

North Hunterdon-Voorhees Regional High School District

Annandale, NJ

March 13, 2018

Second Reading Board Policies

The following policies are presented for the second reading – (P) denotes policy, (M) denotes mandatory:

First Reading of Policies:

- P 0169.02 Board Member Use of Social Networks (New)
- P 4146 Nonrenewal of Nontenured Support Staff (Revised)
- P 4152 Withholding an Increment (Revised)
- P 4161 Examination for Cause (Revised)
- P 4219 Commercial Driver Controlled Substance and Alcohol Use Testing (M) (Not adopted)
- P 4233 Political Activities (Revised)
- P 4431.3 New Jersey's Family Leave Insurance Program (New)
- P 4437 Military Leave (Revised)
- P 5514 Student Use of Vehicles (Revised)
- P 5516.01 Student Tracking Devices (New)
- P 7425 Lead Testing of Water in Schools (New)
- P 7440 School District Security (M) (Revised)
- P 7441 Electronic Surveillance in School Buildings and on School Grounds (M) (Revised)
- P 8507 Breakfast Offer Versus Serve (OVS) (M) (Revised)
- P 8630 Bus Driver/Bus Aide Responsibility (M) (Revised)
- P 9180 School Volunteers (Revised)
- P 9181 Volunteer Athletic Coaches and Co-Curricular Activity Advisors/Assistants (Revised)
- P 9240 Rights of Parents (Revised)
- P 9242 Use of Electronic Signatures (New)
- P 9270 Home Schooling and Equivalent Education Outside the Schools (M) (Revised)
- P 9500 Cooperation with Educational Agencies (Revised)
- P 9550 Educational Research Projects (Revised)

0169.02 BOARD MEMBER USE OF SOCIAL NETWORKS

In accordance with the School Ethics Act - N.J.S.A. 18A:12-21 et seq., Board of Education members must avoid conduct which is in violation of the public trust or which creates a justifiable impression among the public that such trust is being violated. To avoid conduct that may be in violation or perceived to be in violation of the School Ethics Act, the Board of Education adopts this Policy to provide guidance to Board members in their use of social networks.

For the purposes of this Policy, “social network(s)” shall include, but not be limited to: Internet blogs, electronic bulletin boards, emails, social networking websites, text messages, or any other online platform where people may post or communicate interests, opinions, or any other information that may be viewed by others with or without permission from the person making such post or re-publishing such post.

“Social networks” also means an Internet-based service that allows individuals to: construct a public or semi-public profile within a bounded system created by the service; create a list of other users with whom they share a connection within the system; and view and navigate their list of connections and those made by others within the system.

For the purposes of this Policy, “use of a social network” shall include, but not be limited to: posting to a social network, reposting another person’s post to a social network, messaging, or any other publication of material on a social network.

Nothing in this Policy prevents a Board of Education member from using a social network. However, a Board member must avoid conduct on a social network that would violate the School Ethics Act – N.J.S.A. 18A:12-21 et seq., which includes the Code of Ethics for Board Members. Board members should be advised communications, publications, photographs, and any other information posted by the Board member or reposted by the Board member on a social network could violate the School Ethics Act and be cause for sanctions in accordance with the law.

While this Policy respects the right of Board members to use social networks, Board members shall recognize they are held to a higher standard than the general public with regard to standards of conduct and ethics. A Board member’s use of social networks shall not damage the reputation of the school district, employees, students, or their families. Board members who use social networks shall ensure their conduct is appropriate for a Board of Education member. Board members should exercise care in setting appropriate boundaries between their personal and public online behavior, understanding what is private in the digital world often has the possibility of becoming public, even without their knowledge or consent.

Board members should carefully review the privacy settings on social networks they use and exercise care and good judgment when posting content and information. When using social networks, Board members are advised to:

1. Not post anything that would violate any of the district’s policies for Board members;

2. Uphold the district's value of respect for any individual(s) and avoid making defamatory statements about the Board of Education, the school district, employees, students, or their families;
3. Not disclose any confidential information about the school district or confidential information obtained as a result of being a Board member, about any individual(s) or organization, including students and/or their families;
4. Not use or refer to their Board of Education title or position when soliciting for a business organization that he or she or any immediate family member has an interest in, as well as posting or referencing any confidential information regarding the Board of Education or the school district obtained through their Board membership, unless authorized by law;
5. Refrain from having communications through social networks with other Board members regarding any Board of Education business to avoid any potential violation of the New Jersey Open Public Meetings Act;
6. Not respond to any postings regarding Board of Education or school district business or respond to any question or inquiry posted to the Board member or posted on any social network regarding Board of Education or school district business and shall refer any such questions or inquiries to the Superintendent of Schools to address, as appropriate; or
7. Not post any information on a social network determined by the New Jersey School Ethics Commission to be a violation of the New Jersey School Ethics Act.

A Board member shall comply with all Board policies regarding acceptable use of computers and computer networks whenever a Board member is using a Board of Education electronic device.

If the Board or Superintendent believes a Board member's activity on any social network may violate the Board's policies or the New Jersey School Ethics Act, the Board or Superintendent may request the Board member cease such activity.

This Policy has been developed and adopted by this Board to provide guidance and direction to a Board member to avoid actual and/or a perceived appearance of inappropriate conduct or conduct prohibited by the School Ethics Act while using social networks.

N.J.S.A. 18A:12-21 et seq.

N.J.S.A. 10:4-6 et seq.

Adopted:

4146 NONRENEWAL OF NONTENURED SUPPORT STAFF EMPLOYMENT CONTRACTSMEMBER

The Board will renew the employment contract of a nontenured support staff member only upon the recommendation of the Superintendent and by a recorded roll call majority vote of the full membership of the Board. The Board will not withhold its approval for arbitrary and capricious reasons. A nontenured support staff member who is not recommended for renewal by the Superintendent is deemed nonrenewed.

~~The Superintendent shall notify the Board of the recommendation not to renew the support staff member's contract and the reasons for the recommendation. This recommendation will be made in executive session at a full Board meeting or in public session after the employee has been notified of the recommendation and the employee requests the discussion be held in the public session. The support staff member whose contract is not renewed has the right to a written statement for the reasons for nonrenewal. The Board will also provide any nontenured support staff member with an opportunity to meet informally with the Board, provided that a request for such an appearance is received within ten days after the support staff member receives the statement of reasons provided by the Board.~~

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

The Superintendent shall notify each nontenured support staff member to whom reemployment will not be offered in writing in accordance with the terms of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties. Paraprofessionals continuously employed since the preceding September 30 as a school aide or classroom aide in a school district that receives funding under Title I of the Federal Elementary and Secondary Education Act of 1965 shall be notified of renewal or nonrenewal on or before May 15 in each year in accordance with the provisions of N.J.S.A. 18A:27-10.2.

A nontenured support staff member whose contract is not renewed shall have the right to a written statement of the reasons for nonrenewal, provided the request for the statement of reasons is made within fifteen days of the Superintendent's written notification of nonrenewal to the support staff member. The statement of reasons shall be provided to a nontenured support staff member within thirty days after the receipt of the request.

Whenever a nontenured support staff member has requested in writing and received a written statement of reasons for non-reemployment, the nontenured support staff member shall have the right to an informal appearance before the Board to permit the support staff member an opportunity to convince the members of the Board to offer reemployment, provided that a request for such an appearance is received within ten days after the support staff member receives the statement of reasons provided by the Superintendent. The informal appearance before the Board shall be held in accordance with the provisions of N.J.A.C. 6A:10-8.1.

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

The provisions as outlined in Policy and Regulation 4146 may be revised or adjusted by the Superintendent of Schools to be in accordance with the terms and timelines of any applicable collective bargaining agreement, individual contract, or any other agreement between the parties provided the terms are not contrary to any statute, administrative code, or any management rights of the Board.

This policy does not apply to the contract renewal of the Treasurer of School Moneys, Board Auditor, Board Attorney or Board Secretary, except a Board Secretary who performs ~~School Business Administrator/Board Secretary's~~ business administration functions.

N.J.S.A. 18A:27-4.1.

Adopted: 1 May 2001

4152 FREEZING OR REDUCING WAGES WITHHOLDING AN INCREMENT

The Board of Education recognizes that any advancement on a salary schedule, including annual increments and raises, is not automatic but rests within the discretion of the Board.

Advancement on any salary schedule shall require favorable reports covering the employee's competence and thoroughness in the performance of assigned duties as well as the employee's record of attendance and compliance with district regulations.

The Superintendent or designee shall base a recommendation for wage freeze or reduction on evaluations of the employee's performance and conduct. The Superintendent or designee must also show to the satisfaction of the Board that the standards by which an employee has been evaluated are not exceptional or unusual and are expected of all employees in a similar classification.

N.J.S.A. 18A:29-14

Adopted: 1 May 2001

4161 EXAMINATION FOR CAUSE

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

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

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

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

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

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

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

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

42 U.S.C.A. 12101

N.J.S.A. 18A:6-10; 18A:16-2 ~~et seq.~~; 18A:16-4; ~~18A:25-7; 18A:28-5;~~ 18A:30-1 et seq.

