

**DISTRICT OF ROXBURY TOWNSHIP  
BOARD OF EDUCATION  
JULY 20, 2020  
REGULAR MEETING AGENDA**

**VIRTUAL**

CALL TO ORDER: 6:30 P.M.

PUBLIC SESSION: 7:30 P.M.

**SPEAKER REQUEST AT BOARD OF EDUCATION MEETINGS**

*Anyone wishing to speak about agenda or non-agenda items at a meeting of the Roxbury Township Board of Education must follow these procedures. Located on the front table will be forms entitled, **Speaker Request Form**. Please fill one out indicating your name and address and the agenda item or topic you wish to discuss. After completing the form, return it to the Assistant Business Administrator. Thank you for your cooperation.*

**ACCESS AGENDA & EXHIBITS  
ONLINE:**



**I. MEETING CALLED TO ORDER**

The Roxbury Township Board of Education is meeting in Regular Session for discussion on business before the Board tonight.

The New Jersey Open Public Meetings Law was enacted to insure the public's right to have advance notice of and to attend meetings of public bodies at which business affecting their interest is discussed or acted upon. In accordance with the provisions of the Act, the Board has caused written notice of this meeting and copies of its agenda to be transmitted to:

Roxbury Register – Newspaper

Daily Record – Newspaper

Roxbury Website – <http://www.roxbury.org/domain/43>

Municipal Clerk

Roxbury Public Library

The notice of tonight's meeting and a copy of tonight's agenda have been posted in the Board's Business office.

**II. ROLL CALL**

**III. RESOLUTION TO MEET IN EXECUTIVE SESSION**

RESOLVED, that the Roxbury Township Board of Education hold an Executive Session on July 20, 2020 regarding personnel matters, student matters, negotiations and attorney client privilege.

**IV. PUBLIC SESSION**

**V. PLEDGE OF ALLEGIANCE**

**VI. PRESENTATIONS**

July 20, 2020

VII. CORRESPONDENCE

VIII. STUDENT REPRESENTATIVE'S COMMENTS

IX. BOARD PRESIDENT'S COMMENTS

X. SUPERINTENDENT'S REPORT

XI. BUSINESS ADMINISTRATOR'S REPORT

XII. MINUTES

1. Minutes of the Executive Session of June 22, 2020
2. Minutes of the Workshop Meeting of June 22, 2020

XIII. COMMITTEE REPORTS

*Each Committee Chair will advise the full board of the last committee meeting, and the next committee meeting, and any other comments you believe are important for the full board to know.*

- A. COMMUNITY RELATIONS/SHARED SERVICES
- B. EDUCATION
- C. FACILITIES
- D. FINANCE
- E. PERSONNEL
- F. POLICIES/GOVERNANCE
- G. NEGOTIATIONS
- H. SUSTAINABILITY

XIV. PUBLIC HEARING – SUPERINTENDENT'S CONTRACT

RESOLVED that the Roxbury Township Board of Education conduct a public hearing regarding a new Contract of Employment for the Superintendent of Schools. Following the public hearing, board action will be taken.

XV. PUBLIC COMMENTS – Action Items – There is a three-minute time limit, per Board Policy.

XVI. ACTION ITEMS

**A. Finances** (*Resolutions 1-21*)

*The following motions recommended by the Superintendent and School Business Administrator are non-controversial, a matter of routine business and will be voted on by one motion.*

BILLS LIST

- \*1. RESOLVED, that the Roxbury Township Board of Education approve the July 2020 bills list totaling \$1,809,932.76 as presented.
- \*2. RESOLVED, that the Roxbury Township Board of Education approve the June 2020 Supplemental bills list totaling \$981,000.12 as presented.

TRANSFERS

- \*3. RESOLVED, that the Roxbury Township Board of Education approve the Preliminary June 2020 list of transfers between accounts as presented. Approval by the County Office is not required except as noted on the list.

SECRETARY'S REPORT

- \*4. RESOLVED, that the Roxbury Township Board of Education approve the Board Secretary's Report for June 2020.

TREASURER'S REPORT

- \*5. RESOLVED, that the Roxbury Township Board of Education approve the Treasurer's Report for June 2020.

MONTHLY FINANCIAL CERTIFICATION OF THE BOARD SECRETARY AND BOARD OF EDUCATION

- \*6. RESOLVED, that the Roxbury Township Board of Education, pursuant to N.J.S.A. 18A:19-4, does certify that no line item account has encumbrances and expenditures which in total exceed the line item appropriation, and

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 18A:17-9 and N.J.S.A. 18A:17-36, after review of the Board Secretary's and Treasurer's monthly financial reports for the month of June 2020 that no major accounts and fund balances in the 2019/2020 budget have been over expended and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

STUDENT ACTIVITY ACCOUNTS

- \*7. RESOLVED, that the Roxbury Township Board of Education approve the Student Activity Accounts monthly bill lists for the month of June 2020 as follows:

Roxbury High School	\$37,189.54	Franklin School	\$198.01
Athletics	\$704.50	Kennedy School	\$0.00
Eisenhower Middle School	\$1,980.00	Jefferson School	\$0.00
Lincoln Roosevelt School	\$125.00	Nixon School	\$0.00

### TRAVEL REQUESTS

- \*8. RESOLVED, that the Roxbury Township Board of Education approve unavoidable travel costs as presented which are educationally necessary and fiscally prudent and are related to and within the scope of the employee's current responsibilities and promotes the delivery of instruction or furthers the efficient operation of the school district. The reimbursements are in compliance with the state travel reimbursement guidelines as established by the Department of Treasury and Board of Education policy in accordance with N.J.A.C. 6A-23B-1.1 et seq.

	Name	Workshop Title		Place	Date of Workshop	Registration Fee	Total Estimated Expenses
1	Fessock, Jessica	Developing Metacognitive Skills in Grade 3 and Up	4	Virtual	7/28/2020	\$100.00	\$100.00
2	Bubay, Monica P.	Distance Learning: Strengthening World Language Instruction (Grades 6-12)	4	On-line	7/30/2020	\$279.00	\$279.00
Notes: 1-State/Federal policy requirements, 2-State curricular requirements, 3-State Initiatives, 4-Individual job requirements, T2-paid for by Title II funding, T3 paid for by Title III funding. Substitute coverage is indicated by "S" followed by the number of days for which a substitute is needed.							

### CONTRACTS

- \*9. RESOLVED, that the Roxbury Township Board of Education approve the 2020/2021 Shared Services Agreement and Addendum for the Bidding/Purchasing Program with the Educational Services Commission of Morris County for the categories: *General Classroom Supplies, Athletic Supplies, Custodial Supplies, Audio Visual, Computer/Office, Fine Art, Home Economics, Library Supplies, Health Supplies, Physical Ed Supplies, Science and Technology Supplies*. This agreement shall be in effect from July 1, 2020 until June 30, 2021. The fee for this service is \$15,980.00.

### PAYMENT APPLICATIONS

- \*10. RESOLVED, that the Roxbury Township Board of Education approve the following payments to the following contractor:

Contractor	Project	Payment No.	Amount
JG Drywall LLC	Roxbury Reimagined Phase 2	6	\$24,528.14

### APPROVAL OF PURCHASES

- \*11. RESOLVED, that the Roxbury Township Board of Education approve the purchase from H.A. Dehart & Son, 311 Crown Point Road, Thorofare, NJ of one air purifier for big buses and vans in the amount of \$59,375.00. This purchase is being made through State Contract 89272.

- \*12. RESOLVED, that the Roxbury Township Board of Education approve the purchase from H.A. DeHart & Son, 311 Crown Point Road, Thorofare, NJ of one 2021 Thomas C2 39-Passenger Wheelchair bus in the amount of \$122,858.31 as per H.A. DeHart quote dated 11/19/2019. This purchase is being made through HCESC Bus Bid #17-01B.
- \*13. RESOLVED, that the Roxbury Township Board of Education approve the purchase from Hoover Truck Centers, P.O. Box 719, Flanders, NJ of four 2021 Blue Bird 29 Passenger Micro Bird School Buses in the amount of \$75,052.56 each for a total of \$300,210.24 as per Hoover Quote dated 1/17/2020. This purchase is being made through Bid #ESC NJ 19/20-22.
- \*14. RESOLVED, that the Roxbury Township Board of Education approve the purchase from Core BTS, Inc., 5875 Castle Creek Parkway North Drive, Suite 320, Indianapolis, IN, for annual CoreCare Support Renewal in the amount of \$48,385.96 as per Core BTS quote number Q07747 dated June 4, 2020.
- \*15. RESOLVED, that the Roxbury Township Board of Education approve the purchase from Crossroads Pavement Maintenance LLC, 512 Newark Pompton Turnpike, Pompton Plains, NJ of paving and related work at various schools as listed below:

Roxbury High School	\$45,770.00
Jefferson Elementary School	\$37,975.00
Nixon Elementary School	\$74,750.00
Franklin Elementary School	\$24,750.00

- \*16. RESOLVED, that the Roxbury Township Board of Education approve the purchase from Nickerson Corporation, 11 Moffitt Blvd., Bay Shore, NY of casework and equipment for science labs at Roxbury High School in the amount of \$83,924.28. This purchase is being made through Education Services Commission of NJ Contract #MRESC 17/18-16.

#### PARENTAL TRANSPORTATION

- \*17. RESOLVED, that the Roxbury Township Board of Education approve a Parental Transportation Agreement for Student Transportation (PAR03-20/21). Parent is providing transportation for student (207240) to the PG Chambers School, 15 Halko Drive, Cedar Knolls, NJ for the 2020/2021 Extended School Year and School Year. The total for this agreement is \$8,911.35.
- \*18. RESOLVED, that the Roxbury Township Board of Education approve a Parental Transportation Agreement for Student Transportation (PAR04-20/21). Parent is providing transportation for student (210044) to the PG Chambers School, 15 Halko Drive, Cedar Knolls, NJ for the 2020/2021 Extended School Year. The total for this agreement is \$883.20.

### APPROVAL OF DISPOSAL OF BOOKS

- \*19. RESOLVED, that textbooks listed below for the Roxbury Township School District, which have been identified to be outdated, etc., be disposed of according to Regulation 7300.3, Disposition of Personal Property.

	<i>Textbook Title</i>	<i>Publisher</i>	<i>Copyright</i>	<i>ISBN</i>	<i>No. of Copies</i>	<i>School</i>
1	The Language of Literature: World Literature	McDougal Littell: A Houghton Mifflin Company	2002	0-618-08718-4	300	RHS
2	World Literature	Holt, Rinehart and Winston	2001	0-03-055617-1	300	RHS

### COMMUNITY SCHOOL

- \*20. RESOLVED, that the instructors listed below be appointed for the 2020/2021 Roxbury Community School Course Offerings. All expenses will be paid out of collected tuitions and employment is dependent upon sufficient enrollment. Teacher instructors receive a percentage of tuition based on enrollment and agreement with the Community School.

<b>Instructor</b>	<b>Tuition</b>		<b>Program / Location / Dates</b>
	<b>Compensation</b>	<b>Tuition</b>	
Dexter, Garrett	\$25/per half hour	\$27/per half hour	Applied Music Program Roxbury High School July 2020-June 2021

- \*21. RESOLVED, that the instructors listed below be appointed for the 2020/2021 Roxbury Community School Course Offerings. All expenses will be paid out of collected tuitions and employment is dependent upon sufficient enrollment. Teacher instructors receive a percentage of tuition based on enrollment and agreement with the Community School.

<b>Instructor</b>	<b>Tuition</b>	<b>Program / Location / Dates</b>
Kiddie Soccer	Starting at \$135/Student	Kiddie Soccer / Board of Ed Field September-November 2020

### **B. Education (Resolutions 1-8)**

*The following motions recommended by the Superintendent and School Business Administrator are non-controversial, a matter of routine business and will be voted on by one motion.*

### HIB REPORT

- \*1. RESOLVED, that the Roxbury Township Board of Education affirms the Superintendent's decisions provided in the Harassment, Intimidation, and Bullying Report for the 2019/2020 school year, ending as of June 18, 2020.

- \*2. RESOLVED, that the Roxbury Township Board of Education acknowledges receipt of the Harassment, Intimidation, and Bullying Report for the 2019/2020 school year, beginning June 19, 2020 and ending June 24, 2020.

OUT-OF-DISTRICT PLACEMENTS/SERVICES - 2020/2021

- \*3. RESOLVED, that the Roxbury Township Board of Education approve the 2020/2021 Extended School Year and 2020/2021 School Year Out-of-District Placements/Services listed below:

<i>File Number</i>	<i>School or Provider</i>	<i>Total Cost</i>	<i>Dates</i>
202781	Educational Services of Morris County	\$4,200.00	7/6/20-8/14/20
203617	Educational Services of Morris County	\$4,200.00	7/6/20-8/14/20
108439	Educational Services of Morris County	\$4,200.00	7/6/20-8/14/20
108541	Educational Services of Morris County	\$4,200.00	7/6/20-8/14/20
210589	Educational Services of Morris County	\$4,200.00	7/6/20-8/14/20
108684	Educational Services of Morris County	\$4,200.00	7/6/20-8/14/20
209137	Bancroft NeuroHealth	\$127,191.52	7/6/20-6/30/21
206569	Terranova Group, Inc. t/a Chapel Hill Academy	\$73,920.00	7/1/20-6/30/21
203761	Terranova Group, Inc. t/a Chapel Hill Academy	\$73,920.00	7/1/20-6/30/21
108044	Academy 360 Upper School and Academy 360 Lower School, programs of Spectrum 360	\$79,728.60	7/1/20-6/30/21
209268	Academy 360 Upper School and Academy 360 Lower School, programs of Spectrum 360	\$117,040.65	7/1/20-6/30/21
208936	Windsor Learning Center	\$57,960.00	9/9/20-6/30/21
208754	Holmstead School	\$59,058.00	9/2/20-6/30/21
208680	Celebrate the Children	\$100,260.00	9/8/20-6/30/21
204683	Celebrate the Children	\$100,260.00	9/8/20-6/30/21
206933	Celebrate the Children	\$100,260.00	9/8/20-6/30/21
206194	Celebrate the Children	\$100,260.00	9/8/20-6/30/21
208926	New Jersey Commission for Blind and Visually Impaired	\$2,100.00	9/1/20-6/30/21
209498	New Jersey Commission for Blind and Visually Impaired	\$2,100.00	9/1/20-6/30/21
209276	New Jersey Commission for Blind and Visually Impaired	\$2,100.00	9/1/20-6/30/21
209075	New Jersey Commission for Blind and Visually Impaired	\$13,900.00	9/1/20-6/30/21
204381	The Calais School	\$82,950.00	7/6/20-6/30/21
210436	Mount Carmel Guild Academy	\$61,000.00	7/6/20-6/30/21
207866	Windsor Bergen Academy	\$82,243.86	9/2/20-6/30/21

TUITION STUDENTS

- \*4. RESOLVED, that the Roxbury Township Board of Education approve the following tuition contract agreements for the 2020/2021 school year and/or extended school year.

<i>State ID</i>	<i>Sending District</i>	<i>Program</i>	<i>Total</i>	<i>Discussion</i>
6707825125	Mt. Arlington	LLD	\$59,712.00	apprvd XIV.B.5 dated 6/22/2020; additional services requested
7313481186	Mt. Arlington	MD	\$62,229.00	apprvd XIV.B.5 dated 6/22/2020; not attending ESY
2236923737	Mt. Arlington	BD	\$0.00	apprvd XIV.B.5 dated 6/22/2020; withdrawal from program
3601217550	Mt. Arlington	BD	\$0.00	apprvd XIV.B.5 dated 6/22/2020; withdrawal from program

FALL SPORTS OPENING DAY

- \*5. RESOLVED, that the official first day of practice for the 2020/2021 school year for the fall sports indicated below will be Monday, September 14, 2020, as mandated by the NJSIAA as of its July 10, 2020 NJSIAA Sports Advisory Task Force memo. As of that date, these athletic teams may practice in accordance with the NJSIAA By-Laws. This date is subject to change based on any additional guidance from the NJSIAA:

	<b><i>Roxbury High School Sports</i></b>
1	Cross Country - Boys'
2	Cross Country - Girls'
3	Field Hockey
4	Football
5	Soccer - Boys'
6	Soccer - Girls'
7	Tennis - Girls'
8	Volleyball - Girls'

- \*6. RESOLVED, that the official first day of practice for the 2020/2021 school year for the fall sport of Cheerleading at Roxbury High School will be Monday, September 14, 2020. This date is subject to change based on any additional guidance from the NJSIAA.
- \*7. RESOLVED, that the official first day of practice for the 2020/2021 school year at Roxbury High School for the fall sport of Gymnastics, which is in Year Three of its three-year trial period in the Roxbury School District, be Monday, September 14, 2020, as mandated by the NJSIAA. As of that date, this athletic team may practice in accordance with the NJSIAA By-Laws. This date is subject to change based on any additional guidance from the NJSIAA.



### ADOPTION OF TEXTBOOKS

- \*8. RESOLVED, that the textbooks listed below be adopted for the Roxbury Township School District.

	<i>Course</i>	<i>School</i>	<i>Grades</i>	<i>Textbook Title</i>	<i>Author</i>	<i>Publisher</i>	<i>Copyright</i>	<i>Discussion</i>
1	AP Psychology	RHS	11-12	Updated Myers' Psychology for the AP Course	David G. Myers & C. Nathan DeWall	Bedford, Freeman & Worth 2021	2021	
2	Political and Legal Studies	RHS	10-12	Civics	n/a	Houghton Mifflin Harcourt, 2019	2019	

### **C. Policies (Resolution 1)**

*The following motions recommended by the Superintendent and School Business Administrator are non-controversial, a matter of routine business and will be voted on by one motion.*

- \*1. RESOLVED, that the Roxbury Township Board of Education approve the following for first reading:

	<i>Policy/Regulation Number</i>	<i>Policy/Regulation Title</i>	<i>Exhibit Number</i>
a	Policy 1649 (New)	Federal Families First Coronavirus (COVID-19) Response Act (M)	P1
b	Policy 2270 (Revised)	Religion in Schools	P2
c	Policy 2431.3 (Revised)	Heat Participation Policy for Student-Athlete Safety (M)	P3
d	Policy 2622 (Revised)	Student Assessment (M)	P4
e	Policy 3216 (Revised)	Dress and Grooming	P5
f	Policy & Regulation 5111 (Revised)	Eligibility of Resident/Nonresident Students (M)	P6 & P7
g	Policy & Regulation 5200 (Revised)	Attendance (M)	P8 & P9
h	Policy & Regulation 5320 (Revised)	Immunization	P10 & P11
i	Policy & Regulation 5330.04 (Revised)	Administering an Opioid Antidote (M)	P12 & P13
j	Regulation 5511 (Revised)	Dress Code	P14
k	Policy 5610 (Revised)	Suspension (M)	P15
l	Regulation 5610 (Revised)	Suspension Procedures (M)	P16
m	Policy 5620 (Revised)	Expulsion (M)	P17
n	Policy & Regulation 8320 (Revised)	Personnel Records (M)	P18 & P19
o	Regulation 3270 (Revised)	Lesson Plans and Plan Books	P20
p	Regulation 5600 (Revised)	Student Discipline/Code of Conduct	P21

**D. Personnel (Resolutions 1-19)**

*The following motions recommended by the Superintendent and School Business Administrator are non-controversial, a matter of routine business and will be voted on by one motion.*

*(NOTE: Approval of these resolutions authorizes the Superintendent to submit to the County Superintendent applications for emergent hiring and the candidate's attestation that he/she has not been convicted of any disqualifying crime pursuant to the provisions of N.J.S.A. 18A:6-7.1 et. seq., N.J.S.A. 18A:39-17 et. seq., or N.J.S.A. 18A:6-4.13 et. seq. for those candidates listed below. All appointments are pending verification of employment history pursuant to New Jersey P.L. 2018, c. 5 (N.J.S.A. 18A:6-7.6, et. seq.); contingent upon receipt of proper certification; and all salary placements are pending receipt of college transcripts verifying degree status.)*

**SUPERINTENDENT'S CONTRACT**

- \*1. RESOLVED that the Roxbury Township Board of Education, after due consideration and a public hearing, and with approval of the County Executive Superintendent, does rescind the current Contract of Employment for the Superintendent, and does approve the new Contract of Employment for the Superintendent, effective July 1, 2020 to June 30, 2025.

**RESIGNATIONS, RETIREMENTS, TERMINATIONS**

2. RESOLVED, that the Roxbury Township Board of Education approve the following:

*Organized by Name*

	Name	Loc	Position	Action	Final day of employment	Discussion
* 1	Bacchetta, Emilie	DIST	Director of Guidance	Resignation for retirement purposes	8/31/20	
2	Balogh, Suzanne	NES	Title 1 Paraprofessional	Resignation for personal reasons	6/30/20	
* 3	Ianco, Patrice	RHS	Special Education Paraprofessional	Resignation for retirement purposes	8/31/20	
* 4	Iurato, Arcangelo	DIST	Innovative Technology Specialist	Resignation for personal reasons	8/14/20	
* 5	Pessolano, Tammy	SS	Secretary (CST)	Resignation for retirement purposes	8/31/20	
* 6	Rogers, Richard	TR	Bus Driver	Resignation for personal reasons	6/30/20	

**LEAVES OF ABSENCE**

- \*3. RESOLVED, that the Roxbury Township Board of Education approve the following:

	Name	Loc.	Position	Leave Start Date	Paid Leave	Unpaid FMLA/ NJFLA^	Return Date	Discussion
1	Barbolini, Carissa	RHS	School Counselor	3/16/20	Using available sick days	FMLA/NJFLA	10/12/20	Amends Return Date of 10/1/20 app'd 1/27/20.

^Leave becomes unpaid when sick/personal days depleted or released by physician, whichever occurs first.

REAPPOINTMENTS - SUBSTITUTES - TEACHER, PARAPROFESSIONAL, SECRETARY, NURSE, LUNCH AIDE

- \*4. RESOLVED, that the substitutes listed below be reappointed as indicated on an as needed basis.

	<i>Name</i>	<i>Loc.</i>	<i>Position</i>	<i>Salary</i>	<i>Start Date</i>	<i>End Date</i>	<i>Discussion</i>
1	Dexter, Garrett	District	Substitute Teacher, Paraprofessional, and Secretary	20/21Sub Rate Bd. aprvd 5/11/2020	9/1/30	6/30/21	
2	Guirgis, Fathi	District	Substitute Teacher, Lunch Aide	20/21Sub Rate Bd. aprvd 5/11/2020	9/1/30	6/30/21	

APPOINTMENTS

5. RESOLVED, that the Roxbury Township Board of Education approve the following:

*Organized by Name*

	<i>Name</i>	<i>Loc</i>	<i>Position</i>	<i>Salary Guide / Step</i>	<i>Salary</i>	<i>Start Date</i>	<i>End Date</i>	<i>Discussion</i>
* 1	Connelly, Sheila	DIST	Consultant - Data Integration	N/A	\$288.46 per diem	7/20/20	7/31/20	
* 2	Connelly, Sheila	DIST	Data Integration Specialist	N/A	\$75,000 prorated	8/1/20	6/30/21	Replacement in position TEC.DS.TECN.NA.03
3	Volz, Michael	EMS	Permanent Substitute Teacher	N/A	\$125.00 per diem	9/1/20	6/30/21	Tenure-track replacement in position TCH.SUB.PERM.EMS.01; not to exceed 4 days per week

APPOINTMENTS - LEAVE REPLACEMENTS

- \*6. RESOLVED, that the Roxbury Township Board of Education approve the following:

	<i>Name</i>	<i>Loc</i>	<i>Position</i>	<i>Salary</i>	<i>Start Date</i>	<i>End Date</i>	<i>Discussion</i>
1	Vignali, Dominic	RHS	Leave-repl School Counselor	\$54,000 prorated ^	9/1/20	10/9/20	Non-tenure track. Replacement in position TCH.RHS.GUI.NA.01  Amends <i>End Date</i> of 9/30/20 app'd 6/22/20.
^ 20/21 Leave Replacement Teacher Rate Bd. aprvd 5/11/20							

APPOINTMENTS - HOURLY EMPLOYEES

7. RESOLVED, that the Roxbury Township Board of Education approve the following:

	Name	Loc	Position	Guide / Step	Hourly Rate	Hrs / Day	Days / Wk	Days / Year	Annual Salary	Start Date	End Date	Discussion
* 1	Miller, Shane	B&G	Summer Laborer	N/A	\$12.00	-	-	-	-	7/21/20	8/31/20	Seasonal rehire; not to exceed 29 hrs/wk
* 2	Valdes, Silvio	RHS	Security Guard 10-month	N/A	\$25.00	4	5	180	\$18,000	9/1/20	6/30/21	Revise start date app'd 6/22/20 C.9.2; Replacement in position B&G.RHS.G UA.NA.05
^ Employment start date is pending completion of documentation in accordance with the law or district policy.												

APPOINTMENTS - SUBSTITUTES

8. RESOLVED, that the Roxbury Township Board of Education approve the following on an as needed basis:

	Name	Loc.	Position	Salary	Start Date	End Date	Discussion
1	Monaghan, Mark	EMS	Transitional Substitute Teacher (Music)	\$36,000 prorated	9/1/20	9/30/20	Replacement in position TCH.EMS.MUS.IN.02
2	Pilrun, Amy	EMS	Transitional Substitute Teacher (Gr. 7 Science)	\$36,000 prorated	9/1/20	9/30/20	Replacement in position TCH.EMS.SCI.NA.03
3	Richardson, Kiley	EMS	Transitional Substitute Teacher (Gr. 7 Math)	\$36,000 prorated	9/1/20	9/30/20	Replacement in position TCH.EMS.MAT.NA.02

APPOINTMENTS - ATHLETICS

- \*9. RESOLVED, that the Roxbury Township Board of Education approve the following for the 2020/2021 school year:

20/21 Specialized Athletic Consultants							
	Name	Position	Sport	Season	Loc of Sport	Payment	Discussion
1	Campiglia, Dean^	Specialized Consultant	Football	Fall	RHS	Volunteer-basis	^Start date pending receipt of documentation in accordance with law and district policy.

SUMMER 2020 EMPLOYMENT OF EDUCATIONAL SERVICES PERSONNEL

- \*10. RESOLVED, that the following school nurses be approved to work the number of days described below at the location shown at the per diem rate indicated.

	<i>Name</i>	<i>Loc</i>	<i>Effective during July 2020 and August 2020 for a total time period not to exceed:</i>	<i>Per Diem Rate based on 20/21 Base salary</i>	<i>Discussion</i>
1	Zenna, Kathryn	DIST	three (3) days	\$413.21	These days are related to the 20/21 Nurse Co-Coordinator position and are in addition to the days app'd 6/22/20.
2	Hornung, Desiree	DIST	three (3) days	\$385.81	

SUMMER 2020 EMPLOYMENT FOR MANDATED SPECIAL EDUCATION

11. RESOLVED, that the staff listed below be approved during the summer of 2020 at the rate indicated to conduct mandated meetings with parents and staff to determine evaluative status, IEPs, and other appropriate activities required under the New Jersey law governing Special Education.

	<i>Name</i>	<i>20/21 Loc</i>	<i>20/21 Position</i>	<i>20/21 Hourly Rate</i>	<i>Discussion</i>
1	Perhacs, Jennifer	LRS	Teacher	\$39.43	Amends 20/21 Hourly Rate app'd 6/22/20, Exhibit HR 5.
2	Tavares, Diane	Elem	PT	\$74.07	

20/21 AUDIOVISUAL PRODUCTIONS

- \*12. RESOLVED, that the staff listed below be approved as indicated to perform the lighting and sound responsibilities for events within the district and those that are reimbursed by outside agencies:

	<i>Last Name</i>	<i>First Name</i>	<i>Start Date</i>	<i>End Date</i>	<i>Payment</i>
1	Burke	Jenna	7/21/20	6/30/21	\$45/hr
2	Caivano	Roxana	7/21/20	6/30/21	\$45/hr
3	Goodwin	James	7/21/20	6/30/21	\$45/hr
4	Hachey	Patrick	7/21/20	6/30/21	\$45/hr
5	Salyerds	Robert Daniel	7/8/20	6/30/21	\$45/hr
6	Sweer	Krista	7/21/20	6/30/21	\$45/hr
7	Sweer	Ryan	7/21/20	6/30/21	\$45/hr

STIPEND FOR TECHNOLOGY SERVICES

- \*13. RESOLVED, that per contract language, Mr. Christopher Zegar be paid a stipend of \$5,000 for the 2019/2020 school year for providing supervision for technology services provided to the Mine Hill Board of Education. The stipend shall be paid at the conclusion of the 2019/2020 school year and funded from revenue generated by Mine Hill.

SALARY ADJUSTMENTS - CERTIFICATED STAFF

- \*14. WHEREAS, the Roxbury Township Board of Education hereby recognizes that Roxbury High School Assistant Principal Dr. Elizabeth Omegna has provided proof of earning a doctorate degree; now therefore be it

RESOLVED, that the Board of Education approves a salary increment of \$1,000 to be added to Dr. Omegna's current base salary per the Board of Education's contract with the Roxbury Township Administrators' Association.

- \*15. RESOLVED, that the Roxbury Township Board of Education approve the following:

	Name	Loc	Position	Start Date	End Date	20/21 FTE if diff than 1.00	20/21 Step	20/21 Level	20/21 Salary	Notes
1	Norgard, Kaitlyn	RHS	Teacher	9/1/20	6/30/21		8^	MA	\$63,383^	Hired 9/1/20 (MA, 8)^
^Amends 20/21 Step, 20/21 Salary, and Notes app'd 6/22/20, Exhibit HR 4.1										

SALARY ADJUSTMENTS - HOURLY EMPLOYEES

16. RESOLVED, that the Roxbury Township Board of Education approve the following:

	Name	Loc	Position	Guide / Step	Hourly Rate	Hrs / Day	Days / Wk	Days / Year	Annual Salary	Start Date	End Date	Discussion
* 1	O'Brien, James	RHS	Security Guard 12-month	N/A	\$25.00	5	5	230	\$28,750 prorated	9/1/20	6/30/21	Increase from 4 hours/day

CURRICULUM WRITING

- \*17. RESOLVED, that the staff listed below be approved to write curriculum for the 2020/2021 school year as indicated at a salary of \$46 per hour per course, not to exceed thirty-five (35) hours per course by August 31, 2020. Unless otherwise noted, proposed hours provided is the total amount allotted for the grade level or grade span shown.

