AGENDA
DISTRICT OF ROXBURY TOWNSHIP
WORKSHOP MEETING OF THE BOARD OF EDUCATION
November 1, 2010
6:30 PM – EXECUTIVE SESSION
7:30 PM – PUBLIC SESSION
Lincoln/Roosevelt School
34 North Hillside Avenue, Succasunna, NJ 07876

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.

A. MEETING CALLED TO ORDER

B. PUBLIC SESSION

The Roxbury Township Board of Education is meeting in Workshop 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 sent to:

Roxbury Register - Newspaper
Daily Record - Newspaper
Municipal Clerk
Roxbury Public Library
Roxbury Web Site - http://www.roxbury.org/boe/minutes/meetings.html

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

C. ROLL CALL

D. EXECUTIVE SESSION

The board members will retire into Executive Session in the Media Center at Lincoln/Roosevelt School to discuss personnel, student matters, grievance, outsourcing, and matters covered by attorney client privilege. Action may be taken when the Board returns to Public Session.

□ Recess

□ Reconvene – The meeting will be reconvened in Executive Session in the Media Center.

E. PUBLIC SESSION

□ Recess

□ Reconvene – The meeting will be reconvened in Public Session in the Auditorium.
November 1, 2010

F. PLEDGE OF ALLEGIANCE

G. ROLL CALL

H. CORRESPONDENCE

I. PRESENTATIONS

1. 2009/2010 Teacher of the Year Recognition

J. STUDENT COUNCIL REPRESENTATIVE’S COMMENTS

K. BOARD PRESIDENT’S COMMENTS

L. SUPERINTENDENT’S REPORT

M. BUSINESS ADMINISTRATOR’S REPORT

N. REQUEST FOR INFORMATION

O. PUBLIC COMMENTS – Action Items

P. ACTION ITEMS

1. Finance

   *Approval of Transfers Resolution No. 226-11
   *Approval of the Board Secretary’s Report – August, 2010 Resolution No. 227-11
   *Approval of the Treasurer’s Report – August, 2010 Resolution No. 228-11
   *Approval of the Board Secretary’s Report – September, 2010 Resolution No. 229-11
   *Approval of the Treasurer’s Report – September, 2010 Resolution No. 230-11
   *Approval of Travel Requests Resolution No. 231-11
   *Authorization for American Family Life Assurance Company (AFLAC) to Present Voluntary Benefits to Board of Education Employees Resolution No. 232-11
   *Acceptance of Donation Resolution No. 233-11
   *Approval of Second Reading – Policy 8310 – Public Records Resolution No. 234-11
   *Approval of Second Reading – Regulation R 8310 – Public Records Resolution No. 235-11

2. Education

   *Approval of Out-of-District Placements/Services – 2010/2011 Resolution No. 236-11
   *Approval of Superintendent’s Goals Resolution No. 237-11
   *Approval of Second Reading – Policy 2360 – Use of Technology Resolution No. 238-11
   *Approval of Second Reading – Policy 5516 – Use of Electronic Communication and Recording Devices (ECRD) Resolution No. 239-11

3. Personnel

   *Resignation – Coach - RHS Resolution No. 240-11
   *Leave of Absence – Secretarial Staff Resolution No. 241-11
   *Appointment – Buildings and Grounds Staff Resolution No. 242-11
   *Appointment – Food Service Staff – RHS Resolution No. 243-11
   *Appointment – Substitute Teachers Resolution No. 244-11
   *Appointment – Coaches – RHS Resolution No. 245-11

*Mt. Arlington Representative Votes

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*Appointment – Athletic Event Worker Resolution No. 246-11
*Appointment – After-School Instruction – RHS Resolution No. 247-11
*Approval of First Reading – Policy 3144 – Certification of Tenure Charges Resolution No. 248-11
*Approval of First Reading – Regulation R 3144 – Certification of Tenure Charges Resolution No. 249-11
*Approval of First Reading – Policy 4159 – Support Staff Member/District Reporting Responsibilities Resolution No. 250-11
Leave of Absence – Food Service Staff Resolution No. 251-11
Resignation – Lead Teacher – EMS Resolution No. 252-11
Salary Adjustment – Extracurricular Advisors – EMS Resolution No. 253-11
Appointment – After-School Instruction Resolution No. 254-11

Q. MINUTES
1. Minutes of the Regular Meeting and Executive Session of October 18, 2010

R. COMMITTEE REPORTS
1. Facilities
2. Community Relations
3. Education
4. Finance
5. Shared Services
6. Personnel
7. Negotiations

S. PUBLIC COMMENTS – (There is a three minute time limit, per Board Policy)

T. EXECUTIVE SESSION – (IF NECESSARY)

U. PUBLIC SESSION – (IF NECESSARY)

V. ADJOURNMENT

*Mt. Arlington Representative Votes
RESOLUTION NO. 226-11
Subject: Approval of Transfers

RESOLVED, that in accordance with the Superintendent’s recommendation, the Roxbury Township Board of Education approves the list of transfers between accounts as presented.

RESOLUTION NO. 227-11
Subject: Approval of the Board Secretary’s Report – August, 2010

RESOLVED, that in accordance with the Superintendent’s recommendation, the Roxbury Township Board of Education approves the Board Secretary’s Report for August, 2010 as presented.

RESOLUTION NO. 228-11
Subject: Approval of the Treasurer’s Report – August, 2010

RESOLVED, that in accordance with the Superintendent’s recommendation, the Roxbury Township Board of Education approves the Treasurer’s Report for August, 2010 as presented.

RESOLUTION NO. 229-11
Subject: Approval of the Board Secretary’s Report – September, 2010

RESOLVED, that in accordance with the Superintendent’s recommendation, the Roxbury Township Board of Education approves the Board Secretary’s Report for September, 2010 as presented.

RESOLUTION NO. 230-11
Subject: Approval of the Treasurer’s Report – September, 2010

RESOLVED, that in accordance with the Superintendent’s recommendation, the Roxbury Township Board of Education approves the Treasurer’s Report for September, 2010 as presented.

RESOLUTION NO. 231-11
Subject: Approval of Travel Requests

RESOLVED, that in accordance with the Superintendent’s recommendation, the Roxbury Township Board of Education approves unavoidable travel and costs as related in this resolution 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 listed in this resolution are in compliance with state travel reimbursement guidelines as established by the Department of the Treasury and Board of Education policy in accordance with N.J.A.C. 6A:23B-1.1 et. seq.

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Conference/Seminar Title</th>
<th>Place</th>
<th>Date of Trip</th>
<th>Total Estimated Expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Dana</td>
<td>Taggart</td>
<td>Innovative Technology Projects to Enhance Content Learning &amp; Increase Student Success (K-6)</td>
<td>Newark, NJ</td>
<td>November 29, 2010</td>
<td>$199.00 Registration See Note</td>
</tr>
</tbody>
</table>
RESOLUTION NO. 232-11

Subject: Authorization for American Family Life Assurance Company (AFLAC) to Present Voluntary Benefits to Board of Education Employees

WHEREAS, voluntary benefits is a developing area of benefit provisions offering employees the ability to choose the coverage most beneficial to their specific need as at a group rate discount, at no direct cost to the Board of Education; and

WHEREAS, American Family Life Assurance Company (AFLAC), a leader provider of voluntary benefits nationwide, as the firm best suited to present these voluntary benefit offerings to the Board of Education employees; and

WHEREAS, in accordance with the NJ Public Contract Law, these services and programs are deemed extraordinary, and therefore exempt from bidding requirements.

WHEREAS, American Family Life Assurance Company (AFLAC) has fully explained the benefits of introducing a Section 125 Plan to satisfy compliance, and allow pre tax deductions through payroll. It is understood that, Section 125 Cafeteria Plan is no direct cost to the Board of Education as this is a free service provided by AFLAC.

NOW, THEREFORE BE IT RESOLVED, by the Board of Education Members of the Roxbury Township Public Schools that American Family Life Assurance Company (AFLAC) is hereby authorized to present their array of voluntary benefits to the Board of Education Employees; and

BE IT FURTHER RESOLVED, Michael Zorn, Agent, shall coordinate the offerings and possible implementation of insurance products with the Administrator and/or Principals and appropriate representatives of AFLAC, and

BE IT FURTHER RESOLVED, a certified copy of this resolution shall be forwarded to the Board of Education Business Administrator.