N.J.A.C. ~~6A:32-6.3; 2-7.4~~

~~N.J.A.C. 6:2-7.4(f)~~

~~N.J.A.08:5-1.16~~

Adopted: 1 May 2001

NORTH HUNTERDON-VOORHEES REGIONAL SCHOOL DISTRICT

4000 SUPPORT STAFF MEMBERS

4219 COMMERCIAL DRIVER CONTROLLED SUBSTANCES AND ALCOHOL USE TESTING (M)

4219 COMMERCIAL DRIVER CONTROLLED SUBSTANCES AND ALCOHOL USE TESTING (M)

The Board of Education is committed to a safe, efficient and alcohol and drug-free workplace that protect the district's pupils -- as well as the health and safety of its employees and the general public. The Board requires all drivers performing any safety-sensitive function are free of drugs and alcohol and will test those employees who operate a commercial motor vehicle in accordance with 49 C.F.R. 382 et seq. and 49 C.F.R. 40 et seq. Safety-sensitive function means any on duty function as defined by 49 C.F.R. 382.107 means all time from the time a driver begins work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. Safety-sensitive function shall include:

1. All time at the terminal facility or any public property waiting to be dispatched unless relieved from duty;
2. All time inspecting equipment;
3. All time spent at the driving controls of a commercial motor vehicle in operation;
4. All time other than driving time in or upon the commercial vehicle except in an area defined as a sleeping berth;
5. All time loading and unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle or in giving or receiving receipts for shipments loaded and unloaded;
6. All time spent performing driver requirements related to accidents; and
7. All time repairing, obtaining assistance or remaining in attendance with the vehicle.

The Omnibus Transportation Employee Testing Act requires all operators of commercial motor vehicles subject to the Commercial Drivers License requirements to be tested for controlled substances and alcohol. Federal regulations of the U.S. Department of Transportation require that school bus drivers as well as drivers of private carriers of passengers contracted by the Board be required to submit to alcohol and controlled substance testing in accordance with 49 C.F.R. Part 40. The Board designates the Transportation Coordinator as the Designated Employer Representative (DER) of the Board of Education. The Board may contract with a service agent to provide the testing services as required by Federal Regulations.

No driver at any work site will possess, manufacture, use, sell, or distribute any quantity of any controlled substance, lawful or unlawful, which in sufficient quantity could result in impaired performance, with the exception of substances administered by or under the instructions of a physician. No driver shall perform safety-sensitive functions within four hours after using alcohol and the district will not permit a driver that used alcohol within four hours of performing safety-sensitive functions to perform such functions if the district has actual knowledge of the use.

Violations

Any violation of this policy may result in discipline, up to and including termination.

Prohibited Substances

The presence of any of the following controlled substances in the body, as evidenced by the results of the initial screening and subsequent confirmatory analysis provided in the policy, is prohibited for any employee assigned to a classification covered by this policy. All cutoff concentrations are as per 49 C.F.R. 40.87 and are expressed in nanograms per milliliter (ng/mL).

Type of Drug or Metabolite	Initial Test	Confirmation Test

Marijuana metabolites	50	
Delta-9-tetrahydrocanna- Binol-9-carboxylic acid (THC)		15
Cocaine metabolites (Benzoyllecgonine)	300	150
Phencyclidine (PCP)	25	25
Amphetamines	1000	
Amphetamine		500
Methamphetamine		500*
(*Specimen must also contain amphetamine at a concentration greater than or equal to 200 ng/mL.)		
Opiate metabolites	2000	
Codeine		2000
Morphine		2000
6-ACETYLMORPHINE (6-AM)		10**
(**Test for 6-AM in the specimen. Conduct this test only when specimen contains morphine at a concentration greater than or equal to 2000 ng/mL.)		
Alcohol	.02 or higher	.02 or higher

Testing Procedures

All testing for controlled dangerous substances will be conducted in accordance with 49 C.F.R. Part 40, Subparts A, B, C, D, E, F, G, H and I. The district will only test for the above stated five drugs or classes of drugs in accordance with 49 C.F.R. 40.85. Testing for alcohol will be conducted in accordance with as 49 C.F.R. Part 40, Subparts J, K, L, M and N.

Definitions

"Alcohol" means the drinking or swallowing of any beverage, liquid mixture or preparation (including medication) containing alcohol.

"Confirmatory Drug Test" means a second analytical procedure performed on a urine specimen to identify and quantify the presence of a specific drug or drug metabolite.

"Confirmed Drug Test" means a confirmation drug test received by a Medical Review Officer (MRO) from a certified laboratory.

"Controlled substances" means those substances identified in 49 C.F.R. 40.85.

"CCF" means the Federal Drug Testing Custody and Control Form.

"Designated Employer Representative" is an employee of the district authorized to take immediate action (s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The Designated Employer

Representative (DER) shall receive test results and other communications for the employer, consistent with the requirements of this policy and 49 C.F.R. 40. Service agents cannot act as a DER.

"FMCSA" means Federal Motor Carrier Safety Administration.

"Initial Drug Test" means the test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

"Initial Validity Screening" means the first test used to determine if a specimen is adulterated, diluted or substituted.

"Medical Review Officer" is a licensed physician responsible for receiving and reviewing laboratory results generated by the district's drug testing program and evaluating medical explanations for certain drug test results.

"Possess" means either in or on the driver's person, personal effects, motor vehicle or areas substantially entrusted to the control of the driver.

"Service agent" is any person or entity, other than an employee of the Board, who provides services specified under 49 C.F.R. 40 to the Board.

"Substance Abuse Professional" is a person who evaluates employees who have violated a drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing and aftercare. Individuals permitted to act as Substance Abuse Professionals must possess the credentials as outlined in 49 C.F.R. 40 281.

"Work Site" means any motor vehicle, office, building, yard or other location at which the driver is to perform work.

Categories of Testing

For the purpose of this policy, the occurrence of the following circumstances/instances shall require an employee to submit to a controlled substance and alcohol screening:

1. Pre-Employment Testing

An individual who has applied for and has been selected to operate a Board vehicle shall, before beginning employment with the Board, submit to a controlled substance screening in conjunction with any required physical examination as per Policy No. 4160. Such screening shall be conducted in accordance with the procedures set forth in this policy and 49 C.F.R. 40. No individual receiving a positive confirmed test result will be employed by the Board.

An exception to the pre-employment screening may be made if the prospective employee:

- a. Has participated in a controlled substance testing program that met the requirements of 49 C.F.R. 382 et seq. within the previous thirty days and while participating in that program either:
 - (1) Was tested for controlled substances within the past six months (from the date of application to the district), or
 - (2) Participated in the random controlled substances testing program for the previous twelve months (from the date of application to the district); and
 - (3) The DER must ensure that no prior employer, to the DER's knowledge, has records of a violation of a controlled substance testing program within the previous six months.

If an individual is so exempted, the Designated Employer Representative (DER) shall contact the alcohol and/or controlled substances testing program in which the driver participated and obtain the following information in accordance with 49 C.F.R. 382.301(c):

- a. Name and address of the program;
- b. Verification of the driver's participation;

- c. Verification that the program conforms to federal guidelines;
- d. Verification the driver qualified and did not refuse to be tested for controlled substances;
- e. The date the driver was last tested for controlled substances; and
- f. The results of any tests taken within the last six months and any other violations.

In accordance with 49 C.F.R. 382.301(d), the district will conduct pre-employment alcohol tests before the first performance of safety-sensitive functions by a new covered employee or someone who has transferred to a position involving the performance of safety-sensitive functions. The alcohol test will be conducted after making a contingent offer of employment or transfer, subject to the individual passing the pre-employment alcohol test. All alcohol testing will be completed in accordance with 49 C.F.R. 40 et seq. A covered employee will not be offered employment and/or the transfer unless the result of the test indicates an alcohol concentration of less than 0.04.]

An individual who has applied for and has been selected to operate a Board vehicle or any existing employee transferring into a new position now required to operate a Board vehicle, shall submit a written consent authorizing the district to obtain the following information from other employers who have employed the employee during any period during the two years before the date of the individual's application date or transfer into the new position. The written consent from the individual will permit the Designated Employer Representative (DER) to obtain the following information from previous DOT-regulated employers:

- a. Alcohol tests with a result of 0.04 or higher alcohol concentration;
- b. Verified positive drug tests;
- c. Refusals to be tested (including verified adulterated or substituted drug test results);
- d. Other violations of DOT agency drug and alcohol testing regulations; and
- e. With respect to any employee who violated a DOT drug and alcohol regulation, documentation of the employee's successful completion of DOT return-to-duty requirements (including follow-up tests). If this information is not available from the previous employer, the DER must seek to obtain this information from the individual.

The DER will obtain and review this information before the employee first performs and driving and/or safety-sensitive functions. If this is not feasible, the DER will not permit the individual to work after thirty days from the individual's first date of employment in the position unless the DER has obtained or made and documented a good faith effort to obtain this information.

2. Random Testing

A covered employee shall be subject to submit to a alcohol and controlled substance testing on an unannounced and random basis resulting from the selection by a random generation methodology in accordance with 49 C.F.R. 383.305(i). Random testing will be spread reasonable throughout any given calendar year.

The minimum annual percentage rate for random alcohol testing shall be 10% of the average number of drivers. The minimum rate of random controlled substances testing shall be 50% of the average number of drivers. These rates may be adjusted as determined by the FHWA (Federal Highway Administration) Administrator in accordance with 49 C.F.R. 382.305.

Drivers shall only be random tested when performing safety-sensitive functions or immediately prior to or immediately following the performance of safety-sensitive functions.

3. Post-Accident Testing

The involvement by an employee in a motor vehicle collision while operating a Board vehicle when such accident results in property damage or personal injury, may trigger a post-accident drug and alcohol test.

As soon as practical following an occurrence, the DER will require post-accident alcohol screening for each of the surviving drivers:

- a. Who was performing safety-sensitive functions with respect to a vehicle, if the accident involves the loss of human life; or
- b. Who receives a citation within eight hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
 - (1) Bodily injury to any person, who, as a result of the injury immediately receives medical treatment away from the scene of the accident; or
 - (2) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.
- c. If the alcohol test is not administered within two hours following the accident, the DER will prepare and maintain on file a record stating the reasons the test was not promptly administered. If the alcohol test is not administered within eight hours following the accident, the DER shall cease attempts to administer the alcohol test and shall prepare and maintain the same record. Records shall be submitted to the FMCSA upon request.