	Course	School/ Course Level	Grade Level	Course Duration (FY, Sem, Q)	New, Revision, or Rewrite	Proposed hours	Teachers to be Board-approved to write
1	American Horror	RHS	12	Sem	New	17.5	Kaitlyn Norgard (KN is in addition to K.Stellingwerf app'd 6/8/20)
2	Chemistry B	RHS	10 - 11	FY	Revision	15	Francis Travaline (FT is in addition to M.DeRosa app'd 6/8/20)

# STUDENT TEACHERS

- \*18. RESOLVED, that the following student-teaching assignments be approved for the 2020/2021 school year:

	<i>Student Teacher</i>				<i>Roxbury Cooperating Teacher</i>		
	<i>Name</i>	<i>College/ Univ.</i>	<i>Placement Sought</i>	<i>Term</i>	<i>Name</i>	<i>Position</i>	<i>Loc.</i>
1	Conroy, Christopher	TCNJ	Technology Education Gr. 9 - 12	9/1/20 thru 12/11/20	Caccavale, Frank	SDF Teacher	RHS
2	Hansen, James	TCNJ	English Gr. 9 - 12	9/1/20 thru 12/18/20	Schmidt, Laura	English Teacher	RHS
3	Schweinberg, Sarah	Seton Hall Univ.	Athletic Training	8/17/20 thru 12/23/20, for 35-80hrs/wk	Koch, Joseph	Athletic Trainer	RHS

# COMMUNITY SCHOOL

- \*19. RESOLVED, that the staff listed below be appointed for the 2020/2021 Roxbury Community School Course Offerings. All expenses will be paid out of collected tuitions and employment is dependent upon sufficient enrollment. Teachers/Instructors receive a percentage of tuition based on enrollment and agreement with the Community School.

<b>Instructor</b>	<b>Fees</b>		<b>Program / Location / Dates</b>
	<b>Compensation</b>	<b>Tuition</b>	
Conrad, Jeff	\$250/Instrumental Scheduling	\$27/per half hour	Applied Music Program Roxbury High School 2020-2021
Hachey, Patrick	\$300/Vocal Scheduling		
Sweer, Krista	\$250/Accompanist		

## **D. Executive Session**

- \*1. WHEREAS, Chapter 231, P.L. 1975, also known as the Sunshine Law, authorizes a public body to meet in Executive Session under certain limited circumstances; and

WHEREAS, said law requires the Board of Education to adopt a resolution at a public meeting before it can meet in such an Executive Session; and

WHEREAS, the Board of Education is anticipating to hold a Regular Meeting on August 31, 2020 at 6:30 p.m. remotely; and

WHEREAS, the Board of Education intends to discuss matters in Executive Session at this meeting;

NOW THEREFORE, BE IT RESOLVED, that the Roxbury Township Board of Education expects to discuss personnel, student matters, negotiations and matters covered by attorney client privilege during the aforementioned Executive Session; and

BE IT FURTHER RESOLVED, that the public portion of the aforementioned Roxbury Township Board of Education Regular Meeting will commence at 7:30 p.m.

July 20, 2020

- XVII. PUBLIC COMMENTS – There is a three-minute time limit, per Board Policy.
- XVIII. BOARD MEMBER COMMENTS
- XIX. EXECUTIVE SESSION - (IF NECESSARY)
- XX. PUBLIC SESSION – (IF NECESSARY)
- XXI. ADJOURNMENT



# POLICY

EXHIBIT #P1 – FIRST READING

ADMINISTRATION

1649/page 1 of 15

Federal Families First Coronavirus  
(COVID-19) Response Act

June 20

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## 1649 FEDERAL FAMILIES FIRST CORONAVIRUS (COVID-19) RESPONSE ACT

The Federal Families First Coronavirus (COVID-19) Response Act (FFCRA) includes the Emergency Family and Medical Leave Expansion Act (EFMLEA) and the Emergency Paid Sick Leave Act (EPSLA). The EFMLEA expands the Federal Family and Medical Leave Act (FMLA) and the EPSLA provides employees with paid sick leave for specified reasons related to COVID-19.

The provisions of the FFCRA shall apply from April 1, 2020 through December 31, 2020.

### A. Emergency Family and Medical Leave Expansion Act (EFMLEA)

#### 1. Definitions - For the purposes of the EFMLEA:

- a. “Eligible employee” means an employee who has been employed for at least thirty calendar days by the employer with respect to whom leave is requested.
- b. “Employer” means any employer with fewer than five hundred employees.
- c. “Qualifying need related to a public health emergency” means with respect to leave, the employee is unable to work (or telework) due to a need for leave to care for the son or daughter under eighteen years of age of such employee if the school or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to a public health emergency.
- d. “Public Health Emergency” means an emergency with respect to COVID-19 declared by a Federal, State, or local authority.



# POLICY

## ADMINISTRATION

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Federal Families First Coronavirus  
(COVID-19) Response Act

- e. “Child care provider” means a provider who receives compensation for providing child care services on a regular basis, including an ‘eligible child care provider’ (as defined in section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n)).
- f. “School” means an ‘elementary school’ or ‘secondary school’ as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

### 2. Relationship to Paid EFMLEA Leave

The FFCRA includes the Emergency Family and Medical Leave Expansion Act (EFMLEA) that amended the Federal Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq. to provide leave to an eligible employee because of a qualifying need related to a public health emergency with respect to COVID-19 - (U.S.C. 2612(a)(1)(F)).

#### a. Leave for Initial Ten Days

- (1) The first ten days of this FMLA leave for an eligible employee shall be unpaid.
- (2) Since the first ten days of this FMLA leave are unpaid, an employee may elect to substitute any accrued vacation leave, personal leave, or emergency paid sick leave provided by the EPSLA for the initial ten days under the EFMLEA in accordance with 29 U.S.C. 2612(d)(2)(B).



## ADMINISTRATION

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Federal Families First Coronavirus  
(COVID-19) Response Act

- (3) An employee may not use sick leave under N.J.S.A. 18A:30-1 for a qualifying need related to a public health emergency. However, an employee receiving sick leave under the provisions of N.J.S.A. 18A:30-1 may only use sick leave because of personal disability due to illness or injury, or because the employee has been excluded from school by the school district's medical authorities on account of contagious disease or of being quarantined for such a disease in his or her immediate household.

### b. Paid Leave for Subsequent Days

- (1) An employer shall provide paid leave for each day of leave under the EFMLEA that an employee takes after taking such leave for ten days.
- (2) The paid leave for an employee shall be calculated based on:
  - (a) An amount that is not less than two-thirds of an employee's regular rate of pay (as determined under section 7(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(e)); and
  - (b) The number of hours the employee would otherwise be normally scheduled to work (or the number of hours calculated under A.2.(b)(4) below).
- (3) In no event shall such paid leave exceed \$200.00 per day and \$10,000.00 in the aggregate.



## ADMINISTRATION

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### Federal Families First Coronavirus (COVID-19) Response Act

- (4) Varying Schedule Hours Calculation – In the case of an employee whose schedule varies from week to week to such an extent that an employer is unable to determine with certainty the number of hours the employee would have worked if such employee had not taken leave under the EFMLEA, the employer shall use the following in place of such number:
  - (a) Subject to A.2.b.(4)(b) below, a number equal to the average number of hours that the employee was scheduled per day over the six-month period ending on the date on which the employee takes such leave, including hours for which the employee took leave of any type.
  - (b) If the employee did not work over such period, the reasonable expectation of the employee at the time of hiring of the average number of hours per day that the employee would normally be scheduled to work.
- c. Employee Notice to Employer
  - (1) In any case where the necessity for leave under the EFMLEA for the purpose of a qualifying need related to a public health emergency is foreseeable, an employee shall provide the employer with such notice of leave as is practicable.
    - (a) A request for such leave that is foreseeable shall be submitted to the Superintendent, Director of Human Resources, or designee prior to commencing the leave.



# POLICY

## ADMINISTRATION

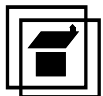
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Federal Families First Coronavirus  
(COVID-19) Response Act

- (b) A need for such leave that is not foreseeable shall be submitted to the Superintendent, Director of Human Resources, or designee within one business day of the first day of the leave being taken by the employee.
- (c) The employee shall provide to the Superintendent, Director of Human Resources, or designee the name of the employee's child, the name of the school, place of care, or child care provider that has closed or become unavailable, and a statement that no other suitable person is available to care for the child.

d. Restoration to Position

- (1) The employee shall be restored to the same or equivalent position held by the employee when the leave commenced pursuant to 29 CFR 825.214. The requirement to restore the employee to the same or equivalent position held when the leave commenced does not apply to an employer who employs fewer than twenty-five employees if all four of the following conditions are met:
  - (a) The employee takes leave under the EFMLEA.
  - (b) The position held by the employee when the leave commenced does not exist due to economic conditions or other changes in operating conditions of the employer:
    - i. That affect employment; and
    - ii. Are caused by a public health emergency during the period of leave.



## ADMINISTRATION

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### Federal Families First Coronavirus (COVID-19) Response Act

- (c) The employer makes reasonable efforts to restore the employee to a position equivalent to the position the employee held when the leave commenced with equivalent employment benefits, pay, and other terms and conditions of employment.
- (d) If the reasonable efforts of the employer under A.2.d.(1)(c) above fail, the employer makes reasonable efforts during the period described in A.2.d.(2) below to contact the employee if an equivalent position described in A.2.d.(1)(c) above becomes available.

#### (2) Contact Period

- (a) The period described under A.2.d. above is the one-year period beginning on the earlier of:
  - i. The date on which the qualifying need related to a public health emergency concludes; or
  - ii. The date that is twelve weeks after the date on which the employee's leave under the EFMLEA commences.

#### B. Emergency Paid Sick Leave Act (EPSLA)

The FFCRA includes the EPSLA, which provides paid sick time to an employee to the extent the employee is unable to work or (telework) due to a need related to COVID-19. The paid sick time provided by the EPSLA and outlined in B.1. below cannot be taken with any other paid leave time provided by the employer.



# POLICY

## ADMINISTRATION

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Federal Families First Coronavirus  
(COVID-19) Response Act

### 1. Definitions

#### a. For purposes of the EPSLA and this Policy:

(1) “Employee” means an individual who is employed by a private employer with fewer than five hundred employees and public employers with at least one employee.

(2) “Employer” means a private person or entity that employs fewer than five hundred employees and public employers that employ at least one employee.

(a) “Covered employer” includes any person engaged in commerce or in any industry or activity affecting commerce that:

i. In the case of a private entity or individual, employs fewer than five hundred employees; and

ii. In the case of a public agency or any other entity that is not a private entity or individual, employs one or more employees.

(b) “Covered employer” also includes:

i. Any person acting directly or indirectly in the interest of an employer in relation to an employee (within the meaning of such phrase in section 3(d) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(d)); and



# POLICY

## ADMINISTRATION

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Federal Families First Coronavirus  
(COVID-19) Response Act

- ii. Any successor in interest of an employer; and any “public agency”, as defined in section 3(x) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(x)).
- (c) “Covered employer” also includes any “public agency” as defined in section 3(x) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(x)).
- (3) “Employ” and “State” have the meanings given such terms in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).
- (4) “Health care provider” and “son or daughter” have the meanings given such terms in section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611).
- (5) “Paid sick time” means an increment of compensated leave that:
  - (a) Is provided by an employer for use during an absence from employment for a reason described in any paragraph of B.2.a. below; and
  - (b) Is calculated based on the employee’s required compensation under B.1.a.(6) below and the number of hours the employee would otherwise be normally scheduled to work (or the number of hours calculated under (B.1.a.(7) below), except that in no event shall such paid sick time exceed:





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## ADMINISTRATION

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### Federal Families First Coronavirus (COVID-19) Response Act

- i. \$511.00 per day and \$5,110.00 in the aggregate for a use described in B.2.a.(1), (2), or (3) below; and
  - ii. \$200.00 per day and \$2,000.00 in the aggregate for a use described in B.2.a.(4), (5), or (6) below.
- (6) “Required Compensation” subject to B.1.a.(5)(b) above, the employee’s “required compensation” shall be not less than the greater of the following:
  - (a) The employee’s regular rate of pay (as determined under section 7(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(e)).
  - (b) The minimum wage rate in effect under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)).
  - (c) The minimum wage rate in effect for such employee in the applicable State or locality, whichever is greater, in which the employee is employed.

Subject to B.1.a.(5)(b) above, with respect to any paid sick time provided for any use described in B.2.a.(4), (5), or (6) below, the employee’s required compensation shall be two-thirds of the amount described in B.1.a.(6) above.
- (7) “Varying Schedule Hours Calculation” means in the case of a part-time employee described in B.3.b.(2) below whose schedule varies from week to week to such an extent that an employer is unable to determine with certainty the number of hours the



# POLICY

## ADMINISTRATION

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Federal Families First Coronavirus  
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employee would have worked if such employee had not taken paid sick time under B.2.a. below, the employer shall use the following in place of such number:

- (a) Subject to clause B.1.a.(7)(b) below, a number equal to the average number of hours that the employee was scheduled per day over the six-month period ending on the date on which the employee takes the paid sick time, including hours for which the employee took leave of any type.
- (b) If the employee did not work over such period, the reasonable expectation of the employee at the time of hiring of the average number of hours per day that the employee would normally be scheduled to work.

### 2. Paid Sick Leave Requirement

- a. An employer shall provide to each employee employed by the employer paid sick time to the extent that the employee is unable to work (or telework) due to a need for leave because:
  - (1) The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
  - (2) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
  - (3) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
  - (4) The employee is caring for an individual who is subject to an order as described in B.2.a.(1) above or has been advised as described in B.2.a.(2) above.



# POLICY

## ADMINISTRATION

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- (5) The employee is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable, due to COVID-19 precautions.
- (6) The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

### 3. Duration of Paid Sick Time

- a. An employee shall be entitled to paid sick time for an amount of hours determined under B.3.b. below.
- b. The amount of hours of paid sick time to which an employee is entitled shall be as follows:
  - (1) For full-time employees, eighty hours.
  - (2) For part-time employees, a number of hours equal to the number of hours that such employee works, on average, over a two-week period.
- c. Paid sick time under the EPSLA shall not carry over from one year to the next.

### 4. Employer's Termination of Paid Sick Time

- a. Paid sick time provided to an employee under the EPSLA shall cease beginning with the employee's next scheduled work shift immediately following the termination of the need for paid sick time under B.2.a. above.



# POLICY

## ADMINISTRATION

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Federal Families First Coronavirus  
(COVID-19) Response Act

### 5. Prohibition

- a. An employer may not require, as a condition of providing paid sick time under the EPSLA, that the employee involved search for or find a replacement employee to cover the hours during which the employee is using paid sick time.

### 6. Use of Paid Sick Time

- a. The paid sick time under B.2.a. above shall be available for immediate use by the employee for the purposes described in the EPSLA, regardless of how long the employee has been employed by an employer.
- b. Sequencing Leave Time
  - (1) An employee may first use the paid sick time under B.2.a. above for the purposes described in the EPSLA.
  - (2) An employer may not require an employee to use other paid leave provided by the employer to the employee before the employee uses the paid sick time under B.2.a. above.

### 7. Notice

- a. Each employer shall post and keep posted, in conspicuous places on the premises of the employer where notices to employees are customarily posted, a notice, to be prepared or approved by the Secretary of Labor, of the requirements described in the EPSLA.
- b. Not later than seven days after the date of enactment of this Act, the Secretary of Labor shall make publicly available a model of a notice that meets the requirements of B.7.a. above.



# POLICY

## ADMINISTRATION

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Federal Families First Coronavirus  
(COVID-19) Response Act

### 8. Prohibited Acts

- a. It shall be unlawful for any employer to discharge, discipline, or in any other manner discriminate against any employee who:
  - (1) Takes leave in accordance with the EPSLA; and
  - (2) Has filed any complaint or instituted or caused to be instituted any proceeding under or related to the EPSLA (including a proceeding that seeks enforcement of the EPSLA), or has testified or is about to testify in any such proceeding.

### 9. Enforcement

- a. Unpaid Sick Leave - An employer who violates B.2. through B.6. of this Policy shall:
  - (1) Be considered to have failed to pay minimum wages in violation of section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206); and
  - (2) Be subject to the penalties described in sections 16 and 17 of the Fair Labor Standards Act of 1938 (29 U.S.C. 216; 217) with respect to such violation.
- b. Unlawful Termination - An employer who willfully violates B.8. above shall:
  - (1) Be considered to be in violation of section 15(a)(3) of the Fair Labor Standards Act of 1938 (29 U.S.C. 215(a)(3)); and
  - (2) Be subject to the penalties described in sections 16 and 17 of the Fair Labor Standards Act of 1938 (29 U.S.C. 216; 217) with respect to such violation.



# POLICY

## ADMINISTRATION

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Federal Families First Coronavirus  
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### 10. Rules of Construction

#### a. Nothing in the EPSLA shall be construed:

(1) To in any way diminish the rights or benefits that an employee is entitled to under any:

(a) Other Federal, State, or local law;

(b) Collective bargaining agreement; or

(c) Existing employer policy; or

(2) To require financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement, or other separation from employment for paid sick time under the EPSLA that has not been used by such employee.

### 11. Guidelines

a. Not later than fifteen days after the date of the enactment of the EPSLA, the Secretary of Labor shall issue guidelines to assist employers in calculating the amount of paid sick time under the EPSLA.

### 12. Reasonable Notice

a. After the first workday (or portion thereof) an employee receives paid sick time under the EPSLA, an employer may require the employee to follow reasonable notice procedures in order to continue receiving such paid sick time.

b. The request for such leave shall be submitted to the Superintendent, Director of Human Resources, or designee, who may request documentation from the employee in support of the emergency paid sick leave.



# POLICY

## ADMINISTRATION

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- c. The documentation shall include a signed statement containing the following information: the employee's name; the date(s) for which leave is requested; the COVID-19 qualifying reason for leave; and a statement representing that the employee is unable to work or telework because of the COVID-19 qualifying reason.
- d. An employee requesting to take emergency paid sick leave under the EPSLA or the EFMLEA to care for his or her child must provide the following information: the name of the child being care for; the name of the school; place of care; or child care provider that closed or became unavailable due to COVID-19 reasons; and a statement representing that no other suitable person is available to care for the child during the period of requested leave.

### 13. Regulatory Authorities

- a. The Secretary of Labor shall have the authority to issue regulations for good cause under sections 553(b)(B) and 553(d)(A) of Title 5, United States Code:
  - (1) To exempt small businesses with fewer than fifty employees from the requirements of B.2.a.5. when the imposition of such requirements would jeopardize the viability of the business as a going concern; and
  - (2) As necessary, to carry out the purposes of the EPSLA, including to ensure consistency between the EPSLA and Division C and Division G of the FFCRA.

H.R. 6201: Families First Coronavirus (COVID-19) Response Act  
N.J.S.A. 18A:30-1

Adopted: TBD



# POLICY

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #P2 - FIRST READING

Program  
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RELIGION IN THE SCHOOLS

### 2270 RELIGION IN THE SCHOOLS

The Board of Education recognizes that religious belief and disbelief are matters of personal conviction rather than governmental authority and the students of this district are protected by the First Amendment of the United States Constitution and by Article I, Paragraph 4 of the New Jersey State Constitution from the establishment of religion in the schools. **The First Amendment requires public school officials will to show** ~~be neutral in their treatment of religion in the school district, showing~~ neither favoritism toward nor hostility against religious expression **such as prayer**. ~~Accordingly, devotional exercises will be permitted in this district.~~

**The United States Department of Education's Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools (USDOE Guidance) provides information on the current state of the law concerning religious expression in public schools.**

The following activities **as outlined in the USDOE Guidance** will be permitted upon applying the governing constitutional principles in particular contexts **related to religious expression:** ~~in the school district provided the activity is consistent with current United States Supreme Court decisions regarding the relationship between government and religion:~~ prayer during **non-instructional time;** organized prayer groups and activities; **moments of silence;** **accommodations for personal prayer during instructional time;** ~~religious expression and prayer in classroom assignments; student assemblies and extra-curricular~~ **noncurricular** events; prayer at graduation **and/or** baccalaureate ceremonies; and/or personal activities of teachers, administrators, and other school employees' activities. ~~devotional exercises; and other prayer and/or religion-related activities.~~

The following activities as outlined in the USDOE Guidance will be permitted upon applying the governing constitutional principles in particular contexts related to religious expression: **religious literature; teaching about religion; student dress codes and policies; and/or religious excusals.** ~~The school district will not permit an activity if the activity advances or inhibits any particular religious expression that is protected by the First Amendment of the United States Constitution.~~

**The Equal Access Act, 20 U.S.C. Section 4071, is designed to ensure that student religious activities are afforded the same access to Federally funded public secondary school facilities as are student secular activities. The United States**





# POLICY

## ROXBURY TOWNSHIP BOARD OF EDUCATION

Program  
2270/Page 2 of 3  
RELIGION IN THE SCHOOLS

Department of Justice has developed guidance for interpreting the Equal Access Act's requirements outlined in the USDOE Guidance in the area of general provisions, prayer service and worship exercises, means of publicized meetings, lunch-time and recess, and leadership of religious student groups.

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

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

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

Any issues regarding religion in the schools and the provisions of this Policy shall be referred to the Superintendent of Schools who may consult with the Board Attorney.

U.S. Const. Amend. 1

The Equal Access Act, 20 U.S.C. Section 4071

U.S. Department of Education - Guidance on Constitutionally Protected

Prayer in Public Elementary and Secondary Schools – February 7, 2003 January 16, 2020

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

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

Adopted: 14 October 2013



# POLICY

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ROXBURY TOWNSHIP  
**BOARD OF EDUCATION**

Program  
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RELIGION IN THE SCHOOLS

Revised: TBD



# POLICY

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #P3 - FIRST READING

Program  
2431.3/Page 1 of 3  
~~TION FOR ATHLETICS AND EXTRA CURRICULAR ACTIVITIES~~ Heat  
Participation Policy for Student-Athlete Safety

### ~~2431.3 PRACTICE AND PRE-SEASON HEAT ACCLIMATION FOR ATHLETICS AND EXTRA CURRICULAR ACTIVITIES~~ **HEAT PARTICIPATION POLICY FOR STUDENT-ATHLETE SAFETY**

The Board of Education adopts this Policy as a measure to protect the safety, health and welfare of students participating in school-sponsored athletic programs **and extra-curricular activities**. The Board believes practice and pre-season heat-acclimation guidelines for students will minimize injury and enhance a student's health, performance, and well-being.

In accordance with the provisions of N.J.S.A. 18A:11-3.10, a school district which is a member of any voluntary association, pursuant to N.J.S.A. 18A:11-3, which oversees activities associated with Statewide interscholastic sports programs shall adopt and implement the most current "Heat Participation Policy" required by the New Jersey State Interscholastic Athletic Association (NJSIAA) for conducting practice or games in all sports during times of high heat or humidity. This Policy also applies to competitive extra-curricular activities including marching band or other extra-curricular activities where competition exists.

~~Therefore, the Board of Education requires the implementation of the practice and pre-season heat acclimation procedures as recommended by the New Jersey State Interscholastic Athletic Association (NJSIAA) for students participating in all school-sponsored athletic programs and extra-curricular activities during warm weather months. The Superintendent of Schools or designee shall ensure the implementation of the Practice and Pre-Season Heat Acclimation Procedures.~~

**The NJSIAA Policy shall address:**

- 1. The scheduling of workouts, practice or games during times of various heat and humidity levels;**
- 2. The ratio of time devoted to workouts, practice or games to time allotted for rest and hydration during various heat and humidity levels; and**
- 3. The heat and humidity levels at which workouts, practice or games will be canceled.**



The guidelines included in the NJSIAA Heat Participation Policy shall provide a default Policy to those responsible or sharing duties for making decisions concerning the implementation of modifications or cancellation of practices or games based on the presence of heat and humidity.

The Board of Education shall utilize a WetBulb Globe Temperature (WBGT) tool to measure the heat stress in direct sunlight at the practice or game site. Heat stress consists of temperature, humidity, wind speed, the angle of the sun, and cloud coverage.

The Board of Education shall adopt and implement the provisions of the NJSIAA Heat Participation Policy concerning the frequency and recording of WBGT measurements.

The provisions and requirements of this Policy and of the NJSIAA current Heat Participation Policy, which shall be utilized in conjunction with the current NJSIAA Pre-Season Heat Acclimatization Policy, shall be carried out by the Athletic Trainer, certified designee, or individual as appointed by the school staff member designated by the Superintendent to supervise athletics, which may include a coach or individual responsible for sharing duties for making decisions concerning the implementation of modifications or cancellation of practices and games based on WBGT measurements.

A copy of this Policy and NJSIAA's current Heat Participation Policy and Pre-Season Heat Acclimatization Policy shall be provided to each coach, as appropriate, and reviewed with all coaches by the Principal or designee which may include, but not be limited to, the Athletic Trainer or staff member supervising athletics as designated by the Superintendent prior to the first practice session of the season for each team. The Superintendent shall designate the staff member responsible to ensure compliance with this Policy and NJSIAA's current Heat Participation Policy and Pre-Season Heat Acclimatization Policy.

This Policy and the requirements outlined in this Policy shall apply to all student-athletes in grades nine through twelve participating in Statewide high school interscholastic athletic programs.

The school district will implement provisions of this Policy as determined by the Superintendent or designee for student-athletes participating in athletic programs other than students in grades nine through twelve to include students in grades 7 through 8.



# POLICY

## ROXBURY TOWNSHIP BOARD OF EDUCATION

Program

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~~PRACTICE AND PRE-SEASON HEAT ACCLIMATION FOR ATHLETICS AND EXTRA CURRICULAR ACTIVITIES~~ Heat  
Participation Policy for Student-Athlete Safety

~~The Superintendent of Schools may reduce the practice times or adjust other provisions that would reduce a student's exertion if weather and/or temperature warrant such action.~~

~~The school district's practice and pre-season heat acclimation procedure shall be approved by the school district's physician prior to implementation.~~

N.J.S.A.18A:11-3.10

New Jersey State Interscholastic Athletic Association Heat Participation  
Policy and Pre-Season Heat Acclimatization Policy

Adopted: 14 October 2013

Revised: 15 April 2019

Revised: TBD



EXHIBIT #P4 - FIRST READING

Program  
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STUDENT ASSESSMENT (M)

## 2622 STUDENT ASSESSMENT (M)

### **M**

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

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

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

Pursuant to N.J.A.C. 6A:8-4.1(b) and (c), all students at grade levels three through twelve, and at any other grade(s) designated by the Commissioner pursuant to N.J.A.C. 6A:8-4.1(a), shall take all appropriate Statewide assessments as scheduled. There is no provision for a student to opt-out of Statewide assessments. If a student is absent on a testing date, the student will be expected to take the missed test on another school day. Parents and students will be informed of all scheduled testing dates, including make-up testing dates for students who missed the initial testing date.

Statewide Assessment System



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

The Board of Education shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments, including the following major components: the elementary assessment component for grades three through five; the middle school assessment component for grades six through eight; the high school end-of-course PARCC-assessments; and the alternative assessment for students with disabilities; and provide notification to each student entering grades three through twelve of the Statewide assessment schedule.

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

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

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

The Board of Education shall provide appropriate accommodations or modifications to the Statewide assessment system as specified by the Department of Education of English Language Learners (ELLs) and students with disabilities as defined in N.J.A.C. 6A:14-1.3 or eligible under Section 504 of the Rehabilitation Act as determined by the IEP or 504 Team in accordance with N.J.A.C. 6A:8.4.1(d)1. The Board may administer the Statewide assessments in mathematics to ELLs in their native language, when available, and/or English. The Board of Education shall have the option for a first-year ELL of substituting a Department of Education-approved language proficiency test only for the English language arts section of the elementary or middle school component of



the Statewide assessment, when the student has entered the United States after July 1 of the calendar year prior to the test administration.

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

At specific times prescribed by the Commissioner of Education, the Board of Education shall administer the alternative assessment for students with disabilities to students with severe disabilities who cannot participate in other assessments due to the severity of their disabilities. The Department of Education shall implement the alternative assessment for students with disabilities according to the schedules in N.J.A.C. 6A:8-4.1(c)1, 2, and 3. The alternative assessment for students with disabilities measures the progress of students who have been determined eligible for the alternative assessment for students with disabilities by the IEP team in accordance with N.J.A.C. 6A:14-4.10.

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

## Test Administration Procedures and Security Measures

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

## Documentation of Student Achievement

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





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

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

The Board of Education shall maintain for every student a ninth grade through graduation transcript that contains the following, as available:

1. Results of all applicable State assessments, including assessments that satisfy graduation requirements set forth in N.J.A.C. 6A:8-5.1(a)6;
2. Results of any English language proficiency assessments according to N.J.A.C. 6A:8-5.1(h);
3. Evidence of instructional experience and performance in the NJSLs;
4. Evidence of technological literacy;
5. Evidence of career education instructional experiences and career development activities;
6. Evidence of State-issued occupational licenses and credentials, industry-recognized occupational credentials, and/or technical skill assessments for students enrolled in Department of Education-approved career and technical education programs pursuant to N.J.A.C. 6A:19-3.2; and
7. Any other information deemed appropriate by the Board of Education.

## Accountability

The Superintendent shall report preliminary and final results of annual assessments to the Board of Education **within sixty days of receipt of information from as required by the New Jersey Department of Education pursuant to N.J.A.C. 6A:8-4.3(a).** The Board of Education will provide parents, students, and citizens with results of annual assessments according to N.J.A.C. 6A:8-4.3. The Board **of Education** shall provide appropriate instruction to improve skills and knowledge for students performing below the established levels of student proficiency in any content area either on Statewide or local assessments. All



students shall be expected to demonstrate the knowledge and skills of the NJSLs as measured by the Statewide assessment system.

## Annual Review and Evaluation of School Districts

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

## Public Reporting

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

## Parental Notification

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

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

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

Adopted: 5 October 2015

Revised : 15 August 2016

Revised: 08 May 2017

Revised: TBD



# POLICY

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ROXBURY TOWNSHIP  
**BOARD OF EDUCATION**

Program  
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STUDENT ASSESSMENT (M)



## 3216 DRESS AND GROOMING

Professional educators are recognized by the community as role models and, therefore, set examples for students. The Board of Education expects all staff members to set positive examples including that of dress.

A staff member's dress and grooming are a matter of individual taste. Dress will be left to the discretion of the individual as long as it is within the bounds of professional/business attire and does not affront community tastes nor standards.