RESOLUTION NO. 233-11

Subject: Acceptance of Donation

RESOLVED, that in accordance with the Superintendent’s recommendation, the Roxbury Township Board of Education accepts a donation from the Nixon School PTA in the amount of $2,400.00 for the purpose of purchasing a smart board package.
RESOLUTION NO. 234-11

Subject: Approval of Second Reading - Policy 8310 – Public Records

RESOLVED, that the Roxbury Township Board of Education approve the attached Policy 8310 Public Records for second reading. (Exhibit 3)

RESOLUTION NO. 235-11

Subject: Approval of Second Reading – Regulation R 8310 – Public Records

RESOLVED, that the Roxbury Township Board of Education approve the attached Regulation R 8310 Public Records for second reading. (Exhibit 4)

RESOLUTION NO. 236-11

Subject: Approval of Out-of-District Placements/Services – 2010/2011

RESOLVED, that in accordance with the Superintendent’s recommendation, the Roxbury Township Board of Education approves the 2010/2011 Out-of-District Placements/Services listed below.

<table>
<thead>
<tr>
<th>File Number</th>
<th>School or Provider</th>
<th>Total Cost</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>BAS005</td>
<td>Riverview School</td>
<td>$26,327.06</td>
<td>01/04/11 to 06/30/11</td>
</tr>
<tr>
<td>FRA003</td>
<td>Morris Plains School District</td>
<td>$11,491.00</td>
<td>09/07/10 to 06/23/11</td>
</tr>
<tr>
<td>MON005</td>
<td>Montgomery Academy</td>
<td>$46,377.84</td>
<td>09/20/10 to 06/30/11</td>
</tr>
</tbody>
</table>

RESOLUTION NO. 237-11

Subject: Approval of Superintendent’s Goals

RESOLVED, that the Roxbury Township Board of Education adopts the Superintendent’s Goals for the 2010/2011 school year as developed and resolved during the 2010 Board of Education Retreat.

RESOLUTION NO. 238-11

Subject: Approval of Second Reading - Policy 2360 – Use of Technology

RESOLVED, that the Roxbury Township Board of Education approve the attached Policy 2360 Use of Technology for second reading. (Exhibit 1)
RESOLUTION NO. 239-11

Subject: Approval of Second Reading - Policy 5516 – Use of Electronic Communication and Recording Devices (ECRD)

RESOLVED, that the Roxbury Township Board of Education approve the attached Policy 5516 Use of Electronic Communication and Recording Devices (ECRD) for second reading. (Exhibit 2)

Personnel

RESOLUTION NO. 240-11

Subject: Resignation – Coach – RHS

RESOLVED, that in accordance with the Superintendent’s recommendation, the resignation for personal reasons of Mr. Stephen Donnelly, Head Boys’ Lacrosse Coach for Roxbury High School, be accepted effective October 14, 2010.

RESOLUTION NO. 241-11

Subject: Leave of Absence – Secretarial Staff

RESOLVED, that in accordance with the Superintendent’s recommendation, Ms. Joanne Slinger, Accounts Payable Secretary in Central Office, be granted a leave of absence for medical reasons using available sick, personal and vacation days effective November 17, 2010 until released by her physician.

RESOLUTION NO. 242-11

Subject: Appointment – Buildings and Grounds Staff - RHS

RESOLVED, that in accordance with the Superintendent’s recommendation, Mr. John Kostialik be appointed to the position of Part-Time Weekend Custodian at Roxbury High School effective November 2, 2010 for the 2010/2011 school year. Mr. Kostialik is replacing Mr. Manuel Jimenez who was transferred to another position.

Salary: $12.00/Hour, 8 Hours/Day (not to exceed 20 Hours/Week)

A background search as required by State law has been successfully completed.

RESOLUTION NO. 243-11

Subject: Appointment – Food Service Staff - RHS

RESOLVED, that in accordance with the Superintendent’s recommendation, Ms. Irene Kalavriziotis be appointed as a substitute Cafeteria Worker at Roxbury High School effective November 2, 2010 for the 2010/2011 school year.

Salary: $10.65/Hour on as as-needed basis

A background search as required by State law has been successfully completed.
RESOLUTION NO. 244-11

Subject: Appointment - Substitute Teachers

RESOLVED, that in accordance with the Superintendent’s recommendation, the following be approved as substitute teachers for the 2010/2011 school year, contingent upon meeting all requirements according to state rules and regulations; remuneration to be in accordance with Board of Education Policy:

Bettina Beal
Chistrali Chaudhuri
Bethany Farace
Katherine Fattoross
Robin Gerber
Michele Goodhue
Barbara Hawco
Kelly Herzog
Nicole Hildebrandt
Rosalie LaDuca
Lorin Pontelandolfo
Eric Weaver

These appointments, where necessary are dependent upon successful completion of a background search as required by State law.

RESOLUTION NO. 245-11

Subject: Appointment – Coaches – RHS

RESOLVED, that in accordance with the Superintendent’s recommendation, the following personnel be appointed as Coaches at Roxbury High School for the 2010/2011 school year at the salary indicated.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Step</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gallagher, Bryan</td>
<td>Head Coach</td>
<td>3</td>
<td>$7,376</td>
</tr>
<tr>
<td>Campbell, Philip</td>
<td>Assistant Coach</td>
<td>3</td>
<td>$5,627</td>
</tr>
<tr>
<td>Miller, Dominic</td>
<td>Assistant Coach</td>
<td>3</td>
<td>$5,627</td>
</tr>
</tbody>
</table>

RESOLUTION NO. 246-11

Subject: Appointment – Athletic Event Worker

RESOLVED, that in accordance with the Superintendent’s recommendation, the staff listed below be approved for employment as an Athletic Event Worker for the 2010/2011 school year.

Jason Tannenholz

RESOLUTION NO. 247-11

Subject: Appointment – After School Instruction – RHS

RESOLVED, that in accordance with the Superintendent's recommendation, the following personnel be appointed as after-school English Resource Lab Teachers for the term November 15, 2010 through May 15, 2011 at a salary of $35 per hour not to exceed a total of four one-hour sessions per week. Salaries to be paid through ARRA funds.

<table>
<thead>
<tr>
<th>Name</th>
<th>After School Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sharon Baker</td>
<td>Roxbury High School</td>
</tr>
<tr>
<td>Shari Kaine</td>
<td>Roxbury High School</td>
</tr>
<tr>
<td>Maria Rispoli</td>
<td>Roxbury High School</td>
</tr>
<tr>
<td>Denise Tinquist</td>
<td>Roxbury High School</td>
</tr>
</tbody>
</table>
RESOLUTION NO. 248-11
Subject: Approval of First Reading – Policy 3144 – Certification of Tenure Charges
RESOLVED, that the Roxbury Township Board of Education approve the attached Policy 3144 Certification of Tenure Charges for first reading. (Exhibit 5)

RESOLUTION NO. 249-11
Subject: Approval of First Reading – Regulation R 3144 – Certification of Tenure Charges
RESOLVED, that the Roxbury Township Board of Education approve the attached Regulation R 3144 Certification of Tenure Charges for first reading. (Exhibit 6)

RESOLUTION NO. 250-11
Subject: Approval of First Reading – Policy 4159 – Support Staff Member/School District Reporting Responsibilities
RESOLVED, that the Roxbury Township Board of Education approve the attached Policy 4159 Support Staff Member/School District Reporting Responsibilities for first reading. (Exhibit 7)

RESOLUTION NO. 251-11
Subject: Leave of Absence – Food Service Staff
RESOLVED, that in accordance with the Superintendent’s recommendation, Ms. Linda Parrillo, Cafeteria Worker at Jefferson School, be granted an unpaid Intermittent Leave under the Family Medical Leave Act retroactive to October 27, 2010 through June 30, 2011.

RESOLUTION NO. 252-11
Subject: Resignation – Lead Teacher – EMS
RESOLVED, that in accordance with the Superintendent’s recommendation, the resignation for personal reasons of Ms. Lisa Manuppelli, Lead Teacher for Language Arts at the Eisenhower Middle School, be accepted effective November 1, 2010.

RESOLUTION NO. 253-11
Subject: Salary Adjustment – Extracurricular Advisors – EMS
RESOLVED, that in accordance with the Superintendent’s recommendation, the following personnel at the Eisenhower Middle School have their salary adjusted for the 2010/2011 school year.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Step</th>
<th>Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeffrey Mittag</td>
<td>Chess Club Advisor</td>
<td>3</td>
<td>$2,025</td>
</tr>
<tr>
<td>Marie Pessolano</td>
<td>Art Club Advisor</td>
<td>3</td>
<td>$2,025</td>
</tr>
</tbody>
</table>
RESOLUTION NO. 254-11

Subject: Appointment – After-School Instruction

RESOLVED, that in accordance with the Superintendent’s recommendation, the following personnel be appointed as after-school Basic Skills instructors for the term November 15, 2010 through May 15, 2011 at a salary of $35 per hour not to exceed three instructional hours and one prep hour per week. Salaries to be paid through ARRA funds.