As soon as possible following an occurrence, the district will require post-accident controlled substance screening for each of the surviving drivers:

- a. Who was performing safety-sensitive functions with respect to a vehicle, if the accident involves the loss of human life; or
- b. Who receives a citation with thirty-two hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
 - (1) Bodily injury to any person, who, as a result of the injury immediately receives medical treatment away from the scene of the accident; or
 - (2) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.
- c. If the controlled substance test is not administered within thirty-two hours following the accident, the DER shall cease attempts to administer the controlled substance test and shall prepare and maintain the same record. Records shall be submitted to the FMCSA upon request.

A driver who is subject to post-accident testing shall remain readily available for such testing or be deemed to have refused to submit for testing. A driver who is injured in an accident and requires medical care, shall submit to post-accident drug and controlled substance testing by the medical care facility providing the treatment or a designee of the Board if the facility is unable to provide the testing. Nothing herein shall be construed to prevent the driver from leaving the scene of the accident for the period required to obtain necessary assistance or to obtain emergency medical care.

4. Reasonable Suspicion Testing

The DER may require a driver to submit to an alcohol and/or controlled substance test when the driver is observed by a supervisor or school official who is trained in accordance with 49 C.F.R. 382.603 and causes the observer to have reasonable suspicion to believe the driver has violated 49 C.F.R. 382 et seq. Reasonable suspicion must exist to require the driver to undergo a test and must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. The observations may include indications of the chronic and withdrawal effects of controlled substances.

Reasonable suspicion alcohol testing is authorized only if the required observations are made during, just preceding, or just after the period of the work day the driver is required to be in compliance with the testing requirements of 49 C.F.R. 382 et seq.

Reasonable suspicion testing may be required of a driver while the driver is performing, just before the driver will perform or just after the driver has ceased performing safety-sensitive functions. If the alcohol test is not administered within two hours following the determination a reasonable suspicion test is required, the DER will prepare and maintain on file a record stating the reasons the test was not promptly administered. If the

alcohol test is not administered within eight hours following the determination, the DER shall cease attempts to administer the alcohol test and shall state in the record the reasons for not administering the test.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while the driver is under the influence of or impaired by alcohol, as shown by the behavioral, speech and performance indicators of alcohol misuse. The driver will also not be able to perform or continue to perform safety-sensitive functions until an alcohol test is administered and the driver's concentration measures less than 0.02 or twenty-four hours have elapsed following the determination that reasonable suspicion existed to require an alcohol test.

A written record of the observations leading to a reasonable suspicion test shall be made and signed by the supervisor and/or school official that made the observations. This record shall be made within twenty-four hours of the observed behavior or before the results of the test are released, whichever is earlier.

5. Return to Duty Testing

The district is not required to return an employee to a safety-sensitive position upon receipt of a confirmed drug and/or alcohol test. The Designated Employer Representative (DER) may recommend to the Superintendent of Schools the individual's employment be terminated depending on the circumstances.

In the event the DER does not recommend termination, the DER shall ensure that before a driver returns to duty requiring the performance of a safety-sensitive function, the driver shall undergo a return to duty alcohol test indicating a breath alcohol concentration of less than 0.02 and a controlled-substances test with a result indicating a verified negative result for controlled-substances use as required in 49 C.F.R. 40.305.

Drivers permitted to return to duty are required to take return-to-duty tests and shall be evaluated by a Substance Abuse Professional (SAP). These individuals must participate in an assistance program prescribed by the SAP and as required in 49 C.F.R. 40 Subpart O.

The SAP will determine a written follow-up testing plan for any individual who has been permitted to return to work and has successfully complied with the SAP's recommendations for education and/or treatment. Such employees are subject to a minimum of six (6) unannounced, follow-up drug screening and alcohol tests over the following twelve (12) months. The testing shall not exceed sixty (60) months. Alcohol follow-up testing shall be performed only when the driver is performing safety-sensitive functions or immediately prior to performing or immediately after performing safety-sensitive functions. All follow-up testing will be completed in accordance with 49 C.F.R. 40.311.

Medical Review Officer (MRO) Notifications

The Board shall employ or contract with a medical review officer who is a licensed physician (M.D. or D.O.) and shall designate the Medical Review Officer as the individual responsible for receiving laboratory results generated by the testing program. The medical review official shall have knowledge of substance abuse disorders and have appropriate medical training to interpret and evaluate the individuals confirmed positive test together with his/her medical history and other biomedical data. The Medical Review Officer will perform all functions and responsibilities as required in 49 C.F.R. 49 Subpart G. Employer Notification

The Medical Review Officer may report controlled substances test results to the DER by any means of communication; however, a signed, written notification must be forwarded within three business days of the completion of the Medical Review Officer's evaluation. The Medical Review Officer must report all drug test results to the employer. The MRO may use a signed or stamped and dated legible photocopy of Copy 2 of the CCF report test results or a written report that must include, at a minimum, the information required in 49 C.F.R. 40.163.

Split Specimen Tests

Split specimen testing will be conducted in accordance with 49 C.F.R. 40 Subpart H. Under split-sample collection procedures, the driver has seventy-two hours from the time of notification of a positive result to request the MRO to order a test of the split specimen. If the driver does not request a split specimen test within seventy-two hours, the driver may present to the MRO information documenting that serious injury, illness, lack

of actual notice of the verified test result, inability to contact the MRO, or other circumstances unavoidably prevented the individual from making a timely request.

If the split specimen is unavailable or appears insufficient, the laboratory will continue the testing process of the primary specimen as the laboratory would normally. The laboratory will report the results for the primary specimen without providing the MRO information regarding the unavailable split specimen. In the event the MRO requests the split specimen be forwarded to another laboratory, the laboratory will report to the MRO the split specimen is unavailable for testing and the laboratory will provide the MRO with as much information as possible about the cause of the unavailability.

Designated Collection Facility

The Board shall designate the facility to be used for the collection of the specimen; provided, however, that the designated facility shall possess all required licenses and permits. The collection site will take place in a facility meeting the requirements of 49 C.F.R. 40 Subpart D. The DER will ensure the collection site meets the security requirements of 49 C.F.R. 40.43.

Designated Screening Laboratory

The Board shall designate the laboratory to which collected fluid samples will be forwarded for drug/alcohol screening. Drug testing laboratories must be certified by the Department of Health and Human Services (HHS) under the National Laboratory Certification Program (NLCP) for all testing required under 49 C.F.R. 40. The laboratory will perform all responsibilities as required in accordance with 49 C.F.R. 40 Subpart F.

Specimens

The normal screening methodology for controlled substances shall be urinalysis, collected by a representative of the Board at a designated site. The presence of alcohol will be determined by an Alcohol Screening Device (ASD) or an Evidential Breath Testing Device administered by an individual certified in accordance with 49 C.F.R. 40.211 and 49 C.F.R. 40.213.

Refusal to Submit

A driver will be deemed as refusing to take a drug test as described in with 49 C.F.R. 40.191. As per 49 C.F.R. 40.191, and individual refuses to take a drug test if he/she:

1. Fails to appear for any test (except a pre-employment test) within a reasonable time, as determined by the DER, consistent with applicable DOT agency regulations, after being directed to do so by the DER;
2. Fails to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;
3. Fails to provide a urine specimen for any drug test required by this policy. An employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;
4. Fails to permit the observation or monitoring of providing a specimen. In the case of a directly observed or monitored collection in a drug test;
5. Fails to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
6. Fails or declines to take a second test the DER or collector has directed the individual to take;
7. Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER under Sec. 40.193(d). In the case of a pre-employment drug test, the individual is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment;
8. Fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process); or

9. If the MRO reports the driver had a verified adulterated or substituted test result.

If an individual refuses to participate in a part of the testing process, the collector or MRO, must terminate the portion of the testing process, document the refusal on the CCF (including in the case of the collector, printing the employee's name on Copy 2 of the CCF), immediately notify the DER by any means (e.g., telephone or secure fax machine) that ensures that the refusal notification is immediately received. A referral physician (e.g., physician evaluating a "shy bladder" condition or a claim of a legitimate medical explanation in a validity testing situation), must notify the MRO, who in turn will notify the DER. In addition, the collector must note the refusal in the "Remarks" line (Step 2), and sign and date the CCF. The MRO must note the refusal by checking the "refusal to test because" box (Step 6) on Copy 2 of the CCF, and add the reason on the "Remarks" line. The MRO must then sign and date the CCF. When the driver refuses to take a non-DOT test or to sign a non-DOT form, the driver has not refused to take a DOT test. There are no consequences under DOT agency regulations for refusing to take a non-DOT test.

Record of Negative Screening

An employee required to submit to an alcohol and/or controlled substance screening as provided in this policy and whose screening results are negative may, at their option, have their personnel file documented to reflect the negative result.

Prescription Drugs

All bus drivers shall notify the DER of the use of any prescription drugs. The Board may require certification from the prescribing physician that the use of the prescription drug will not have an adverse affect on the driver's ability to properly perform safety-sensitive functions.

Consequences to Drivers Engaging in Prohibited Conduct

An employee whose screening produces a positive result for a prohibited substance:

1. Shall not be permitted to perform safety-sensitive functions;
2. Shall be advised by the DER of resources available to them in evaluating and resolving problems associated with the misuse of alcohol or the use of controlled substances;
3. Shall be evaluated by a substance abuse professional who shall determine what assistance, if any, is needed to resolve problems with alcohol or controlled substance use;
4. Undergo, before returning to duty, a return to duty alcohol test indicating a breath level of less than 0.02 if the conduct involved alcohol or a controlled substance test with a verified negative result;
5. If assistance was required, the employee must be evaluated by a substance abuse professional to determine that the driver has followed the rehabilitation program prescribed;
6. Be subject to unannounced follow up alcohol and/or controlled substance abuse testing;
7. Be subject to the disciplinary policy and regulations of the Board.

Return-to-Work Agreement

An employee who has returned to work and who fails to comply with any of the terms of the Return to Work Agreement shall be subject to termination.