A. Some examples of recognized appropriate dress are:

1. Footwear within the bounds of professional/business attire.
2. Hair that is neat, clean and well groomed at all times. In addition, hair should be of such length as dictated by the safety requirements and health standards of the job being performed.
3. Clothing that is neat, clean, inoffensive and decent.

B. Some examples of inappropriate dress are:

1. Obscene or profane language or symbols on clothing.
2. See-through clothing.
3. Clothing which allows undergarments to be visible when sitting or walking.
4. White undergarment-type T-shirts.
5. Cut-offs.
6. Shorts not appropriate to position.
7. Purposely frayed clothing.

C. This dress code is established to:

1. Facilitate the effectiveness of the teacher-student relationship.



2. Prevent dress which is distracting to the learning process.
3. Set standards which will prevent a wide deviation from normal professional/business attire.
4. Ensure the health and well-being of all members of the school community including the wearing of appropriate health protective measures per recommendations from local, state or federal officials due to community health concerns.

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

Adopted: 14 October 2013

Revised: TBD



EXHIBIT #P6 - FIRST READING

Students  
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## ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

### 5111 ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

#### M

The Board of Education shall admit to its schools, free of charge, persons over five and under twenty years of age, pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education.

#### Eligibility to Attend School

The Board shall admit students eligible to attend school free of charge that are domiciled within the district as defined in N.J.A.C. 6A:22-3.1.

A child who is domiciled within the school district and resides with a parent or guardian who is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States who is ordered into active military service in a time of war or national emergency shall be permitted to remain enrolled in the school district in which the child is domiciled at the time of the parent or guardian being ordered into active military service, regardless of where the child resides during the period of active duty. Following the return of the child's parent or guardian from active military service, the child's eligibility to remain enrolled in the school district pursuant to N.J.S.A. 18A:38-3.1 shall cease at the end of the current school year unless the child is domiciled in the school district.

The Board shall also admit any student that is kept in the home of a person other than the student's parent or guardian, where the person is domiciled in the school district and is supporting the student without remuneration as if the student were his or her own child in accordance with N.J.A.C. 6A:22-3.2. A student is only eligible to attend school in the district pursuant to N.J.A.C. 6A:22-3.2 if the student's parent or guardian files, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the student due to family or economic hardship and the student is not residing with the other person solely for the purpose of receiving a free public education. In addition, the person keeping the student must file, as required by the Board of Education, a sworn statement that he or she: is domiciled within the school district; is supporting the child without remuneration and intends to do so for a time longer than the school term; will assume all personal obligations for the student relative to school requirements; and provides a copy of his or her lease if a tenant, a sworn landlord's statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner. Pursuant to N.J.S.A. 18A:38-1.c, any person who fraudulently allows a child of another person to use his or her residence and is not the primary financial



## ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

supporter of that child and any person who fraudulently claims to have given up custody of his or her child to a person in another district commits a disorderly persons offense.

A student is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38-1.b if the student is kept in the home of a person domiciled in the school district, who is not the parent or guardian and the parent or guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency. Eligibility under this provision shall cease at the end of the current school year during which the parent or guardian returns from active military duty.

A student is eligible to attend school in this school district free of charge pursuant to N.J.S.A. 18A:38-1.d if the student's parent or guardian temporarily resides within the school district and elects to have the student attend the school district of temporary residence, notwithstanding the existence of a domicile elsewhere. When required by the Board of Education, the parent or guardian shall demonstrate the temporary residence is not solely for purposes of a student attending the school district of temporary residence. When one of a student's parents or guardians temporarily resides in the school district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school shall be determined in accordance with the criteria of N.J.A.C. 6A:22-3.1(a)1.i.

A student is eligible to attend this school district free of charge:

1. If the student's parent or guardian moves to another school district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2 - Education of Homeless Children;
2. If the student is placed by court order or by a society, agency, or institution in the home of a school district resident pursuant to N.J.S.A. 18A:38-2;
3. If the student previously resided in the school district and if the parent or guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency, resulting in the relocation of the student out of the school district, pursuant to N.J.S.A. 18A:38-3.b. The school district shall not be obligated for transportation costs; and
4. If the student resides on Federal property within the State pursuant to N.J.S.A. 18A:38-7.7 et seq.



## ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other law, rule, or regulation to the contrary, a student who moves out of the school district as a result of domestic violence, sexual abuse, or other family crises shall be permitted to remain enrolled in the school district for the remainder of the school year in pursuant to N.J.S.A. 18A:38-1.1 and in accordance with the provisions of N.J.A.C. 6A:22-3.2(h). If the student remains enrolled in the school district for the remainder of the school year, the school district shall provide transportation services to the student, provided the student lives remote from school, and the State shall reimburse the school district for the cost of the transportation services. Nothing in N.J.S.A. 18A:38-1.1 shall be construed to affect the rights of homeless students pursuant to N.J.S.A. 18A:7B-12, N.J.S.A. 18A:7B-12.1, or any other applicable State or Federal law.

A student's eligibility to attend this school shall not be affected by the physical condition of an applicant's housing or his or her compliance with local housing ordinances or terms of lease.

Except as set forth in N.J.A.C. 6A:22-3.3(b)1, immigration/visa status shall not affect eligibility to attend school and the school district shall not condition enrollment in the school district on immigration status. A student's immigration/visa status and their eligibility to attend school shall be in accordance with N.J.A.C. 6A:22-3.3(b) and Regulation 5111.

### Proof of Eligibility

The Board of Education shall accept a combination of forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the school district in accordance with the provisions of N.J.A.C. 6A:22-3.4. The Board of Education shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based on failure to provide a particular form or subset of documents without regard to other evidence presented.

The Board of Education shall not condition enrollment on the receipt of information or documents protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school as outlined in N.J.A.C. 6A:22-3.4(d). The Board of Education may consider, in a manner consistent with Federal law, documents or information referenced in N.J.A.C. 6A:22-3.4(d) or pertinent parts thereof if voluntarily disclosed by the applicant. The Board of Education may not, directly or indirectly, require or request such disclosure as an actual or implied condition of enrollment.





## ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

However, in the case of a dispute between the school district and the parent or guardian of a student in regard to the student's eligibility to enroll in the school district or to remain enrolled in the school district pursuant to the provisions of N.J.S.A. 18A:38-1, the school district may request from the New Jersey Motor Vehicle Commission (NJMVC) the parent or guardian's name and address for use in verifying a student's eligibility for enrollment in the school district in accordance with the provisions of N.J.S.A. 18A:38-1.3. The NJMVC may disclose to a school district the information requested in accordance with procedures established by NJMVC. However, the school district shall not condition enrollment in the district on immigration status or on the fact that the NJMVC does not have the name or address of the parent on file.

### Registration Forms and Procedures for Initial Assessment

Registration and initial determinations of eligibility will be in accordance with N.J.A.C. 6A:22-4.1. The Board of Education shall use Commissioner-provided registration forms or locally developed forms that are consistent with the forms provided by the Commissioner. A district-level administrator designated by the Superintendent shall be clearly identified to applicants and available to assist persons who experience difficulties with the enrollment process.

Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials. Enrollment shall take place immediately when an applicant has provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2.

When a student appears ineligible based on the information provided in the initial application, the school district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the district's determination and an intent to appeal to the Commissioner of Education. An applicant whose student is enrolled pursuant to this provision shall be notified that the student will be removed, without a hearing before the Board, if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.

When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws. When the student is between the ages of six and sixteen, applicants also shall be asked to complete a written statement indicating the student will be attending school in another school district or nonpublic



## ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In the absence of this written statement, designated staff shall report to the school district of actual domicile or residence, or the Department of Children and Families, a potential instance of “neglect” for the purposes of ensuring compliance with compulsory education law, N.J.S.A. 9:6-1. Staff shall provide the school district or the Department of Children and Families with the student’s name, the name(s) of the parent/guardian/resident, and the student’s address to the extent known. Staff shall also indicate admission to the school district has been denied based on residency or domicile, and there is no evidence of intent to arrange for the child to attend school or receive instruction elsewhere.

Enrollment or attendance at the school shall not be conditioned on advance payment of tuition when enrollment is denied and an intent to appeal is indicated, or when enrollment is provisional and subject to further review or information. The Board of Education shall ensure the registration process identifies information suggesting an applicant may be homeless so procedures may be implemented in accordance with N.J.A.C. 6A:17-2, Education of Homeless Children. Enrollment or attendance in the school district shall not be denied based upon the absence of the certified copy of the student’s birth certificate or other proof of a student’s identity as required within thirty days of initial enrollment, pursuant to N.J.S.A. 18A:36-25.1.

Enrollment in the school district shall not be denied based upon absence of student medical information. However, actual attendance at school may be deferred until the student complies with student immunization rules set forth in N.J.A.C. 8:57-4.

When enrollment in the school district, attendance at school, or the receipt of educational services in the regular education program appears inappropriate, the student shall not be denied based upon the absence of a student’s prior educational record. However, the applicant shall be advised the student’s initial educational placement may be subject to revision upon the school district’s receipt of records or further assessment of the student.

### Notice of Ineligibility

When a student is found ineligible to attend the school district pursuant to N.J.A.C. 6A:22 or the student’s initial application is found to be deficient upon subsequent review or investigation, the school district immediately shall provide to the applicant notice that is consistent with Commissioner-provided sample form(s) and meets requirements of N.J.A.C. 6A:22-4 et seq. Notices shall be in writing; in English and in the native language of the applicant; issued by the Superintendent; and directed to the address at which the applicant claims to reside. Notices of ineligibility shall include information as outlined in N.J.A.C. 6A:22-4.2.



## ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

### Removal of Currently Enrolled Students

Nothing in N.J.A.C. 6A:22 et seq. and this Policy shall preclude the Board of Education from identifying through further investigation or periodic requests for revalidation of eligibility, students enrolled in the school district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances, or newly discovered information.

When a student who is enrolled and attending school based on an initial eligibility determination is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board of Education for the student's removal in accordance with the provisions of N.J.A.C. 6A:22-4.3. No student shall be removed from school unless the parent, guardian, adult student, or resident keeping an "affidavit student" (as defined in N.J.A.C. 6A:22-1.2) has been informed of his or her entitlement to a hearing before the Board of Education. Once the hearing is held, or if the parent, guardian, adult student or resident keeping an "affidavit student", does not respond within the designated time frame to the Superintendent's notice or appear for the hearing, the Board of Education shall make a prompt determination of the student's eligibility and shall immediately provide notice in accordance with N.J.A.C. 6A:22-4.2. Hearings required pursuant to N.J.A.C. 6A:22-4.3 may be conducted by the full Board or a Board Committee, at the discretion of the full Board. If the hearing(s) is conducted by a Board Committee, the Committee shall make a recommendation to the full Board for action. No student may be removed except by vote of the Board taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.

### Appeal to the Commissioner

An applicant may appeal to the Commissioner of Education the school district's determination that a student is ineligible to attend its schools. Appeals shall be initiated by petition which shall be filed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 and shall proceed as a contested case pursuant to N.J.A.C. 6A:3. Pursuant to N.J.S.A. 18A:38-1.b(1), appeals of "affidavit student" eligibility determinations shall be filed by the resident keeping the student.

### Assessment and Calculation of Tuition

If no appeal to the Commissioner is filed following notice of an ineligibility determination, the Board of Education may assess tuition, for up to one year of a student's ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner. Tuition will be assessed and calculated in



## ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

accordance with N.J.A.C. 6A:22-6.3 et seq. If the responsible party does not pay the tuition assessment, the Board of Education may petition the Commissioner pursuant to N.J.A.C. 6A:3 for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10 through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.

If an appeal to the Commissioner is filed and the petitioner does not sustain the burden of demonstrating the student's right to attend the school district, or the petitioner withdraws the appeal, fails to prosecute, or abandons the appeal by any means other than settlement agreeing to waive or reduce tuition, the Commissioner may assess tuition in accordance with the provisions of N.J.A.C. 6A:22-6.2(a). Upon the Commissioner's finding that an appeal has been abandoned, the Board of Education may remove the student from school and seek tuition in accordance with N.J.A.C. 6A:22-6.2.

### Children Who Anticipate Moving to or from the District

A nonresident student otherwise eligible for attendance whose parent or guardian anticipates school district residency and has entered a contract to buy, build, or rent a residence in this school district may be enrolled without payment of tuition for a period of time not greater than twelve weeks prior to the anticipated date of residency. If any such student does not become a resident of the school district within twelve weeks after admission to school, tuition will be charged for attendance commencing the beginning of the thirteenth week and until such time as the student becomes a resident or withdraws from school.

Students whose parent or guardian have moved away from the school district on or after April 1<sup>st</sup> and twelfth grade students whose parent or guardian have moved away from the school district on or after February 1<sup>st</sup> will be permitted to finish the school year in this school district without payment of tuition.

### F-1 Visa Students

~~F-1 Visa student will not be admitted to this school district.~~

The school district is not required to, but may permit the attendance of F-1 Visa students into the school district with the payment of full tuition and a signed tuition contract if required. The district may require advance payment of full tuition before providing the requested I-20 Form, in accordance with the provisions of Federal regulation 8 CFR 214.3. A F-1 Visa is granted to a foreign student through an application process that must include, but is not limited to, signed approval by the receiving school district



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exhibiting the receiving school district will accept the foreign student for enrollment and the foreign student's proof of financial means to pay the full tuition to the receiving school district for the academic year. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools with supporting documentation as determined by the Superintendent or designee. A student with a F-1 Visa must be approved by the Board for attendance in the school district. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.

### J-1 Visa Students

The school district is not required to, but may permit the attendance of J-1 Visa students into the school district. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools with supporting documentation as determined by the Superintendent or designee. A student with a J-1 Visa must be approved by the Board for attendance in the school district and shall not pay tuition. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.

N.J.S.A. 18A:38-1 et seq.; 18A:38-1.3; 18A:38-3; 18A:38-3.1  
N.J.A.C. 6A:14-3.3; 6A:17-2.1 et seq.; 6A:22-1.1 et seq.  
8 CFR 214.3

Adopted: 14 October 2013  
Revised: 16 May 2016  
Revised: 15 April 2019  
Revised: TBD



# REGULATION

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #P7 - FIRST READING

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ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

### R 5111 ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

#### M

##### A. Definitions

1. "Affidavit student" means a student attending, or seeking to attend, school in a district pursuant to N.J.S.A. 18A:38-1.b and N.J.A.C. 6A:22-3.2(a).
2. "Appeal" means contested case proceedings before the Commissioner of Education pursuant to N.J.A.C. 6A:3, Controversies and Disputes.
3. "Applicant" means a parent, guardian, or a resident supporting an affidavit student who seeks to enroll a student in a school district; or an unaccompanied homeless youth or adult student who seeks to enroll in a school district.
4. "Commissioner" means the Commissioner of Education or his/her designee.
5. "Guardian" means a person to whom a court of competent jurisdiction has awarded guardianship or custody of a child, provided that a residential custody order shall entitle a child to attend school in the residential custodian's school district unless it can be proven that the child does not actually live with the custodian. "Guardian" also means the Department of Children and Families for purposes of N.J.S.A. 18A:38-1.e.

##### B. Eligibility to Attend School – Students Domiciled in the District

1. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district if the student is domiciled within the district:
  - a. A student is domiciled in the school district when he or she is living with a parent or guardian whose domicile is located within the school district.
    - (1) When a student's parents or guardians are domiciled within different school districts and there is no court order or written agreement between the parents designating the



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school district of attendance, the student's domicile is the school district of the parent or guardian with whom the student lives for the majority of the school year. This provision shall apply regardless of which parent has legal custody.

- (2) When a student's physical custody is shared on an equal-time, alternating week/month or other similar basis so the student is not living with one parent or guardian for a majority of the school year and there is no court order or written agreement between the parents designating the school district of attendance, the student's domicile is the present domicile of the parent or guardian with whom the student resided on the last school day prior to October 16 preceding the application date.
  - (a) When a student resided with both parents or guardians, or with neither parent or guardian, on the last school day prior to the preceding October 16, the student's domicile is the domicile of the parent or guardian with whom the parents or guardians indicate the student will be residing on the last school day prior to the ensuing October 16. When the parents or guardians do not designate or cannot agree upon the student's likely residence as of that date, or if on that date the student is not residing with the parent or guardian previously indicated, the student shall attend school in the school district of domicile of the parent or guardian with whom the student actually lives as of the last school day prior to October 16.
  - (b) When the domicile of the student with disabilities as defined in N.J.A.C. 6A:14 cannot be determined pursuant to N.J.A.C. 6A:22-3.1, nothing shall preclude an equitable determination of shared responsibility for the cost of such student's out-of-district placement.
- (3) When a student is living with a person other than a parent or guardian, nothing in N.J.A.C. 6A:22-3.1 is intended to limit the student's right to attend school in the parent or



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guardian's school district of domicile pursuant to the provisions of N.J.A.C. 6A:22.

- (4) No school district shall be required to provide transportation for a student residing outside the school district for all or part of the school year unless transportation is based upon the home of the parent or guardian domiciled within the school district or otherwise required by law.
  - b. A student is domiciled in the school district when he or she has reached the age of eighteen or is emancipated from the care and custody of a parent or guardian and has established a domicile within the school district.
  - c. A student is domiciled in the school district when the student has come from outside the State and is living with a person domiciled in the school district who will be applying for guardianship of the student upon expiration of the six-month "waiting period" of State residency required pursuant to N.J.S.A. 2A:34-54 ("home state" definition) and 2A:34-65.a(1). However, a student may later be subject to removal proceedings if application for guardianship is not made within a reasonable period of time following expiration of the mandatory waiting period or if guardianship is applied for and denied.
  - d. A student is domiciled in the school district when his or her parent or guardian resides within the school district on an all-year-round basis for one year or more, notwithstanding the existence of a domicile elsewhere.
  - e. A student is domiciled in the school district if the Department of Children and Families is acting as the student's guardian and has placed the student in the school district.
2. When a student's dwelling is located within two or more school districts, or bears a mailing address that does not reflect the dwelling's physical location within a municipality, the school district of domicile for school attendance purposes shall be the municipality to which the majority of the dwelling's property tax is paid, or to which the majority of the dwelling's or unit's property tax is paid.





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### ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

- a. When property tax is paid in equal amounts to two or more municipalities, and there is no established assignment for students residing in the affected dwellings, the school district of domicile for school attendance purposes shall be determined through assessment of individual proofs as provided pursuant to N.J.A.C. 6A:22-3.4.
    - b. This provision shall not preclude the attendance of currently enrolled students who were permitted to attend the school district prior to December 17, 2001.
    - c. When a student's parent or guardian elects to exercise such entitlement, nothing in N.J.A.C. 6A:22-3.1 shall exclude a student's right to attend the school district of domicile although the student is qualified to attend a different school district pursuant to N.J.S.A. 18A:38-1.b or the temporary residency (less than one year) provision of N.J.S.A. 18A:38-1.d.
  3. Notwithstanding the provisions of N.J.S.A. 18A:38-1 or any other section of law to the contrary, a child who is domiciled within the school district and resides with a parent or guardian who is a member of the New Jersey National Guard or a member of the reserve component of the armed forces of the United States who is ordered into active military service in any of the armed forces of the United States in a time of war or national emergency, shall be permitted to remain enrolled in the school district in which the child is domiciled at the time of the parent or guardian being ordered into active military service, regardless of where the child resides during the period of active duty. The school district shall not be responsible for providing transportation for the child if the child lives outside of the district. Following the return of the child's parent or guardian from active military service, the child's eligibility to remain enrolled in the school district pursuant to N.J.S.A. 38-3.1 shall cease at the end of the current school year unless the child is domiciled in the school district.
- C. Eligibility to Attend School – Other Students Eligible to Attend School
1. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.b if that student is kept in the home of a



## ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS (M)

person other than the student's parent or guardian, and the person is domiciled in the school district and is supporting the student without remuneration as if the student were his or her own child.

- a. A student is not eligible to attend this school district pursuant to this provision unless:
  - (1) The student's parent or guardian has filed, together with documentation to support its validity, a sworn statement that he or she is not capable of supporting or providing care for the student due to family or economic hardship and that the student is not residing with the other person solely for the purpose of receiving a free public education; and
  - (2) The person keeping the student has filed, if so required by the Board of Education:
    - (a) A sworn statement that he or she is domiciled within the school district, is supporting the child without remuneration and intends to do so for a longer time than the school term, and will assume all personal obligations for the student pertaining to school requirements; and
    - (b) A copy of his or her lease if a tenant, a sworn landlord's statement if residing as a tenant without a written lease, or a mortgage or tax bill if an owner.
- b. A student shall not be deemed ineligible under this provision because required sworn statement(s) cannot be obtained when evidence is presented that the underlying requirements of the law are being met, notwithstanding the inability of the resident or student to obtain the sworn statement(s).
- c. A student shall not be deemed ineligible under this provision when evidence is presented that the student has no home or possibility of school attendance other than with a school district resident who is not the student's parent or guardian, but is acting as the sole caretaker and supporter of the student.



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- d. A student shall not be deemed ineligible under this provision solely because a parent or guardian gives occasional gifts or makes limited contributions, financial or otherwise, toward the student's welfare provided the resident keeping the student receives from the parent or guardian no payment or other remuneration for regular maintenance of the student.
  - e. Pursuant to N.J.S.A. 18A:38-1.c, any person who fraudulently allows a child of another person to use his or her residence and is not the primary financial supporter of that child and any person who fraudulently claims to have given up custody of his or her child to a person in another school district commits a disorderly persons offense.
- 2. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.b if the student is kept in the home of a person domiciled in the school district, who is not the parent or guardian and the parent or guardian is a member of the New Jersey National Guard or the reserve component of the United States armed forces and has been ordered into active military service in the United States armed forces in time of war or national emergency.
  - a. Eligibility under this provision shall cease at the end of the school year during which the parent or guardian returns from active military duty.
- 3. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.d if the student's parent or guardian temporarily resides within the school district and elects to have the student attend the school district of temporary residence, notwithstanding the existence of a domicile elsewhere.
  - a. When required by the Board of Education, the parent or guardian shall demonstrate the temporary residence is not solely for purposes of the student attending the school district of temporary residence;



- b. When one of a student's parents or guardians temporarily resides in a school district while the other is domiciled or temporarily resides elsewhere, eligibility to attend school shall be determined in accordance with N.J.A.C. 6A:22-3.1(a)1i. However, no student shall be eligible to attend school based upon a parent or guardian's temporary residence in a school district unless the parent or guardian demonstrates, if required by the Board of Education, the temporary residence is not solely for purposes of a student's attending the school district.
4. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-1.f if the student's parent or guardian moves to another school district as the result of being homeless, subject to the provisions of N.J.A.C. 6A:17-2, Education of Homeless Children.
5. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-2 if the student is placed by court order or by a society, agency, or institution in the home of a school district resident pursuant to N.J.S.A. 18A:38-2. As used in this section, "court order" shall not encompass orders of residential custody under which claims of entitlement to attend a school district are governed by provisions of N.J.S.A. 18A:38-1 and the applicable standards set forth in N.J.A.C. 6A:22.
6. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend school in this school district pursuant to N.J.S.A. 18A:38-3.b if the student previously resided in the school district and if the parent or guardian is a member of the New Jersey National Guard or the United States reserves and has been ordered to active service in time of war or national emergency, resulting in the relocation of the student out of the school district. A school district admitting a student pursuant to N.J.S.A. 18A:38-3.b shall not be obligated for transportation costs.
7. A student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, is eligible to attend the school district pursuant



to N.J.S.A. 18A:38-7.7 et seq. if the student resides on Federal property within the State.

8. In accordance with N.J.S.A. 18A:38-1.1, a student who is not considered homeless under N.J.S.A. 18A:7B-12 and who moves to a new school district during the academic year as a result of a family crisis shall be permitted to remain enrolled in the original school district of residence for the remainder of the school year without the payment of tuition. A student attending an academic program during the summer, who is otherwise eligible except for the timing of the move, shall be permitted to remain in the school district for the remainder of the summer program if it is considered an extension of the preceding academic year.
  - a. For purposes of N.J.A.C. 6A:22-3.2(h) and Policy and Regulation 5111, "family crisis" shall include, but not be limited to:
    - (1) An instance of abuse such as domestic violence or sexual abuse;
    - (2) A disruption to the family unit caused by death of a parent or guardian; or
    - (3) An unplanned displacement from the original residence such as fire, flood, hurricane, or other circumstances that render the residence uninhabitable.
  - b. Upon notification of the move by the parent or guardian, the original school district of residence shall allow the student to continue attendance and shall provide transportation services to and from the student's new domicile in accordance with N.J.S.A. 18A:39-1. The original school district of residence may request from the parent or guardian and may review supporting documentation about the reason(s) for the move; however, any such review shall not interrupt the student's continued enrollment in the school district and in the current school of attendance with the provision of transportation.
    - (1) Examples of documentation include, but are not limited to, newspaper articles, insurance claims, police or fire reports, notes from health professionals, custody agreements, or any other legal document.



- c. If the parent or guardian or the relevant documentation indicates the child is homeless pursuant to N.J.S.A. 18A:7B-12, the school district liaison shall assume the coordination of enrollment procedures pursuant to N.J.A.C. 6A:17-2.5 and the student shall not be eligible for enrollment under N.J.S.A. 18A:38-1.1.
- d. If the original school district of residence determines the situation does not meet the family crisis criteria outlined in 8.a. above, the Superintendent or designee shall notify the parent or guardian in writing. The notification shall inform the parent or guardian of his or her right to appeal the decision within twenty-one calendar days of his or her receipt of the notification, and shall state that if such appeal is denied, he or she may be assessed the costs for transportation provided to the new residence during the period of ineligible attendance. It shall also state whether the parent or guardian is required to withdraw the student by the end of the twenty-one day appeal period in the absence of an appeal.
  - (1) The parent or guardian may appeal by submitting the request in writing with supporting documentation to the Executive County Superintendent of the county in which the original school district of residence is situated.
  - (2) Within thirty calendar days of receiving the request and documentation, the Executive County Superintendent shall issue a determination whether the situation meets the family crisis criteria set forth at 8.a. above. The original school district of residence shall continue to enroll the student and provide transportation to the current school of attendance in accordance with N.J.S.A. 18A:39-1 until the determination is issued.
  - (3) If the Executive County Superintendent determines the situation does not constitute a family crisis, the school district may submit to the Executive County Superintendent for approval the cost of transportation to the ineligible student's new domicile. The Executive County Superintendent shall certify the transportation costs to be assessed to the parent or guardian for the period of ineligible attendance.



- e. When the original school district of residence determines the situation constitutes a family crisis pursuant to N.J.S.A. 18A:38-1.1, the Superintendent or designee shall immediately notify the parent or guardian in writing.
  - (1) When the original school district of residence anticipates the need to apply for reimbursement of transportation costs, it shall send to the Executive County Superintendent a request and documentation of the family crisis for confirmation the situation meets the criteria set forth at 8.a. above.
  - (2) Within thirty days of receiving the school district's request and documentation, the Executive County Superintendent shall issue a determination of whether the situation meets the criteria for a family crisis. The original school district of residence shall continue to enroll the student and provide transportation to the current school of attendance in accordance with N.J.S.A. 18A:39-1 until the determination is issued, and shall not be reimbursed for additional transportation costs unless the Executive County Superintendent determines the situation is a family crisis or as directed by the Commissioner upon appeal.
- f. In providing transportation to students under N.J.S.A. 18A:38-1.1, the Board shall use the most efficient and cost-effective means available and in conformance with all laws governing student transportation.
- g. At the conclusion of the fiscal year in which the Executive County Superintendent has determined the situation constitutes a family crisis, the original school district of residence may apply to the Executive County Superintendent for a reimbursement of eligible costs for transportation services.
  - (1) Eligible costs shall include transportation for students who are required to be transported pursuant to N.J.S.A. 18A:39-1.



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- (2) The school district shall provide documentation of the transportation costs for the eligible student(s) to the Executive County Superintendent who shall review and forward the information to the Department's Office of School Facilities and Finance for reimbursement payment(s) to the school district.
- (3) Payment to the school district shall be made in the subsequent fiscal year and shall equal the approved cost less the amount of transportation aid received for the student(s).
- h. Nothing in N.J.A.C. 6A:22-3.2 shall prevent the Board of Education from allowing a student to enroll without the payment of tuition pursuant to N.J.S.A. 18A:38-3.a.
- i. Nothing in N.J.A.C. 6A:22-3.2 shall prevent a parent or school district from appealing the Executive County Superintendent's decision(s) to the Commissioner in accordance with N.J.A.C. 6A:3-1.3. If the Commissioner of Education determines the situation is not a family crisis, his or her decision shall state which of the following shall pay the transportation costs incurred during the appeal process: the State, school district, or parent.

### D. Housing and Immigration Status

- 1. A student's eligibility to attend school shall not be affected by the physical condition of an applicant's housing or his or her compliance with local housing ordinances or terms of lease.
- 2. Except as set forth in a. below, immigration/visa status shall not affect eligibility to attend school. Any student over five and under twenty years of age pursuant to N.J.S.A. 18A:38-1, or such younger or older student as is otherwise entitled by law to a free public education, who is domiciled in the school district or otherwise eligible to attend school in the district pursuant to N.J.A.C. 6A:22-3.2 shall be enrolled without regard to, or inquiry concerning, immigration status.
  - a. However, the provisions of N.J.S.A. 18A:38-1 and N.J.A.C. 6A:22 shall not apply to students who have obtained, or are seeking to obtain, a Certificate of Eligibility for Nonimmigrant Student Status (DHS Form I-20) from the school district in order to apply to the





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**DHS** for issuance of a visa for the purpose of limited study on a tuition basis in a United States public secondary school ("F-1" Visa).

#### 3. F-1 Visa Students

The school district **is not required to, but may** ~~will~~ permit the attendance of F-1 Visa students into the school district **only** with the payment of **full** tuition **and with** a signed tuition contract. **The district that** may require advance payment of **full** tuition before providing the requested I-20 form, in accordance with the provisions of Federal regulation 8 CFR 214.3. A F-1 Visa is granted to a foreign student through an application process that must include, but is not limited to, signed approval by the receiving school district exhibiting the receiving school district will accept the foreign student for enrollment and the foreign student's proof of financial means to pay the full tuition to the receiving school district for the academic year. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools with documentation as determined by the Superintendent or designee. A student with a F-1 Visa must be approved by the Board for attendance in the school district. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.