<table>
<thead>
<tr>
<th>Name</th>
<th>After School Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Erin Allen</td>
<td>Eisenhower Middle School</td>
</tr>
<tr>
<td>Cheryl Provence</td>
<td>Eisenhower Middle School</td>
</tr>
<tr>
<td>Eileen Lockburner</td>
<td>Lincoln/Roosevelt</td>
</tr>
<tr>
<td>Nicole Regner</td>
<td>Lincoln/Roosevelt</td>
</tr>
<tr>
<td>Stacey Carroll</td>
<td>Franklin</td>
</tr>
<tr>
<td>Lauren Pirozzi</td>
<td>Jefferson</td>
</tr>
<tr>
<td>Michelle Clebak</td>
<td>Jefferson</td>
</tr>
<tr>
<td>Heather Lettieri</td>
<td>Kennedy</td>
</tr>
<tr>
<td>Brenda Wilson</td>
<td>Kennedy</td>
</tr>
<tr>
<td>Joyce Jose</td>
<td>Nixon</td>
</tr>
<tr>
<td>Jaclyn Pennella</td>
<td>Nixon</td>
</tr>
</tbody>
</table>
8310 PUBLIC RECORDS

The Board of Education recognizes its responsibility to maintain the public records of this district and to make such records available to residents of New Jersey for inspection and reproduction. The Board designates the School Business Administrator as the custodian of government records for the district.

Government Record or Record (N.J.S.A. 47:1A-1.1)

“Government records” or “records” pursuant to N.J.S.A. 47:1A-1.1 include any record that has been required by law to be made, maintained, or kept on file by the Board, its officials, or its employees. Except as such records that may be exempted by law or this policy, a “government record” or “record” means any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of the official business of the Board of Education or that has been received in the course of the official business of the Board of Education.

Board meeting minutes may be inspected and copied as soon as they are prepared; unapproved minutes will be so labeled. Minutes of executive/closed session Board meetings conducted in accordance with the Open Public Meetings Act will be preserved separately and will not be available for immediate public inspection. These minutes will be integrated with minutes of public meetings only after the matter discussed at the executive/closed session meeting has been made public.

A “government record” or “record” does not include inter-agency or intra-agency advisory, consultative, or deliberative material.

A “government record” or “record” does not include excluded information as outlined in N.J.S.A. 47:1A-1.1. The excluded information includes, but is not limited to, information which is deemed to be confidential as per N.J.S.A. 47:1A-1 et seq. Victims’ records; trade secrets and proprietary commercial or financial information; any record within the attorney-client privilege; administrative or
technical information regarding computer hardware, software and networks which, if disclosed, would jeopardize computer security; emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security; security measures and surveillance techniques and information which, if disclosed, would give an advantage to competitors or bidders are examples of excluded government records.

Information generated by or on behalf of the Board or Board employees in connection with any sexual harassment complaint field within the Board or with any grievance filed by or against an individual or in connection with collective negotiations, including documents and statements of strategy or negotiating position; information which is a communication between the district and its insurance carrier, administrative service organization or risk management office; information which is to be kept confidential pursuant to court order and that portion of any most documents which discloses the social security number, credit card number, unlisted telephone number or driver license number of any person; and personnel and pension records of any individual, except the individual’s name, title of position, salary, payroll record, length of service, date of separation and the reason therefore, the amount and type of pension he/she receives, and data, other than detailed medical or psychological information, that shows conformity with qualifications for employment and pensions are examples of excluded government records.

Test questions, scoring keys and other examination data pertaining to the administration of an examination for employment or academic examination; information concerning individual pupil records; grievance or disciplinary proceedings against a pupil to the extent disclosure would reveal the identity of the pupil; and all other information defined as not being a government record in N.J.S.A. 47:1A-1 et seq. are not government records.

Records of Investigation In Progress (N.J.S.A. 47:1A-3 et seq.)

Records which are sought to be inspected, copied, or examined pertain to an investigation in progress by the Board and/or administration will be inspected, copied and/or examined pursuant to N.J.S.A. 47:1A-3.
Inspection, Examination and Copying (N.J.S.A. 47:1A-5 et seq.)

The custodian will permit the government record to be inspected, examined, and copied pursuant to N.J.S.A. 47:1A-5 et seq. by any person during regular business hours. In the case of a Board of Education having a total district enrollment of 500 or fewer, the custodian will permit the records to be inspected, examined and copied during not less than six regular business hours over not less than three business days per week or the entity’s regularly-scheduled business hours, whichever is less, unless the government record is exempt from public access as per N.J.S.A. 47:1A-1 et seq.

Copy Purchase (N.J.S.A. 47:1A-5 et seq.)

Except as otherwise provided by law or regulation, the fee assessed for the duplication of a government record embodied in the form of printed matter shall be $.05 per letter size page or smaller, and $.07 per legal size page or larger. If the school district can demonstrate that its actual costs for duplication of a government record exceed the per page rates, the district shall be permitted to charge the actual cost of duplicating the record. The actual cost of duplicating the record, upon which all copy fees are based, shall be the cost of materials and supplies used to make a copy of the record, but shall not include the cost of labor or overhead expenses associated with making the copy except as provided for in N.J.S.A. 47:1A-5.c.

Actual copy costs for special copies, such as color printing or blueprints copied within the school district, shall be calculated separately. Access to electronic records and non-printed materials shall be provided free of charge, but the district may charge for the actual costs of any needed supplies such as computer discs.

If the district’s calculated per copy actual cost exceeds the enumerated rates set forth in N.J.S.A. 47:1A-5.b. the school district, if challenged, must demonstrate its actual costs are indeed higher than those enumerated rates and are therefore justified.

Whenever the nature, format, manner of collation, or volume of a government record embodied in the form of
Public Records

printed matter to be inspected, examined, or copied pursuant to this policy is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the district may charge, in addition to the actual cost of duplicating the record, a special service charge that will be reasonable and will be based upon the actual direct cost of providing the copy or copies. The custodian will provide the requestor an opportunity to review and object to the charge prior to it being incurred.

A custodian will permit access to a government record and provide a copy thereof in the medium requested if the district maintains the record in that medium. If the district does not maintain the record in the medium requested, the custodian will either convert the record to the medium requested to provide a copy in some other meaningful medium. If a request is for a record in a medium not routinely used by the district, not routinely developed or maintained by the district or requiring a substantial amount of manipulation or programming of information technology, the district may charge, in addition to the actual cost of duplication, a special charge that will be reasonable and based on the cost for any extensive use of information technology, or for the labor cost of personnel providing the service, that is actually incurred by the district or attributable to the district for the programming, clerical, and supervisory assistance required, or both.

Immediate access ordinarily will be granted to budgets, bills, vouchers, contracts, including collective negotiations agreements and individual employment contracts, and public employee salary and overtime information.

The custodian will adopt a form for the use of any person who requests access to a government record held or controlled by the district. The request form will include information in accordance with the requirements of N.J.S.A. 47:1A-5.f. Requests for access to a government record shall be in writing and hand-delivered or mailed to the custodian. The custodian will also accept a request for access to a government record that is transmitted electronically. The custodian will promptly comply with a request in accordance with N.J.S.A. 47:1A-5.g.
Any officer or employee of the district who receives a request for access to a government record will forward the request to the custodian of the record or direct the requestor to the custodian of the record.

The custodian will grant access to a government record or deny a request for access to a government record in accordance with N.J.S.A. 47:1A-5.i and as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived.

A custodian will post prominently in public view in the part of the office of the custodian that is open to or frequented by the public a statement that sets forth in clear, concise and specific terms the right to appeal a denial of, or failure to provide, access to a government record by any person for inspection, examination, or copying or for purchase of copies thereof and the procedure by which an appeal may be filed.