Maintenance and Retention of Records

The DER shall maintain and retain all records as required by federal regulation. Records shall include at least the following:

1. Records Related to the Collection Process:
 - a. Collection logbooks (if used);
 - b. Documents related to the random selection process;

- c. Calibration documentation for Evidential Breath Testing Devices (EBT's);
 - d. Documentation of Breath Alcohol Technician (BAT) training;
 - e. Documentation of reasoning for reasonable suspicion testing;
 - f. Documentation of reasoning for post-accident testing;
 - g. Documents verifying a medical explanation for the inability to provide adequate breath or urine for testing; and
 - h. Consolidated annual calendar year summaries.
2. Records related to the driver's test results:
- a. Employer's copy of the alcohol test form, including results;
 - b. Employer's copy of the drug test chain of custody and control form;
 - c. Documents sent to the employer by the Medical Review Officer;
 - d. Documentation of any driver's refusal to submit to a required alcohol or controlled substance test; and
 - e. Documents provided by a driver to dispute results of test.
3. Documentation of any other Violations of Controlled Substance Use or Alcohol Misuse Rules
4. Records Related to Evaluations and Training:
- a. Records pertaining to Substance Abuse Professional's (SAP's) determination of driver's need for assistance;
 - b. Records concerning a driver's compliance with SAP's recommendations, and records related to education and training;
 - c. Materials on drug and alcohol awareness, including a copy of the employer's policy on drug use and alcohol misuse;
 - d. Documentation of compliance with requirement to provide drivers with educational material, including driver's signed receipt of materials;
 - e. Documentation of supervisor training; and
 - f. Certification that training conducted under this rule complies with all requirements of the rule.
5. Records Related to Drug Testing
- a. Agreements with collection site facilities, laboratories, Medical Review Officers (MRO's) and consortia;
 - b. Names and positions of officials and their role in the employer's alcohol and controlled substance testing program;
 - c. Monthly statistical summaries of urinalysis; and
 - d. The employer's drug testing policy and procedures.
6. Required Period of Retention:

Document to be maintained	Period required to be maintained
Alcohol test results indicating a breath alcohol concentration of 0.02 or greater	5 Years
Verified positive controlled substance test results	5 Years
Refusals to submit to required alcohol or controlled	5 Years

substance tests (including substituted or adulterated test results)	
Required calibration of Evidential Breath Testing Devices (EBT's)	2 Years
All follow-up tests and schedules for follow-up tests	5 Years
Substance Abuse Professional's (SAP's) evaluations and referrals	5 Years
Annual calendar year summary	5 Years
Records related to the collection process (except calibration) and required training	2 Years
Negative and canceled controlled substance test results	1 Year
Alcohol test results indicating a breath alcohol concentration less than 0.02	1 Year
Records obtained from previous employers concerning alcohol and drug testing	3 Years

7. Location of Records

All required records shall be maintained in accordance with Policy 8320. Records shall be made available for inspection at the Board Offices within two business days after a request has been made by an authorized representative of the Federal Highway Administration.

8. Annual Calendar Year Summary

The DER shall prepare and maintain an annual calendar year summary of the results of its alcohol and substance abuse testing programs. The summary shall be completed no later than March 15 of each year covering the previous calendar year. The DER upon request of the Federal Highway Administration (FHWA) will provide the annual summary to that agency in the required format.

9. Employee Information Program

The Board will provide an employee information program. The DER will be responsible for implementing the program and shall insure that each driver receives information in the manner specified below:

- a. By receiving a copy of this policy and any subsequent revisions.
- b. Through attendance at a meeting at which a detailed discussion of the following is conducted:
 - (1) The identity of the person designated by the employer to answer driver questions about the materials;
 - (2) Which drivers are subject to the alcohol misuse and controlled substance requirements;
 - (3) Explanation of what constitutes a safety-sensitive function, so as to make clear what period of the work day the driver is required to be in compliance;
 - (4) Specific information concerning driver conduct that is prohibited;
 - (5) The circumstances under which a driver will be tested for alcohol and/or controlled substances;

- (6) The procedures that will be used to test for the presence of alcohol and controlled substances;
- (7) The requirement that a driver submit to alcohol and controlled substance tests;
- (8) An explanation of what constitutes a refusal to submit to an alcohol or controlled substance test;
- (9) The consequences for drivers found to have violated the prohibitions of this rule, including the immediate removal of the driver from safety-sensitive functions;
- (10) The consequences for drivers found to have an alcohol concentration level of 0.02 or greater but less than 0.04;
- (11) Information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life. Signs and symptoms of an alcohol or controlled substances problem, and available methods of intervening when an alcohol or a control substances problem is suspected, including confrontation, referral to any employee assistance program and or referral to management.

Omnibus Transportation Act of 1991

49 C.F.R. 40 et seq.

49 C.F.R. 382 et seq.

49 C.F.R. 395.2

Adopted:

NORTH HUNTERDON VOORHEES SCHOOL DISTRICT

4233 POLITICAL ACTIVITIES

The Board of Education recognizes and encourages the right of all citizens, including school employees, to engage in political activity. However, the Board prohibits the use of school premises and school time for partisan political purposes.

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

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

The provisions of this policy do not apply to the conduct of employee representative elections.

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

N.J.S.A. 18A:42-4

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

Adopted: ~~19 February 2002~~

4431.3 NEW JERSEY'S FAMILY LEAVE INSURANCE PROGRAM

Board of Education employees are eligible to apply for benefits under New Jersey's Family Leave Insurance Program administered by the State of New Jersey – Department of Labor and Workforce Development. New Jersey's Family Leave Insurance Program (NJFLI) may provide up to six weeks of family leave insurance benefits payable to covered employees from either the New Jersey State Plan or an approved employer-provided private plan.

A benefit provided through the NJFLI will be for the employee to bond with a child during the first twelve months after the child's birth, if the covered individual or the domestic partner or civil union partner of the covered individual is a biological parent of the child, or the first twelve months after the placement of the child for adoption with the covered individual. An employee who intends to apply to the State of New Jersey for benefits under this provision of the NJFLI must provide the Superintendent of Schools written notice thirty calendar days prior to beginning the leave. Failure to provide this thirty-day notice may result in a reduction in the employee's maximum family leave insurance benefits. Intermittent leave to bond with a newborn or newly adopted child must be agreed to by the Superintendent of Schools and the employee and, if agreed to, must be taken in periods of seven days or more.

A benefit provided through the NJFLI will also be to care for a family member with a serious health condition supported by a certification provided by a health care provider. An employee who intends to apply to the State of New Jersey for benefits under this provision of the NJFLI for consecutive leave must provide the school district reasonable and practical notice unless the time of the leave is unexpected or the time of the leave changes for unforeseen reasons. An employee who intends to apply for benefits under this provision of the NJFLI for intermittent leave must provide the school district with a written notice at least fifteen calendar days prior to beginning the leave.

For the purposes of this Policy, "family member" means a child, spouse, domestic partner, civil union partner, or parent of a covered individual. "Child" means a biological, adopted, or foster child, stepchild, or legal ward of a covered individual, child of a domestic partner of the covered individual, or child of a civil union partner of the covered individual, who is less than nineteen years of age or is nineteen years of age or older but incapable of self-care because of mental or physical impairment.

All applications for benefits under the NJFLI must be filed directly with the State of New Jersey – Department of Labor and Workforce Development. The eligibility requirements, wage requirements, benefit duration and amounts, and benefit limitations shall be in accordance with the provisions of the NJFLI as administered by the State of New Jersey – Department of Labor and Workforce Development. A formal appeal may be submitted to the State of New Jersey – Department of Labor and Workforce Development if an employee or the Board disagrees with a determination on a claim.

The NJFLI provides eligible individuals a monetary benefit and not a leave benefit. In addition, the school district administrative and related staff will comply with the State of New Jersey - Department of Labor and Workforce Development requests for information in accordance with the provisions of N.J.A.C. 12:21-3.9.

The Board may elect to provide employees with Family Leave Insurance benefits coverage under a private plan which must be approved by the State of New Jersey – Department of Labor and Workforce Development.

A printed notification of covered individuals' rights relative to the receipt of benefits under the NJFLI will be posted in each of the school district worksites and in a place or places accessible to all employees at the worksite. Each employee shall receive a copy of this notification in writing at the time of the employee's hiring, whenever the employee provides written notice to the Superintendent of their intention to apply for benefits under the NJFLI, or at any time upon the first request of the employee. The written notification may be transmitted to the employee in electronic form.

N.J.S.A. 43:21-25 et seq.

N.J.A.C. 12:21-1.1 et seq.

Adopted:

4437 MILITARY LEAVE

The Board of Education recognizes that military service rendered by any district employee in the defense of the country or in maintaining preparedness for conflict, foreign or domestic, is a service benefiting all citizens. ~~Such service should not operate to deprive any district employee of benefits that would have been received had the period of military service been spent in district employment.~~ A permanent or full-time temporary officer and/or employee of the district will be provided military leave and related benefits pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Section 4301 et seq., P.L. 2001 Chapter 351 amending N.J.S.A. 38:23-1, N.J.S.A. 38A:1-1 and N.J.S.A. 38A:4-4., and any other applicable Federal and State laws.————

~~The request of any employee for military leave of absence for active duty in the armed forces will be granted without pay provided that such leave is not requested for volunteer peacetime service beyond the period of training. Any person granted such leave will be reemployed by this district upon being honorably discharged or honorably separated from military service, provided that the person has given notice before the end of the leave of the intention to return to district employment. A nontenured employee reemployed after military service leave will be permitted to perform the unexpired portion of his or her contract.~~————

~~The request of any employee who is a member of a United States Reserve Force or a member of the Organized Militia for a leave of absence with pay for duty in training or at the order of the Governor will be granted. The Board reserves the right to verify the necessity for any such leave requested by an employee and to request a schedule that least interferes with the employee's duties.~~—

A permanent or full-time temporary officer or employee of the school district who is a member of the organized militia of New Jersey (New Jersey National Guard, New Jersey Naval Militia Joint Command) shall be entitled, in addition to pay received, if any, as a member of the organized militia, to a leave of absence from his or her respective duties without loss of pay or time on all days during which he or she shall be engaged in any period of State or Federal active duty; provided, however, that the leave of absence for Federal active duty or active duty for training shall not exceed ninety work days in the aggregate in any calendar year. Any leave of absence for such duty in excess of ninety work days shall be without pay, but without loss of time. Such leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. A full-time temporary officer or employee who has served under such temporary appointment for less than one year in the district shall receive this leave without pay, but without loss of time.

