND A HAND
  - R ESPONSIBLE
  - L EADER
  - E NTHUSIASTIC
  - A LWAYS ON TIME
  - D EDICATED
  - E ARNEST.
  - R ESPECT

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