#### 4. J-1 Visa Students

The school district is not required to, but may permit the attendance of J-1 Visa students into the school district. The host family must be domiciled in the school district and shall submit a request to the Superintendent of Schools with documentation as determined by the Superintendent or designee. A student with a J-1 Visa must be approved by the Board for attendance in the school district and shall not pay tuition. The student's continued attendance in the school district shall be conditioned on a satisfactory attendance and disciplinary record.

E. Nothing in Policy and Regulation 5111 or N.J.A.C. 6A:22 shall be construed to limit the discretion of the Board to admit nonresident students, or the ability of a nonresident student to attend school with or without payment of tuition, with the consent of the district Board pursuant to N.J.S.A. 18A:38-3.a.

F. Proof of Eligibility



1. The Board of Education shall accept a combination of any of the following or similar forms of documentation from persons attempting to demonstrate a student's eligibility for enrollment in the school district:
  - a. Property tax bills; deeds; contracts of sale; leases; mortgages; signed letters from landlords; and other evidence of property ownership, tenancy, or residency;
  - b. Voter registrations; licenses; permits; financial account information; utility bills; delivery receipts; and other evidence of personal attachment to a particular location;
  - c. Court orders; State agency agreements; and other evidence of court or agency placements or directives;
  - d. Receipts; bills; cancelled checks; insurance claims or payments; and other evidence of expenditures demonstrating personal attachment to a particular location, or to support the student;
  - e. Medical reports; counselor or social worker assessments; employment documents; unemployment claims; benefit statements; and other evidence of circumstances demonstrating family or economic hardship, or temporary residency;
  - f. Affidavits, certifications and sworn attestations pertaining to statutory criteria for school attendance, from the parent, guardian, person keeping an "affidavit student," adult student, person(s) with whom a family is living, or others, as appropriate;
  - g. Documents pertaining to military status and assignment; and
  - h. Any other business record or document issued by a governmental entity.
2. The Board of Education may accept forms of documentation not listed above, and shall not exclude from consideration any documentation or information presented by an applicant.
3. The Board of Education shall consider the totality of information and documentation offered by an applicant, and shall not deny enrollment based



on failure to provide a particular form or subset of documents without regard to other evidence presented.

4. The Board of Education shall not condition enrollment on the receipt of information or documents protected from disclosure by law, or pertaining to criteria that are not a legitimate basis for determining eligibility to attend school. They include, but are not limited to:
    - a. Income tax returns;
    - b. Documentation or information relating to citizenship or immigration/visa status, except as set forth in N.J.A.C. 6A:22-3.3(b);
    - c. Documentation or information relating to compliance with local housing ordinances or conditions of tenancy; and
    - d. Social security numbers.
  5. The Board of Education may consider, in a manner consistent with Federal law, documents or information referenced in 4. above, or pertinent parts thereof if voluntarily disclosed by the applicant. However, the Board of Education may not, directly or indirectly, require or request such disclosure as an actual or implied condition of enrollment.
  6. In the case of a dispute between the school district and the parents ~~or guardians~~ of a student in regard to a student's eligibility to enroll in the school district or to remain enrolled in the school district pursuant to the provisions of N.J.S.A. 18A:38-1, the school district may request from the New Jersey Motor Vehicle Commission (NJMVC) the parent or guardian's name and address for use in verifying a student's eligibility for enrollment in the school district. The NJMVC may disclose to a school district the information requested in accordance with procedures established by the NJMVC. However, the school district shall not condition enrollment in the district on immigration status or on the fact that the NJMVC does not have the name or address of the parent on file.
- G. Registration Forms and Procedures for Initial Assessment



1. The Board of Education shall use Commissioner-provided registration forms, or locally developed forms that:
  - a. Are consistent with the forms provided by the Commissioner;
  - b. Do not seek information prohibited by N.J.A.C. 6A:22 or any other provision of statute or rule;
  - c. Summarize, for the applicant's reference, the criteria for attendance set forth in N.J.S.A. 18A:38-1, and specify the nature and form of any sworn statement(s) to be filed;
  - d. Clearly state the purpose for which the requested information is being sought in relation to the criteria; and
  - e. Notify applicants that an initial eligibility determination is subject to a more thorough review and evaluation, and that an assessment of tuition is possible if an initially admitted applicant is later found ineligible.
2. The Board of Education shall make available sufficient numbers of registration forms and trained registration staff to ensure prompt eligibility determinations and enrollment. Enrollment applications may be taken by appointment, but appointments shall be promptly scheduled and shall not unduly defer a student's attendance at school.
  - a. If the school district uses separate forms for affidavit student applications rather than a single form for all types of enrollment, affidavit student forms shall comply in all respects with the provisions of G.1. above. When affidavit student forms are used, the school district shall provide them to any person attempting to register a student of whom he or she is not the parent or guardian, even if not specifically requested.
    - (1) The Board of Education or its agents shall not demand or suggest that guardianship or custody must be obtained before enrollment will be considered for a student living with a person other than the parent or guardian since such student may qualify as an affidavit student.



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- (2) The Board of Education or its agents shall not demand or suggest that an applicant seeking to enroll a student of whom the applicant has guardianship or custody produce affidavit student proofs.
  - b. A district-level administrator designated by the Superintendent shall be clearly identified to applicants and available to assist persons who experience difficulties with the enrollment process.
3. Initial eligibility determinations shall be made upon presentation of an enrollment application, and enrollment shall take place immediately except in cases of clear, uncontested denials.
  - a. Enrollment shall take place immediately when an applicant has provided incomplete, unclear, or questionable information, but the applicant shall be notified that the student will be removed from the school district if defects in the application are not corrected, or an appeal is not filed, in accordance with subsequent notice to be provided pursuant to N.J.A.C. 6A:22-4.2.
  - b. When a student appears ineligible based on information provided in the initial application, the school district shall issue a preliminary written notice of ineligibility, including an explanation of the right to appeal to the Commissioner of Education. Enrollment shall take place immediately if the applicant clearly indicates disagreement with the school district's determination and intent to appeal to the Commissioner.
    - (1) An applicant whose student is enrolled pursuant to this provision shall be notified that the student will be removed without a hearing before the Board if no appeal is filed within the twenty-one day period established by N.J.S.A. 18A:38-1.
4. When enrollment is denied and no intent to appeal is indicated, applicants shall be advised they shall comply with compulsory education laws. When the student is between the ages of six and sixteen, applicants also shall be asked to complete a written statement indicating the student will be attending school in another school district or nonpublic school, or receiving instruction elsewhere than at a school pursuant to N.J.S.A. 18A:38-25. In



the absence of this written statement that the student will be attending school in another school district or nonpublic school, or receiving instruction elsewhere than at a school, designated staff shall report to the school district of actual domicile or residence, or the Department of Children and Families, a potential instance of “neglect” for purposes of ensuring compliance with compulsory education laws, N.J.S.A. 9:6-1. Staff shall provide the school district or the Department of Children and Families with the student’s name, the name(s) of the parent/guardian/resident, and the student’s address to the extent known. Staff shall also indicate admission to the school district has been denied based on residency or domicile, and there is no evidence of intent to arrange for the child to attend school or receive instruction elsewhere.

5. Enrollment or attendance in the school district shall not be conditioned on advance payment of tuition in whole or part when enrollment is denied and an intent to appeal is indicated, or when enrollment is provisional and subject to further review or information.
6. The Board of Education shall ensure the registration process identifies information suggesting an applicant may be homeless so procedures may be implemented in accordance with N.J.A.C. 6A:17-2 - Education of Homeless Children.
7. Enrollment or attendance in the school district shall not be denied based upon absence of a certified copy of the student’s birth certificate or other proof of his or her identity as required within thirty days of initial enrollment, pursuant to N.J.S.A. 18A:36-25.1.
8. Enrollment in the school district shall not be denied based upon absence of student medical information. However, actual attendance at school may be deferred until the student complies with student immunization rules set forth in N.J.A.C. 8:57-4.
9. When enrollment in the school district, attendance at school, or the receipt of educational services in the regular education program appears inappropriate, the student shall not be denied based upon the absence of a student’s prior educational record. However, the applicant shall be advised the student’s initial educational placement may be subject to revision upon the school district’s receipt of records or further assessment of the student.



## H. Notice of Ineligibility

1. When a student is found ineligible to attend the school district pursuant to N.J.A.C. 6A:22 or the student's initial application is found to be deficient upon subsequent review or investigation, the school district shall immediately provide notice to the applicant that is consistent with Commissioner-provided sample form(s) and meets the requirements of N.J.A.C. 6A:22-4 et seq.
  - a. Notices shall be in writing; in English and in the native language of the applicant; issued by the Superintendent; and directed to the address at which the applicant claims to reside.
2. Notices of ineligibility shall include:
  - a. In cases of denial, a clear description of the specific basis on which the determination of ineligibility was made:
    - (1) The description shall be sufficient to allow the applicant to understand the basis for the decision and determine whether to appeal; and
    - (2) The description shall identify the specific subsection of N.J.S.A. 18A:38-1 under which the application was decided.
  - b. In cases of provisional eligibility, a clear description of the missing documents or information that still must be provided before a final eligibility status can be attained under the applicable provision of N.J.S.A. 18A:38-1;
  - c. A clear statement of the applicant's right to appeal to the Commissioner of Education within twenty-one days of the notice date, along with an informational document provided by the Commissioner describing how to file an appeal;
  - d. A clear statement of the student's right to attend school for the twenty-one day period during which an appeal can be made to the Commissioner. It also shall state the student will not be permitted to attend school beyond the twenty-first day following the notice date if missing information is not provided or an appeal is not filed;



- e. A clear statement of the student's right to continue attending school while an appeal to the Commissioner is pending;
- f. A clear statement that, if an appeal is filed with the Commissioner and the applicant does not sustain the burden of demonstrating the student's right to attend the school district, or the applicant withdraws the appeal, fails to prosecute or abandons the appeal by any means other than settlement, the applicant may be assessed, by order of the Commissioner enforceable in Superior Court, tuition for any period of ineligible attendance, including the initial twenty-one day period and the period during which the appeal was pending before the Commissioner;
- g. A clear statement of the approximate rate of tuition, pursuant to N.J.A.C. 6A:22-6.3, that an applicant may be assessed for the year at issue if the applicant does not prevail on appeal, or elects not to appeal:
  - (1) If removal is based on the student's move from the school district, the notice of ineligibility shall also provide information as to whether district Policy permits continued attendance, with or without tuition, for students who move from the school district during the school year.
- h. The name of a contact person in the school district who can assist in explaining the notice's contents; and
- i. When no appeal is filed, notice that the parent or guardian shall still comply with compulsory education laws. In the absence of a written statement from the parent or guardian that the student will be attending school in another school district or non-public school, or receiving instruction elsewhere than at a school, school district staff shall notify the school district of actual domicile/residence, or the Department of Children and Families, of a potential instance of "neglect" pursuant to N.J.S.A. 9:6-1. For purposes of facilitating enforcement of the State compulsory education requirement (N.J.S.A. 18A:38-25), staff shall provide the student's name, the name(s) of the parent/guardian/resident, address to the extent known, denial of admission based on residency or domicile, and





absence of evidence of intent to attend school or receive instruction elsewhere.

## I. Removal of Currently Enrolled Students

1. Nothing in N.J.A.C. 6A:22 and this Regulation shall preclude the Board of Education from identifying through further investigation or periodic requests for revalidation of eligibility, students enrolled in the school district who may be ineligible for continued attendance due to error in initial assessment, changed circumstances, or newly discovered information.
2. When a student who is enrolled and attending school based on an initial eligibility determination is later determined to be ineligible for continued attendance, the Superintendent may apply to the Board of Education for the student's removal.
  - a. The Superintendent shall issue a preliminary notice of ineligibility meeting the requirements of N.J.A.C. 6A:22-4.2. However, the notice shall also provide for a hearing before the Board of Education prior to a final decision on removal.
3. No student shall be removed from school unless the parent, guardian, adult student, or resident keeping an "affidavit student," has been informed of his or her entitlement to a hearing before the Board of Education.
4. Once the hearing is held, or if the parent, guardian, adult student, or resident keeping an "affidavit student," does not respond within the designated time frame to the Superintendent's notice or appear for the hearing, the Board of Education shall make a prompt determination of the student's eligibility and shall immediately provide notice in accordance with N.J.A.C. 6A:22-4.2.
5. Hearings required pursuant to N.J.A.C. 6A:22-4.3 may be conducted by the full Board of Education or a Board committee, at the discretion of the full Board. If the hearing is conducted by a Board Committee, the Committee shall make a recommendation to the full Board for action. However, no student shall be removed except by vote of the Board of Education taken at a meeting duly convened and conducted pursuant to N.J.S.A. 10:4-6 et seq., the Open Public Meetings Act.

## J. Appeal to the Commissioner



1. An applicant may appeal to the Commissioner of Education a school district determination that a student is ineligible to attend its schools. Appeals shall be initiated by petition, which shall be filed in accordance with N.J.S.A. 18A:38-1 and N.J.A.C. 6A:3-8.1 and shall proceed as a contested case pursuant to N.J.A.C. 6A:3.
  - a. Pursuant to N.J.S.A. 18A:38-1.b(1), appeals of "affidavit student" ineligibility determinations shall be filed by the resident keeping the student.

K. Assessment and Calculation of Tuition

1. If no appeal to the Commissioner is filed by the parent, guardian, adult student, or school district resident keeping an "affidavit" student following notice of an ineligibility determination, the Board of Education may assess tuition for up to one year of a student's ineligible attendance, including the twenty-one day period provided by N.J.S.A. 18A:38-1 for appeal to the Commissioner.
  - a. If the responsible party does not pay the tuition assessment, the Board of Education may petition the Commissioner pursuant to N.J.A.C. 6A:3 for an order assessing tuition, enforceable in accordance with N.J.S.A. 2A:58-10 through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division.
2. If an appeal to the Commissioner is filed by the parent, guardian, adult student, or school district resident keeping an "affidavit" student and the petitioner does not sustain the burden of demonstrating the student's right to attend the school district, or the petitioner withdraws the appeal, fails to prosecute, or abandons the appeal by any means other than settlement agreeing to waive or reduce tuition, the Commissioner may assess tuition for the period during which the hearing and decision on appeal were pending, and for up to one year of a student's ineligible attendance in a school district prior to the appeal's filing and including the twenty-one day period to file an appeal.
  - a. Upon the Commissioner's finding that an appeal has been abandoned, the Board of Education may remove the student from school and seek tuition for up to one year of ineligible attendance pursuant to N.J.A.C. 6A:22-6.1(a) plus the period of ineligible



attendance after the appeal was filed. If the record of the appeal includes a calculation reflecting the tuition rate(s) for the year(s) at issue, the per diem tuition rate for the current year and the date on which the student's ineligible attendance began, the Commissioner may order payment of tuition as part of his or her decision. In doing so, the Commissioner shall consider whether the ineligible attendance was due to the school district's error. If the record does not include such a calculation and the Board of Education has filed a counterclaim for tuition, the counterclaim shall proceed to a hearing notwithstanding that the petition has been abandoned.

- b. An order of the Commissioner assessing tuition is enforceable through recording, upon request of the Board of Education pursuant to N.J.A.C. 6A:3-12, on the judgment docket of the Superior Court, Law Division, in accordance with N.J.S.A. 2A:58-10.
3. Tuition assessed pursuant to the provisions of N.J.A.C. 6A:22-6 shall be calculated on a per-student basis for the period of a student's ineligible enrollment, up to one year, by applicable grade/program category and consistent with the provisions of N.J.A.C. 6A:23A-17.1. The individual student's record of daily attendance shall not affect the calculation.
4. Nothing in N.J.A.C. 6A:22 shall preclude an equitable determination by the Board of Education or the Commissioner that tuition shall not be assessed for all or part of any period of a student's ineligible attendance in the school district when the particular circumstances of a matter so warrant. In making the determination, the Board of Education or Commissioner shall consider whether the ineligible attendance was due to the school district's error.

Adopted 14 October 2013

Revised: 16 May 2016

Revised: 15 April 2019

Revised: TBD



# POLICY

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #P8 - FIRST READING

Students  
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ATTENDANCE (M)

### 5200 ATTENDANCE (M)

#### M

In accordance with the provisions of N.J.S.A. 18A:38-25, every parent, guardian, or other person having control and custody of a child between the ages of six and sixteen shall cause the child to regularly attend school. The Board of Education requires students enrolled in the school district attend school regularly in accordance with the laws of the State.

Notwithstanding the requirement of reporting student absences in the school register for State and Federal reporting purposes, “excused” and “unexcused” student absences, for the purpose of expectations and consequences regarding truancy, student conduct, promotion, and the award of course credit is a local Board decision outlined in N.J.A.C. 6A:16-7.6 and Policy and Regulation 5200.

In accordance with the provisions of N.J.A.C. 6A:16-7.6 and for the purposes of this Policy and Regulation 5200, a student’s absence from school will either be excused or unexcused. ~~that~~ Unexcused absences will counts toward truancy.

A parent or adult student shall provide advance notice to the school prior to the student being absent from school. In accordance with N.J.S.A. 18A:36-25.6, if a student is determined to be absent from school without valid excuse, and if the reason for the student’s absence is unknown to school personnel, the Principal or designee shall immediately attempt to contact the student’s parent to notify the parent of the absence and determine the reason for the absence.

Students that are absent from school for any reason are responsible for the completion of assignments missed because of their absence. In accordance with N.J.S.A. 18A:36-14, aA student who is absent from school for observing a religious holiday shall not be deprived of any award, eligibility, or opportunity to compete for any award, or deprived of the right to take an alternate test or examination that was missed because of the absence provided there is a written excuse of such absence signed by the parent.

Prolonged or repeated absences, excused or unexcused, from school or from class, deprive students of the educational and classroom experiences deemed essential to learning and may result in retention at grade level or loss of credit or removal from a course that would count toward the high school diploma in accordance with policies of this Board.



Students shall be subjected to the school district's response for unexcused absences that count toward truancy during the school year as outlined in N.J.A.C. 6A:16-7.6(a)4 and Regulation 5200.

Unexcused absences from school or from classes within the school day may subject a student to consequences that may include the denial of a student's participation in co-curricular activities and/or athletic competition. Repeated absences from school interfere with efforts of **the** ~~this~~ Board and its staff in the maintenance of good order and the continuity of classroom instruction and such absences may result in the removal of the student from a class or course of study.

The Superintendent shall calculate and monitor the average daily attendance rate for the district and for each school in the district. Whenever the average daily attendance rate does not meet the New Jersey Department of Education requirements the Superintendent or designee shall develop a district improvement plan to improve student attendance pursuant to N.J.A.C. 6A:30-5.2.

N.J.S.A. 18A:36-14; **18A:36-25.6**; 18A:38-25

N.J.S.A. 34:2-21.1 et seq.

N.J.A.C. 6A:16-7.6; **6A:30-5.2**; 6A:32-8.3

Adopted: 8 September 2015

Revised: **TBD**



# REGULATION

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #P9 - FIRST READING

STUDENTS  
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ATTENDANCE (M)

### R 5200 ATTENDANCE (M)

#### M

##### A. Definitions

1. For the purposes of school attendance, a “day in session” shall be a day on which the school is open and students are under the guidance and direction of a teacher or teachers engaged in the teaching process. Days on which school is closed for such reasons as holidays, teachers’ institutes, and inclement weather shall not be considered as days in session.
2. A “school day” shall consist of not less than four hours.
3. “A day of attendance” shall be one in which the student is present for a full day under the guidance and direction of a teacher while school is in session.
  - a. Whenever over-crowded conditions make it necessary to hold two separate sessions with a different group of students in each session, a student attending for all of either session shall be regarded as having attended for the full day. An excused absence for any reason shall not be counted as a day of attendance in the school register.
4. A “half-day class” shall be considered the equivalent of a full day’s attendance only if in session for four hours or more, exclusive of recess periods or lunch periods.

##### B. Attendance Recording

1. Attendance Recording in the School Register  
(N.J.A.C. 6A:32-8.1)
  - a. The Board of Education shall be required to carefully and accurately track enrollment and attendance of all students in a manual school register format or in an electronic form of the school's choosing.
  - b. The Commissioner shall issue and publish on the Department's website school register guidance for



recording student attendance in all public schools of the State operated by district Boards of Education, except adult high schools.

- c. Student attendance shall be recorded in the school register during school hours on each day school is in session.
- d. School registers shall be kept for students attending preschool, Kindergarten, grades one through five, grades six through eight, grades nine through twelve, each preschool class for the disabled, each class for the disabled, shared-time classes for regular students, shared-time classes for students with disabilities, full-time bilingual education programs and vocational day programs, and summer schools operated by the Board of Education.
- e. A student who has been placed on home instruction shall have his or her attendance status recorded on the regular register for the program in which the student is enrolled. For the period beginning the first day the student is unable to attend school and ending the day before the first instructional day at the student's place of confinement, the student shall be marked absent. No absences shall be recorded for the student while on home instruction, providing the hours of instruction are not less than required by N.J.A.C. 6A:14-4.8 and 4.9. The number of possible days of enrollment for a student on home instruction shall be the same as for other students in the program in which the student is enrolled.

## 2. Attendance Recording for Board Policy (N.J.A.C. 6A:32-8.3)

- a. A record of the attendance of all students on roll in a school register shall be kept each day that school is in session by a teacher or other authorized person. It shall be the duty of this person to keep the attendance records according to these rules and the specific instructions issued by the Commissioner of Education.



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## ROXBURY TOWNSHIP BOARD OF EDUCATION

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- b. No student shall be recorded as present unless the school is in session and the student so recorded is under the guidance and direction of a teacher in the teaching process.
  - c. A student shall be recorded as absent in the school register when not in attendance at a session of the school while a member of the school, except students excused due to religious holidays who shall be recorded as excused.
  - d. A student shall be recorded as either present, absent, or excused for religious observance, every day the school is in session after the student enters until the date the student is transferred to another school, transferred to an individual home instruction record, or officially leaves the school system.
  - e. The Commissioner shall annually prescribe a list of religious holidays on which it shall be mandatory to excuse students for religious observance upon the written request signed by the parent or person standing in loco parentis.
  - f. The mere presence of a student at roll call shall not be regarded as sufficient attendance for compliance with N.J.A.C. 6A:32-8.3. In a school which is in session during both the forenoon and the afternoon, a student shall be present at least one hour during both the forenoon and the afternoon in order to be recorded as present for the full day. In a school which is in session during either the forenoon or the afternoon, a student shall be present at least two hours in the session in order to be recorded as present for the full day.
  - g. A student not present in school because of his/her participation in an approved school activity, such as a field trip, meeting, cooperative education assignment, or athletic competition will be considered to be in attendance.
- C. Unexcused Absences That Count Toward Truancy/Excused Absences for Board Policy
- 1. Notwithstanding the requirement of reporting student absences in the school register for State and Federal reporting purposes,





“excused” and “unexcused” student absences for the purpose of expectations and consequences regarding truancy, student conduct, promotion, and the award of course credit is a Board decision outlined in Policy 5200 and this Regulation.

24. N.J.A.C. 6A:16-7.6(a)3 requires the Board of Education policies and procedures contain, at a minimum, a definition of unexcused absence that count toward truancy. “An unexcused absence that counts toward truancy” is a student’s absence from school for a full or a portion of a day for any reason that is not an “excused absence” as defined below.

3. “An excused absence” is a student’s absence from school for a full day or a portion of a day for the observance of a religious holiday pursuant to N.J.S.A. 18A:36-14 through 16:

The student’s required attendance in court;

Where appropriate, when consistent with Individualized Education Programs, the Individuals with Disabilities Act, i plans under 29 U.S.C. §§ 794 and 705(20), and individualized health care plans;

The student’s suspension from school;

Family illness or death supported by notification to the school by the student’s parent;

Visits to post-secondary educational institutions;

Interviews with a prospective employer or with an admissions officer of an institution of higher education;

Examination for a driver's license;

Necessary and unavoidable medical or dental appointments that cannot be scheduled at a time other than the school day;

Take Our Children to Work Day;



# REGULATION

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An absence considered excused by the Commissioner of Education and/or a New Jersey Department of Education rule;

An absence for a reason not listed above, but deemed excused by the Principal upon a written request by the student's parent stating the reason for the absence and requesting permission for the absence to be an excused;

4. For cumulative unexcused absences of ten or more, a student between the ages of six and sixteen is truant, pursuant to N.J.S.A. 18A:38-25 "~~Truancy~~" means ten or more cumulative unexcused absences that count toward truancy of a student between the ages of six and sixteen as determined by the Board's Attendance Policy and Regulation pursuant to N.J.A.C. 6A:16-7.6(a)4.iii. and the definition of school day pursuant to N.J.A.C. 6A:32-8.3. Any absence not listed in C.2. above shall be an unexcused absence counted toward truancy.
  5. "Unexcused tardiness" may constitute an unexcused absence that counts toward truancy in accordance with Policy 5240.
- D. Notice to School of a Student's Absence
1. The parent or adult student ~~is requested to~~ shall notify call the school office before the start of the student's school day when the student will not be in school.
  2. The parent of the student or an adult student who will attend the morning session, but will not attend the afternoon session shall ~~should call or~~ provide notice to the school office before the start of the afternoon session.
  3. The parent of a student or an adult student shall notify the school office of a future absence if the absence is foreseeable.
  4. The parent or adult student who anticipates a future absence or anticipates that an absence will be prolonged shall ~~should~~ notify the school office to arrange make-up work.



5. The parent or adult student is requested to furnish the Attendance/Main Office with a Physician's note supporting an excused absence within five (5) days upon returning to school. In a situation where extenuating circumstances exist, they should be communicated directly to the Principal.

6. In accordance with N.J.S.A. 18A:36-25.6, if a student is determined to be absent from school without valid excuse, and if the reason for the student's absence is unknown to school personnel, the Principal or designee shall immediately attempt to contact the student's parent to notify the parent of the absence and determine the reason for the absence.

E. Readmission to School After an Absence

1. A student returning from an absence of any length of time must provide a written statement that is dated and signed by the parent or adult student listing the reason for the absence.
2. A note explaining a student's absence for a non-communicable illness for a period of more than two (2) consecutive school days must be accompanied by a physician's statement of the student's illness with medical clearance to return to school.
3. A student who has been absent by reason of having or being suspected of having a communicable disease must present to the school nurse written evidence of being free of communicable disease, in accordance with Policy 8451.
4. The Superintendent of Schools or designee may require a student who has been absent from school due to a suspension or other reason concerning the student's conduct to receive a medical examination by a physician regarding the student's physical and/or mental fitness to return to school. The Superintendent or designee will notify the student's parent of the specific requirements of the medical examination prior to the student's return to school.

F. Instruction



1. Teachers shall cooperate in the preparation of home assignments for students who anticipate an excused absence of three (3) consecutive school days duration. The parent or student must request such home assignments.
2. A student who anticipates an absence due to a temporary or chronic health condition may be eligible for home instruction in accordance with Policy 2412. The parent must request home instruction.
3. Students absent for any reason are expected to make up the work missed. The parent or student is responsible for requesting missed assignments and any assistance required. Teachers will provide make-up assignments as necessary.
4. In general, students will be allowed a reasonable amount of time as determined by the teacher to make up missed work.
5. A student who missed a test or an exam shall be offered an opportunity to take the test, exam, or an appropriate alternate test.

#### G. Denial of Course Credit

1. The teacher will determine the credit to be awarded a student for make-up work. Where class participation is a factor in the learning process, the teacher may consider a student's absence in determining a final grade, except absences for the observance of a religious holiday or absence for a student's suspension from school will not adversely affect the student's grade. The teacher may record an incomplete grade for a student who has not had a full opportunity to make up missed work.
2. An **K-8 elementary** student may be retained at grade level, in accordance with Policy 5410, when he/she has been absent fifteen (15) or more school days, whatever the reason for the absence, except that absences for the observance of a religious holiday, **absences for those excused in accordance with the reporting requirements of the school register**, and absences due to student's suspension will not count toward the total.



3. High School - In accordance with the requirements of New Jersey State Law and Administrative Code, students are expected to attend school every day that school is in session, and the responsibility for compliance belongs to the student and parent. Regular attendance and participation in classes are a vital and integral part of the learning process. Frequent absences from classroom learning experiences disrupt the continuity of the instructional process and limit the ability of the student to complete the prescribed curriculum requirements successfully. In addition, chronic absences reinforce a habit that will handicap the individual in future education or employment. A student must be in attendance over ninety percent of the school year in order to be considered to have successfully completed the instructional program requirements of the grade/course to which he/she is assigned.
- a. Students who accrue more than eight absences in a full year course\*, six absences in a three marking period course (physical education), four absences in a semester course, or two in a one marking period course (health) will receive no credit for the course because of excessive absenteeism.

For full year courses that meet DAILY (both A and B days), loss of credit will occur on the 17th unexcused absence, with parent notification.

This is not a permissive regulation establishing or licensing a limit of days which may be missed. Rather, it assumes absences will only occur due to personal illness or circumstances listed below. Parents are asked to contact the school by 9:00 a.m. on any day their child is absent, and to submit a written statement on the first day a student returns to school after an absence.

- b. Family vacations or job interviews will be recorded as unexcused absences.
- c. Students who report late to class (less than fifteen minutes) without an appropriate pass will accrue one-half of a student absence in that class period.



- d. Students absent from class for fifteen minutes or more without an appropriate pass will be recorded as absent. Thus, lateness and/or absence from class will contribute toward loss of credit in a class.
- e. Any absence from class will count toward loss of credit in that class with the exception of absences due to:
  - 1. Death in the immediate family.
  - 2. Observation of an approved religious holiday.
  - 3. Suspension from school.
  - 4. Subpoena-court ordered appearance.
  - 5. Drivers Test – An appropriate absence note must be brought by the student upon his/her return to school. Failure to bring in a note within five school days will result in the absence not being excused.
  - 6. Verifiable absences for illness, as legitimized by a physician's note, will be accepted as excused absences. No physician's note will be accepted after a 10-day period from the date of the absence.
  - 7. Other absences authorized by the administration with prior approval.
  - 8. Authorized school activities, such as field trips, State or school testing, regularly scheduled student council or peer counselor meetings, athletic contests, band lessons, and class meetings will not be counted as cumulative absences.

Teachers should contact the activity advisor if a student's absences from class are hindering the student's academic progress. If a student is performing below average in a course, the teacher and the advisor will determine the advisability of the student missing class to participate in an activity. If a student is failing a course that is required for graduation it is recommended that the student not be excused from class to attend an activity until he/she maintains a passing average. The Child Study Team should be involved in recommending the appropriate course of action for classified students.