A permanent or full-time temporary officer or employee of the school district who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve, or United States Marine Corps Reserve, or other organization affiliated therewith, including the National Guard of other States, shall be entitled, in addition to pay received, if any, as a member of a reserve component of the Armed Forces of the United States, to a leave of absence from his or her respective duty without loss of pay or time on all work days on

which he or she shall be engaged in any period of Federal active duty, provided, however, that such leave of absence shall not exceed thirty work days in any calendar year. Such leave shall be in addition to the regular vacation or other accrued leave provided to the officer or employee. Any leave of absence for such duty in excess of thirty work days shall be without pay, but without loss of time. A full-time temporary officer or employee who has served under such temporary appointment for less than one year in the district shall receive this leave without pay, but without loss of time.

Military leave with pay is not authorized for Inactive Duty Training (IDT) as defined in N.J.A.C. 5A:2-2.1.

The district will provide benefits and rights for staff on military leave as required by Federal and State laws.

The military leave requirements in this Policy are the minimum requirements of applicable Federal and State laws. The district, at its option, may provide additional military leave with pay and related benefits.

Pursuant to N.J.S.A. 52:13H-2.1, in accordance with the provisions of Article VIII, Section II, paragraph 5 of the New Jersey Constitution, upon application by the district to the State Treasury and approval of the application by the Director of the Division of Budget and Accounting, reimbursement shall be made by the State of New Jersey for any costs incurred as a result of the provisions of P.L. 2001, Chapter 351.

N.J.S.A. 18A:6-33; 18A:29-11

N.J.S.A. 38:23-1 et seq.; 38A:1-1; N.J.S.A. 38AA-4; 52:13H-2.1

N.J.A.C. 5A:2-2.1

Uniformed Services Employment and Reemployment Rights Act (USEAA), 38 U.S.C. Section 4301 et seq.

Adopted: 1 May 2001

5514 STUDENT USE OF VEHICLES

The safety of students, staff members, school visitors, and others while on school grounds is of significant importance to the Board of Education. A student's use of a vehicle and/or other modes of transportation on school grounds has the potential to present a safety hazard for the student operator and to other students, staff members, school visitors and others while on school grounds.

Students in grade 12 are permitted to drive their ~~automobile~~ vehicle to and from school and park in the area designated for student parking. The student must register their ~~automobile~~ vehicle with the Principal or designee who will provide the student with school rules for driving and parking on school grounds. The school's rules may require a permit that must be affixed on a window or be clearly visible from outside the ~~automobile~~ vehicle when the ~~automobile-vehicle~~ is parked on school grounds.

~~Students are not permitted to ride bicycles to and from any school in the district.~~

Students are not permitted to bring ~~non-motorized~~ skateboards, scooters, roller skates, or any other ~~non-motorized~~ unauthorized mode of transportation on school grounds during the school day.

~~Students are not permitted to bring any motorized bicycle, skateboard, scooter, roller skates, hoverboard, or any other motorized mode of transportation on school grounds during the school day.~~

The Principal of each school building may revoke the privilege of a student's use of any vehicle or mode of transportation permitted by this Policy for the student's failure to follow the provisions of this Policy and any requirements of State or local law or any school rule. The Board of Education assumes no responsibility for the loss, damage, or theft of any vehicle or any mode of transportation permitted on school grounds in accordance with this Policy.

Adopted: December 9, 2008

Revised: September 20, 2016

5516.01 STUDENT TRACKING DEVICES

The Board of Education recognizes students may have in their possession while in school, at a school-sponsored activity, or on a school bus an electronic tracking device that uses a global positioning system (GPS) or any other similar system. A tracking unit is a device, normally carried by a moving vehicle or person, that uses a GPS or similar system to determine and track its precise location, and hence that of its carrier, at intervals. The recorded location data can be stored within the tracking unit or it may be transmitted to another location, including, but not limited to, a central location database or an Internet-connected computer, using a cellular, radio, or satellite modem embedded in the unit. This allows the tracking unit's location to be displayed against a map backdrop either in real time or when analyzing the tracking path later, using tracking software. A tracking unit may be a device designed just for tracking or may be an application installed on any other electronic device.

A tracking unit may also have the ability to transmit in real time or through taping electronic communications to another location. These electronic communications may be one-way or two-way audio or video communications between the student and a person with a device at another location or an audio and/or video feature that enables a person remote from the student, with or without the permission of the student, to listen-in or have voice communications with the student and/or access video through the unit either in real time or by taping such communications.

The Board of Education permits the use of a tracking unit or an application on an electronic device that can track the location of the student while in school, at a school-sponsored event, or on a school bus. However, to protect the privacy rights of all students and to maintain the school district's legal obligation to maintain confidential student information in accordance with Federal and State law and regulations, the use of a tracking device or an application on an electronic device that enables any type of one-way or two-way audio and/or video communications or taping is not permitted.

A violation of the provisions of this Policy will result in a violation of the Student Code of Conduct Policy and appropriate discipline will be imposed.

Adopted:

7425 LEAD TESTING OF WATER IN SCHOOLS

The health, safety, and welfare of the children in the school district are of utmost importance to the Board of Education. The potential exposure to lead-contaminated drinking water poses serious health problems, particularly for children, as well as for teachers and school personnel, since the risk of lead contamination can come from pipe and plumbing fixtures in school facilities or on school grounds. The Board shall assure the availability of potable drinking water through sanitary means in school facilities or on school grounds. The Board of Education shall provide, in accordance with N.J.A.C. 6A:26-12.4, testing for lead in all district sources of drinking water.

The Board shall conduct lead sampling and analysis in all drinking water outlets to which a student or staff member has or may have access in each school facility, other facility, or temporary facility, as soon as practicable, but no later than July 13, 2017, unless the district qualifies for an exemption in accordance with N.J.A.C. 6A:26-12.4(d)(h)(i). This testing shall be conducted with a lead sampling plan in accordance with N.J.A.C. 6A:26-12.4(d)1, 2, and 3, and shall be in accordance with the Safe Drinking Water Act, N.J.S.A. 58:12A-1.

Within twenty-four hours after the Board or designee has completed a review of final laboratory results in accordance with the provisions of N.J.A.C. 6A:26-12.4(e), the test results shall be made publicly available at the school facility and on the Board of Education's website. If any results exceed the permissible lead action level, the Board shall provide written notification to the parents of all students attending the facility, facility staff, and the New Jersey Department of Education. This notification shall include: a description of the measures taken by the Board or designee to immediately end the use of each drinking water outlet where the water quality exceeded the permissible lead action level; the measures taken to ensure that alternate drinking water has been made available to all students and staff members; and information regarding the health effects of lead in accordance with N.J.A.C. 6A:26-12.4(e)1 and 2. After the initial screening, the Board will conduct these lead screenings every six years and shall sample for lead after the replacement of any drinking water outlet or any other alteration to plumbing or service lines that may impact lead levels at the outlet, in accordance with N.J.A.C. 6A:26-12.4(f)1 and 2.

The Board shall submit to the New Jersey Department of Education by June 30 of each year a statement of assurance, that the school district completed lead testing in accordance with N.J.A.C. 6A:26-12.4; that notifications were provided consistent with N.J.A.C. 6A:26-12.4; and that alternative drinking water continues to be made available to all students and staff, if necessary, pursuant to N.J.A.C. 6A:26-12.4(g).

The Board may apply for reimbursement for the costs of any water supply testing and analysis conducted, in accordance with N.J.A.C. 6A:26-12.4(j).

N.J.S.A. 58:12A-1 et seq.
N.J.A.C. 6A:26-12.4

Adopted:

7440 SECURITY OF SCHOOL PREMISES SCHOOL DISTRICT SECURITY (M)

The Board of Education believes that the buildings and facilities of ~~the~~ school district represent a substantial community investment. The Board directs the development and implementation of a plan for school district security to protect ~~that~~ the school community's investment in the school buildings and facilities.

The school district security program will include: ~~the~~ maintenance of facilities that are secure against unwelcome intrusion; protection against fire hazards and faulty equipment; and the compliance with observation of safe practices in the use of electrical, plumbing, and heating, and other school building equipment. The Board directs close cooperation of district officials with ~~local law enforcement officers, fire fighters officials, the sheriffs office, and insurance company inspectors~~ other emergency agencies.

The Superintendent of Schools shall designate a school administrator as a School Safety Specialist for the district in accordance with the provisions of N.J.S.A. 18A:17-43.3. The School Safety Specialist shall be required to acquire a New Jersey Department of Education School Safety Specialist certification in accordance with the provisions of N.J.S.A. 18A:17-43.2. The School Safety Specialist shall also serve as the school district's liaison with local law enforcement and national, State, and community agencies and organizations in matters of school safety and security.

~~Personal a~~ Access to school buildings and grounds, outside the hours school is in session, shall be limited to personnel whose employment requires their presence in the facility. An adequate key control system will be established to limit building access to authorized personnel and guard against the potential of intrusion by unauthorized persons who have obtained ~~keys~~ access improperly.

Building records and funds shall be kept in a safe place and ~~under lock and key~~ secured as appropriate and necessary.

Protective devices designed to be used as safeguards against illegal entry and vandalism may be installed when appropriate. The Board may approve the employment of ~~security guards~~ school resource officers, school security officers, and/or law enforcement officers in situations in which special risks are involved.