Challenge to Access Upon Denial (N.J.S.A. 47:1A-6)

A person who is denied access to a government record by the custodian, at the option of the requestor, may institute a proceeding to challenge the custodian's decision by filing an action in Superior Court or in lieu of filing an action in Superior Court, file a complaint with the Government Records Council established pursuant to section 8 of P.L.2001, c. 404 (C.47:1A-7). If it is determined that access was improperly denied, the court or agency head shall order that access be allowed. A requestor who prevails in any proceeding shall be entitled to a reasonable attorney's fee. A public official, officer, employee, or custodian who knowingly and willfully violates N.J.S.A. 47:1A-1 et seq. and is found to have unreasonably denied access under the totality of the circumstances, shall be subject to the penalties and disciplinary proceedings in accordance with N.J.S.A. 47:1A-11.

Government Records Council (N.J.S.A. 47:1A-7 et seq.)

The Board and the custodian of records will comply with the requirements and guidelines from the Government Records Council in accordance with N.J.S.A. 47:1A-7.
Common Right Law Right of Access (N.J.S.A. 47:1A-8)

Nothing contained in N.J.S.A. 47:1A-1 et seq. will be construed as limiting the common law right of access to a government record, including criminal investigative records of a law enforcement agency.

Construction with Other Laws (N.J.S.A. 47:1A-9 et seq.)

The provisions of this policy and N.J.S.A. 47:1A-1 et seq. shall not abrogate any exemption of a public or government record from public access heretofore made pursuant to N.J.S.A. 47:1A-1 et seq.; any other statute; resolution of either or both Houses of the Legislature; regulation promulgated under the authority of any statute or Executive Order of the Governor; Executive Order of the Governor; Rules of Court; any Federal law; Federal regulation; or Federal order.

The provisions of this policy and N.J.S.A. 47:1A-1 et seq. shall not abrogate or erode any executive or legislative privilege or grant of confidentiality heretofore established or recognized by the Constitution of this State, statute, court rule or judicial case law, which privilege or grant of confidentiality may duly be claimed to restrict public access to a public or government record.

N.J.S.A. 10:4-14
N.J.S.A. 47:1A-1.1 et seq.

Cross reference: Policy Guide No. 0168

 Adopted: 4 November 2002
 Revised: 1 November 2010
A. Definitions (N.J.S.A. 47:1A-1.1)

“Board” means the Roxbury Board of Education, school staff, including members of the administration, and any persons acting on behalf of the Board of Education.

“Public” or “agency” means any of the principal departments in the Executive Branch of State Government, and any division, board, bureau, office, commission or other instrumentality within or created by such department; the Legislature of the State and any office, board, bureau or commission within or created by the Legislative Branch; and any independent State authority, commission, instrumentality, or agency. The terms also mean any political subdivision of the State or combination of political subdivisions, and any division, board, bureau, office, commission or other instrumentality within or created by a political subdivision of the State or combination of political subdivisions, and any independent authority, commission, instrumentality, or agency created by a political subdivision or combination of political subdivisions.

“Custodian of a government record” or “custodian” is the officer officially designated by formal action of the Board of Education.

B. Government Record or Record N.J.S.A. 47:1A-1.1)

1. Any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of his or its official business of the Board of Education or that has been received in the course of his or its official business of the Board of Education.

2. A government record or record does not include inter-agency or intra-agency advisory, consultative, or deliberative material.
3. A government record or record does not include excluded information as outlined in N.J.S.A. 47:1A-1.1. The excluded information includes, but is not limited to, the following information which is deemed to be confidential as per N.J.S.A. 47:1A-1 et seq.:

a. Victims records, except that a victim of a crime shall have access to the victim's own records;

b. Trade secrets and proprietary commercial or financial information obtained from any source. Trade secrets shall include data processing software obtained by the district under a licensing agreement which prohibits its disclosure;

c. Any record within the attorney-client privilege. This will not be construed as exempting from access attorney or consultant bills or invoices except that such bills or invoices may be redacted to remove any information protected by the attorney-client privilege;

d. Administrative or technical information regarding computer hardware, software and networks that, if disclosed, would jeopardize computer security;

e. Emergency or security information or procedures for any buildings or facility that, if disclosed, would jeopardize security of the building or facility or persons therein;

f. Security measures and surveillance techniques that, if disclosed, would create a risk to the safety of persons, property, electronic data or software;

g. Information that, if disclosed, would give an advantage to competitors or bidders;

h. Information generated by or on behalf of the Board or Board employees in connection with any sexual harassment complaint filed within the Board or with any grievance filed by or against an individual or in connection with collective negotiations, including documents and statements of strategy or negotiating position;
i. Information that is a communication between the district and its insurance carrier, administrative service organization or risk management office;

j. Information that is to be kept confidential pursuant to court order;

k. That portion of any document which discloses the social security number, credit card number, unlisted telephone number or driver license number of any person; except for use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf thereof, or any private person or entity seeking to enforce payment of court-ordered child support; except with respect to the disclosure of driver information by the Division of Motor Vehicles as permitted by section of P.L.1997, c. 188 (C.39:2-3.4); and except that a social security number contained in a record required by law to be made, maintained or kept on file by a public agency shall be disclosed when access to the document or disclosure of that information is not otherwise prohibited by State or federal law, regulation or order or by State statute, resolution of either or both houses of the Legislature, Executive Order of the Governor, rule of court or regulation promulgated under the authority of any statute or executive order of the Governor;

l. Personnel and pension records of an individual, including records relating to any grievance filed by or against an individual, except the individual’s name, title, position, salary, payroll record, length of service, date of separation and the reason therefore, the amount and type of pension he/she receives, and data, other than detailed medical or psychological information, that shows conformity with qualifications for employment and pensions. Personnel or pension records of any individual shall be accessible when required to be disclosed by law, when disclosure is essential to the performance of official duties of a person duly authorized by this State or the United States, or when authorized by an individual in interest;
m. Test questions, scoring keys and other examination data pertaining to the administration of an examination for employment or academic examination;

n. Information concerning pupil records or grievance or disciplinary proceedings against a pupil to the extent disclosure would reveal the identity of the pupil; and

o. All other information listed as being confidential and not a government record as defined in N.J.S.A. 47:1A-1.1.

C. Records of Investigation In Progress (N.J.S.A. 47:1A-3)

1. Notwithstanding the provisions of N.J.S.A. 47:1A:1 et seq., where it appears the record or records which are sought to be inspected, copied, or examined shall pertain to an investigation in progress by the Board and/or administration:

   a. The right to inspection, copying and/or examination may be denied if the inspection, copying or publication of such record or records will be inimical/detrimental to the public interest. This provision will not be construed to prohibit the Board and/or custodian from opening such record or records if not otherwise prohibited by law or to prohibit access to a record that was open for public inspection, examination, or copying before the investigation commenced; and

   b. If the Board, during the course of an investigation, obtains from another public agency a government record that was open for public inspection, examination or copying before the investigation commenced, the Board will provide the other agency with sufficient access to the record to allow the other agency to comply with requests made pursuant to N.J.S.A. 47:1A-1 et seq.

2. Notwithstanding the provisions of N.J.S.A. 47:1A-1 et seq., the information concerning a criminal investigation will be available to the public in accordance with N.J.S.A. 47:1A-3.b.
D. Inspection, Examination and Copying (N.J.S.A. 47:1A-5)

1. The custodian will permit the government record to be inspected, examined, and copied by any person during regular business hours. In the case of a Board of Education having a total district enrollment of 500 or fewer the custodian will permit the records to be inspected, examined and copied during not less than six regular business hours over not less than three business days per week or the entity’s regularly-scheduled business hours, whichever is less, unless the government record is exempt from public access as per N.J.S.A. 47:1A-5.a.

2. Prior to allowing access to any government record, the custodian will redact from that record any information which discloses the social security number, credit card number, unlisted telephone number, or driver license number of any person, except:
   a. If the record is being used by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf thereof, or any private person or entity seeking to enforce payment of court-ordered child support;
   b. With respect to the disclosure of driver information by the Division of Motor Vehicles as permitted by section 2 of P.L.1997, c. 188 (C.39:2-3.4);
   c. That a social security number contained in a record required by law to be made, maintained or kept on file by a public agency shall be disclosed when access to the document or disclosure of that information is not otherwise prohibited by State or federal law, regulation or order or by State statute, resolution of either or both houses of the Legislature, Executive Order of the Governor, rule of court or regulation promulgated under the authority of any statute or executive order of the Governor; and
   d. Where an agency can demonstrate an emergent need, a regulation that limits access to government records
shall not be retroactive in effect or applied to deny a request for access to a government record that is pending before the agency, the council or a court at the time of the adoption of the regulation.