In order for a student to participate in an athletic event or social activity such as a prom, he/she must be in attendance a minimum of four hours on the day of that event.

A secondary student who has been dropped from a course of study may be assigned to an alternate program.

#### H. School District Response To Unexcused Absences During the School Year That Count Toward Truancy

Students may only be absent from school for legitimate and authorized reasons. Students who are determined by the administration to be absent from school for unauthorized reasons will be considered as truant from school and will be dealt with according to the attendance policy and discipline code. Truancy is a violation of Title 18A: 38-27 which requires that a student who is repeatedly absent from school without authorization be subject to school district policies and, if necessary, be deemed to be a juvenile delinquent. The Roxbury Township District applies the definition of truancy to any student absence for unauthorized reason whether the absence is a prolonged one or is an isolated incident.

##### 1. Grades 1 – 4

- a. At five (5) cumulative unexcused absences, parents/guardians will be notified in writing. After the fifth unexcused absence, parents/guardians will receive a copy of the Board of Education policy.
- b. For up to ten (10) cumulative unexcused absences, parents/guardians will be notified in writing and an Intervention and Referral Services (IR & S) meeting will be held to create an action plan to help improve attendance. Follow up meeting(s) will be scheduled to assess effectiveness of interventions, as necessary.
- c. At fifteen (15) cumulative unexcused absences, parents/guardians will be notified in writing of the district's intention to refer the matter to the Township of Roxbury Municipal Court for truancy pursuant to



N.J.S.A.18A: 38-27 and/or to the New Jersey Department of Children and Families for possible educational neglect.

- d. Refer to Policy 5410 for retention guidelines.

2. Grades 5 – 12

For up to four cumulative unexcused absences that count toward truancy, the Principal or designee shall:

- a. Make a reasonable attempt to notify the student's parent of each unexcused absence prior to the start of the following school day;
- b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parent;
- c. Identify, in consultation with the student's parents, needed action designed to address patterns of unexcused absences, if any, and to have the child return to school and maintain regular attendance;
- d. Proceed in accordance with the provisions of N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-10, if a potentially missing or abused child situation is detected; and
- e. Cooperate with law enforcement and other authorities and agencies, as appropriate.

3. For between five and nine cumulative unexcused absences that count toward truancy, the Principal or designee shall:

- a. Make a reasonable attempt to notify the student's parent of each unexcused absence prior to the start of the following school day;
- b. Make a reasonable attempt to determine the cause of the unexcused absence, including through contact with the student's parent;
- c. Evaluate the appropriateness of action taken pursuant to N.J.A.C. 6A:16-7.6(a)4.i.(3) and H.1.c. above;





- d. Develop an action plan to establish outcomes based upon the student's patterns of unexcused absences and to specify the interventions for supporting the student's return to school and regular attendance, which may include any or all of the following:
    - (1) Refer or consult with the building's Intervention and Referral Services Team, pursuant to N.J.A.C. 6A:16-8;
    - (2) Conduct testing, assessments, or evaluations of the student's academic, behavioral, and health needs;
    - (3) Consider an alternate educational placement;
    - (4) Make a referral to or coordinate with a community-based social and health provider agency or other community resource;
    - (5) Refer to a court or court program pursuant to N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below;
    - (6) Proceed in accordance with N.J.S.A. 9:6-1 et seq. and N.J.A.C. 6A:16-10, if a potential missing or abused child situation is detected; and
    - (7) Engage the student's family.
  - e. Cooperate with law enforcement and other authorities and agencies, as appropriate.
4. For ten or more cumulative unexcused absences that count toward truancy, a student between the ages of six and sixteen is truant, pursuant to N.J.S.A. 18A:38-25, and the Principal or designee shall:
- a. Make a determination regarding the need for a court referral for the truancy, per N.J.A.C. 6A:16-7.6(a)4.iv. and H.4. below;
  - b. Continue to consult with the parent and the involved agencies to support the student's return to school and regular attendance;
  - c. Cooperate with law enforcement and other authorities and agencies, as appropriate; and
  - d. Proceed in accordance with N.J.S.A. 18A:38-28 through 31, Article 3B, Compelling Attendance at School, and other applicable State and Federal statutes, as required.
5. A court referral may be made as follows:



- a. When unexcused absences that count toward truancy are determined by school officials to be violations of the compulsory education law, pursuant to N.J.S.A. 18A:38-25, and the Board of Education's policies, in accordance with N.J.A.C. 6A:16-7.6(a), the parent may be referred to Municipal Court.

- (1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Municipal Court; or

- b. When there is evidence of a juvenile-family crisis, pursuant to N.J.S.A. 2A:4A-22.g, the student may be referred to Superior Court, Chancery Division, Family Part.

- (1) A written report of the actions the school has taken regarding the student's attendance shall be forwarded to the Juvenile-Family Crisis Intervention Unit.

6. For a student with a disability, the attendance plan and its punitive and remedial procedures shall be applied, where applicable, in accordance with the student's IEP, pursuant to 20 U.S.C. §§ 1400 et seq., the Individuals with Disabilities Education Act; the procedural protections set forth in N.J.A.C. 6A:14; accommodation plan under 29 U.S.C. §§794 and 705(20); and individualized health care plan and individualized emergency healthcare plan pursuant to N.J.A.C. 6A:16-2.3(b)5.xii.

7. All receiving schools pursuant to N.J.A.C. 6A:14-7.1(a), shall act in accordance with N.J.A.C. 6A:16-7.6(a)4.i. and H.1. above for each student with up to four cumulative unexcused absences that count toward truancy.

- a. For each student attending a receiving school with five or more cumulative unexcused absences that count toward truancy, the absences shall be reported to the sending school district.

- (1) The sending school district shall proceed in accordance with the Board of Education's policies and procedures pursuant to N.J.A.C. 6A:16-7.6(a) and H.5. above and the provisions of N.J.A.C. 6A:16-7.6(a)4.ii. through iv. and H.2. through H.5. above, as appropriate.



I. High School Response To Unexcused Absences for Individual Classes During the School Year That Count Toward Truancy

The Board of Education recognizes that it is important for parents/guardians be notified periodically of their child's attendance so that appropriate measures may be taken.

Some examples of unauthorized reasons for student absence include, but are not limited to the following:

"Cut Days" or days following a prom weekend.

Notification will be as follows:

1. Full-Year Course
  - a. After the fourth unexcused absence, the parent/guardian will be notified via email or letter of their child's attendance status.
  - b. After the seventh unexcused absence, the parent/guardian will be notified via email or letter a second time. The student's counselor and an administrator will meet with the student and contact the parent/guardian to offer the opportunity to meet.
  - c. Upon the ninth unexcused absence, the parent/guardian will be notified via email or letter of loss of credit. The student will be advised of this loss of credit by an administrator.
  - d. For full year courses that meet DAILY (both A and B days), on the eighth unexcused absence and again on the thirteenth unexcused absence, the parent/guardian will be notified via email of the student's attendance status. Upon the seventeenth unexcused absence, the parent/guardian will be notified via email or letter of loss of credit. The student will be advised of this loss of credit by an administrator.
2. Three Marking Period Course
  - a. After the third unexcused absence, the parent/guardian will be notified via email or letter of their child's attendance status.



- b. After the fifth unexcused absence, the parent/guardian will be notified via email or letter a second time. The student's counselor and an administrator will meet with the student and contact the parent/guardian to offer the opportunity to meet.
- c. Upon the seventh unexcused absence, the parent/guardian will be notified via email or letter of loss of credit. The student will be advised of this loss of credit by an administrator.
- 3. One Semester Course
  - a. After the second unexcused absence, the parent/guardian will be notified via email or letter of their child's attendance status. The student's counselor and an administrator will meet with the student and contact the parent/guardian to offer the opportunity to meet.
  - b. Upon the fifth unexcused absence, the parent/guardian will be notified via email or letter of loss of credit. The student will be advised of this loss of credit by an administrator.
- 4. One Marking Period Course
  - a. After the first unexcused absence, the parent/guardian will be notified via email or letter of their child's attendance status, and an administrator will meet with the student and contact the parent/guardian to offer the opportunity to meet.
  - b. Upon the third unexcused absence, the parent/guardian will be notified via email or letter of loss of credit. The student will be advised of this loss of credit by an administrator.
- 5. Student Responsibilities Prior to Administratively Approved Absence
  - a. A student must see the teacher of any class that he/she will miss because of an administratively excused absence.
  - b. The day following the absence the student is expected to report to class to fulfill class requirements, e.g., homework, tests.



- c. Failure of a student to meet these obligations will not absolve him/her of the responsibilities.

Students must maintain average to above average performance in a class to participate in co-curricular events held during the school day. Participation is dependent upon good school/class attendance. Excessive absences may cause forfeiture of the right to participate in co-curricular events. The faculty will bring to the attention of the appropriate Assistant Principal the name of the student whose frequent absences are impacting negatively on class performance.

## 6. Procedure for Dealing with Class Cuts

An attendance list will be issued to teachers daily. Teachers will check the attendance list for students who were not in class and are not listed as absent on the attendance sheet, and students who were present but listed as absent. Teachers should check the attendance list for students who were tardy, in in-school or out-of-school suspension, and on field trips.

Students whose whereabouts cannot be verified should be asked the following day to verify their absence from class. If the student cannot prove by authorized pass (e.g., nurse, guidance, main office, etc.) that he/she was absent for a legitimate reason, the teacher should submit a Discipline Report to the Assistant Principal for Attendance.

## J. Discipline

1. Students may be denied participation in co-curricular activities if the Board establishes attendance standards for participation.
2. Students may be denied participation in athletic competition if the Board establishes attendance standards for participation.
3. No student who is absent from school for observance of a religious holiday may be deprived of any award or of eligibility for or opportunity to compete for any award because of the absence.

## K .Recording Attendance



1. Teachers must accurately record the students present, tardy, or absent each day in each session or each class. Attendance records must also record students' attendance at out-of-school curricular events such as field trips.
2. A record shall be maintained of each excused absence and each unexcused absence that counts toward truancy as defined in Policy and Regulation 5200.
3. A report card will record the number of times the student was absent and tardy in each marking period.
4. A student's absence for observance of a religious holiday will not be recorded as such on any transcript or application or employment form.

#### L. Appeal

1. Students may be subject to appropriate discipline for their school attendance record.
2. A student who has been retained at grade level for excessive absences may appeal that action in accordance with Policy 5410.
3. A student who has been dropped from a course and/or denied course credit for excessive absences may appeal that action in accordance with the following procedures:
  - a. The student shall file a written appeal to the Principal or designee within five school days of receiving notice of the action. The appeal should state the reasons for each absence, any documentation that may support reducing the number of absences for the purposes of course credit, and reasons why the student should either continue to be enrolled in the course or receive course credit for a class the student completed.
  - b. The Principal or designee will respond in writing no later than seven school days after receiving the student's appeal.



- c. If the student is not satisfied, he/she may submit a written request to the Principal for consideration by an Attendance Review Committee.
- d. On a student's request for consideration by an Attendance Review Committee, the Principal shall convene an Attendance Review Committee. The Attendance Review Committee shall meet informally to hear the student's appeal. The student's parent and teacher(s) may attend the meeting.
- e. The Attendance Review Committee shall decide the appeal and inform the student in writing within seven school days of the meeting.
- f. The student may appeal an adverse decision of the Attendance Review Committee to the Superintendent, the Board of Education, and the Commissioner of Education in accordance with Policy 5710, Pupil Grievance and N.J.S.A. 18A. An appeal to the Attendance Review Committee shall be considered to have exhausted the first two steps of the grievance procedure outlined in Policy 5710.

#### M. Attendance Records

- 1. Attendance records for the school district and each will be maintained and attendance rates will be calculated as required by the New Jersey Department of Education. The school district will comply with all attendance requirements and any improvement plans as required by the Department of Education.

Adopted: 8 September 2015

Revised: 15 August 2016

Revised: 18 September 2017

Revised: TBD



EXHIBIT #P10 - FIRST READING

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## 5320 IMMUNIZATION

In order to safeguard the school community from the spread of certain communicable diseases and in recognition that prevention is a means of combating the spread of disease, the Board of Education requires the immunization of students against certain diseases in accordance with State statute and rules of the New Jersey State Department of Health and Senior Services.

A student shall not knowingly be admitted or retained in school if the parent(s) or legal guardian(s) has not submitted acceptable evidence of the child's immunization, according to schedules specified in N.J.A.C. 8:57-4 – Immunization of Pupils ~~Students~~ in School. However, a child may be admitted to school on a provisional basis in accordance with the requirements as outlined in N.J.A.C. 8:57-4.5 and Regulation 5320.

Medical or religious exemptions to immunizations shall be in accordance with the requirements as outlined in N.J.A.C. 8:57-4.3 and 4.4. ~~A child may be admitted to school on a provisional basis in accordance with the requirements as outlined in N.J.A.C. 8:57-4.5.~~ For students with a medical exemption pursuant to N.J.A.C. 8:57-4.3, the school nurse shall annually review student immunization records to confirm the medical condition for the exemption from immunization continues to be applicable in accordance with N.J.A.C. 6A:16-2.3(b)3.v.

No immunization program, other than that expressly required by the rules of the New Jersey State Department of Health and Senior Services or by order of the New Jersey State Commissioner of Health and Senior Services, may be conducted in district schools without the express approval of the Board.

N.J.S.A. 18A:40-20

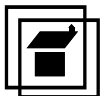
N.J.S.A. 26:4-6

N.J.A.C. 6A:16-2.3

N.J.A.C. 8:57-4.1 et seq.

Adopted: 14 October 2013

Revised: TBD





# REGULATION

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #P11 - FIRST READING

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### R 5320 IMMUNIZATION

#### A. **Proof of Immunizations on Admission (N.J.A.C. 8:57-4.2)**

1. **The No Principal or designee shall not knowingly admit or retain any child student who whose parent has not submitted acceptable evidence of the child's immunization according to the schedule(s) set forth in N.J.A.C. 8:57 et seq. and section E of this Regulation, unless the student is provisionally admitted as provided in paragraph B.1. below A.2. or exempted as provided in section C, B and D. of this Regulation and N.J.A.C. 8:57-4.3; and 8:57-4.4.**

#### B. **Provisional Admission (N.J.A.C. 8:57-4.5)**

12. A student shall be admitted to ~~preschool or~~ school on a provisional basis if a physician, an advanced practice nurse, (a certified registered nurse practitioner or clinical nurse specialist) or health department can document that at least one dose of each required age-appropriate vaccine(s) or antigen(s) has been administered and that the student is in the process of receiving the remaining immunizations.
2. **Provisional admission for children under age five shall be granted in compliance with the specific requirements set forth in N.J.A.C. 8:57-4.10 through 4.15 and 4.18 for a period of time consistent with the current Advisory Committee on Immunization Practices (ACIP) of the United States Public Health Service or the American Academy of Pediatrics (AAP) immunization schedule, but shall not exceed seventeen months for completion of all immunization requirements.**
3. **Provisional admission for children five years of age or older shall be granted in compliance with the specific requirements set forth in N.J.A.C. 8:57-4.10 through 4.14 and 4.16 for a period of time consistent with the current Advisory Committee on Immunization Practices (ACIP) of the United States Public Health Service or the American Academy of Pediatrics (AAP) immunization schedule, but shall not exceed one year for completion of all immunization requirements.**



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~~a. A child under five years of age lacking all required vaccines shall have no more than seventeen months to meet all immunization requirements in accordance with N.J.A.C. 8:57-4.5(b).~~

~~b. A child five years of age or older lacking all required vaccines shall have no more than one year to complete all immunization requirements in accordance with N.J.A.C. 8:57-4.5(c).~~

4e. Provisional status shall only be granted one time to students entering or transferring into schools in New Jersey. If a student on provisional status transfers, information on their status will be sent by the original school to the new school. Provisional status may be extended by a physician for medical reasons as indicated in N.J.A.C. 8:57-4.3.

5d. Children Students transferring into this district from out-of-anotherState or out-of-country shall be allowed a thirty day grace period in order to obtain past immunization documentation before provisional status shall begin. The thirty day grace period does not apply to students transferring into this school district from within the State of New Jersey.

6. The school district shall ensure that the required vaccine/antigens are being received on schedule. If at the end of the provisional admission period the child has not completed the required immunizations, the administrative head of the school, preschool, or child care center shall exclude the child from continued school attendance until appropriate documentation has been presented.

~~e. The Principal or designee shall ensure the provisionally admitted student is receiving required immunizations on schedule. If the student has not completed the immunizations at the end of the provisional period, the Principal shall exclude the student from school until appropriate documentation of completion has been presented.~~



- 7f. Students on provisional status may be temporarily excluded from school during a vaccine-preventable disease outbreak or threatened outbreak, as determined by the State Commissioner of Health and Senior Services or his/her designee in accordance with the provisions of N.J.A.C. 8:57-4.5.

**CB. Medical Exemptions from Immunization (N.J.A.C. 8:57-4.3)**

1. A child student shall not be required to have any specific immunization(s) which that are medically contraindicated.

2. A written statement submitted to the school from a physician licensed to practice medicine or osteopathy or an advanced practice nurse (certified registered nurse practitioner or clinical nurse specialist) in any jurisdiction in the United States indicating that an immunization is medically contraindicated for a specific period of time, and the reasons for the medical contraindication, based on valid medical reasons as enumerated by the ACIP standards or the AAP guidelines, will exempt a student from the specific immunization requirements by law for the stated period of time.

~~a. A written statement from any physician licensed to practice medicine or osteopathy or an advanced practice nurse (certified registered nurse practitioner or clinical nurse specialist) in any jurisdiction in the United States indicating that an immunization is medically contraindicated for a specific period of time and the reasons for the medical contraindication, based on valid reasons as enumerated by the Advisory Committee on Immunization Practices (ACIP) standards or the American Academy of Pediatrics (AAP) guidelines, will exempt a student from the specific immunization requirements by law for the period of time specified in the physician's statement.~~

- 3b. The physician's or an advanced practice nurse's (certified registered nurse practitioner or clinical nurse specialist) statement shall be retained by the school as part of the child's immunization record of the student and shall be reviewed annually. When the child's medical condition permits immunization, this exemption



shall thereupon terminate, and the child shall be required to obtain the immunization(s) from which he/she has been exempted.

c. ~~When the student's medical condition permits immunization, this exemption shall thereupon terminate, and the student shall be required to obtain the immunizations from which he/she has been exempted.~~

4. Those children with medical exemptions to receiving specific immunizations may be excluded from school during a vaccine-preventable disease outbreak or threatened outbreak, as determined by the New Jersey Commissioner, Department of Health and Senior Services or designee.

5. As provided by N.J.S.A. 26:4-6, the school district may, on account of the prevalence of any communicable disease, or to prevent the spread of communicable diseases, prohibit the attendance of any school district teacher or student and specify the time during which the teacher or student shall remain away from school.

a. The Department of Health and Senior Services shall provide guidance to the school district on the appropriateness of any such prohibition.

b. The school district shall comply with the provisions of N.J.A.C. 8:61-2.1 regarding attendance at school by students or adults infected by Human Immunodeficiency Virus (HIV).

#### D. Religious Exemptions (N.J.A.C. 8:57-4.4)

12. A ~~child~~ student shall be exempted from mandatory immunization if the ~~child's~~ parent(s) or legal guardian(s) submits to the school a written signed statement requesting an exemption pursuant to the requirements of religious exemptions established at N.J.S.A. 26:1A-9.1, on "the ground that the immunization interferes with the free exercise of the pupil's religious rights." ~~that explains how the administration of immunizing agents conflicts with the~~



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~~student's exercise of bona fide religious tenets or practices. General philosophical or moral objection to immunization shall not be sufficient for an exemption on religious grounds.~~

- a. The school district is prohibited from exempting a child from mandatory immunization on the sole basis of a moral or philosophical objection to immunization.

2. The written statement signed by the parent(s) will be kept by the school as part of the student's immunization record.

- a. ~~The written statement signed by the parent(s) or legal guardian(s) will be kept by the school as part of the student's immunization record.~~

- b. ~~Students enrolled in school before September 1, 1991 and who have previously been granted a religious exemption to immunization, shall not be required to reapply for a new religious exemption under N.J.A.C. 8:57-4.4(a).~~

3. The school district may exclude children with religious exemptions from receiving immunization agents from school. ~~Students exempted on medical or religious grounds may be temporarily excluded from school during a vaccine-preventable disease outbreak or threatened outbreak, as determined by the State Commissioner of Health and Senior Services or designee.~~

4. As provided by N.J.S.A. 26:4-6, the school district may, on account of the prevalence of any communicable disease, or to prevent the spread of communicable diseases, prohibit the attendance of any school district teacher or student and specify the time during which the teacher or student shall remain away from school.

- a. The Department of Health and Senior Services shall provide guidance to the school district on the appropriateness of any such prohibition.



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- b. The school district shall comply with the provisions of N.J.A.C. 8:61-2.1 regarding attendance at school by students or adults infected by Human Immunodeficiency Virus (HIV).

### ~~EE.~~ Documentation Accepted as Evidence of Immunization (N.J.A.C. 8:57-4.6)

1. ~~The following documents~~ Any of the following documents shall be accepted as evidence of a ~~child's~~ student's immunization history, provided that the ~~document lists the type of immunization and the specific date (month, day and year) when each immunization was administered~~ is listed.
  - a. An official school record from any school or preschool indicating compliance with immunization requirements of N.J.A.C. 8:57-4.1 et seq.;
  - b. A record from any public health department indicating compliance with immunization requirements of N.J.A.C. 8:57-4.1 et seq.;
  - c. A certificate signed by a physician licensed to practice medicine or osteopathy or an advanced practice nurse (certified registered nurse practitioner, or clinical nurse specialist) in any jurisdiction in the United States indicating compliance with immunization requirements of N.J.A.C. 8:57-4.1 et seq.; or
  - d. The official record of immunization from the New Jersey Immunization Information System indicating compliance with immunization requirements of N.J.A.C. 8:57-4.1 et seq.
2. All immunization records submitted by a parent(s) or legal guardian(s) in a language other than English shall be accompanied by a translation sufficient to determine compliance with the immunization requirements of N.J.A.C. 8:57-4.1 et seq. and this regulation.
3. ~~Parental verbal history or recollection or previous immunization is unacceptable documentation or evidence of immunization.~~
3. Laboratory evidence of protective immunity, as enumerated by the Advisory Committee on Immunization Practices (ACIP) of the



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United States Public Health Service, shall be accepted as evidence of immunization if a parent cannot produce a documented history of immunization.

4. Parental verbal history or recollection of previous immunization is unacceptable documentation or evidence of immunization.

### **FD. Immunization Records Required (N.J.A.C. 8:57-4.7)**

1. ~~The school district~~ Each school shall maintain an official State of New Jersey ~~School~~ Immunization Record for every student. This record which shall include the date of each individual immunization and shall be separated from the child's educational record and other medical records for the purpose of immunization record audit.

- 2a. ~~If When~~ a child withdraws, is promoted, or transfers to another school ~~district, preschool or child care center,~~ the immunization record, or a certified copy thereof, along with statements pertaining to religious or medical exemptions and laboratory evidence of immunity, shall be sent to the new school ~~district~~ by the original school ~~district~~ or shall be given to the parent(s) or legal guardian(s) upon request, within twenty-four hours of such a request.

- b. ~~The immunization record shall be kept separate and apart from the student's other medical records for the purpose of immunization record audit.~~

- c. ~~Child care centers, preschools, and elementary schools are to retain immunization records, or a copy thereof, for at least one year after the student has left the school. For children who are promoted from elementary to middle school or from middle school to high school within the same school system, this record retention requirement is not applicable in accordance with Department of Education rules and policies on transfer of student records.~~

3. Parental verbal history or recollection of previous immunization is unacceptable documentation or evidence of immunization.



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4. When a child graduates from secondary school, the record, or a certified copy thereof, shall be sent to an institution of higher education or may be given to the parent(s) upon request.
- 5d. Each child's student's official New Jersey Immunization Record, or a copy thereof, shall be retained by a secondary school for a minimum of four years after the student has left the ~~graduates from the secondary school.~~
- e. ~~When a student graduates from secondary school, the record, or a certified copy thereof, shall be sent to an institution of higher education or may be given to the parent(s) or legal guardian(s) upon request.~~
- 6f. Any computer-generated document or list developed by the school district to record immunization information shall be considered a supplement to, not a replacement of, the official New Jersey School Immunization Record.

### G. Reports to be Sent to the Department of Health and Senior Services (N.J.A.C. 8:57-4.8)

12. A report of the immunization status of the students in each school shall be sent each year to the State Department of Health and Senior Services by the Principal or designee through mail or submitted electronically in accordance with N.J.A.C. 8:57-4.8(a). ~~other person in charge of a school. The form for the report will be provided by the State Department of Health and Senior Services. The report shall be submitted by January 1 of the respective academic year. A copy of this report shall be sent to the local Board of Health in whose jurisdiction the school is located. Failure by the school district to submit such report by January 1 may result in a referral to the New Jersey Department of Education and the local health department.~~
2. The form for the report will be provided by the New Jersey Department of Health and Senior Services.
3. The report shall be submitted by January 1 of the respective academic year after a review of all appropriate immunization records.





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4. A copy of this report shall be sent to the local Board of Health in whose jurisdiction the school is located.
5. If the school does not submit the annual report by January 1 it shall be considered delinquent. A delinquency may be referred to the New Jersey Department of Education or the New Jersey Department of Children and Families, as appropriate based on the length of time delinquent, number of times delinquent, and efforts made toward compliance. The local health department will also be notified of the delinquency.

### H. Records Available for Inspection (N.J.A.C. 8:57-4.9)

13. The Principal or designee ~~other person in charge of a~~ of each school shall maintain records of their children's immunization status. Upon twenty-four hour notice, these records shall be made ~~make immunization records~~ available for inspection by authorized representatives of the State New Jersey Department of Health and Senior Services or the local Board of Health in whose jurisdiction the school is located, ~~within twenty-four hours of notification.~~

### IE. Immunization Requirements

1. The immunization requirements for school age children shall be in accordance with the requirements of N.J.A.C. 8:57-4 – Immunization of Students in School as outlined below:

MINIMAL IMMUNIZATION REQUIREMENTS FOR SCHOOL ATTENDANCE IN NEW JERSEY N.J.A.C. 8:57-4: Immunization of Pupils in School		
DISEASE(S)	REQUIREMENTS	COMMENTS
DTaP  N.J.A.C. 8:57-4.10	(AGE 1-6 YEARS): 4 doses, with one dose given on or after the 4th birthday, OR any 5 doses. (AGE 7-9 YEARS): 3 doses of Td or any previously administered combination of DTP, DTaP, and DT to equal 3 doses.	Any child entering pre-school, pre-Kindergarten, or Kindergarten needs a minimum of four doses. Pupils after the seventh birthday should receive adult type Td. DTP/Hib vaccine and DTaP also valid DTP doses. Children 7 years of age and older, who have not been previously



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		vaccinated with the primary DTaP series, should receive 3 doses of Tetanus, diphtheria (Td) Laboratory evidence of immunity is also acceptable.
Tdap N.J.A.C. 8:57-4.11	GRADE 6 (or comparable age level special education program with an unassigned grade): 1 dose	For pupils entering Grade 6 on or after 9-1-08 and born on or after 1-1-97. A child does not need a Tdap dose until FIVE years after the last DTP/DTaP or Td dose.
POLIO N.J.A.C. 8:57-4.11	(AGE 1-6 YEARS): 3 doses, with one dose given on or after the 4th birthday, OR any 4 doses. (AGE 7 or OLDER): Any 3 doses.	Either Inactivated Polio Vaccine (IPV) or Oral Polio Vaccine (OPV) separately or in combination is acceptable. Polio vaccine is not required of pupils 18 years of age or older. Laboratory evidence of immunity is also acceptable.
MEASLES N.J.A.C. 8:57-4.12	<del>If born before 1-1-90, 1 dose of a live Measles-containing vaccine.</del> If born on or after 1-1-90, 2 doses of a live Measles-containing vaccine. <del>If entering a college or university after 9-1-95 and previously unvaccinated, 2 doses of a live Measles-containing vaccine.</del>	Any child over 15 months of age entering child care, pre-school, or pre-Kindergarten needs a minimum of 1 dose of measles vaccine. Any child entering Kindergarten needs 2 doses. <del>Previously unvaccinated pupils entering college after 9-1-95 need 2 doses of measles-containing vaccine or any combination containing live measles virus administered after 1968. Documentation of 2 prior doses is acceptable.</del> Laboratory evidence of immunity is also acceptable. Intervals between first and second measles/MMR/MR doses cannot be less than 1 month.
RUBELLA and MUMPS N.J.A.C. 8:57-4.13 N.J.A.C. 8:57-4.14	1 dose of live Mumps-containing vaccine on or after 1 <sup>st</sup> birthday. 1 dose of live Rubella-containing vaccine on or after 1 <sup>st</sup> birthday.	Any child over 15 months of age entering child care, pre-school, or pre-Kindergarten needs 1 dose of rubella and mumps vaccine. <del>Each pupil entering college for the first time after 9-1-95 needs 1 dose of rubella</del>



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		<del>and mumps vaccine or any combination containing live rubella and mumps virus administered after 1968.</del> Laboratory evidence of immunity is also acceptable.
VARICELLA  N.J.A.C. 8:57-4.17	1 dose on or after the first birthday.	All children 19 months of age and older enrolled into a child care/pre-school center after 9-1-04 or children born on or after 1-1-98 entering a school for the first time in Kindergarten, Grade 1, or comparable age entry level special education program with an unassigned grade, need 1 dose of varicella vaccine. Laboratory evidence of immunity, physician's statement or a parental statement of previous varicella disease is also acceptable.
HAEMOPHILUS INFLUENZAE B (Hib)  N.J.A.C. 8:57-4.15	(AGE 2-11 MONTHS) <sup>(1)</sup> : 2 doses (AGE 12-59 MONTHS) <sup>(2)</sup> : 1 dose	Mandated only for children enrolled in child care, pre-school, or pre-Kindergarten. <sup>(1)</sup> Minimum of 2 doses of Hib vaccine is needed if between the ages of 2-11 months. <sup>(2)</sup> Minimum of 1 dose of Hib vaccine is needed after the first birthday. DTP/Hib and Hib/Hep B also valid Hib doses.
HEPATITIS B  N.J.A.C. 8:57-4.16	(K-GRADE 12): 3 doses or 2 doses <sup>(1)</sup>	<sup>(1)</sup> If a child is between 11-15 years of age and has not received 3 prior doses of Hepatitis B then the child is eligible to receive 2-dose Hepatitis B Adolescent formulation. Laboratory evidence of immunity is also acceptable.
PNEUMO-COCCAL  N.J.A.C. 8:57-4.18	(AGE 2-11 MONTHS) <sup>(1)</sup> : 2 doses (AGE 12-59 MONTHS) <sup>(2)</sup> : 1 dose	Children enrolled in child care or pre-school on or after 9-1-08. <sup>(1)</sup> Minimum of 2 doses of Pneumococcal vaccine is needed if between the ages of 2-11 months.