N.J.S.A. 18A:17-43.1; 18A:17-43.2; 18A:17-43.3

Adopted: 1 May 2001

7441 ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS (M)

The Board of Education authorizes the use of electronic surveillance systems in school buildings and on school grounds to enhance the safety and security for school district staff, ~~pupils~~ students, community members, and other building occupants and to protect the school district's buildings and grounds.

The content produced by the surveillance system under certain circumstances may be considered a student record; ~~and if so it in which~~ it will be subject to the Board of Education policy and regulations regarding confidential student records. If the content of the surveillance system becomes the subject of a disciplinary proceeding, it shall be treated like other evidence in the proceeding; ~~and the district declares such use to be legitimate educational interest.~~

~~If the content of the surveillance system becomes the subject of any action against an employee, it shall be treated like other employment records and may be used subject to Board of Education policy regarding employee records.~~

In accordance with the provisions of N.J.S.A. 18A:41-9, if at least one school building of the school district is equipped with video surveillance equipment that is capable of streaming live video wirelessly to a remote location, the Board of Education shall enter into a Memorandum of Understanding (MOU) with local law enforcement authorities providing the authorities with the capacity to activate the equipment and view live streaming video. The MOU shall include the provisions of N.J.S.A. 18A:41-9 and any additional information required by law enforcement officials. In the event the parties to the MOU are unable to reach an agreement regarding any provision required to be included in the MOU as per N.J.S.A. 18A:41-9a, the County Prosecutor shall make the final determination regarding that provision. Nothing in N.J.S.A. 18A:41-9 shall be construed as to require the installation of video surveillance equipment capable of streaming live video wirelessly to a remote site from a school building that does not have the ability to have live streaming video.

~~The following statement~~ The Board of Education shall be posted post signage in a prominent, public place in buildings and on school grounds where electronic surveillance equipment may be used.;

~~The Board of Education authorizes the use of electronic surveillance monitoring devices in school buildings and on school grounds. Therefore, all school buildings and school grounds within this school district may be monitored using such devices in accordance with Board Policy.~~

In addition to posting, the district shall notify school staff members, parent(s) and legal guardians, and ~~pupils~~ students that electronic surveillance may be used in school buildings and on school grounds through publication in student and staff handbooks, school calendars, notice

sent home with ~~pupils~~ students, or any other effective means to publish the district's use of electronic surveillance equipment in school buildings and on school grounds.

N.J.S.A. 18A:41-9

Adopted: January 22, 2008

Revised:

8507 BREAKFAST OFFER VERSUS SERVE (OVS)

The Board of Education, to be in compliance with the Healthy Hunger Free Kids Act (HHFKA) of 2010, adopts this Offer Versus Serve (OVS) Policy. Offer Versus Serve is a Policy for Federally reimbursable meals that allows students to decline a certain number of food components in the meal to reduce plate waste and food cost. Board of Education approval to implement a Breakfast OVS Policy is optional at all grade levels. The provisions of the Breakfast OVS Policy shall be in accordance with the requirements of the HHFKA of 2010.

A school breakfast eligible for Federal reimbursement shall offer four food items from the three food components in the appropriate amounts per grade grouping:

- ~~Fruit or vegetable or juice~~ (including optional vegetable);
- ~~Milk; and Grains~~ (including optional meat/meat alternate)
- ~~Grains~~ (including optional meat/meat alternate) Milk;

Students are allowed to decline one of the four food items offered, but must select at least a half cup of either fruit or half cup of vegetable or half cup of a fruit/vegetable combination.

After taking the half cup fruit or half cup of vegetable or half cup of a fruit/vegetable combination, students must select at least two additional food items in the full amounts (per grade group requirements) to count towards the reimbursable offer versus serve meal.

A student's decision to accept all four food items or to decline one food item shall not affect the price charged for the meal as the breakfast is priced as a unit. If students do not choose enough food items to comprise a reimbursable meal, a la carte prices will be charged.

School staff members cannot make exceptions to the Policy, such as requiring every student to take a particular food component. It is the student's choice to select any three or all four food items of the reimbursable meal.

At each school implementing this OVS Policy, school food service staff members will be trained annually on the provisions of the district's Breakfast OVS Policy.

Breakfast OVS will be implemented in all schools in the district.

Adopted: May 13, 2014

Revised:

8630 BUS DRIVER/BUS AIDE RESPONSIBILITY (M)

The Board of Education requires all school bus drivers and bus aides employed by the district or employed by a contracted school bus company to be reliable persons of good moral character who possess the qualifications necessary to perform the duties of the position. Anyone driving a school bus used to transport students to and from school and school related activities must meet all requirements of N.J.S.A. 18A:39-17, 18, 19.1, and 20 and all New Jersey Motor Vehicle Commission (NJMVC) rules governing school bus drivers. All school bus drivers must possess the appropriate license and endorsement(s) to drive a school bus in the State of New Jersey and are subject to all the Federal and State requirements to maintain the appropriate license.

“Employer” for the purposes of this Policy and Regulation means a Board of Education or a contractor that provides student transportation services under contract with the Board of Education. In the event the school district employs school bus drivers and bus aides and/or uses a contractor for transportation services, the “employer” for school district employed school bus drivers and bus aides shall be the Board of Education and the “employer” for contracted school bus drivers and bus aides shall be the contractor that provides student transportation under contract with the Board of Education.

School bus drivers and bus aides shall meet criminal history background check requirements pursuant to N.J.S.A. 18A:6-7.1 et seq. and tuberculin testing requirements pursuant to applicable State statutes and administrative codes. School bus drivers and bus aides shall be considered under the Federal Family Educational Rights and Privacy Act (FERPA) to be school officials who have a legitimate educational interest to parts of a student’s record relating to transportation, without parental consent, as outlined in N.J.A.C. 6A:27-12.1(j)1.

A Commissioner of Education-developed training program on proper procedures for interacting with students with special needs shall be administered by the employer to all school bus drivers and bus aides in accordance with the requirements of N.J.S.A. 18A:39-19.2. This training program must be administered in accordance with the provisions of N.J.S.A. 18A:39-19.3.a. and all school bus drivers and bus aides must file a certification with ~~the Board of Education~~ their employer that the individual has completed the training program within five business days of its completion. ~~The Board~~ employer shall retain a copy of the certificate for the duration of the individual’s employment and shall file a copy of the certification to the Department of Education in accordance with the provisions of N.J.S.A. 18A:39-19.3.b.

School bus drivers and bus aides shall receive training in the use of a student’s educational records and in their responsibility to ensure the privacy of the student and his or her records. In addition, permanent and substitute school bus drivers and bus aides shall be trained for the functions of their positions and in a safety education program as outlined in N.J.A.C. ~~6A:27-11.2(b) and (e)~~ 6A:27-11.1 et seq.

In accordance with the provisions of N.J.S.A. 18A:39-28, school bus drivers must visually inspect the school bus they are assigned at the end of the transportation route to determine that no student has been left on the bus.

The school bus driver shall be in full charge of the school bus at all times and shall be responsible for maintaining order. The school bus driver will never exclude a student from the school bus, but if unable to manage a student, the school bus driver will report the unmanageable student to the Principal or designee of the school in which the student attends.

The Principal or designee, upon such report from the school bus driver, may assign appropriate discipline. The discipline may include excluding the student from the bus. The student's parent shall provide for the student's transportation to and from school during the time of exclusion.

In the event of an emergency, school bus drivers shall follow procedures established by this Board. School administrators shall organize and conduct emergency exit drills at least twice within the school year for all students who are transported to and from school. All other students shall receive school bus evacuation instruction at least once per year. School bus drivers and bus aides shall participate in the emergency exit drills, which shall be conducted on school property and shall be supervised by the Principal or person assigned to act in a supervisory capacity. Drills shall be documented in the minutes of the Board of Education at the first meeting following completion of the emergency exit drill in accordance with the provisions of N.J.A.C. 6A:27-11.2(d).

In accordance with the provisions of N.J.S.A. 18A:39-19.4, a Commissioner-developed student information card shall be completed by a parent of a student with an Individualized Education Plan (IEP), who receives transportation services, when the IEP is developed or amended. Upon receiving consent from the parent, the student information card shall be provided to a school bus driver and bus aide for each student on the bus route to which the school bus driver or bus aide is assigned for whom a student information card has been completed by the parent.

The school bus driver will immediately inform the Principal of the receiving school and the School Business Administrator or designee of the district providing the transportation following an accident that involves injury, death, or property damage. The school bus driver must also complete and file within ten days of the accident the Preliminary School Bus Accident Report prescribed by the Commissioner of Education. In addition to the Preliminary School Bus Accident Report, the driver of a school bus involved in an accident resulting in injury or death of any person, or damage to property of any one person in excess of \$500, shall complete and file within ten days after such accident a motor vehicle accident report in accordance with N.J.S.A. 39:4-130.

School bus drivers are prohibited from using a cellular telephone or other electronic communication device while operating a school bus unless the school bus is parked in a safe area off a highway or in an emergency situation pursuant to N.J.S.A. 39:3B-25. A school bus driver who violates this policy provision is subject to fines pursuant to N.J.S.A. 39:3B-25.

School bus drivers are responsible for the safety of their students and shall rigorously observe all motor vehicle laws and regulations and State Board of Education rules in the operation of their school bus.

N.J.S.A. 18A:6-7.1 et seq.; 18A:25-2; 18A:39-17; 18A:39-18;
18A:39-19.1; 18A:39-19.2; 18A:39-19.3; 18A:39-19.4; 18A:39-28

N.J.S.A. 39:3B-25

N.J.A.C. 6A:27-11.1 et seq.; 6A:27-12.1 et seq.