E. Copy Purchase (N.J.S.A. 47:1A-5 et seq.)

1. The custodian shall charge the requestor a fee for a copy or copies of a government record in accordance with the provisions of N.J.S.A. 47:1A-5.b. Except as otherwise provided by law or regulation, the fee assessed for the duplication of a government record embodied in the form of printed matter shall be $.05 per letter size page or smaller, and $.07 per legal size page or larger.

   a. If the school district can demonstrate that its actual costs for duplication of a government record exceed the per page rates, the school district shall be permitted to charge the actual cost of duplicating the record. The actual cost of duplicating the record, upon which all copy fees are based, shall be the cost of materials and supplies used to make a copy of the record, but shall not include the cost of labor or overhead expenses associated with making the copy except as provided for in N.J.S.A. 47:1A-5.c. and E.2. below.

   b. The calculation of actual costs shall be as follows:

      (1) The custodian should contact the school district’s supplier(s) to determine the cost of paper and toner. A supplier is wherever the district obtains copying materials such as paper and toner.

      (2) The custodian should calculate or contact the copying company to determine the school district’s annual school year copying volume. This volume shall not only include copies pertaining to OPRA requests, but shall include all copying on all copy machines in the district for all purposes.

      (3) The custodian should contact the copying company to determine the average paper life of one toner/ink cartridge (i.e. how many pieces of paper the ink or toner should be able to copy).
(4) The custodian shall maintain documentation of all information provided by the copying company or office supplier (i.e. contracts or correspondence from purchasing agent or copying company) regarding this calculation.

(5) The actual calculation is the total cost of paper purchased for one school year plus the total cost of toner purchased for one school year divided by the annual copying volume. This calculation can be averaged for all copy machines in the district that produce letter and legal copies.

(6) Actual copy costs for special copies, such as color printing or blueprints copied within the school district, shall be calculated separately.

c. If the district's calculated per copy actual cost exceeds the enumerated rates set forth in N.J.S.A. 47:1A-5.b. and E.1. above, the school district, if challenged, must demonstrate its actual costs are indeed higher than those enumerated rates and are therefore justified.

d. Access to electronic records and non-printed materials shall be provided free of charge, but the district may charge for the actual costs of any needed supplies such as computer discs.

2. Whenever the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied pursuant to this Regulation is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the district may charge, in addition to the actual cost of duplicating the record, a special service charge that will be reasonable and will be based upon the actual direct cost of providing the copy or copies. The custodian will provide the requestor an opportunity to review and object to the charge prior to it being incurred.
3. A custodian shall permit access to a government record and provide a copy thereof in the medium requested if the district maintains the record in that medium. If the district does not maintain the record in the medium requested, the custodian will either convert the record to the medium requested or provide a copy in some other meaningful medium.

4. If a request is for a record in a medium not routinely used by the district; not routinely developed or maintained by the district or requiring a substantial amount of manipulation or programming of information technology, the district may charge, in addition to the actual cost of duplication, a special charge that will be reasonable and based on the cost for any extensive use of information technology, or for the labor cost of personnel providing the service, that is actually incurred by the district or attributable to the district for the programming, clerical, and supervisory assistance required, or both.

5. Immediate access ordinarily will be granted to budgets, bills, vouchers, contracts, including collective negotiations agreements and individual employment contracts, and public employee salary and overtime information.

6. The custodian will adopt a form for the use of any person who requests access to a government record held or controlled by the public agency. The form will provide:
   a. Space for the name, address, and phone number of the requestor and a brief description of the government record sought;
   b. Space for the custodian to indicate which record will be made available, when the record will be available, and the fees to be charged;
   c. Specific directions and procedures for requesting a record;
   d. A statement as to whether prepayment of fees or a deposit is required;
e. The time period within which the school district is required by N.J.S.A. 47:1A-1 et seq. to make the record available;

f. A statement of the requestor's right to challenge a decision to deny access and the procedure for filing an appeal;

g. Space for the custodian to list reasons if a request is denied in whole or in part;

h. Space for the requestor to sign and date the form; and

i. Space for the custodian to sign and date the form if the request is fulfilled or denied.

7. The custodian may require a deposit against costs for reproducing documents sought through an anonymous request whenever the custodian anticipates that the information thus requested will cost in excess of $5.00 to reproduce.

8. Request for access to a government record shall be in writing and hand-delivered or mailed to the custodian. The custodian will also accept a request for access to a government record that is transmitted electronically.

9. The custodian will promptly comply with a request to inspect, examine, copy, or provide a copy of a government record.

10. If the custodian is unable to comply with a request for access, the custodian will indicate the specific basis therefore on the request form and promptly return it to the requestor.

11. The custodian will sign and date the form and provide the requestor with a copy thereof.

12. If the custodian asserts that part of a particular record is exempt from public access pursuant to N.J.S.A. 47:1A-1 et seq. the custodian will delete or excise from a copy of the record that portion which the custodian asserts is exempt from access and shall promptly permit access to the remainder of the record.
13. If the government record requested is temporarily unavailable because it is in use or in storage, the custodian will advise the requestor and will make arrangements to promptly make available a copy of the record.

14. If a request for access to a government record would substantially disrupt school district operations, the custodian may deny access to the record after attempting to reach a reasonable solution with the requestor that accommodates the interests of the requestor and the district.

15. Any officer or employee of the district who receives a request for access to a government record will forward the request to the custodian of the record or direct the requestor to the custodian of the record.

16. Unless a shorter time period is otherwise provided by statute, regulation, or executive order, the custodian will grant access to a government record or deny a request for access to a government record as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived.

   a. In the event the custodian fails to respond within seven business days after receiving a request, the failure to respond will be deemed a denial of the request, unless the requestor has elected not to provide a name, address or telephone number, or other means of contacting the requestor.

   b. If the requestor has elected not to provide a name, address, or telephone number, or other means of contacting the requestor, the custodian will not be required to respond until the requestor reappears before the custodian seeking a response to the original request.

   c. If the government record is in storage or archived, the requestor will be so advised within seven business days after the custodian receives the request. The requestor will be advised by the custodian when the record can be made available. If the record is not made available by that time, access shall be deemed denied.
17. A custodian will post prominently in public view in the part or parts of the office or offices of the custodian that are open to or frequented by the public a statement that sets forth in clear, concise and specific terms the right to appeal a denial of, or failure to provide, access to a government record by any person for inspection, examination, or copying or for purchase of copies thereof and the procedure by which an appeal may be filed.

F. Challenge to Access Upon Denial (N.J.S.A. 47:1A-6)

1. A person who is denied access to a government record by the custodian, at the option of the requestor, may:

   a. Institute a proceeding to challenge the custodian’s decision by filing an action in Superior Court; or

   b. In lieu of filing an action in Superior Court, file a complaint with the Government Records Council established pursuant to section 8 of P.L.2001, c. 404 (C.47:1A-7).

2. The right to institute any proceeding under N.J.S.A. 47:1A-6 will be solely that of the requestor. Any such proceeding shall proceed in a summary or expedited manner. The Board will have the burden of proving that the denial of access is authorized by law. If it is determined that access has been improperly denied, the court or agency head shall order that access be allowed. A requestor who prevails in any proceeding shall be entitled to a reasonable attorney’s fee.

G. Government Records Council (N.J.S.A. 47:1A-7)

The Board and the custodian of records will comply with the requirements and guidelines from the Government Records Council in accordance with N.J.S.A. 47:1A-7.

H. Common Right Law Right of Access (N.J.S.A. 47:1A-8)

Nothing contained in N.J.S.A. 47:1A-1 et seq. shall be construed as limiting the common law right of access to a government record, including criminal investigative records of a law enforcement agency.
I. Construction with Other Laws (N.J.S.A. 47:1A-9 et seq.)

1. The provisions of this Regulation and N.J.S.A. 47:1A-1 et seq. shall not abrogate any exemption of a public record or government record from public access heretofore made pursuant to N.J.S.A. 47:1A-1 et seq.; any other statute; resolution of either or both Houses of the Legislature; regulation promulgated under the authority of any statute or Executive Order of the Governor; Executive Order of the Governor; Rules of Court; any Federal law; Federal regulation; or Federal order.

2. The provisions of this Regulation and N.J.S.A. 47:1A-1 et seq. shall not abrogate or erode any executive or legislative privilege or grant of confidentiality heretofore established or recognized by the Constitution of this State, statute, court rule or judicial case law, which privilege or grant of confidentiality may duly be claimed to restrict public access to a public record or government record.