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		( <sup>2</sup> ) Minimum of 1 dose of Pneumococcal vaccine is needed on or after the first birthday.
MENINGO-COCCAL  N.J.A.C. 8:57-4.20	(Entering GRADE 6 (or comparable age level Special Ed program with an unassigned grade): 1 dose ( <sup>1</sup> ) (Entering a four-year college or university, previously unvaccinated and residing in a campus dormitory): 1 dose ( <sup>2</sup> )	( <sup>1</sup> ) For pupils entering Grade 6 on or after 9-1-08 and born on or after 1-1-97. ( <sup>2</sup> ) Previously unvaccinated pupils entering a four-year college or university after 9-1-04 and who reside in a campus dormitory, need 1 dose of meningococcal vaccine. Documentation of one prior dose is acceptable.
INFLUENZA  N.J.A.C. 8:57-4.19	(AGES 6-59 MONTHS): 1 dose ANNUALLY	For children enrolled in child care, pre-school or pre-Kindergarten on or after 9-1-08. 1 dose to be given between September 1 and December 31 of each year.

AGE APPROPRIATE VACCINATIONS (FOR LICENSED CHILD CARE CENTERS/PRE-SCHOOLS)	
CHILD'S AGE	NUMBER OF DOSES CHILD SHOULD HAVE (BY AGE):
2-3 Months	1 dose DTaP, 1 dose Polio, 1 dose Hib, 1 dose PCV7
4-5 Months	2 doses DTaP, 2 doses Polio, 2 doses Hib, 2 doses PCV7
6-7 Months	3 doses DTaP, 2 doses Polio, 2-3 doses Hib, 2-3 doses PCV7, 1 dose Influenza
8-11 Months	3 doses DTaP, 2 doses Polio, 2-3 doses Hib, 2-3 doses PCV7, 1 dose Influenza
12-14 Months	3 doses DTaP, 2 doses Polio, 1 dose Hib, 2-3 doses PCV7, 1 dose Influenza
15-17 Months	3 doses DTaP, 2 doses Polio, 1 dose MMR, 1 dose Hib, 1 dose PCV7, 1 dose Influenza
18 Months – 4 Years	4 doses DTaP, 3 doses Polio, 1 dose MMR, 1 dose Hib, 1 dose Varicella, 1 dose PCV7, 1 dose Influenza

### PROVISIONAL ADMISSION:

Provisional admission allows a child to enter/attend school but must have a minimum of one dose of each of the required vaccines. Pupils must be actively in the process of completing the series. If a pupil is less than 5 years of age, they have 17 months to complete the immunization requirements.

If a pupil is 5 years of age and older, they have 12 months to complete the immunization requirements.

### GRACE PERIODS:

- 4-day grace period: All vaccines doses administered less than or equal to four days before either the specified minimum age or dose spacing interval shall be counted as valid and shall not require revaccination in order to enter or remain in a school, pre-school or child care facility.

- 30-day grace period: Those children transferring into a New Jersey school, pre-school, or child care center from out of State/out of country may be allowed a 30-day grace period in order to



obtain past immunization documentation before provisional status shall begin.

2. The immunization requirements outlined in I.1. above may be revised by Statute, administrative code, and/or the Commission of Health and Senior Services.

**JF.** Emergency Powers of the Commissioner of Health and Senior Services

- ~~1. If a threatened outbreak, or outbreak of disease, or other public health immunization emergency exists, as determined by the State Commissioner of Health and Senior Services or designee, all students with provisional, religious, or medical exemptions (which relate to the specific disease threatening or occurring) shall be excluded from school. If these students become immunized or produce serologic evidence of immunity to the specific disease the student may immediately be readmitted to school.~~
12. If a an outbreak or threatened outbreak, or outbreak of disease or other public health immunization emergency exists, as determined by the State Commissioner of Health and Senior Services or designee, the State Commissioner or designee may issue either additional immunization requirements to control the outbreak or threat of an outbreak or modify immunization requirements to meet the emergency.
- 2a. All children failing to meet the additional immunization requirements of N.J.A.C. 8:57-4.22 shall be excluded from school until the outbreak or threatened outbreak is over. These requirements shall remain in effect as outlined in J.3. below and N.J.A.C. 8:57-4.22(c).
3. These requirements or amendments shall remain in effect until such time as the Commissioner, Department of Health and Senior Services or designee determines that an outbreak or a threatened outbreak no longer exists or the emergency is declared over, or for three months after the declaration of the emergency whichever one comes first. The Commissioner, Department of Health and Senior Services or designee may declare a state of emergency if the emergency has not ended.



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43. The Commissioner of Health and Senior Services or designee may temporarily suspend an immunization requirement for the particular immunization in accordance with the reasons as outlined in N.J.A.C. 8:57-4.22(d).

Issued: 14 October 2013

Revised: TBD



## 5330.04 ADMINISTERING AN OPIOID ANTIDOTE

N.J.S.A. 18A:40-12.24.a requires schools to adopt a Policy for the emergency administration of an opioid antidote to a student, staff member, or other person who is experiencing an opioid overdose.

N.J.S.A. 18A:40-12.24.a.(1) requires schools with any of the grades nine through twelve to comply with the provisions of the law and permits schools with students in other grades to comply with the provisions of N.J.S.A. 18A:40-12.24.a.(1). Therefore, the Board extends the provisions of N.J.S.A. 18A:40-12.23 through 12.27 to schools with any of the grades 5 through 8.

N.J.S.A. 18A:40-12.24 requires a school to obtain a standing order for opioid antidotes pursuant to the “Overdose Prevention Act” - N.J.S.A. 24:6J-1 et seq. The school shall maintain a supply of opioid antidotes under the standing order in a secure, but unlocked and easily accessible location. The opioid antidotes shall be accessible in the school during regular school hours and during school-sponsored functions that take place in the school or on school grounds adjacent to the school building. The Board may, in its discretion, make an opioid antidote accessible during school-sponsored functions that take place off school grounds.

The school nurse and a designated employee who volunteers to administer an opioid antidote pursuant to N.J.S.A. 18A:40-12.24.c. are required to be trained for the administration of an opioid antidote in accordance with N.J.S.A. 18A:40-12.25.b. The school nurse or a designated employee who volunteers to administer an opioid antidote shall be promptly available on site at the school during regular school hours and during school-sponsored functions that take place in the school or on school grounds adjacent to the school building at any time.

N.J.S.A. 18A:40-12.24 permits the school nurse or a designated trained employee to administer an opioid antidote to any person whom the nurse or the trained designated employee who in good faith believes is experiencing an opioid overdose.

An overdose victim shall be transported to a hospital emergency room by emergency medical responders after the administration of an opioid antidote, even if the person’s symptoms appear to have resolved.

In accordance with N.J.S.A. 24:6J-4.a.(1)(e), a prescriber or other health care practitioner, as appropriate, may prescribe or dispense an opioid antidote directly or through a standing order to a school, school district, or school nurse. In accordance with N.J.S.A. 24:61-4(2)(c), whenever the law expressly authorizes or



## ADMINISTERING AN OPIOID ANTIDOTE

requires a school or school district to obtain a standing order for opioid antidotes, the school nurse(s) employed or engaged by the school or school district shall be presumed by the prescribing or dispensing health care practitioner to be capable of administering the opioid antidote, consistent with the express statutory requirement.

Notwithstanding the provisions of N.J.S.A. 24:6J-4.a.(3)(b) to the contrary, if the law expressly authorizes or requires a school, school district, or school nurse to administer or dispense opioid antidotes pursuant to a standing order under N.J.S.A. 24:6J-4 et seq., the standing order issued shall be deemed to grant the authority specified by the law, even if such authority is not specifically indicated on the face of the standing order.

In accordance with the provisions of N.J.S.A. 18A:40-12.26, no school employee, including a school nurse or any other officer or agent of a Board of Education or charter school, or a prescriber of opioid antidotes for a school through a standing order, shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.23 et seq. Good faith shall not include willful misconduct, gross negligence, or recklessness.

Any school, school district, school nurse, school employee, or any other officer or agent of a Board of Education or charter school who administers or permits the administration of an opioid antidote in good faith in accordance with the provisions of N.J.S.A. 18A:40-12.24 and pursuant to a standing order issued under N.J.S.A. 24:6J-4 shall not, as a result of any acts or omissions, be subject to any criminal or civil liability or any disciplinary action for administering, or permitting the administration of, the opioid antidote in accordance with N.J.S.A. 24:6J-1 et seq. Nothing in this Policy shall be interpreted to prohibit the administration of an opioid antidote to a student, staff member, or other person in an emergency during school hours or during on-site school-sponsored activities by an emergency medical responder or other person authorized by law to administer an opioid antidote, in accordance with N.J.S.A. 24:6J-1 et seq.

The Overdose Prevention Act provides that when a person, in good faith, seeks medical assistance for an individual believed to be experiencing a drug overdose, whether the person is seeking assistance for himself/herself or another, the person calling for help and the person experiencing the overdose shall not be arrested, charged, prosecuted, or convicted for certain criminal offenses enumerated in N.J.S.A. 2C:35-30(a)(1-6) and N.J.S.A. 2C:35-31(a)(1-6).





## ADMINISTERING AN OPIOID ANTIDOTE

Notwithstanding the provisions of any law, rule, regulation, ordinance, or institutional or organizational directive to the contrary, any person or entity authorized to administer an opioid antidote pursuant to N.J.S.A. 24:6J-4, may administer to an overdose victim, with full immunity: a single dose of any type of opioid antidote that has been approved by the United States Food and Drug Administration for use in the treatment of opioid overdoses; and up to three doses of an opioid antidote that is administered through an intranasal application, or through an intramuscular auto-injector, as may be necessary to revive the overdose victim. Prior consultation with, or approval by, a third-party physician or other medical personnel shall not be required before an authorized person or entity may administer up to three doses of an opioid antidote, as provided in N.J.S.A. 24:6J-4, to the same overdose victim.

A school district may enter into a shared services arrangement with another school district for the provision of opioid antidotes pursuant to N.J.S.A. 18A:40-12.27 if the arrangement will result in cost savings for the districts.

This Policy and Regulation 5330.04 shall be reviewed and approved by the school physician prior to Board adoption and whenever the Policy is revised. This Policy shall be made available to school staff members, parents, and students in staff and student handbooks, published on the district's website, or through any other appropriate means of publication.

N.J.S.A. 18A:40-12.23; 18A:40-12.24; 18A:40-12.25;

18A:40-12.26; 18A:40-12.27

N.J.S.A. 24:6J-1 et seq.

Adopted: 13 February 2017

Revised: 15 April 2019

Revised: TBD



# REGULATION

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #P13 - FIRST READING

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ADMINISTERING AN OPIOID ANTIDOTE (M)

### R 5330.04 ADMINISTERING AN OPIOID ANTIDOTE (M)

#### M

##### A. Definitions

1. “Opioid antidote” means any drug, regardless of dosage amount or method of administration, which has been approved by the United States Food and Drug Administration (FDA) for the treatment of an opioid overdose. “Opioid antidote” includes, but is not limited to, naloxone hydrochloride, in any dosage amount, which is administered through nasal spray or any other FDA-approved means or methods.
2. “Opioid overdose” means an acute condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death resulting from the consumption or use of an opioid drug or another substance with which an opioid drug was combined, and that a layperson would reasonably believe to require medical assistance.
3. “School-sponsored function” means any activity, event, or program occurring on or off school grounds, whether during or outside of regular school hours, that is organized or supported by the school.
  - a. The requirements of N.J.S.A. 18A:40-12.23 through 12.27 only apply to school-sponsored functions that take place in the school or on school grounds adjacent to the school building.

##### B. Acquisition, Maintenance, Accessibility, and Documentation of an Opioid Antidote

1. In accordance with N.J.S.A. 24:6J-4(a)(1)(f) and N.J.S.A. 24:6J-4(a)(2)(c), the school physician may prescribe or dispense an opioid antidote through a standing order to the school district, school, or certified school nurse for administration to overdose victims. The school physician’s standing order must specify, at a minimum, the following:



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- a. The certified school nurse is authorized to directly administer the opioid antidote to overdose victims in the event of an emergency; and
  - b. The school district, school or certified school nurse may also dispense or grant access, in emergency situations, to other persons employed by the district or school who have certified to having received training in the administration of the opioid antidote and overdose prevention information.
24. The school nurse in each school that includes any of the grades designated by the Board in Policy 5330.04 shall obtain a standing order for opioid antidotes pursuant to the “Overdose Prevention Act” – N.J.S.A. 24:6J-1 et seq.
- a. Written standing orders shall be reviewed and reissued before the beginning of the school year in accordance with N.J.A.C. 6A:16-2.3(a)4(vi).
32. The school nurse shall be responsible to:
- a. Maintain a supply of opioid antidotes that have been prescribed under a standing order in a safe and secure, but unlocked and easily accessible location in the school:
    - (1) The opioid antidotes shall be accessible in the school during regular school hours and during school-sponsored functions that take place in the school or on school grounds adjacent to the school building.
  - b. Document the administration of an opioid antidote on a student’s health record;
  - c. Monitor the on-site inventory and replacement of the opioid antidote supply; and
  - d. Ensure the replacement of the opioid antidote supply following use or expiration of the opioid antidote; and



ed. Plan for the disposal of administered opioid antidote and expired opioid antidote applicators.

43. Opioid antidotes shall be maintained by a school pursuant to N.J.S.A. 18A:40-12.24.b.(1) in quantities and types deemed adequate by the Board, in consultation with the New Jersey Department of Education (NJDOE) and the Department of Human Services.

54. The Superintendent or designee may, in his/her discretion, make an opioid antidote accessible during designated school-sponsored functions that take place off school grounds pursuant to N.J.S.A. 18A:40-12.24.b.(2).

## C. Authorization and Training for Administering an Opioid Antidote

1. The school nurse shall have the primary responsibility for the emergency administration of an opioid antidote.

2. However, the Board upon the recommendation of the Superintendent shall designate additional employees who volunteer to administer an opioid antidote in the event that a person experiences an opioid overdose when the nurse is not physically present at the scene.

a. The district shall provide in writing to the school nurse and each employee designated by the Board written approval to administer an opioid antidote pursuant to N.J.S.A. 18A:40-12.24.c.(1). Each written approval shall be kept on file in the school nurse's office.

b. The district shall notify all school staff members of the identity of each employee approved and designated by the Board to administer an opioid antidote pursuant to N.J.S.A. 18A:40-12.24.c.(1).

3. The school nurse and designated employees shall only be authorized to administer opioid antidotes after receiving the training required under N.J.S.A. 18A:40-12.25.b and N.J.S.A. 24:6J-5.



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ADMINISTERING AN OPIOID ANTIDOTE (M)

- a. ~~Each school nurse and each employee designated to administer an opioid antidote pursuant to N.J.S.A. 18A:40-12.24.c.(1) shall receive training on standardized protocols for the administration of an opioid antidote to a person who experiences an opioid overdose. The training shall include the overdose prevention information described in the "Overdose Prevention Act" N.J.S.A. 24:6J-5. The school district will provide training by an appropriate entity or entities as specified by the NJDOE's guidelines. A school nurse shall not be solely responsible to train the employees designated pursuant to N.J.S.A. 18A:40-12.24.c.~~ Each certified school nurse and each employee designated to administer an opioid antidote pursuant to N.J.S.A. 18A:40-12.24.c.(1) and N.J.S.A. 24:6J-5 shall receive training on standard protocols from the school physician issuing the standing order or through a written agreement by the school physician with an organization that addresses medical or social issues related to drug addiction.

The training must address overdose prevention information, including but not limited to, the following:

- (1) Information on opioid overdose prevention and recognition;
  - (2) Instruction on how to perform rescue breathing and resuscitation;
  - (3) Information on opioid dosage and instruction on opioid antidote administration;
  - (4) Information describing the importance of calling 911 emergency telephone service for assistance with an opioid overdose; and
  - (5) Instructions for appropriate care of an overdose victim after administration of the opioid antidote.
- b. The district shall collect and maintain written evidence of satisfactory completion of the required training program



before a certified school nurse or an employee is approved to administer opioid antidote.

4. In the event a licensed athletic trainer volunteers to administer an opioid antidote pursuant to N.J.S.A. 18A:40-12.23 through 12.27, it shall not constitute a violation of the “Athletic Training Licensure Act” – N.J.S.A. 45:9-37.35 et seq.

D. Administration of an Opioid Antidote

1. The school nurse or a trained employee designated pursuant to N.J.S.A. 18A:40-12.24.c.(1) shall be authorized to administer an opioid antidote to any person whom the nurse or trained employee in good faith believes is experiencing an opioid overdose.
  - a. The school nurse or a trained employee designated pursuant to N.J.S.A. 18A:40-12.24.c.(1) shall be promptly available on site at the school during regular school hours and during school-sponsored functions that take place in the school or on school grounds adjacent to the school building at any time.
  - b. Upon receiving a report or observing a possible opioid overdose in the school or at a school-sponsored function that takes place in a school or on school grounds adjacent to the school building at any time, the Principal or designee or any staff member present will immediately call the school nurse, if present, or a designated staff member who volunteered and was trained to administer an opioid antidote, and emergency medical responders.
  - c. School-Sponsored Functions Off School Grounds: Upon receiving a report or observing a possible opioid overdose occurring at a school-sponsored function that takes place off school grounds, as designated by the Superintendent or designee, a staff member shall immediately call the school nurse, if present, or a staff member who volunteered and was trained to administer an opioid antidote, if present, and emergency medical responders.
2. The certified school nurse or employee designated to administer an opioid antidote pursuant to N.J.S.A. 18A:40-12.24.c.(1) and



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ADMINISTERING AN OPIOID ANTIDOTE (M)

N.J.S.A. 24:6J-5 shall determine, in addition to the opioid antidote, whether any other emergency medical response is necessary, including but not limited to, cardiopulmonary resuscitation (CPR), Rescue Breaths, or the use of an automated external defibrillator (AED).

32. The certified school nurse and/or other A staff member shall monitor the person who has received an opioid antidote and keep the individual who may be experiencing an opioid overdose comfortable until emergency medical responders arrive on the scene.
43. An individual overdose-victim shall be transported to a hospital emergency room by emergency medical responders after the administration of an opioid antidote, even if the person's symptoms appear to have resolved. A student transported to the hospital shall be transported in accordance with the Board's Policy required in treating alcohol or other drug-affected students pursuant to N.J.A.C. 16-4.1(c)5.
54. The Principal or designee shall notify the Superintendent or designee whenever an opioid antidote is administered.
65. The Principal or designee shall notify, as soon as practical, the parent of any student or a family member or other contact person for a staff member who may be experiencing an opioid overdose or has been administered an opioid antidote.
7. Nothing in Regulation 5330.04 shall be interpreted to prohibit the administration of an opioid antidote to a student, staff member, or other person in an emergency during school hours or during on-site school-sponsored activities by an emergency medical responder or other person authorized by law to administer an opioid antidote, in accordance with N.J.S.A. 24:6J-1 et seq.

### E. Use of Controlled Dangerous Substances

1. Any student or staff member who is found to be under the influence of a controlled dangerous substance shall be subject to the provisions of any applicable statutes and administrative codes and Board Policies and Regulations prohibiting the use of a controlled dangerous substance.



## F. Limitation of Liability

1. Pursuant to N.J.S.A. 24:6J-4, the school district, school physician, certified school nurse, and other approved designees shall not, as a result of any acts or omissions, be subject to any criminal or civil liability for administering an opioid antidote.
2. Any person or entity authorized under N.J.S.A. 18A:40-12.23 through 12.28 to administer an opioid antidote, may administer to an overdose victim with full immunity:
  - a. A single dose of any type of FDA approved opioid antidote for use in treatment of opioid overdoses; and
  - b. Up to three doses of an intramuscular auto injector or an intranasal application of opioid antidote, as needed to revive the overdose victim.

Adopted: 15 April 2019

Revised: TBD





# REGULATION

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #P14 - FIRST READING

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DRESS CODE

### R 5511 DRESS CODE

The following dress code has been developed in accordance with Policy No. 5511 and in consultation with staff members, parent(s) or legal guardian(s), and students of this district.

#### A. General Rules

1. Students are expected to be clean and well groomed in their appearance.
2. Students are expected to avoid dress and grooming that is likely to create a material and substantial disruption to the school environment.
3. Dress or grooming that jeopardizes the health or safety of the student or of other students or is injurious to school property will not be tolerated. This includes failure to wear appropriate health protective measures per recommendations from local, state or federal officials due to community health concerns.

#### B. Prohibited Clothing and Articles

The following garments and articles are prohibited in school and at school-sponsored indoor events:

1. Extremely low-cut, tight fitting or transparent clothes, bare midriffs, and suggestive clothing;
2. Skirts, dresses, pants, and shorts that end higher than mid-thigh;
3. Short shorts (length may be measured at or below finger-tip length when arms are at the student's side);
4. Pin curlers and other hair curling aids;
5. Outdoor jackets, coats, or hats except when entering or leaving the building and when there is a defect in the heating system;
6. Bare feet, unsafe footwear, cleated shoes, and footwear intended for the beach;



7. Patches and decorations that are offensive or obscene;
8. Undershirts (underwear) worn without an outer shirt;
9. In the classroom, clothing required for physical education classes;
10. Clothing that is overly soiled, torn, worn, or defaced;
11. Nonprescription sunglasses, glazed, and tinted glasses, except as prescribed by the student's doctor;
12. Portable audio or video devices;
13. Beepers and other summoning devices, except as permitted in Policy No. 2360;
14. Clothing, apparel and/or accessories which indicate affiliation with any gang associated with criminal activity or have references to alcohol, controlled dangerous substances, or tobacco;
15. Clothing containing profanity or sexual references or innuendoes;
16. Clothing which includes racial or ethnic violence;
17. No platform shoes or sneakers on climbing apparatus;
18. Hats, hoods, visors, headbands and other headgear (Not to be worn during regular school hours in buildings); and
19. Any clothing that is likely to create a material and substantial disruption to the school environment.

C. Physical Education

1. Students shall wear the following types of clothing for physical education classes:
  - a. Athletic style shorts and/or sweatpants.



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- b. A shirt for indoor activities and a sweatshirt or appropriate outerwear for outdoor activities in cool weather.
2. Snug belts, cut-offs, jeans, loose jewelry, and dirty or torn clothing and accessories are prohibited.
3. Students must wear sneakers or rubber-soled athletic shoes; slip-on shoes, hard-soled shoes, and bare feet are prohibited in gym class.

### D. Enforcement

1. Teaching staff members will report perceived violations of the dress code to the Building Principal or designee, who will interpret and apply the code.
2. Students who publicly represent the school or a school organization at an activity away from the school district are required to dress in full accordance with the reasonable expectations of the staff member in charge of the activity. Students unwilling to comply with this requirement will disqualify themselves from participation.
3. Students will not be permitted to attend a school related function, such as a field trip, after-school activity unless they are attired and groomed in accordance with this dress code and the reasonable expectations of the staff member in charge.
4. The Principal may waive application of the dress code for special school activity days.
5. A student whose dress or grooming has been found by the Principal or designee to violate this Regulation may appeal the determination to the Superintendent, whose decision will be final.

Issued: 14 October 2013

Revised: TBD



## 5610 SUSPENSION

The Board of Education recognizes that even the temporary exclusion of a student from the educational program of this district is a severe sanction and one that cannot be imposed without due process.

Any student who is guilty of continued and willful disobedience, or of open defiance of the authority of any teacher or person having authority over him, or of the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school. Conduct which shall constitute good cause for suspension or expulsion of a student guilty of such conduct shall include, but not be limited to, the conduct as defined in N.J.S.A. 18A:37-2 and the school district's Student Discipline/Code of Conduct Policy and Regulation in accordance with the N.J.A.C. 6A:16-7.1. et seq.

For the purposes of this Policy, "suspension" means the temporary removal of a student from the regular instructional program.

For the purposes of this Policy, "short term suspension" means a suspension for a term of ten consecutive school days or less and "long term suspension" means a suspension for more than ten consecutive school days.

In accordance with the provisions of N.J.S.A. 18A:37-4, a student may be suspended only by the Principal, who shall report any suspension to the Superintendent as soon as possible. The Superintendent shall report the suspension to the Board at its next regular meeting. The suspended student may be reinstated by the Principal or by the Superintendent prior to the second regular meeting of the Board following the suspension, unless the Board reinstates the student at the first regular meeting. No student suspended for reasons of assault upon a person in authority may be reinstated before the Board has held a hearing, within thirty calendar days of the suspension, to consider that student's expulsion from school. At its second regular meeting after the suspension and thereafter, the Board alone may reinstate the student or continue the suspension

In accordance with the provisions of N.J.S.A. 18A:37-2a, a student in Kindergarten through grade two shall not receive an out-of-school suspension, except when the suspension is based on conduct that is of a violent or sexual nature that endangers others. Students in preschool shall not receive an out-of-school suspension except as provided pursuant to the "Zero Tolerance for Guns Act," N.J.S.A. 18A:37-7 et seq.



# POLICY

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #P15 - FIRST READING

Students  
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SUSPENSION

The district shall implement an early detection and prevention program to identify students in preschool through grade two who are experiencing behavioral or disciplinary problems and provide behavioral supports for these students which may include, but not be limited to, remediation of problem behaviors, positive reinforcements, supportive interventions, and referral services. An early detection program may be incorporated into the intervention and referral services required to be established in each school pursuant to State Board of Education regulations.

~~Any student who is convicted or adjudicated delinquent for possession of a firearm or a crime while armed with a firearm or found knowingly in possession of a firearm on any school property, on a school bus, or at a school sponsored function shall be immediately removed from the school's regular educational program pending a hearing before the Board of Education to remove the student in accordance with N.J.S.A. 18A:37-8 and Policy No. 5611.~~

~~Any student who commits an assault, as defined pursuant to N.J.S.A. 2C:12-1, upon a student, teacher, administrator, Board member, or other school district employee, with a weapon other than a firearm, on any school property, on a school bus, or at a school sponsored function must be immediately removed from the school's regular education program and placed in an alternative education school or program, pending a hearing before the Board of Education in accordance with N.J.S.A. 18A:37-2.2. and Policy 5612.~~

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~~Any student who commits an assault, as defined pursuant to N.J.S.A. 2C:12-1, upon a teacher, administrator, Board member, or other school district employee, acting in the performance of his duties in a situation where his authority to so act is apparent, or as a result of the victim's relationship to an institution of public education in New Jersey, not involving the use of a weapon or firearm, shall be immediately suspended from school consistent with procedural due process pending suspension or expulsion proceedings before the Board in accordance with N.J.S.A. 18A:37-2.1.a.~~

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~~Pursuant to N.J.S.A. 18A:37-2.1.b., whenever a teacher, administrator, Board member, school district employee or a labor representative on behalf of an employee makes an allegation in writing that the Board member or employee has been assaulted by a student, the Principal shall file a written report with the Superintendent. The Superintendent, upon receiving such report shall report the alleged assault to the Board at the next regular Board meeting; provided the name of the student who allegedly committed the assault; although it may be disclosed to the Board members, shall be kept confidential to the public at the Board~~



# POLICY

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #P15 - FIRST READING

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SUSPENSION

~~meeting. A person failing to file a report of an alleged assault may be liable to disciplinary action.~~

~~-~~

~~A student may be suspended only by the Building Principal, who shall report any suspension to the Superintendent as soon as possible. The Superintendent shall report the suspension to the Board at its next regular meeting.~~

~~-~~

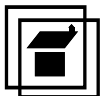
~~The suspended student may be reinstated by the Principal or designee within ten days of the suspension, or by the Superintendent at any time before the second meeting of the Board following the suspension, or by the Board of Education at the first meeting following the suspension, except that no student suspended for reasons of assault upon a person in authority may be reinstated before the Board has held a hearing, within thirty calendar days of the suspension, to consider that student's expulsion from school. At its second regular meeting after the suspension and thereafter, the Board alone may reinstate the student or continue the suspension.~~

In each instance of a short-term suspension, the student and their parent(s) or legal guardian(s) will be provided oral or written notice of the charges and an informal hearing conducted by the Building Principal or designee in accordance with the procedures outlined in N.J.A.C. 6A:16-7.2. To the extent the student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process, the student may be immediately removed from the student's educational program and the informal hearing shall be held as soon as practical after the suspension.

In each instance of a long-term suspension, the district shall assure the rights of the student pursuant to N.J.A.C. 6A:16-7.3.

The district will comply with the requirements of N.J.A.C. 6A:16-7.2 and 7.3, in addition to all the procedural protections set forth in N.J.A.C. 6A:14, for each student with a disability who is subject to a short-term or long-term suspension.

In each instance of a short- or long-term suspension, the district shall provide academic instruction, either in school or out of school, that addresses the Core Curriculum Content Standards pursuant to N.J.A.C. 6A:8-3.1, which may include a public education program provided in accordance with the provisions of N.J.A.C. 6A:16-9 or 10. These services shall be provided within five school days of the suspension. Educational services provided to a student with a disability shall be provided consistent with the student's Individualized Education Program,



# POLICY

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #P15 - FIRST READING

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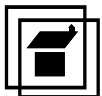
in accordance with N.J.A.C. 6A:14. ~~At the completion of a short-term suspension, the general education student shall be returned to the general education program.~~

In the event a student has experienced multiple suspensions or may be subject to a proposed expulsion from school, the Principal shall convene a meeting, as soon as practicable, between the student and a school psychologist, a school counselor, a school social worker, a student assistance coordinator, or a member of the school's intervention and referral services team in accordance with the provisions of N.J.S.A. 18A:37-2c.