Adopted: May 11, 2010

Revised: May 12, 2015, September 20, 2016

9180 SCHOOL VOLUNTEERS

The Board of Education recognizes that the services of ~~community~~ volunteers can enrich the educational program, assist teaching staff members in the performance of their duties, and enhance the relationship between the school district and the community. The Board ~~directs the institution of~~ authorizes a program for the utilization of volunteer services in ~~grades nine through twelve~~ the schools of the school district.

An unpaid volunteer, as defined below, shall be required to complete a criminal history record check. The Board of Education shall reimburse the volunteer for the cost of the criminal history record check in accordance with the provisions of N.J.S.A. 18A:6-7.2.

For the purposes of this Policy, a "volunteer" is a person who is not paid by the Board of Education, who assists with classroom or other school activities under the direct supervision of an appropriately certified or licensed school district employee, and provides assistance for school activities on a "regular basis" throughout the school year.

The Superintendent or designee shall determine if a person meets or will meet the requirements to be a "volunteer" for the purpose of this Policy.

A volunteer must be approved by the Board upon recommendation of the Superintendent.

Volunteers must be persons of known character, responsibility, and integrity.

~~The Principal shall be responsible for the recruitment and screening of volunteers, may delegate the assignment of volunteers to specific tasks and must submit their names for Board approval.~~

Neither the Superintendent nor any Principal shall be obligated to utilize the proffered services of a volunteer whose abilities or interests do not serve the needs of pupils.

~~If proffered services of a volunteer are refused, notification must be sent to the Board as to reasons for refusal, within ten days of refusal.~~

~~The Superintendent shall prepare and promulgate rules of conduct for school volunteers. Rules of conduct are to be approved by the Board. Each school volunteer shall be given a copy of this pPolicy and the rules of conduct.~~

The following guidelines shall govern the service of school volunteers:

1. Volunteers may serve only under the direction and supervision of an appropriately certified or licensed ~~teaching~~ staff member;
2. Volunteers should clearly understand their duties and responsibilities and perform no service outside those duties;

3. Volunteers serve only in a support capacity; only teaching appropriately certified or licensed staff members are responsible for educational planning and decisions and the teaching of new concepts;
4. Volunteers shall respect the individuality, dignity, and worth of each child;
5. Volunteers are not permitted access to pupil-student records;
6. Volunteers should exercise discretion and respect student and staff confidentiality in discussing their school activities with others in the community in discussing their school activities with others in the community and must maintain confidential any information that if disclosed would violate Federal and State laws;
7. Volunteers may consult with the Principal regarding their duties and responsibilities; and
8. Volunteers shall receive no financial remuneration from the Board, except where the Principal of the school has obtained permission from the Board in advance for certain documented expenses.

~~All school volunteers must have a criminal background check and be fingerprinted at their own expense, sign a waiver for workers' compensation and provide documentation that a Mantoux test has been administered.~~

~~The Superintendent shall report annually at the December Board meeting to the Board on the number of volunteers serving in the schools of the district, the duties performed by volunteers, and the number of volunteer hours served, by school. In addition, the Board will send a letter of appreciation to all volunteers who have contributed to the success of the district.~~

N.J.S.A. 18A:6-7.1; 18A:6-7.2

Adopted: 1 May 2001

9181 VOLUNTEER ATHLETIC COACHES AND CO-CURRICULAR ACTIVITY ADVISORS/ASSISTANTS

The Board of Education recognizes the services of volunteer athletic coaches and co-curricular activity advisors/assistants bring unique skills to the district, enrich the athletic and co-curricular program, assist district coaching and co-curricular staff members in the performance of their duties, and enhance the relationship between the school district and the community. Therefore, ~~t~~The Board ~~directs~~authorizes a program for the utilization of volunteer athletic coaches and co-curricular activity advisors/assistants in ~~grades nine through twelve~~the district.

For the purposed of this Policy, "volunteer athletic coach and co-curricular activity advisor/assistant" is a person who is not paid by the Board of Education, assisting under the direct supervision of an appropriately certified or licensed school district employee, and provides assistance for the school activity.

~~The Building~~ Athletic Director will be responsible for the recruitment and screening of volunteer athletic coaches and co-curricular activity advisors/assistants and their assignment. The district is not obligated to utilize the proffered services of a volunteer ~~athletic coach~~ whose abilities or interests do not serve the needs of the school district as determined by the Superintendent.

~~Coaching~~These volunteers must be persons of known character, responsibility, and integrity and must be recommended by the Superintendent and approved by the Board of Education prior to assuming any ~~coaching~~ responsibilities.

The Athletic Director will prepare and promulgate rules of conduct for volunteer athletic coaches and volunteer co-curricular activity advisors/assistants. Each volunteer athletic coach and co-curricular activity/assistant will be given a copy of this Ppolicy ~~and the rules of conduct~~.

The following guidelines shall govern the service of a volunteer athletic coach and volunteer co-curricular activity advisor/assistant:

- 1) Volunteer athletic coaches and volunteer co-curricular activity advisors/assistants may serve only under the direction and immediate supervision of a head and/or assistant coach or activity advisor or assistant employed by the Board;
- 2) Volunteer athletic coaches and volunteer co-curricular activity advisors/assistants must clearly understand their duties and responsibilities and perform no services outside those duties;
- 3) Volunteer athletic coaches and volunteer co-curricular activity advisors/assistants serve only in a support capacity and only head or assistant coaches or activity advisors or assistants employed by the Board are responsible for the supervision and instruction provided to ~~pupils~~students participating in ~~the athletic programs~~ or co-curricular activities;
- 4) Volunteer athletic coaches and volunteer co-curricular activity advisors/assistants shall respect the individuality, dignity and worth of each ~~pupil~~student;

- 5) Volunteer athletic coaches and volunteer co-curricular activity advisors/assistants are not permitted access to pupil/student records;
- 6) Volunteer athletic coaches and volunteer co-curricular activity advisors/assistants must exercise discretion in disclosing any confidential pupil/student matters the coach or activity advisor or assistant employed by the Board becomes aware of as a result of their volunteer responsibilities;
- 7) Volunteer athletic coaches must consult with the Athletic Director regarding any matters or questions regarding their duties and responsibilities;
- 7)8) Volunteer co-curricular activity advisors/assistants must consult with the Director of Student Activities regarding any matters or questions regarding their duties and responsibilities;
- 8)9) Volunteer athletic coaches and co-curricular activity advisors/assistants shall receive no financial remuneration from the Board or any other source; and
- 9)10) Volunteer athletic coaches and volunteer co-curricular activity advisors/assistants; may be immediately relieved of the volunteer responsibilities, with or without cause, by the Superintendent with such action to be recommended to the Board by the Superintendent at the next Board meeting following relief of duties.

All school volunteer athletic coaches and co-curricular activity advisors/assistants must have an approved:

- 1) Obtain a Criminal background/history record check and fingerprinted at school district's expense to be reimbursed by the Board;
- 2) Sign a waiver for workers' compensation if required by the school district's insurance company;
- 3) Provide documentation that a Mantoux test has been administered; and
- 4)3) OTHER

The Superintendent shall report annually to the Board on the number of volunteer coaches serving in the district, the duties performed by volunteer coaches, and the number of volunteer hours served, by the school athletic program.

N.J.S.A. 18A:6-7.1; 18A:6-7.2

Adopted: April 2008

9240 RIGHTS OF PARENTS

The Board of Education recognizes that the parent(s) or legal guardian(s) of each child are ultimately responsible for the care and custody of that child, and that both parent(s) or legal guardian(s) share that responsibility equally. The Board recognizes as well that, where only one parent has legal custody of a child, the rights and responsibilities of the other parent may be limited. The Board believes that the interests of the child are best served by the continuing involvement of both parents in the child's life and well-being.

The Board will presume that each natural or adoptive parent(s) or legal guardian(s) of a ~~pupil~~ student enrolled in this district possesses full parental rights of access to the ~~pupil~~ student and to information about the ~~pupil~~ student, notwithstanding any separation of the parent(s) or legal guardian(s) or dissolution of their marriage. Accordingly, and in the absence of notice to the contrary, the Board directs that school administrators accommodate the needs of both parent(s) or legal guardian(s) for access to their child, to their child's teachers, and to information about their child.

Every parent, except as prohibited by federal and state law, shall have access to records and information pertaining to his or her unemancipated child, including, but not limited to, medical, dental, insurance, child care and educational records, whether or not the child resides with the parent, unless that access is found by the court to be not in the best interest of the child or the access is found by the court to be sought for the purpose of causing detriment to the other parent.

The place of residence of either parent shall not appear on any records or information released pursuant to the provisions of this section.

A child's parent(s), guardian(s) or legal custodian(s) may petition the court to have a parent's access to the records limited. If the court, after a hearing, finds that the parent's access to the record is not in the best interest of the child or that the access sought is for the purpose of causing detriment to the other parent, the court may order that access to the records be limited. Proper notice of court action consists of the custodial parent's sworn affidavit or certification supported by a copy of the pertinent portion of a legal agreement or court order that awards custody and establishes the rights and limitation of the noncustodial parent or terminates the parental rights of the noncustodial parent.

Nothing in this policy shall be construed as limiting in any way the rights of the noncustodial parent whose parental rights have not been terminated to full access to his/~~or~~ her child's records.

N.J.S.A. 18A:35-4.6 et seq.; 18A:47-4; 18A:47-8

N.J.A.C. 6:3-6.1; ~~6:3-6.5~~

N.J.A.C. 6A:14-1.3; 6A:14-2.9; 6A:32-7.1; 6A:32-7.5

Adopted: ~~1 May 2001~~

9242 USE OF ELECTRONIC SIGNATURES

The New Jersey Uniform Electronic Transactions Act (UETA) authorizes a Board of Education to use electronic forms, filings, and signatures to conduct official business with the public. The use of electronic forms, filings, and signatures may save school district resources and will provide a convenient and cost-efficient option for parents to receive, review, and acknowledge receipt of information from the school district. Therefore, the Board of Education authorizes the use of electronic forms, filings, and signatures in communications between the school district and parents pursuant to the UETA.