Adopted: 4 November 2002
Revised: 1 November 2010
The Board of Education recognizes that the use of technology in the educational process is essential as part of the schooling experience. Technology is to be viewed as a tool to enhance the learning process among other tools that are required for teachers and students to fully explore the curriculum. In addition, technology can be used to enhance the administration of the schools and the district. In order to provide direction and meaning to the use of technology as an instructional tool, the Board directs that the Superintendent and the teaching and support staff use technology as a regular part of the learning process in every area of the curricular area.

For purposes of this policy "technology" means the use of computers and computer peripherals, communications networks, access to databases and libraries of information and the integration of audio, video, multimedia devices and media for purposes of teaching and learning.

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

Curricular, Instructional and Administrative Need

The technology plan shall define the curricular, instructional and administrative need for technological equipment and media for each area of instruction and shall project the need to the extent possible for a five year period.

In-service Education

The Board shall provide opportunities to participate in in-service programs for employees on all hardware or software programs to be used in the execution of educational and administrative tasks. In-service programs may be provided on or off site. The cost of tuition for in-service programs may be reimbursed by the Board.
Standards, Codes and References

All technology installations shall conform to the following standards, codes and references N.J.S.A. 18A, N.J.A.C. 5:23 and 6:22, BOCA National Building Code, NEMA, EIA/TIA 568 and 569 (Electronics Industry Association/Telecommunications Industry Association), LPC NFPA 78 (Lighting Protection code) IEEE 802.3 - Ethernet and 802.5 Token Ring (Institute of Electrical and Electronic Engineers), UL (Underwriter's Laboratories), ANSI (American National Standards Institute) and ADA (Americans with Disabilities Act).

Facilities Planning

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

Computers

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

Computer Software Acquisition and Upgrading

The school district will only support the specified software and updates and training. Staff members shall not purchase software that has not been included on a list of specified software or has been approved by the Supervisor of Curriculum and Instruction and/or the Supervisor of Technology.

The Board will purchase upgrades to software on a periodic basis. An evaluation of upgrades shall be made by appropriate personnel and no upgrade shall be purchased without the express approval of the Supervisor of Curriculum and Instruction and/or the Supervisor of Technology.
Site Licenses

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

Software Copyright

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

Internal Communication (District)

The school district shall provide communication between schools by a variety of means including but not limited to: Backbone Media Distribution, Unshielded Twisted Pair, Coaxial Cable, and/or Fiber Optic Cable.

External Communications

The Board encourages the use of external communications so that the schools may utilize the vast resources of external databases and communicate with other schools, external agencies and business throughout the world. The Roxbury Public Schools will employ reasonable precautions which attempts to ensure that the use of telecommunications is a safe learning environment for students and staff.

Equipment Acquisition

The school district shall acquire technology equipment through direct purchase or lease purchase.

All technology equipment shall be considered to have a useful life of five years. The Superintendent or designee shall develop a plan for the continual replacement and upgrading of equipment.
Computer Laboratories and Distributed Computing

In order to provide teacher, staff and pupil access to computers the Board directs that provisions be made as follows:

Computer Laboratories

The Board may provide computer laboratories where clusters of computers and computer peripherals are available. When computer laboratories are provided, they shall be accessible to all teachers and pupils who have a defined educational need for computing facilities.

Audio/Video

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

Interactive Television

Teachers or pupils may participate in interactive television courses provided in conjunction with other educational institutions. Full credit may be obtained by pupils by participating in such courses. If the teacher involved is not the teacher of the course but rather a proctor, such assignment shall be counted as a duty rather than an instructional assignment.

Informing Parents, Legal Guardians and Interested Parties

The Superintendent or designee shall inform parent(s) or legal guardian(s) of computers and software purchased by the district in order that a computer purchased privately for home use may be compatible with the computer and software the pupil uses in the school setting.

Technology Coordination

The Superintendent shall appoint a district wide Supervisor of Technology to assure the technology needs of the district are met in the most efficient manner possible at the lowest costs available to meet specified needs. The position of Supervisor of Technology shall be full time.
The Superintendent shall prepare a job description for the Supervisor of Technology.

Instructional Media Center/Library

The Instructional Media Center/Library shall be the division of each school responsible for coordinating the distribution and use of educational technology throughout the school. The Center shall contain the electronic media distribution system and shall make the system available throughout the school and to the external world by way of Internet access. To the extent possible, the IMC/Library shall acquire data and publications electronically to facilitate distribution and use. Teachers, students, and staff shall be given the opportunity to indicate data and publication needs. All items available through the IMC/Library shall be cataloged electronically and are to be available through the school's computer network. To avoid duplication, all media and software purchases shall be coordinated through the IMC/Library and approved by the Supervisor of Technology and the school principal. In determining approval, the following factors shall be taken into account:

1. The title of the material;
2. Any recognized rating of the material (e.g. motion picture industry rating);
3. The relevance to the curriculum;
4. The cost of the media or software;
5. The viability of the company producing the software.

Broadcast Rights and Copyrights

The Board specifically retains the Broadcast rights and copyrights to all materials created by employees of the Board as part of their responsibilities to the Board. Any financial remuneration for the use of such materials shall be retained by the Board and specifically dedicated to enhance technology used as part of the educational program.
Computer Security

The Superintendent shall develop security procedures to include, but not be limited to, the following areas:

1. Physical Security of Equipment

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

2. Data Security

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

3. Employee Training

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

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

4. Transaction Audit Trail

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

5. Security Officer

   The Superintendent shall designate the System Administrator to monitor system security procedures.
Use of Facsimile (FAX) Machines

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

N.J.A.C. 6:22-5.4
17 U.S.C. 101 et seq.

Adopted: 5 November 2001
Revised: 1 November 2010
The Board of Education believes pupils and/or school staff members should not be subject to having a video or audio recording taken of any pupil(s) or school staff member(s) for any purpose without the consent of the pupil, the pupil’s parent or guardian, and/or the school staff member. In addition to protecting the privacy rights of pupils and school staff members, the Board recognizes such recordings can be disruptive to the educational program. In addition, inappropriate recordings of educational material, pupil assessment instruments, and/or pupil assessment reviews can be used to compromise the integrity of the district’s educational program or lead to academic dishonesty in the event such recordings are stored and/or transmitted to other pupils. Therefore, the Board of Education adopts this Policy regarding pupil use of electronic communication and recording devices.

“Electronic communication and recording device (ECRD)” includes any device with the capability to audio or video record or is capable of receiving or transmitting any type of communication between persons. An ECRD includes, but is not limited to, cameras, cellular and wireless telephones, pagers/beepers, laptop computers, electronic readers, personal digital assistants (PDAs), two-way radios, portable fax machines, video broadcasting devices, and any other device that allows a person to record and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other information.

A pupil is not permitted to have turned on or use an ECRD on school grounds during the school day or when the pupil is participating in a curricular or school-sponsored co-curricular activity. A pupil’s personal ECRD may only be used on school grounds in an emergency situation or with the permission of a school staff member supervising the pupil in a curricular or school-sponsored co-curricular activity. Any audio and/or video recording by a pupil using their personal ECRD with permission of a school staff member while participating in a curricular or school-sponsored activity where other pupils or staff members are present shall require the permission for such recording from
any other pupil and their parents or guardians and/or staff members whose voice or image is to be recorded. This Policy is not intended to prohibit appropriate use of electronic devices for authorized or approved official curricular or school-sponsored co-curricular activities such as yearbook photographs, staff member/teacher-directed and approved activities, classroom presentations, and athletic events and drama production filming. A pupil authorized or approved to use an ECRD may not use an ECRD to access internet sites or view information or internet-based material that is inappropriate or would be blocked from pupil access by the school district’s acceptable use of computers and networks policy. Nothing in this Policy is intended to prevent a pupil from using their personal ECRD and recording school-sponsored co-curricular activities as a non-participant when the activity is open to the general public.

For the purposes of this policy, “school grounds” means and includes land, portions of land, structures, buildings, and structures that support these buildings, including, but not limited to, administrative buildings, kitchens, maintenance shops, and garages. “School grounds” also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and other recreational places owned by the local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land.

An ECRD used in violation of this Policy will be confiscated by a school staff member or Principal or designee and the pupil will be subject to appropriate disciplinary action.