Student records are subject to challenge by parents and adult students in accordance with N.J.A.C. 6A:32-7.7 and Policy and Regulation 8330. ~~The records of a student disciplined by suspension will be expunged in accordance with Policy and Regulation No. 8330. All record of a suspension will be immediately expunged if the student is found innocent of the charges levied. The name of a disciplined student will not appear in the agenda or minutes of a public meeting or in any public record of this district; any such student will be designated by code.~~

N.J.S.A. 18A:37-1; 18A:37-2 et seq.; 18A:37-4; 18A:37-5  
N.J.A.C. 6A:16-7.2; 6A:16-7.3; 6A:32-7.7; 6A:14-2.8 et seq.  
~~20 U.S.C. 1415~~

Adopted: 14 October 2013  
Revised: 26 June 2017  
Revised: TBD



# REGULATION

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #P16 - FIRST READING

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### R 5610 SUSPENSION PROCEDURES

#### A. Short-Term Suspensions

1. In each instance of a short-term suspension, the Building Principal or designee, shall assure the rights of a student suspended for ten or fewer consecutive school days by providing for the following:
  - a. As soon as practicable, oral or written notice of charges to the student.
    - (1) When charges are denied, an explanation of the evidence forming the basis of the charges shall also be provided.
  - b. An informal hearing prior to the suspension in which the student is given the opportunity to present the student's side of the story regarding the actions leading to the short-term suspension and the school district's actions taken pursuant to N.J.A.C. 6A:16-7.1(c)2. and 5.
    - (1) The informal hearing shall be conducted by the Building Principal or designee;
    - (2) To the extent that a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the educational process, the student may be immediately removed from the student's educational program and the informal hearing shall be held as soon as practical after the suspension;
    - (3) The informal hearing should take place even when a school staff member has witnessed the conduct forming the basis of the charge; and
    - (4) The informal hearing and the notice given may take place at the same time.
  - c. Oral or written notification to the student's parent(s) or legal guardian(s) of the removal from the student's educational program prior to the end of the school day on which the Building Principal





or designee makes the decision to suspend the student, which shall include an explanation of:

- (1) The specific charges;
  - (2) The facts on which the charges are based;
  - (3) The provision(s) of the student code of conduct the student is accused of violating;
  - (4) The student's due process rights, pursuant to N.J.A.C. 6A:16-7.2 through 7.6; and
  - (5) The terms and conditions of the suspension.
- d. Appropriate supervision of the student while waiting for the student's parent(s) or legal guardian(s) to remove the student from school during the school day; and
- e. Academic instruction, either in school or out of school, that addresses the New Jersey Student Learning Standards, pursuant to N.J.A.C. 6A:8-3.1, which may include a public education program provided in accordance with the provisions of N.J.A.C. 6A:16-9 or 10.
- (1) Services shall be provided within five school days of the suspension.
  - (2) Educational services provided to a student with a disability shall be provided consistent with the student's Individualized Education Program in accordance with N.J.A.C. 6A:14.
  - (3) At the completion of a short-term suspension, the district Board of Education shall return the general education student to the general education program.
2. The suspending Building Principal shall immediately report the suspension to the Superintendent, who is required to report it to Board of Education at its next regular meeting, pursuant to N.J.S.A. 18A:37-4.



3. A Board may deny the student participation in extracurricular activities, school functions, sports, or graduation exercises as disciplinary sanctions, where such measures are designed to maintain the order and integrity of the school environment.
4. For a student with a disability, the provisions set forth in this section shall be provided in addition to all procedural protections set forth in N.J.A.C. 6A:14.

B. Long-Term Suspensions

1. In each instance of a long-term suspension, the Building Principal or designee shall assure the rights of a student suspended for more than ten consecutive school days by providing the following:
  - a. Immediate notification to the student of the charges, prior to the student's removal from school;
  - b. An informal hearing prior to the suspension in which the student is given the opportunity to present the student's side of the story regarding the student's actions leading to the long-term suspension and the school district's actions taken pursuant to N.J.A.C. 6A:16-7.1(c)2 and 5;
  - c. Immediate notification to the student's parent(s) or legal guardian(s) of the student's removal from school;
  - d. Appropriate supervision of the student while waiting for the student's parent(s) or legal guardian(s) to remove the student from school during the school day;
  - e. Written notification to the parent(s) or legal guardian(s) by the Superintendent or designee within two school days of the initiation of the suspension, stating:
    - (1) The specific charges;
    - (2) The facts on which the charges are based;



# REGULATION

## ROXBURY TOWNSHIP BOARD OF EDUCATION

STUDENTS  
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- (3) The student's due process rights, pursuant to N.J.A.C. 6A:16-7.2 through 7.6; and
- (4) That further engagement by the student in conduct warranting expulsion, pursuant to N.J.S.A. 18A:37-2, shall amount to a knowing and voluntary waiver of the student's right to a free public education, in the event that a decision to expel the student is made by the Board, pursuant to N.J.S.A. 18A:37-2 and N.J.A.C. 6A:16-7.5.
  - (a) The Board shall request written acknowledgement of the notification of the provisions of B.1.e.(4) above from the parent(s) or legal guardian(s) and the student subsequent to the removal from the student's educational program, pursuant to N.J.A.C. 6A:16-7.3.
- f. A list of witnesses and their statements or affidavits, if any, no later than five days prior to the formal hearing, pursuant to B.1.j. below;
- g. A student with a disability, a manifestation determination, pursuant to N.J.A.C. 6A:14-2.8 and the Federal regulations;
- h. Information on the right of the student to secure an attorney and legal resources available in the community identified pursuant to N.J.A.C. 6A:16-7.1(c)8;
- i. Educational services, either in school or out of school, that are comparable to those provided in the public schools for students of similar grades and attainments, pursuant to N.J.S.A. 18A:38-25, which may include a public education program provided in accordance with the provisions of N.J.A.C. 6A:16-9 or 10.
  - (1) The services shall be provided within five school days of the suspension.
  - (2) The Board shall make decisions regarding the appropriate educational program and support services for the suspended general education student, at a minimum, based on the New Jersey Student Learning Standards following criteria:



- (a) A behavioral assessment or evaluation including, but not limited to, a referral to the Child Study Team, as appropriate;
  - (b) The results of any relevant testing, assessments or evaluations of the student;
  - (c) The student's academic, health, and behavioral records;
  - (d) The recommendation of the Superintendent, Building Principal, or other relevant school or community resource;
  - (e) Considerations of parental input; or
  - (f) Consultation with the Intervention and Referral Services Team, in accordance with N.J.A.C. 6A:16-8, as appropriate.
- (3) Educational services provided to a student with a disability shall be provided consistent with the student's Individualized Education Program, in accordance with N.J.A.C. 6A:14.
- j. A formal hearing before the Board, which, at a minimum, shall:
  - (1) Be conducted by the Board or delegated by the Board to a Board committee, a school administrator or an impartial hearing officer for the purpose of determining facts or making recommendations.
    - (a) The Board as a whole shall receive and consider either a transcript or detailed report on such hearing before taking final action.
  - (2) Include the opportunity for the student to:



- (a) Confront and cross-examine witnesses, when there is a question of fact; and
  - (b) Present his or her own defense and produce oral testimony or written supporting affidavits.
- (3) Take place no later than thirty calendar days following the day the student is suspended from the general education program;
- (4) Not be subject to the provisions of the "Open Public Meetings Act," pursuant to N.J.S.A. 10:4-6; and
- (5) Result in a decision by the Board, which at a minimum, shall be based on the preponderance of competent and credible evidence.
- k. A written statement to the student's parent(s) or legal guardian(s) of the Board's decision within five school days after the close of the hearing that includes, at a minimum:
  - (1) The charges considered;
  - (2) A summary of the documentary or testimonial evidence from both the student and the administration that was brought before the district Board of Education at the hearing;
  - (3) Factual findings relative to each charge and the Board's determination of each charge;
  - (4) Identification of the educational services to be provided to the student pursuant to B.1.i. above;
  - (5) The terms and conditions of the suspension; and
  - (6) The right to appeal the Board's decision regarding the student's general education program to the Commissioner of Education in accordance with N.J.S.A. 18A:37-2.4 and N.J.A.C. 6A:3-1.3 through 1.17.



1. Immediate return to the general education program if at any time it is found that the general education student did not commit the offense;
  - m. For a student with a disability found not to have committed the offense, the student's program shall be determined in accordance with the provisions of N.J.A.C. 6A:14; and
  - n. At the completion of a long-term suspension, the Board shall return the general education student to the general education program.
2. Any appeal of the Board's decision regarding the general education student's program shall be made to the Commissioner of Education, in accordance with N.J.S.A. 18A:37-2.4 and N.J.A.C. 6A:3-1.3 through 1.17.
  3. Suspension of general education students shall not be continued beyond the Board's second regular meeting following the suspension, unless the Board so determines, pursuant to N.J.S.A. 18A:37-5.
    - a. The Board shall determine whether to continue the suspension, pursuant to B. above, based on the following criteria:
      - (1) The nature and severity of the offense;
      - (2) The Board's removal decision;
      - (3) The results of any relevant testing, assessments or evaluations of the student; and
      - (4) The recommendation of the Superintendent, Principal or Director of the alternative education program or home or other out-of-school instruction program in which the student has been placed.
    - b. The Board shall develop and adopt policies and procedures providing for action on the continuation of student suspensions in the event of cancellation of the first or second regular Board meeting pursuant to N.J.S.A. 18A:37-4 and 5. In this unlikely event, a special committee of the Board, which will include the



# REGULATION

## ROXBURY TOWNSHIP BOARD OF EDUCATION

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SUSPENSION PROCEDURES

Superintendent of Schools or his/her designee, will be appointed by the Board President to make a decision on the continuation of the suspension. The committee's decision will be implemented subject to ratification of the committee's decision at the next regularly scheduled Board meeting.

4. When the Board votes to continue the suspension of a general education student, the Board, in consultation with the Superintendent, shall review the case at each subsequent Board meeting for the purpose of determining:
  - a. The status of the student's suspension;
  - b. The appropriateness of the current educational program for the suspended student; and
  - c. Whether the suspended student's current placement, pursuant to B.1.i. above, should continue or whether the student should return to the general education program.
5. When the Board votes to continue the suspension of a general education student, the Board, in consultation with the Superintendent, shall make the final determination on:
  - a. When the student is prepared to return to the general education program;
  - b. Whether the student shall remain in an alternative education program or receive home or other in-school or out-of-school instruction, based on the criteria set forth in B.3.a.(1) through (4) above; or
  - c. Whether to initiate expulsion proceedings in accordance with N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.5 and Policy 5620.
6. The Board shall provide a general education student suspended under N.J.A.C. 6A:16-7.3 with an appropriate educational program or appropriate educational services, based on the criteria set forth under B.1.i.(2) above, until the student graduates from high school or reaches the age of twenty, whichever comes first.



- a. The educational program shall be consistent with the provisions of N.J.A.C. 6A:16-9.2 and 10.2 and 6A:14-2 and 4.3, whichever is applicable; or
  - b. The educational services provided, either in school or out of school, shall be comparable to those provided in the public schools for students of similar grades and attainments, pursuant to the provisions of N.J.S.A. 18A:38-25.
- 7. For a student with a disability who receives a long-term suspension, the Board shall proceed in accordance with N.J.A.C. 6A:14 in determining or changing the student's educational placement to an interim or alternate educational setting.
  - a. All procedural protections set forth in N.J.A.C. 6A:14 and N.J.A.C. 6A:16-7.3 shall be afforded to each student with a disability who is subjected to a long-term suspension.
  - b. All decisions concerning the student's educational program or placement shall be made by the student's Individualized Education Program team.
  - c. The provisions of B.2. through B.6. above shall not apply to students with disabilities.

## C. Meeting with Student - Multiple Suspensions or Possible Expulsion

- 1. In accordance with the provisions of N.J.S.A. 18A:37-2c, in the event a student has experienced multiple suspensions or may be subject to a proposed expulsion from school, the Principal shall convene a meeting, as soon as practicable, between the student and a school psychologist, a school counselor, a school social worker, a student assistance coordinator, or a member of the school's intervention and referral services team.
  - a. The Principal may convene such a meeting, if after the student has been suspended for the first time, the Principal upon evaluation deems such a meeting appropriate.





# REGULATION

## ROXBURY TOWNSHIP BOARD OF EDUCATION

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SUSPENSION PROCEDURES

- b. The purpose of the meeting shall be to identify any behavior or health difficulties experienced by the student and, where appropriate, to provide supportive interventions or referrals to school or community resources that may assist the student in addressing the identified difficulties.
2. The requirements of C.1. above shall not apply when a student's immediate removal or suspension from the school's regular education program is required pursuant to:
  - a. The provisions of the "Zero Tolerance for Guns Act," (N.J.S.A. 18A:37-7 et seq.);
  - b. N.J.S.A. 18A:37-2.1 – Assault by Pupil Upon Teacher, etc.; Suspension; Expulsion Proceedings;
  - c. N.J.S.A. 18A:37-2.2 – Offense by Pupil Involving Assault, Removal from Schools Regular Education Program; or
  - d. In any other instance in which the safety and security of other students or school staff requires the student's immediate removal from school.
3. In the instances provided in C.2.a. through d. above, the meeting required in C.1. above shall take place as soon as practicable following the student's removal from the school's regular education program.
4. The provisions of N.J.S.A. 18A:37-2c and C. of this Regulation shall be construed in a manner consistent with the "Individuals with Disabilities Act," 20 U.S.C. § 1400 et seq.

Issued: 14 October 2013

Revised: 26 June 27



## 5620 EXPULSION

The Board of Education recognizes that expulsion from this district is the most severe sanction that can be imposed upon a student.

The Board may expel a general education student from school, pursuant to N.J.S.A. 18A:37-2, only after the Board has provided the following:

1. The procedural due process rights set forth in N.J.A.C. 6A:16-7.1(c) 3 and 7.3, and as outlined in Policy and Regulation 5610, subsequent to a long-term suspension pursuant to N.J.A.C. 6A:16-7.3; and
2. An appropriate educational program or service, based on the criteria set forth under N.J.A.C. 6A:16-7.3(f) and as outlined in Regulation 5610.
  - a. The educational program or service shall be consistent with the provisions of N.J.A.C. 6A:16-9.2 - Program Criteria N.J.A.C. 6A:16-10.2 - Home or Out-of-School Instruction for General Education Students; N.J.A.C. 6A:14-2.1 et seq.; - Special Education, Procedural Safeguards; and N.J.A.C. 6A:14-4.3 ~~et seq~~ - Special Education, Programs Options, whichever are applicable; or
  - b. The educational services provided, either in school or out-of-school, shall be comparable to those provided in the public schools for students of similar grades and attainments, pursuant to N.J.S.A. 18A:38-25.

An appeal of the Board's decision regarding the cessation of the student's general education program shall be made to the Commissioner of Education in accordance with N.J.S.A. 18A:6-9 and N.J.A.C. 6A:3-1.3 through 1.17. The Board shall continue to provide an appropriate educational program or service in accordance with N.J.A.C. 6A:16-7.4(a)2 until a final determination has been made on the appeal of the Board's action to expel a student.

In accordance with the provisions of N.J.S.A. 18A:37-2a, a student in Kindergarten through grade two shall not be expelled from school, except as provided pursuant to the "Zero Tolerance for Guns Act," N.J.S.A. 18A:37-7 et seq. Students in preschool shall not be expelled, except as provided pursuant to the "Zero Tolerance for Guns Act," N.J.S.A. 18A:37-7 et seq.



# POLICY

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #P17 - FIRST READING

Students  
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EXPULSION

The district shall implement an early detection and prevention program to: identify students in preschool through grade two who are experiencing behavioral or disciplinary problems; and provide behavioral supports for these students which may include, but not be limited to, remediation of problem behaviors, positive reinforcements, supportive interventions, and referral services. An early detection program may be incorporated into the intervention and referral services required to be established in each school pursuant to State Board of Education regulations.

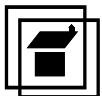
In accordance with the provisions of N.J.S.A. 18A:37-2c, in the event a student may be subject to a proposed expulsion from school, the Principal shall convene a meeting, as soon as practicable, between the student and a school psychologist, a school counselor, a school social worker, a student assistance coordinator, or a member of the school's intervention and referral services team. The purpose of the meeting shall be to identify any behavior or health difficulties experienced by the student and, where appropriate, to provide supportive interventions or referrals to school or community resources that may assist the student in addressing the identified difficulties.

The requirements of N.J.S.A. 18A:37-2c shall not apply when a student's immediate removal or suspension from the school's regular education program is required pursuant to: the provisions of the "Zero Tolerance for Guns Act," (N.J.S.A. 18A:37-7 et seq.); N.J.S.A. 18A:37-2.1 – Assault by Pupil Upon Teacher, etc; Suspension; Expulsion Proceedings; N.J.S.A. 18A:37-2.2 – Offense by Pupil Involving Assault, Removal from Schools Regular Education Program; or in any other instance in which the safety and security of other students or school staff requires the student's immediate removal from school. In these instances, the meeting required pursuant to N.J.S.A. 18A:37-2c shall take place as soon as practicable following the student's removal from the school's regular education program.

The provisions of N.J.S.A. 18A:37-2c shall be construed in a manner consistent with the "Individuals with Disabilities Act," 20 U.S.C. § 1400 et seq.

~~A student with a disability shall only be expelled from his or her current program in accordance with N.J.A.C. 6A:14 et seq. An expulsion of a student with a disability from a receiving school shall be handled in accordance with N.J.A.C. 6A:14 et seq.~~

N.J.S.A. 18A:36A-9; 18A:37-2 et seq.; 18A:37-2a; 18A:37-2b



# POLICY

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #P17 - FIRST READING

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EXPULSION

N.J.A.C. 6A:16-7.4; 6A:14 et seq.

Adopted: 14 October 2013

Revised: 26 June 2017

Revised: TBD



## 8320 PERSONNEL RECORDS

The Board of Education believes that the orderly operation of the school district requires the retention of all records bearing upon an employee's qualifications for employment and employment history.

The Board requires that sufficient records be compiled and maintained to demonstrate an employee's qualifications for the position assigned; compliance with Federal, State, and local benefit programs; conformity to district rules; the proper conduct of evaluations; and the employee's entitlement, as appropriate, to tenure and seniority.

The Superintendent shall be responsible for the custody and maintenance of personnel records. A single, central file of documents shall be maintained; temporary, subsidiary records will be permitted for ease in data gathering only. An employee's personnel file shall be maintained for six years following his/her termination of district service, provided the employment history record card is maintained a minimum of eighty years.

A Board of Education and private agencies that provide educational services by means of public funds shall make employee records and information available for public access pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act, but in accordance with N.J.S.A. 18A:6-120.(d) and 121.(d), and as provided in Policy and Regulation 8320 - **Section G**. ~~Records maintained in the personnel files of this district are not public records and are not open to inspection except as provided for in this policy. Board minutes and other public records of this district and any computerized files maintained by this district may include only an employee's name, title, position, assignments, salary, payroll record, length of service in the district and in military service, the date and reason for separation from service in this district, and the amount and type of pension a former employee receives.~~

Personnel records may be inspected by school administrators to the extent that such inspection is required in the performance of the inspector's duties.

Board members may have access to confidential information in the personnel files of only those employees recommended for or subjected to an employment action requiring a vote of the Board or where access to the information is essential for the performance of the Board member's duties. Board member access to personnel files is limited to the relevant portion of the file and is available only through the Superintendent. Board members may freely inspect employment applications filed by candidates for district positions.



An employee may inspect his/her personnel file provided that the employee requests such access in writing, reviews the record in the presence of the administrator designated to maintain the file, makes no alteration or addition to the file nor removes any material from it, and signs a log attached to the file indicating the date on which it was inspected.

An employee may appeal to the Superintendent the inclusion or exclusion of records or for appropriate administrative review of the accuracy of any record in his/her personnel file.

The Superintendent shall prepare rules enumerating the records to be maintained for each employee of this district, including, as a minimum and as appropriate to the position, the completed application form, employment contract(s), a copy of the employee's qualifying certification, transcripts, report of an employment physical examination, oath of allegiance, criminal background check, income tax forms, retirement registration, hospitalization forms, annuity forms, rate of compensation, attendance record, assignments to positions, completed evaluations, reports of disciplinary incidents, records of special awards or distinctions, and reports of annual or special physical and mental examinations.

N.J.S.A. 18A:18A-14.2; 18A:40-19; 18A:66-32

N.J.S.A. 47:1A-1 et seq.

N.J.A.C. 6A:32-4.3

Adopted: 14 October 2013

Revised: TBD



# REGULATION

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #19 - FIRST READING

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PERSONNEL RECORDS

### R 8320 PERSONNEL RECORDS

#### A. Content of Record

1. A personnel file shall be assembled and maintained for each person employed by this district. Each file shall contain the original or copies, as appropriate, of the following documents regarding the employee:
  - a. The employee's current correct name, ~~address, telephone number, and birthdate;~~
  - b. Application form, including transcripts of all academic work, records of prior military service, and other supporting documents;
  - c. Annual employment contract and/or annual salary notice, signed by the employee;
  - d. Certificates and/or licenses required for employment;
  - e. Documentation of fulfillment of requirements for any change in salary classification;
  - f. ~~Income tax forms;~~
  - g. ~~Retirement registration;~~
  - h. ~~Hospitalization forms;~~
  - i. ~~Annuity forms;~~
  - j. ~~Rate of compensation;~~
  - k. ~~Attendance record, including the starting and ending dates of all leaves of absence, whether the leave was paid or unpaid, and the purpose for which such leaves were granted;~~
  - l. ~~Assignment to positions, including position title and building to which assigned;~~
  - m. ~~Completed evaluations;~~



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- ~~f.~~ Reports of disciplinary incidents;
- ~~g.~~ Records of special awards, commendations, or distinctions;
- ~~p.~~ ~~Oath of allegiance;~~
- ~~q.~~ ~~Reports of routine physical examinations; and~~
- ~~r.~~ ~~Reports of physical and mental examinations required for cause.~~

2. No information will be placed in an employees' file that does not pertain to the employee's position in this district and the performance of the employee's duties.
3. The content of personnel files will be reviewed annually and material no longer required will be destroyed.

### B. Custodian of Personnel Records

1. The Superintendent is custodian of all personnel records.
2. Personnel records shall be maintained in the office of the Superintendent, who shall be records manager responsible for the day-to-day maintenance of the files and for supervising access to the files.

### C. Notice of Content of Files

1. Each employee shall be informed of the content of his/her personnel file.
2. Each employee will be notified of the inclusion in his/her file of any document that was not received from the employee or at the direction of the employee.
  - a. No evaluation form will be placed in a personnel file until it has been reviewed and signed by the employee.
  - b. No copy of a memorandum or letter sent by an administrator or other school official to an employee will be placed in the employee's file unless the original and copy include the notation





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“cc: Personnel File” or other clear indication of the author’s intention to place the memorandum or letter in the employee’s file.

- c. No report or letter or memorandum from any source, other than documents referred to in C2b above, may be placed in an employee’s file until a copy of the same has been delivered to the employee.

### D. Employee Access to Personnel Records

1. Each employee shall be granted access to his/her personnel file in accordance with these regulations, except as may have been negotiated with the employee’s majority representative.
2. Written request for access shall be submitted to the Superintendent or designee. Except in unusual circumstances, access shall be granted only during the regular working hours of the office in which the file is kept.
3. The employee shall review the record in the presence of the Superintendent or designee and, at the employee’s request, a representative of the employee.
4. No alteration or addition or deletion may be made to the file, except that the employee may append to any document in the file his/her comment on that document.
5. The employee may hand copy any portion of his/her file and may receive photocopies of records on payment of the copying fees established for copies of public records.

### E. Appeal of Content of the File

1. The employee may appeal to the Superintendent the exclusion or inclusion of any portion of his/her personnel file or the accuracy of any information in the file.
2. An appeal must be made in writing on a form available in the office of the Superintendent.



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3. The Superintendent shall render a decision on the appeal as soon as possible, but not later than ten (10) working days from the time the written appeal is submitted. The Superintendent's decision shall be in writing and shall be delivered to the employee and the records manager responsible for the employee's file.
4. Except as may be otherwise provided by contract negotiated with the employee's majority representative, the appellant may appeal the Superintendent's decision to the Board; a decision of the Board may be appealed to the Commissioner of Education.

### F. Access by Board Members and School Officials

1. Personnel files may be inspected by school officials only as required in the discharge of their professional or statutory duties and to the extent required in the discharge of those duties.
2. Personnel files may be inspected by Board members when such inspection relates to the Superintendent's recommendation of a candidate for employment, promotion, transfer, dismissal, or discipline.
3. Much of the information included in an employee's file is confidential; access to the employee's file for professional reasons necessarily imposes on the person reviewing the file the duty to respect the confidentiality of the record.

### ~~G. Computerized Records~~

- ~~1. Computerized personnel records may include only the following information about an employee:~~
  - ~~a. Name, address, and telephone number;~~
  - ~~b. Social security number;~~
  - ~~c. Current assignment;~~
  - ~~d. Work experience;~~
  - ~~e. Employment date; and~~



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~~f. — Salary guide and step.~~

~~2. — Computerized information may be used only for the following purposes:~~

~~a. — Payroll;~~

~~b. — An employee's individual employment record; and~~

~~c. — Studies, reports, or surveys conducted by the district or a governmental agency and authorized by the Superintendent, provided that such studies, reports, or surveys do not identify specific employees.~~

### G. Public Access to Employee Records and Information

1. A Board of Education and private agencies that provide educational services by means of public funds shall make employee records and information available for public access, pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act, but in accordance with N.J.S.A. 18A:6-120(d) and 121.(d) in accordance with N.J.A.C. 6A:32-4.3 and as outlined in this Regulation.

2. In accordance with the provisions of N.J.S.A. 47:1A-10, notwithstanding the provisions of N.J.S.A. 47:1A-1 et seq. or any other law to the contrary, the personnel or pension records of any individual in the possession of a public agency, including but not limited to, records relating to any grievance filed by or against an individual, shall not be considered a government record and shall not be made available for public access, except that:

a. An individual's name, title, position, salary, payroll record, length of service, date of separation and the reason therefore, and the amount and type of any pension received shall be a government record;

b. Personnel or pension records of any individual shall be accessible when required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person duly authorized by the State of New



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Jersey or the United States, or when authorized by an individual in interest; and

c. Data contained in information which disclose conformity with specific experiential, educational, or medical qualification required for government employment or for receipt of a public pension, but not including any detailed medical or psychological information, shall be a government record.

3. Information related to the evaluation of a particular employee shall be maintained by the school district, be confidential, and not be accessible to the public pursuant to N.J.S.A. 47:1A-1 et seq., as amended and supplemented, in accordance with N.J.S.A. 18A:6-120.d and 18A:6-121.d.

~~Issued~~ Adopted: 14 October 2013

Revised: TBD



# REGULATION

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #20 - FIRST READING

TEACHING STAFF MEMBERS  
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LESSON PLANS AND PLAN BOOKS

### R 3270 LESSON PLANS AND PLAN BOOKS

#### A. Lesson Plans

1. Each teaching staff member assigned specific instructional responsibilities shall prepare regular lesson plans. The main purpose of lesson plans is to support the teacher's ability to deliver a sequential, standards-connected lesson. Additionally, lesson plans serve to support continuity of instruction in the event a teacher is unable to deliver any particular lesson.
2. Each lesson plan must include the:
  - a. Name of the unit or area of learning;
  - b. Learning Objective(s);
  - c. NJSLS connections (numbers are sufficient);
  - d. Learning strategies and Activities/centers (including sufficient description);
  - e. Evaluation/assessment procedures ~~Duration of the lesson;~~
  - f. Homework assignments (if appropriate) ~~Instructional methodology;~~
  - g. Resource materials including technology; ~~Evaluation procedures;~~
  - h. Differentiation strategies/tiering (as appropriate); and ~~Any seat work or activity center assignments;~~
  - i. Teacher reflection(s) on plan duration (unit, lesson, etc.) ~~Homework assignments;~~.
  - j. ~~Resource materials including technology; and~~
  - k. ~~Differentiation strategies/Tiering (as appropriate).~~

It is appropriate for A.2.g and A.2.h to be included in A.2.d, especially in the case of centers-based instruction.



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LESSON PLANS AND PLAN BOOKS

3. Lesson plans must be completed at least one week in advance and submitted to the Building Principal or designee.
  - a. Any teacher who has earned a summative score of “Highly Effective” in the previous two (2) consecutive years, is required to prepare lesson plans, but the submission of these plans can be drastically reduced to highlight the lesson outline rather than all of the items described above as agreed upon with the teacher’s principal and/or supervisor. These teachers may also be asked to support peers with strategies for preparing powerful plans that translate into high-quality lesson execution.
  - b. Any teacher who has earned a summative score of “Highly Effective” in the previous two (2) consecutive years, but has been assigned to a new grade level or prep, would submit more comprehensive lesson plans (similar to other staff members), but would collaborate with their supervisor on a reasonable format based on their familiarity with this new assignment.
4. Lesson plans will follow the format established at the building or departmental level, as appropriate. Lesson plans will ordinarily be prepared on a daily basis, but, if the format so dictates, may be prepared on a long-range unit basis.
5. Lesson plans must be prepared with clarity and in sufficient detail to permit a person unacquainted with the classroom to conduct the lesson efficiently and effectively.

### B. **Yearly Plans** ~~Plan Books~~

1. ~~Collection of accumulated plans for the current year must be stored in a common place/format (binder, Google Folder, etc.) A plan book will be kept by each teacher as a master plan for instruction in the classroom. In addition, the plan book will permit administrators to monitor classroom instruction and will give direction to substitutes.~~



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LESSON PLANS AND PLAN BOOKS

2. Accumulated plans for the current year must be accessible by the principal and supervisor and include: ~~Plan books will include:~~
  - a. ~~Lesson P~~plans,
  - b. A ~~S~~seating chart of students in the classroom information,
  - c. Daily class schedules, and
  - d. The names of students receiving remedial instruction or removed from the classroom for specialized instruction during the school day, when appropriate.
3. ~~Plan books will be submitted to the Principal or subject supervisor every week for review.~~
4. ~~Plan books must be available for use by a substitute in an unforeseen situation. Plan books will not be removed from the classroom overnight.~~
5. ~~Plan books will be turned in to the Principal or designee at the end of the school year.~~

### C. Substitute Lesson Plans

1. In the event of a teacher absence, plans need to be provided by the teacher for the substitute to follow. When appropriate, the teacher is permitted to submit work directly to students through a familiar means such as Google Classroom, but needs to make the substitute aware of this communication and any other class specific instructions.