For the purposes of this Policy, “electronic” means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

For the purposes of this Policy, “electronic record” means a record created, generated, sent, communicated, received, or stored by electronic means.

For the purposes of this Policy, “electronic signature” means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

For the purposes of this Policy, “information processing system” means an electronic system for creating, generating, sending, receiving, storing, displaying, or processing information.

The school district may electronically send documents to parents of students enrolled in the school district. These documents may include, but are not limited to: informational notices; school or school related events or activities; periodic updates on a student’s progress; school district forms; requests for information; and any other communications between the school district and home. Some documents electronically sent to parents may require the parent to: acknowledge receipt of a document; provide parental consent for such matters as student compliance with the district’s acceptable use of school district computers and administration of surveys; and/or acknowledge receipt and acceptance of terms of a Board of Education policy, regulation, or practice. Any document sent to parents of students enrolled in the school district must be capable of retention by the recipient. To be capable of retention, the recipient at the time of receipt, must be able to retain and accurately reproduce the document for later reference by all persons who are entitled to retain the record. A record is not capable of retention by the recipient if the sender of its information processing system inhibits the ability of the recipient to print or store the electronic record.

The Board of Education authorizes documents may be electronically sent to parents of students enrolled in the school district only with the approval of the Superintendent of Schools. The Superintendent shall establish an information processing system to include a process for parents to electronically send, sign, and return documents to the school district. The school district shall make accommodations for a parent who is unable or unwilling to conduct business electronically. In addition, a parent may refuse to conduct business electronically for any reason and at any time. In this event, the school district shall make available a hard copy of the document(s) to the parent to review, maintain, and any document(s) requiring

signatures to be returned to the district. The Superintendent will only implement an information processing system in accordance with the provisions of the UETA.

Documents that are electronically signed and returned to the school district may be maintained by the school district in electronic or non-electronic form. Documents returned to the district that are not electronically signed shall be maintained by the district in non-electronic form. However, nothing shall prevent the school district from converting a non-electronic document to an electronic document and for such document to be stored in electronic form. All electronic or non-electronic documents returned to the school district shall be maintained by the school district in accordance with the New Jersey Department of the Treasury - Records Management Services - Records Retention Schedules and in accordance with N.J.S.A. 12A:12-12.

N.J.S.A. 12A:12-1 et seq.

Adopted:

9270 HOME SCHOOLING AND EQUIVALENT EDUCATION OUTSIDE THE SCHOOLS (M)

The Board of Education encourages the enrollment of all children of school age resident in the district in public schools or in approved private schools so that they may enjoy the benefits of a well-planned educational program and the socialization possible in a group environment.

Every parent, legal guardian or other person having custody and control of a child between the ages of six and sixteen years shall cause such child regularly to attend the public school or a day school in which there is given instruction equivalent to that provided in the public schools for children of similar grades and attainments or to receive equivalent instruction elsewhere than at school. The Board recognizes its responsibility for assuring that every child of school age resident in the district is enrolled in a public or private school or is offered an equivalent thorough and efficient education elsewhere than at school. The Board acknowledges that parents a parent, guardian, or other person having custody and control of a child has-have a constitutional right to choose the type and character of education they feel is best suited for their child(ren), be it secular or sectarian. Home schooling is an option that parents/legal guardians may choose to educate their children. When parents choose chosen this option the program will be carried out in the pupil/student's home rather than the school.

In the event a child is receiving an education outside the district schools, the Superintendent determines there is credible evidence the parent, legal guardian, or other person having custody or control of a school-aged child is not causing the child to receive equivalent instruction elsewhere that at school, the Superintendent may request a letter of intent from the parent, legal guardian, or other person confirming the child is receiving equivalent instruction elsewhere than at school. The Superintendent may report to the appropriate municipal authorities children whom he/she has reason to believe are not receiving an education in accordance with N.J.S.A. 18A:38-25, offered instruction outside the schools equivalent to that offered in the public schools for children of similar ages or attainments. If the Superintendent makes such report, the parents and/or legal guardians of a pupil receiving instruction elsewhere other than school may notify the Superintendent of their child's educational program status and provide sufficient information to satisfy the district that equivalent instruction is being offered. The New Jersey Department of Education encourages the parent, legal guardian, or other person having custody and control of a school-aged child to notify the Superintendent of the intent to educate the child elsewhere than at school to avoid questions with respect to compliance with the compulsory education laws.

A The parent or legal guardian or other person having echarge custody and control of a child between the ages of six and sixteen, who shall fail/fails to comply with any of the compulsory education provisions of N.J.S.A. 18A:38 et seq. relating to his/her duties, shall be deemed to be a disorderly person and shall be subject to a fine.

If a child who seeks admission to this the school district from a program of home schooling, the school district will evaluate the work of the child to determine his or her appropriate grade

placement. The Superintendent or designee will objectively evaluate the child's skill and achievement levels, as it would with any transfer student, before making a determination as to the acceptability of credits and/or the appropriate grade level placement.

When children are ~~educated at home~~home-schooled and are not enrolled in a school, the school district is not required to provide any of the entitlements or privileges of ~~pupils-students~~ enrolled in the school district unless an entitlement or privilege is specifically provided in Board Policy or required by Federal law, or State statute or administrative code~~the federal special education laws~~. The school district's curriculum and other public record information will be provided to the parent, legal guardian, or other person having custody and control of a child upon request in accordance with the Open Public Records Act and Policy and Regulation 8310.

A child educated at home shall not receive a ~~s~~State endorsed high school diploma from the Board of Education.

N.J.S.A. ~~18A:38-25~~; 18A:38-25 through 18A:38-31

U.S.C.A.-1401 et seq.

New Jersey Department of Education – Frequently Asked Questions: Home Schooling

Adopted: ~~1 May 2001~~

9500 COOPERATION WITH EDUCATIONAL AGENCIES

The Board of Education recognizes the need for communication between this district and other districts and educational institutions that provide programs, training, and services not otherwise available to children residing in this district.

The Board acknowledges the responsibility for the education and conduct of the pupil-student in the school district in which he or she is enrolled.

The Board will attempt to meet periodically with the governing boards of other educational institutions that receive from this district a significant number of pupils-students or that send to this district a significant number of pupils-students.

In order to maintain a cordial and constructive relationship with Bethlehem Township, Califon Borough, Town of Clinton, Clinton Township, Franklin Township, Glen Gardner Borough, Hampton Borough, High Bridge Borough, Lebanon Borough, Lebanon Township, Tewksbury Township, Union Township, the Superintendent shall provide annually a complete description of all programs available to students of the sending or constituent district; institute an articulation council to coordinate the program of studies between this district and those districts sending students here; provide an orientation program for incoming students; assure that unusual traits of individual students entering this district have been made known to the staff members that can be of most assistance to such students; and inform the sending district of any serious discipline problems encountered with students from that district.

In order to maintain a cordial and constructive relationship with Bethlehem Township, Califon Borough, Town of Clinton, Clinton Township, Franklin Township, Glen Gardner Borough, Hampton Borough, High Bridge Borough, Lebanon Borough, Lebanon Township, Tewksbury Township, Union Township, the Superintendent shall cooperate with the professional staff in articulation studies to assure that pupils-students of this district are properly prepared to enter the schools of the receiving district; inform pupils-students in their final year in this district of program options in the receiving district and counsel them regarding their program choices; provide an orientation program to pupils-students in their final year in this district to familiarize them with the facilities, procedures, and rules of the receiving district; develop procedures to follow the progress of our pupils-students during their careers in the receiving school; and keep the Board informed of any problems of an individual or group nature that may be a threat to the educational progress of our pupils.

In order to maintain cordial and constructive relationships with nonpublic schools, the Superintendent shall maintain liaison with the administration of all nonpublic schools located within this school district in order to be aware of any program changes that may be planned that could affect this district; determine how this district can advance the education of resident pupils-students attending parochial or private schools by the provision in these schools of special programs; and cooperate fully in the implementation of all Sstate and Ffederal programs

administered by this district that benefit, in whole or in part, eligible pupils attending such nonpublic school.

20 U.S.C.A. §3066

N.J.S.A. 18A:38-13.1 et seq.;

18A:40-23 et seq.;

18A:46-19.1 et seq.;

18A:46A-1 et seq.;

18A:58-37.1 et seq.

N.J.A.C. ~~6:20-6.1 et seq.; 6:28-6.1 et seq.~~ 6A:23-6.1 et seq.; 6A:14-6.2 et seq.

Adopted: ~~1 May 2001~~

9550 EDUCATIONAL RESEARCH PROJECTS

The Board of Education will cooperate, whenever appropriate and feasible, with organizations and individuals conducting bona fide educational research involving ~~pupils~~-students enrolled in the schools of this district.

All educational research must be approved in advance by the Board. A written application for approval must state the purpose of the research, the specific ways in which ~~pupils~~-students will be involved, the estimated duration of the project, the persons who will conduct the research project and their relevant affiliations, and any possible benefits to ~~pupils~~-students or to the school district. Approval will be granted only to those projects that will serve the interests of ~~pupils~~ students and the educational program; approval will not be granted to projects that will impede or significantly disrupt the instructional program approved by the Board.

Parent(s) or legal guardian(s) will be informed of any educational research project that involves their children and may request the removal of their children from the project.

The conduct of research activities must rigorously protect ~~pupils~~'-students' privacy. Approved researchers may be given access to ~~pupil~~-student records in accordance with rules of the State Board of Education and Board Policy 8330, but shall not abuse this privilege by using information in any way that may embarrass or harm individual ~~pupils~~students or their families. The Board must be satisfied that strict standards of anonymity and confidentiality will be observed.

N.J.A.C. ~~6:3-6.5~~ 6A:32-7.5

Adopted: ~~1 May 2001~~