A pupil shall not bring or possess any remotely activated paging device on any school grounds, including on a school bus or at a school-sponsored function, at any time and regardless of whether school is in session or other persons are present without the express written permission of the Building Principal. The pupil must submit a written request and establish to the satisfaction of the Building Principal a reasonable basis for the possession of the device. The written request must include the purpose for the pupil possessing and/or bringing the device on school property and the date or dates in which the pupil requests to possess and/or bring the device on school property. The written request must also include the date in which the pupil will no longer need to bring and/or possess the device on school property.
The Building Principal, upon reviewing the request from the pupil, will make a determination. The determination will be in writing and if approved, written permission for the pupil to bring and/or possess a remotely activating paging device will be provided to the pupil. Permission will only be provided for one school year.

The pupil must submit a new request if the time in which permission is given to bring and/or possess a device expires. The pupil that is granted permission to possess and/or bring the device must be in the possession of the device at all times. The Principal or designee shall immediately notify the Superintendent of Schools and the appropriate criminal justice or juvenile justice agency if a pupil brings or possesses a remotely activated paging device in violation of N.J.A.C. 6A:16-5.8 and this Policy.

A pupil who is an active member in good standing of a volunteer fire company, first aid, ambulance or rescue squad may bring or possess a remotely activated paging device on school property only if the pupil is required to respond to an emergency and the pupil provides a statement to the Building Principal from the chief executive officer of the volunteer fire company, first aid, ambulance or rescue squad authorizing the possession of the device by the pupil at all times and that the pupil is required to respond to an emergency.

The Principal or designee will confiscate the remotely activated paging device, take appropriate disciplinary action and shall immediately notify the Superintendent of Schools and the appropriate criminal justice or juvenile justice agency if a pupil brings or possesses a remotely activated paging device in violation of N.J.A.C. 6A:16-5.8 and this Policy.

N.J.S.A. 2C:33-13
N.J.A.C. 6A:16-5.8

Adopted: 1 November 2010
Tenure charges may be instituted against a tenured teaching staff member of the district in accordance with the provisions of N.J.A.C. 6A:3-5.1 et seq. In all instances of the filing and certification of tenure charges, other than for reasons of inefficiency, the procedures and timelines outlined in N.J.A.C. 6A:3-5.1(b) shall be observed. In the event the tenure charges are charges of inefficiency, except in the case of Building Principals and Vice Principals in school districts under full State intervention, where procedures are governed by the provisions of N.J.S.A. 18A:7A-45 and such rules as may be promulgated to implement it, the procedures and timelines outlined in N.J.A.C. 6A:3-5.1(c) shall be observed.

Filing and service of petition of appeal as outlined in N.J.A.C. 6A:3-1.3, shall not apply in a case of charges preferred before the Commissioner of Education against an employee of a Board of Education or of a school district under full State intervention pursuant to the Tenure Employees' Hearing Act. In place of the usual petition, the Board of Education or the State District Superintendent shall file the written charges and the required certificate of determination with the Commissioner together with the name of the attorney who is anticipated for administrative purposes will be representing the Board of Education or State District Superintendent and proof of service upon the employee and the employee's representative, if known. Such service shall be at the same time and in the same manner as the filing of charges with the Commissioner.

In accordance with N.J.S.A. 34:13A-24, fines and suspensions imposed as minor discipline shall not constitute a reduction in compensation pursuant to the provisions of N.J.S.A. 18A:6-10 where the negotiated agreement between the Board of Education and the majority representative of the employees in the appropriate collective bargaining unit provides for such discipline. In these cases, tenure charges shall not be filed in order to impose minor discipline on a person serving under tenure.

The Board of Education or the State District Superintendent shall determine whether there is probable cause to credit the evidence in support of the charges and whether such charges, if credited, are sufficient to warrant a dismissal or reduction of salary. Pursuant to N.J.S.A. 18A:6-11, all deliberations and actions of the Board of Education with respect to such charges
shall take place at a closed/executive session meeting. In the event the Board of Education or the State District Superintendent finds that such probable cause exists and that the charges, if credited, are sufficient to warrant a dismissal or reduction of salary, then the Board or the State District Superintendent shall file such written charges with the Commissioner. The charge(s) shall be stated with specificity as to the action or behavior underlying the charges or the nature of the alleged inefficiency and shall be accompanied by the required certificate of determination together with the name of the attorney who is anticipated for administrative purposes will be representing the Board of Education or State District Superintendent and proof of service upon the employee and the employee's representative, if known. Such service shall be at the same time and in the same manner as the filing of charges with the Commissioner.

The certificate of determination which accompanies the written charges shall contain a certification including that a determination was made of the charges and the evidence in support of the charges are sufficient, if true in fact, to warrant dismissal or a reduction in salary; of the date, place and time of the meeting at which such determination was made and whether or not the employee was suspended and, if so, whether such suspension was with or without pay; that such determination was made by a majority vote of the full Board or by the State District Superintendent in accordance with N.J.S.A. 18A:7A-39; and in the case of a charge of inefficiency, that the employee was given at least ninety days prior written notice of the nature and particulars of the alleged inefficiency.

An individual against whom tenure charges are certified shall file a written response to the charges in accordance with the provisions of N.J.A.C. 6A:3-5.3 et seq. The Commissioner shall determine whether such charge(s) are sufficient, if true, to warrant dismissal or reduction in salary in accordance with the provisions of N.J.A.C. 6A:3-5.5 et seq. Any withdrawal, settlement, or mooring of tenure charges shall be in accordance with the provisions of N.J.A.C. 6A:3-5.6.

Certification of tenure charges for teaching staff members, janitors, and secretaries in a Charter School shall be governed by N.J.A.C. 6A:11-6.1 et seq.

N.J.A.C. 6A:3-5.1; 6A:3-5.2; 6A:3-5.3; 6A:3-5.5; 6A:3-5.6
6A:9-17.4; 6A:9-17.5

Adopted: 5 November 2001

Revised:
R 3144 CERTIFICATION OF TENURE CHARGES

Filing of Written Charges and Certificate of Determination

A. Procedures and Timelines

1. In all instances of the filing and certification of tenure charges, other than for reasons of inefficiency, the following procedures and timelines shall be observed:

   a. Charges shall be stated with specificity as to the action or behavior underlying the charges and shall be filed in writing with the Secretary of the Board of Education or the State District Superintendent, accompanied by a supporting statement of evidence, both of which shall be executed under oath by the person or persons instituting such charges.

   b. Charges along with the required sworn statement of evidence shall be transmitted to the affected tenured employee and the employee's representative, if known, within three working days of the date they were filed with the Secretary of the Board of Education or the State District Superintendent. Proof of mailing or hand delivery shall constitute proof of transmittal.

   c. The affected tenured employee shall have an opportunity to submit to the Board of Education or the State District Superintendent a written statement of position and a written statement of evidence, both of which shall be executed under oath with respect thereto within fifteen days of receipt of the tenure charges.

   d. Upon receipt of the tenured employee's written statements of position and evidence under oath, or upon expiration of the allotted fifteen-day time period, the Board of Education shall determine by a majority vote of its full membership, or the State District Superintendent shall determine, within forty-five days whether
there is probable cause to credit the evidence in support of the charges and whether such charges, if credited, are sufficient to warrant a dismissal or reduction of salary.

e. The Board of Education or the State District Superintendent shall, within three working days, provide written notification of the determination to the employee against whom the charge has been made, in person or by certified mail to the last known address of the employee and the employee's representative, if known.

f. In the event the Board of Education or the State District Superintendent finds that such probable cause exists and the charges, if credited, are sufficient to warrant a dismissal or reduction of salary, then the Board or the State District Superintendent shall, within fifteen days, file such written charges with the Commissioner. The charges shall be stated with specificity as to the action or behavior underlying the charges and shall be accompanied by the required certificate of determination together with the name of the attorney who is anticipated for administrative purposes will be representing the Board or State District Superintendent and proof of service upon the employee and the employee's representative, if known. Such service shall be at the same time and in the same manner as the filing of charges with the Commissioner.

g. Pursuant to N.J.S.A. 18A:6-11, all deliberations and actions of the Board of Education with respect to such charges shall take place at a closed/executive session meeting.