### D. Emergency Substitute Lesson Plans

At the beginning of each year, and updated periodically, each teacher shall submit an emergency substitute folder to be used in the event a teacher is not able to provide plan for a day of absence to the Principal or designee that contains the following:

1. Explanation of classroom procedures;
2. Explanation on taking daily attendance;



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3. Special lessons (covering at least two or three days) to be used by the substitute when you are absent;
4. Procedure for dismissal of each class and dismissal at the end of the day;
5. Special subjects schedule-art, music, physical education, students leaving for instrumental lessons and individualized support;
6. Fire/emergency drill procedure;
7. Seating charts;
8. Classroom rules and expectations;
9. Names of students who require individualized accommodations

~~Each teacher shall submit a substitute folder to the Principal or Assistant Principal that contains the following:-~~

- ~~1.—— Special plans and hints for the substitute;-~~
- ~~2.—— Helpful students for each selection;-~~
- ~~3.—— Procedure for opening exercises;-~~
- ~~4.—— Explanation sheet on taking daily attendance;-~~
- ~~5.—— Special lessons to be used by the substitute when you are absent;-~~
- ~~6.—— Procedure for dismissal of each class and dismissal at the end of the day;-~~
- ~~7.—— Special subjects schedule-art, music, physical education, students leaving for instrumental lessons and remedial reading;-~~
- ~~8.—— Fire drill forms;-~~
- ~~9.—— Seating charts;-~~
- ~~10.—— Room rules and regulations;-~~
- ~~11.—— Names of students with special problems, such as physical disabilities.~~





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To help the substitute and to provide meaningful work for the children when they are absent, prepare a folder of subject related activities or ideas which a substitute can utilize if needed for each class assignment. Every attempt should be made by the substitute to follow the teacher's plans so that the students' education will not be interrupted during the teacher's absence, particularly if it is an extended absence.

~~Substitute folders should be reviewed and updated periodically. Special plans in the substitute folder will only be necessary should the teacher want a substitute not to follow their regular lesson plans. To help the substitute and to provide meaningful work for the children when they are absent, prepare a folder of subject related seatwork activities or ideas which a substitute can utilize if needed for each class assignment. Every attempt should be made to have the substitute follow the teachers' planbooks so that the children's education will not be interrupted during the teacher's absence, particularly if it is an extended absence.~~

Issued: 14 October 2013  
Revised: 18 September 2017  
Revised: TBD



# REGULATION

## ROXBURY TOWNSHIP BOARD OF EDUCATION

EXHIBIT #21 - FIRST READING

STUDENTS  
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STUDENT DISCIPLINE/CODE OF CONDUCT (M)

### R 5600 STUDENT DISCIPLINE/CODE OF CONDUCT (M)

#### M

##### A. Core Beliefs (Mission Statement of Equity)

1. We believe in preparing the students of today, for tomorrow. As such, we as a school community, in pursuit of an inclusive, safe learning environment for all students, do not tolerate discrimination or disparity of anyone, based on perceived or actual characteristics. Through proactive discipline and remediation, should a student violate the subsequent Code of Conduct, including the mistreatment of another based on any personal characteristic, the behavior will be addressed through education, remediation and appropriate discipline. To promote our accepted core values of mutual respect, open-mindedness, and inclusivity, we positively reward mentorship and encourage leadership, citizenship and support emotionally intelligent students to demonstrate and practice empathy, reflectiveness and open-mindedness.
2. We believe that all students should participate in a:
  - i. Culture of learning
  - ii. Culture of equity
    1. Justness, fairness, inclusiveness
    2. Consideration of others
    3. Respectfulness to self and others
    4. Accountability for self
  - iii. Challenging and rigorous course load
  - iv. Safe and secure learning environment
    1. All members of the RSD community have the right to bring their interests, viewpoints and perspectives to light
    2. Students are the largest members of our school community and are the groundwork in establishing a nurturing and supportive school environment

##### BA. Purpose



# REGULATION

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STUDENT DISCIPLINE/CODE OF CONDUCT (M)

The purpose of these regulations is to achieve the following purposes:

1. Foster the health, safety, social, and emotional well-being of students; on school grounds and at any school sponsored activity
2. Support the establishment and maintenance of civil, safe, secure, supportive, and disciplined school environments conducive to learning;
3. Promote achievement of high academic standards in educating students, parents and staff in measures to proactively address issues of hate, injustice, harassment, intimidation and/or the bullying of students.
4. Prevent the occurrence of problem behaviors;
5. Establish parameters for the intervention and remediation of student problem behaviors at all stages of identification; and use of remediation, restoration, role play/guided discussion, restorative justice in conflict resolution
6. Establish parameters for school responses to violations of the student discipline/code of conduct that take into account, at a minimum, the severity of the offenses, the developmental ages of the student offenders, and students' histories of inappropriate behaviors.

B. Expectations for Academic Achievement, Behavior, and Attendance

1. All students have a responsibility to comply with State statutes and administrative codes for academic achievement, behavior, and attendance pursuant to N.J.A.C. 6A:32-8 and 12.1 and the policies of the Board of Education, and the administrative regulations of this school district.
2. In addition, students shall not:
  - a. Be insubordinate to teachers or other school staff members or disregard their instructions or demonstrate lack of respect for their authority;
  - b. Create disorder or disruptions on school premises, at school sponsored events, or online in virtual learning spaces;
  - c. Use, threaten, or incite the use of physical force against other students, staff members, or visitors to the school;
  - d. Steal, damage, or deface the property of other students, staff members, or the district;



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- e. Engage in the sexual and/or other harassment of students or staff members;
- f. Violate codes of conduct adopted for organizations of students;
- g. Possess or use weapons or any implement intended to harm others;
- h. Use foul, abusive, derogatory, or demeaning language, or displays of any sort which are offensive in regards to any group (including the Battle Flag of the Army of Northern Virginia) of community members on a basis of race, ethnicity, religion, gender, gender identity, or special need ~~including racial and ethnic remarks;~~
- i. Convey information about other students or staff members known to be false;
- j. Act so recklessly as to endanger the safety of others;
- k. Procure the property of others by threat or intimidation;
- l. Enter school premises or any specific portion of the premises without permission and without authority;
- m. Vandalize school property, real or personal;
- n. Create litter on school property;
- o. Be truant from school or class;
- p. Cheat or otherwise engage in academic dishonesty;
- q. Persistently refuse to complete homework and other assignments;
- r. Engage in illegal gambling;
- s. Smoke on school property;
- t. Falsify an excuse or any school document;
- u. Set fire to or cause a fire in any way on school premises;
- v. Possess or explode a firecracker or other explosive device on school premises;



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STUDENT DISCIPLINE/CODE OF CONDUCT (M)

- w. Sound or cause to be sounded a false alarm for fire, bomb, or other condition or circumstance hazardous to others;
  - x. Possess, use, or distribute a substance in violation of Policy No. 5530;
  - y. Join a secret society prohibited by law;
  - z. Commit an act of harassment, intimidation, or bullying, **bias, or hatred**; ~~or~~
  - aa. Engage in any other activity expressly prohibited by a school staff member in authority.
3. Students assigned to a school bus must obey all school rules, and
- a. Show respect for the driver at all times;
  - b. Enter and leave the bus in an orderly manner;
  - c. Ride only the bus to which they have been assigned;
  - d. Be and remain seated while the bus is in motion;
  - e. Avoid reckless and boisterous activity at all times, including during waits at pickup points;
  - f. Talk in a reasonable tone of voice and avoid loud noises;
  - g. Extend no portion of the body or other object out a bus window;
  - h. Keep aisles clear at all times;
  - i. Refrain from bringing animals or bulky, unmanageable projects onto the school bus;
  - j. Refrain from smoking, eating, and drinking on the bus; and
  - k. Possess, use, or distribute no substance in violation of Policy No. 5530; and
  - l. Must wear seat belts while on the bus.



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STUDENT DISCIPLINE/CODE OF CONDUCT (M)

4. The Building Principal or designee has the right to impose a consequence on a student for conduct away from school grounds pursuant to N.J.A.C. 6A:16-7.6. This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other students, staff, or school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2 or when the conduct which is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school. Consequences shall be handled in accordance with Policy and Regulation 5600, pursuant to N.J.A.C. 6A:16-7.1, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 6A:16-7.3, or 6A:16-7.5.

### C. Behaviors That May Result in Suspension or Expulsion

In accordance with the provisions of N.J.S.A. 18A:37-2, any student who is guilty of continued and willful disobedience, open defiance of the authority of any teacher or person having authority over the student, the habitual use of profanity or of obscene language, or who shall cut, deface or otherwise injure any school property, shall be liable to punishment and to suspension or expulsion from school. Conduct which shall constitute good cause for suspension or expulsion of a student guilty of such conduct shall include, but not be limited to, any of the following:

1. Continued and willful disobedience;
2. Open defiance of the authority of any teacher or person, having authority over the student;
3. Conduct of such character as to constitute a continuing danger to the physical well-being of other students;
4. Physical assault upon another student;
5. Taking, or attempting to take, personal property or money from another student, or from the student's presence, by means of force or fear;
6. Willfully causing, or attempting to cause, substantial damage to school property;



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STUDENT DISCIPLINE/CODE OF CONDUCT (M)

7. Participation in an unauthorized occupancy by any group of students or others of any part of any school or other building owned by any school district, and failure to leave such school or other facility promptly after having been directed to do so by the Principal or other person then in charge of such building or facility;
8. Incitement which is intended to and does result in unauthorized occupation by any group of students or others of any part of a school or other facility owned by any school district;
9. Incitement which is intended to and does result in truancy by other students;
10. Knowing possession or knowing consumption without legal authority of alcoholic beverages or controlled dangerous substances on school premises, or being under the influence of intoxicating liquor or controlled dangerous substances while on school premises; and
11. Harassment, intimidation, or bullying.

Students shall also be suspended from school for assault upon a school staff member in accordance with the provisions of N.J.S.A. 18A:37-2.1 and 2.2.

Intervention and remediation protocols based upon developmental age are considered relative to the suspension or expulsion of a student. This is particularly relevant as it pertains to students in grades PK – 2 as per P.L. 2016, c.145; N.J.A.C. 18A:37-26.

### D. Student Rights

Students subject to the consequences of the Student Discipline/Code of Conduct Policy and Regulation shall be informed of their rights, pursuant to N.J.A.C. 6A:16-7.1(c)3.i. through vii., that include:

1. Advance notice of behaviors that will result in suspensions and expulsions that have been identified under authority of N.J.S.A. 18A:37-2;



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2. Education that supports students' development into productive citizens as described by the District's Portrait of a Graduate;
3. Attendance in safe and secure school environments;
4. Attendance at school irrespective of students' marriage, pregnancy, or parenthood;
5. Due process and appeal procedures, pursuant to N.J.A.C. 6A:3-1.3 through 1.17, N.J.A.C. 6A:4 and, where applicable, N.J.A.C. 6A:14-2.7 and 2.8, and N.J.A.C. 6A:16-7.2 through 7.5;
6. Parent notification consistent with the policies and procedures established pursuant to N.J.A.C. 6A:16-6.2(b)3, and N.J.A.C. 6A:16-7.1 through 7.9;
7. Protections pursuant to 20 U.S.C. § 1232g and 34 CFR Part 99, Family Educational Rights and Privacy Act; 20 U.S.C. § 1232h, Protection of Pupil Rights; and 34 CFR Part 98, Student Rights in Research, Experimental Programs and Testing; P.L. 104-191, Health Insurance Portability and Accountability Act; 45 CFR Part 160, General Administrative Requirements; 20 U.S.C. § 7165 Transfer of school disciplinary records; 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; N.J.S.A. 18A:40A-7.1, Confidentiality of certain information provided by students, exception; N.J.A.C. 6A:16-3.2, Confidentiality of student alcohol and other drug information; N.J.S.A. 18A:36-19, Pupil records, creation; maintenance and retention, security and access; regulations; non-Liability; N.J.S.A. 2A:4A-60, Disclosure of juvenile information, penalties for disclosure; N.J.A.C. 6A:32-7, Student Records; N.J.A.C. 6A:14-2.9, Student Records; as well as other existing Federal and State laws and rules pertaining to student protections.

### E. Comprehensive Behavioral Supports

Below are behavioral supports that promote positive student development and the students' abilities to fulfill the behavioral expectations established by the Board. These behavioral supports may include, but are not limited to, the following:





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1. Positive Reinforcement for Good Conduct and Academic Success

A student will be provided positive reinforcement for good conduct and academic success which may include, but are not limited to:

- a. Honor Roll recognition (5-12)
- b. Student of the Month recognition
- c. Class-wide and individual reward structures at K – 4 level

2. Supportive Interventions and Referral Services

A student may be referred to the school's Intervention and Referral Services Team in accordance with the provisions of N.J.A.C. 6A:16-8.1 and 8.2 and Policy and Regulation 2417.

3. Remediation of Problem Behavior

The following actions may be taken to remediate problem behavior. These actions will take into account the behavior's nature, the students' developmental ages, and the students' histories of problem behaviors and performance.

a. Restitution and Restoration

- (1) A student may be required to make restitution for any loss resulting from the student's conduct; or
- (2) A student may be required, at the discretion of the school district and when appropriate, to restore to its former condition any damaged or defaced property resulting from the student's conduct.
- (3) Educational supports for the purposes of equity and justice inclusive of peer remediation, restoration, role play/guided discussion, restorative justice in conflict resolution and responsive classroom grades 5-8



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b. Counseling

- (1) A student may be required to consult with school guidance counselors or Child Study Team members.
- (2) The counselor will explain why the student's conduct is unacceptable to the school and damaging to the student, what the consequences of continued misconduct are likely to be, and appropriate alternative behaviors.
- (3) The counselor may refer the student, as appropriate, for additional counseling, evaluation, intervention, treatment, or therapy. Referrals may be made to the Child Study Team, the school's Intervention and Referral Services Team, a public or private social agency, a legal agency, or any other referral service that may assist the student.

c. Parent Conferences

- (1) Student may be required to attend a meeting with their parent and appropriate staff members to discuss the causes of the student's behavior, possible remediation, potential disciplinary measures, and alternative conduct.

4. Students with Disabilities

For students with disabilities, the remedial measures and behavioral interventions and supports shall be determined and provided pursuant to N.J.A.C. 6A:14.

F. School Responses to Violations of Behavioral Expectations

1. In accordance with the provisions of N.J.A.C. 6A:16-7.1(c)5, the Student Code of Conduct shall include a description of school responses to violations of behavioral expectations established by the Board of Education that, at a minimum are implemented



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according to the severity of the offenses, and consider the developmental ages of the student offenders and their histories of inappropriate behavior that shall:

- a. Include a continuum of actions designed to remediate and, where necessary or required by law, to impose sanctions;
- b. Be consistent with other responses, pursuant to N.J.A.C. 6A:16-5.5;
- c. Provide for equitable application of the Code of Student Conduct without regard to race; color; religion; ancestry; national origin; nationality; sex; gender; sexual orientation; gender identity or expression; marital, domestic-partnership, or civil union; mental, physical, or sensory disability; or any other distinguishing characteristic, pursuant to N.J.S.A. 10:5-1 et seq. and
- d. Be consistent with provisions of N.J.S.A. 18A:6-1, Corporal Punishment of Students.

### G. Description of School Responses

School responses to violations of behavioral expectations are listed below:

1. Admonishment/Reprimand
  - a. A school staff member in authority may admonish or reprimand a student's unacceptable conduct and warn the student that additional misconduct may warrant a more severe penalty.
2. Temporary Removal from Classroom
  - a. The classroom teacher may direct the student report to the office of the administrator in charge of student discipline.
  - b. The teacher will complete a form that indicates the student's name and the conduct that has caused the student's removal from the teacher's room.



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- c. The administrator in charge of discipline will interview the student and determine which, if any, additional consequences shall be imposed.

### 3. Meeting with School Administration and Parent

- a. The student's parent may be required to attend a meeting with the Principal or designee and the student to discuss the student's conduct and to ensure the parent and the student understand school rules and expectations.

### 4. Deprivation of Privileges

- a. Students may be deprived privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment. These privileges may include, but are not limited to:
  - (1) Moving freely about the school building;
  - (2) Participation in co-curricular or inter/intrascholastic activities;
  - (3) Attendance at a school-related social or sports activity;
  - (4) Removal from any school privilege including but not limited to participation in a graduation ceremony;
  - (5) Transportation to and from school on a school bus; or
  - (6) Any other privilege the Building Principal or designee determines may be appropriate and consistent with Policy and Regulation 5600 and N.J.A.C. 6A:16-7.1 et seq.

### 5. Detention



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- a. A student may be required to report before or after the school day or at lunch for ~~to~~ detention. This detention may be assigned by the teacher or the Principal or designee.
  - b. Depending on the severity of the infraction and in an attempt to avoid removal from class, a student in grades 9-12 may be assigned detention on a Saturday.
  - c. Transportation to detention before school or from detention after school will be the responsibility of the parent.
  - d. A student may be excused from detention only for an unavoidable commitment previously made only as approved by principal or designee; any such excused detention must be made up on another day.
6. Grade Adjustment
  - a. A student who has cheated on a test or assignment, plagiarized material, falsified sources, refused to submit assignments, or otherwise indulged in academic dishonesty or negligence may suffer a reduced grade by virtue of the disqualified work. In no other instance may a student's grade be lowered as a direct penalty for misconduct. The use of grade adjustment will also accompany other measures that permit student to demonstrate mastery of learning.
7. In-school Suspension
  - a. If the school operates an in-school suspension program, a student may be removed from his/her regular classes and required to report to the in-school suspension program.
  - b. In-school suspension will not be imposed without the due process procedures set forth in Policy and Regulation 5610.
8. Out-of-School Suspension from School



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- a. A student may be denied the right to attend school for a period of time pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.2 and 6A:16-7.3, and Policy 5610.
  - b. Suspension from school will not be imposed without the due process procedures set forth in Policy and Regulation 5610.
9. Expulsion
- a. The Board may expel a general education student from school, pursuant to N.J.S.A. 18A:37-2, N.J.A.C. 6A:16-7.4, and Policy 5620.
  - b. Expulsion is an extremely serious disciplinary measure and will not be imposed without the due process set forth in Policy and Regulation 5610 and Policy 5620.

### H. Progressive Discipline

Progressive Discipline – Disciplinary actions include:

**Restorative Justice Practices in addition to** Administrative warning – verbal or written

Lunch Detention – 35 minutes assigned during lunch period

Saturday Detention – 3 hours on assigned Saturday morning

In-School Suspension – 2 days of social exclusion

Out-of-School Suspension – mandatory parent conference

Other actions as deemed appropriate by the administration

Penalty noted is minimum discipline to be implemented. Infractions not noted will be left to the discretion of the administration.

Infractions PK–6 may be subject to any response as identified in G, but it is understood the primary role of discipline in PK-6 is remediation, learning about acceptable social conduct and positive decision-making. Grades PK-4 support students in this way through procedures such as restorative practices and the



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Promoting Social Success Rubric while Grades 5-6 do so with restorative practices and reflective exercises. These strategies are used in conjunction with consequences as described in G when it fits the progressive discipline model and when appropriate.

Below is a listing of Progressive Student Discipline identifying responses to violations of the behavioral expectations. Progressive discipline identified below specifically pertains to grades 7–12. The behaviors include, but are not limited to:

### Student Attendance Infractions

1. Excessive Tardiness to school
  - 1st Offense – Warning
  - 2nd Offense – Written Warning
  - 3rd Offense – Saturday Detention
  - 4th Offense – Warning
  - 5th Offense – Written Warning
  - 6th Offense – Saturday Detention
  - 7th Offense – Warning
  - 8th Offense – Written Warning
  - 9th Offense – In-School Suspension
  - 10th Offense – Warning
  - 11th Offense – Written Warning
  - 12th Offense – In-School Suspension
  - 13th Offense – Warning
  - 14th Offense – Written Warning
  - 15th Offense – Out-of-School Suspension
2. Excessive Tardiness to class
  - 1st Referral by Teacher – Warning
  - 2nd Referral by Teacher – Saturday Detention
  - 3rd Referral by Teacher – In-School Suspension

Note: 2 Tardies = 1 Cumulative Absence
3. Cutting class



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1st Cut – Saturday detention

2nd Cut – In-School Suspension

3rd Cut – Out-of-School Suspension. Loss of credit in class that was cut

4. Unauthorized Departure from School
  - 1st Offense – 2 Saturday Detentions
  - 2nd Offense – In-School Suspension
  - 3rd Offense – Out-of-School Suspension

Note: Seniors lose parking privilege on 1st Offense

Juniors put at end of parking waiting list

5. Truancy
  - 1st Offense – 2 Saturday detentions
  - 2nd Offense – In-School Suspension
  - 3rd Offense – Out-of-School Suspension

### Student Management Infractions

1. Disruptive behavior in class or bus/creating a disturbance

1st Offense – Administrative Warning

2nd Offense – Saturday Detention

3rd Offense – In School Suspension

4th Offense – Out-of-School Suspension

Note: Continued disruptions in the same class will result in removal from the class and loss of credit. A 4th offense for disruptive behavior on the bus will result in removal from bus.

2. Smoking, using or possessing tobacco products in school or on school grounds. Students in possession of E-cigarettes will also be subject to the District's drug and alcohol policy #5530.

1st Offense – Saturday detention (remedial packet)

2nd Offense – In-School Suspension

3rd Offense – Out-of-School suspension





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On all offenses, smokers will be reported to the Roxbury Township Board of Health who will issue a summons for appearance in municipal court where a penalty will be assessed in accordance with applicable statutes and ordinances.

3. Insubordination (refusal to follow directions of any school personnel)

1st Offense – Administrative warning  
2nd Offense – Saturday detention  
3rd Offense – In-School Suspension  
4th Offense – Out-of-School Suspension

4. Verbal confrontation with a staff member, Intimidation/Threat Students/Staff

1st Offense – Saturday detention  
2nd Offense - In School Suspension  
3rd Offense – Out of School Suspension

5. Use of vulgar language (including bias/racial epithets)

1st Offense – Saturday detention  
2nd Offense – In-School Suspension  
3rd Offense – Out-of-School Suspension

6. Dress Code Violation

1st Offense – Administrative Warning/change clothes  
2nd Offense – Saturday detention/change clothes  
3rd Offense – In-School Suspension/change clothes

7. Radio, CD Player, MP3 Player, Portable Devices, Cell Phone, Pagers, other non-approved electronic devices or AUP violations unless otherwise authorized by administration .

1st Offense – Administrative warning/confiscation day  
2nd Offense – Saturday detention/confiscation week;  
return to parent/guardian only  
3rd Offense – In-School Suspension/confiscation year;



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return to parent/guardian only.

8. Forgery/Cheating/Plagiarism

1st Offense – Saturday detention

2nd Offense – In-School Suspension

3rd Offense – Out-of-School Suspension

Note: Students **may** ~~will~~ be ineligible for Honor Roll in the marking period they are found cheating/plagiarizing

9. Theft/Gambling/Extortion

1st Offense – In-School Suspension

2nd Offense – Out-of-School Suspension

3rd Offense – Principal Referral

10. Verbal abuse of a staff member

1st Offense - Out-of-School Suspension up to 10 days

11. Physical Scuffle

1st Offense – In-School Suspension

2nd Offense – Out-of-School Suspension

12. Fighting in school or on school property

1st Offense - Out-of-School suspension, 1 to 3 days

2nd Offense - Out-of-School suspension, 3 to 5 days

3rd Offense - Out-of-School suspension, 10 days

In all instances of fighting, a report will be filed with the Roxbury Police Department.

13. Physical Assault Staff/Student

1st Offense - Out-of-School suspension, 5 days minimum

Police contact, charges filed.

14. Bias Incident/Harassment/Bullying/Hazing/Cyber Bullying



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1st Offense – Saturday Detention, parental/police notification  
2nd Offense – In-School Suspension, parental/police notification  
3rd Offense – Out-of-School Suspension, parental/police  
notification

Administrative action will be determined by the severity of the incident

15. Sexual Harassment/Sexual Contact Student/Staff  
1st Offense - Out-of-School Suspension, 10 days,  
Principal referral, Board of Education hearing,  
Police contact, charges filed
16. Failure to attend assigned (reassigned) detention or improper  
conduct at the assigned discipline will result in original discipline  
being served plus  
1st Offense – In-School suspension  
2nd Offense – Out-of-School suspension  
3rd Offense – Out-of-School suspension
17. Drug and/or alcohol possession, use, sale, or under the influence  
on school premises or at any school function – Out-of-School  
Suspension: 10 days. It is the administration's policy to file  
charges with the police in all cases involving drugs or alcohol.
18. False Alarm/Bomb Threat  
1st Offense - Out-of-School Suspension, 10 days,  
Principal hearing, Board of Education hearing,  
Police contact, charges filed
19. Destruction of School Property, willful, malicious vandalism –  
Out-of-School Suspension: Up to ten days, restitution, report  
filed with police.
20. A violation of the weapons policy - up to 10 days out-of-school  
suspension. Notification of police.
21. Continued willful violations of school rules and regulations. Out-  
of-School Suspension: ten days.



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22. Any actions not listed above as determined by the administration are justifiable causes for assigning detention, Saturday detention, in-school suspension or out-of-school suspension.
23. Administration reserves the right to handle situations accordingly.

When an out-of-school suspension is assigned, a mandatory parent conference must occur before a student is readmitted to school.

The school responses to violations of behavioral expectations that are subject to student discipline including suspension or expulsion pursuant to N.J.S.A. 18A:37-2 outlined above shall be consistent with the Board's policies and regulations/procedures on attendance, pursuant to N.J.A.C. 6A:16-7.6 and harassment, intimidation, and bullying, pursuant to N.J.A.C. 6A:16-7.7.

The Principal or designee will maintain a list of community-based health and social service provider agencies available to support a student and a student's family, as appropriate, and a list of legal resources available to serve the community.

The Board of Education may deny participation in extra-curricular activities, school functions, sports, graduation exercises, or other privileges as disciplinary sanctions when designed to maintain the order and integrity of the school environment.

Nothing in Policy and Regulation 5600 shall prevent the school administration from imposing a consequence for unacceptable student conduct not listed or included in G or H.

### I. Student Conduct Away from School Grounds

1. The Building Principal or designee has the right to impose a consequence on a student for conduct away from school grounds that is consistent with the Board's Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1.
  - a. This authority shall be exercised only when it is reasonably necessary for the student's physical or emotional safety, security, and well-being or for reasons relating to the safety, security, and well-being of other students, staff, or



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school grounds, pursuant to N.J.S.A. 18A:25-2 and 18A:37-2.

- b. This authority shall be exercised only when the conduct that is the subject of the proposed consequence materially and substantially interferes with the requirements of appropriate discipline in the operation of the school.
- c. Consequences for conduct away from school grounds shall be handled in accordance with the Board approved Code of Student Conduct, pursuant to N.J.A.C. 6A:16-7.1, Policy and Regulation 5600, and as appropriate, in accordance with N.J.A.C. 6A:16-7-2, 7.3, or 7.4.

- 2. School authorities shall respond to harassment, intimidation, or bullying that occurs off school grounds, pursuant to N.J.S.A. 18A:37-14 and 15.3 and N.J.A.C. 6A:16-1.3, 7.1, and 7.7.

### J. School Bus Conduct

Violations of the rules regarding student conduct on school buses will be handled as follows.

- 1. The driver will report the unacceptable conduct to the Principal of the school in which the student is enrolled by submission of a completed written form that includes the name of the student, the school, and the student's conduct.
- 2. The Principal or designee will investigate the matter, which may include meeting with the bus driver, bus aide, other students on the school bus, and the student who was reported by the bus driver.
- 3. The parent will be notified of the student's reported conduct.
- 4. The Principal or designee will make a determination if the student violated behavioral expectations and the discipline to be administered in accordance with the Code of Student Conduct.



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5. If it is determined the misconduct is severe, the student may be suspended from the bus pending a conference with the parent

### J. Students with Disabilities

For students with disabilities, subject to Individualized Education Programs in accordance with 20 U.S.C. § 1400 et seq., the Individuals with Disabilities Educational Improvement Act, N.J.A.C 6A:14, and accommodation plans under 29 U.S.C. §§ 794 and 705(20), student discipline and the Code of Student Conduct shall be implemented in accordance with the components of the applicable plans.

### K. Records

1. Instances of student discipline will be recorded in the student's file in strict compliance with N.J.A.C. 6A:32-7.1 et seq. and Policy and Regulation 8330.
2. When a student transfers to a public school district from another public school district, all information in the student's record related to disciplinary actions taken against the student by the school district and any information the school district has obtained pursuant to N.J.S.A. 2A:4A-60, Disclosure of Juvenile Information; Penalties for Disclosure, shall be provided to the receiving public school district, in accordance with the provisions of N.J.S.A. 18A:36-19(a), N.J.A.C. 6A:32-7.5.
  - a. The record shall be provided within two weeks of the date that the student enrolls in the receiving district.
  - b. Written consent of the parent or adult student shall not be required as a condition of the transfer of this information, however, written notice of the transfer shall be provided to the parent or the adult student.

### L. Annual Review



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The Superintendent will designate a school staff member to coordinate an annual review and update of Policy and Regulation 5600. The Superintendent's designee will:

1. Compile an annual summary report of violations of the student behavioral expectations and the associated school responses to the violations in the Student Discipline/Code of Conduct Policy and Regulation.
2. Convene a Student Discipline/Code of Conduct Committee comprised of parents, students, and community members that represent the composition of the district's schools and community to review the annual summary report and to develop recommendations, if any, to improve and update the Student Discipline/Code of Conduct Policy and Regulation.
3. The Superintendent's designee shall submit the Committee's recommendations, if any, to improve or update the Student Discipline/Code of Conduct Policy and Regulation.
4. The Superintendent will review the Committee's report with school administrators and will determine if the Student Discipline/Code of Conduct Policy and Regulation should be updated.
5. The Superintendent will recommend to the Board revisions to the Student Discipline/Code of Conduct Policy, if needed.

### M. Policy and Regulation Publication and Distribution

The Student Discipline/Code of Conduct Policy and Regulation 5600, including the Chart of Student Discipline shall be disseminated annually to all school staff, students, and parents. These documents may be disseminated in handbooks, electronically, or in hard copy form. Principals will ensure these documents are made available to all students on or before the first day of each school year and to transferring students on the first day of their enrollment in this district.

Adopted: 14 October 2013

Revised: 15 August 2016

Revised: 6 May 2019



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Revised: TBD