2. In the event the tenure charges are charges of inefficiency, except in the case of Building Principals and Vice Principals in school districts under full State intervention where procedures are governed by the provisions of N.J.S.A. 18A:7A-45 and such rules as may be promulgated to implement it, the following procedures and timelines shall be observed:

a. Initial charges of inefficiency shall be stated with specificity as to the nature of the inefficiency alleged and filed by the
appropriate administrator with the Secretary of the Board of Education or the State District Superintendent along with a statement of evidence in support thereof executed under oath. In the event the charges are against the Chief School Administrator, they shall be filed, along with the required statement of evidence, by a designated Board member(s) upon the direction of the Board of Education as ascertained by majority vote of the full Board.

b. The Board of Education, through its Board Secretary, or the State District Superintendent, upon receipt of the charges of inefficiency and the written statement of evidence in support thereof shall cause a copy of same to be transmitted to the affected employee and the employee's representative, if known, within three working days. Proof of mailing or hand delivery shall constitute proof of transmittal.

c. The Board of Education, through its Board Secretary, or the State District Superintendent shall direct that the employee be informed in writing that, unless such inefficiencies are corrected within the minimal ninety-day period, or any longer period provided by the Board of Education or State District Superintendent, the Board or the State District Superintendent intends to certify those charges of inefficiency to the Commissioner pursuant to N.J.S.A. 18A:6-11.

d. Concurrent with notifying the employee of such charges of inefficiency, the Board of Education or the State District Superintendent shall direct that there be a modification of the individual professional improvement plan mandated by N.J.A.C. 6A:32-4.3 or 4.4, to assure that such plan addresses the specific charges of inefficiency and complies with the timelines established for correction.

e. Upon completion of the minimal ninety-day period for improvement, or such longer period as may be provided by the Board of Education or the State District Superintendent, the administrator(s)
responsible for bringing such charges to the attention of the Board or the State District Superintendent shall notify the Board or the State District Superintendent in writing of what charges, if any, have not been corrected. In the event the charges are against a Chief School Administrator, the Board of Education shall determine by majority vote of the full Board what charges, if any, have not been corrected.

f. The Board of Education or the State District Superintendent, upon receipt of the written notification or upon the Board's determination in the case of a Chief School Administrator, shall notify the affected employee in writing that all of the inefficiencies have been corrected or, in the alternative, which of the inefficiencies have not been corrected. The time from the expiration of the minimal ninety-day period, or such longer period as may be provided by the Board of Education or the State District Superintendent, to the notification of the employee by the Board of Education or the State District Superintendent shall not exceed thirty calendar days.

g. In the event that certain charges of inefficiency have not been corrected, the affected employee shall have an opportunity to respond within fifteen days of the receipt of said notification of inefficiency by filing a statement of evidence under oath in opposition to those charges.

h. Upon receipt of such written statement of evidence under oath or upon expiration of the allotted fifteen-day time period, the Board of Education shall determine by a majority vote of its full membership, or the State District Superintendent shall determine, within forty-five days, whether there is probable cause to credit the evidence in support of the charges and that such charges, if credited, are sufficient to warrant a dismissal or reduction in salary.
i. In the event the Board of Education or the State District Superintendent finds that such probable cause exists and that the charges, if credited, are sufficient to warrant a dismissal or reduction of salary, then the Board or the State District Superintendent shall, within fifteen days, file such written charges with the Commissioner. The charge(s) shall be stated with specificity as to the nature of the inefficiency alleged, and shall be accompanied by the required certificate of determination together with the name of the attorney who is anticipated for administrative purposes will be representing the Board of Education or State District Superintendent and proof of service upon the employee and the employee’s representative, if known. Such service shall be at the same time and in the same manner as the filing of charges with the Commissioner.

j. Pursuant to N.J.S.A. 18A:6-11, all deliberations and actions of the Board of Education with respect to such charges shall take place at a closed/executive session meeting.

3. The provisions of this section shall not apply to employees of Charter Schools, who are governed by the provisions of N.J.A.C. 6A:11-6.

B. Format of Certificate of Determination

1. The certificate of determination which accompanies the written charges shall contain a certification by the Board of Education Secretary or the State District Superintendent:

a. That the Board of Education or the State District Superintendent has determined the charges and the evidence in support of the charges are sufficient, if true in fact, to warrant dismissal or a reduction in salary;

b. Of the date, place, and time of the meeting at which such determination was made and whether or not the employee was suspended and, if so, whether such suspension was with or without pay;
c. That such determination was made by a majority vote of the full Board or by the State District Superintendent in accordance with N.J.S.A. 18A:7A-39; and

d. In the case of a charge of inefficiency, that the employee was given at least ninety days prior written notice of the nature and particulars of the alleged inefficiency.

2. The provisions of this section shall not apply to employees of Charter Schools, who are governed by the provisions of N.J.A.C. 6A:11-6.

C. Filing and Service of Answer to Written Charges

1. An individual against whom tenure charges are certified shall have fifteen days from the date such charges are filed with the Commissioner to file a written response to the charges. Except as to the time for filing, the answer shall conform to the requirements of N.J.A.C. 6A:3-1.5(a) through (d).

a. Consistent with N.J.A.C. 6A:3-1.5(g), nothing in N.J.A.C. 6A:3-5.3 precludes the filing of a motion to dismiss in lieu of an answer to the charges, provided that such motion is filed within the time allotted for the filing of an answer. Briefing on the motions shall be in the manner and within the time fixed by the Commissioner, or by the Administrative Law Judge (ALJ) if the motion is to be briefed following transmittal to the Office of Administrative Law (OAL).

2. Upon written application by the person against whom charges are filed, the Commissioner may extend the time period for the filing of an answer upon a finding of good cause shown consistent with the provisions of N.J.S.A. 18A:6-16. Such application shall be received prior to the expiration of the fifteen-day answer period, and a copy shall be served upon the charging Board of Education or the State District Superintendent. The Board of Education or State District Superintendent shall promptly notify the Commissioner of any opposition to the request.
a. A request for extension which is not filed within the fifteen-day period allotted for answer to tenure charges will be considered only in the event of demonstrated emergency or other unforeseeable circumstance such that the request could not have been made within the requisite filing period.

3. Where no answer is filed within the requisite time period and no request for extension is made, or such request is denied by the Commissioner, or where the charged employee submits an answer or other responsive filing indicating the employee does not contest the charges, the charges shall be deemed admitted by the charged employee.

4. The provisions of this section shall not apply to employees of Charter Schools, who are governed by the provisions of N.J.A.C. 6A:11-6.

D. Determination of Sufficiency and Transmittal for Hearing

1. Within fifteen days of receipt of the charged party's answer or expiration of the time for its filing, the Commissioner shall determine whether such charge(s) are sufficient, if true, to warrant dismissal or reduction in salary. Where the charges are determined insufficient, they shall be dismissed and the parties shall be notified accordingly. Where the charges are determined sufficient, the matter shall, within ten days of such determination, be transmitted to the OAL for further proceedings, unless the Commissioner retains the matter pursuant to N.J.A.C. 6A:3-1.11 or 1.12.

   a. A notice of transmittal shall be issued to the parties by the Department of Education on the same date as the matter is transmitted to the OAL.

2. Where a party to a tenure matter so requests, the Commissioner may agree to hold the matter in abeyance at any time prior to transmittal to the OAL. Thereafter, requests to hold the matter in abeyance shall be directed to the OAL Clerk or the ALJ in accordance with the rules of the OAL. Any request for abeyance, whether directed to the Commissioner or the OAL, shall be consistent with the intent of N.J.S.A. 18A:6-16 as amended by P.L. 1998, c.42.
E. Withdrawal, Settlement, or Mooting of Tenure Charges

1. Once tenure charges are certified to the Commissioner, such charges may be withdrawn or settled only with the Commissioner's approval. Any proposed withdrawal or settlement, whether submitted to the Commissioner or to the ALJ, shall address the following standards established by the State Board of Education in the matter entitled In re Cardonick, State Board decision of April 6, 1983 (1990 School Law Decisions (S.L.D.) 842, 846):

   a. Accompaniment by documentation as to the nature of the charges;
   b. Explication of the circumstances justifying settlement or withdrawal;
   c. Consent of both the charged and charging parties;
   d. Indication that the charged party entered into the agreement with a full understanding of his or her rights;
   e. A showing that the agreement is in the public interest; and
   f. Where the charged party is a teaching staff member, a showing that the teaching staff member has been advised of the Commissioner's duty to refer tenure determinations resulting in loss of position to the State Board of Examiners for possible suspension or revocation of certificate.

2. A settlement agreement shall not propose terms that would restrict access to information or records deemed public by law or result in misrepresentation of the reason for an employee's separation from service. Where tenure charges have been certified to the Commissioner by a Board of Education, any proposed settlement shall indicate, by signature of the Board Attorney or inclusion of a Board of Education resolution authorizing settlement, that the Board of Education has consented to the terms of the settlement.
3. A proposed withdrawal or settlement of tenure charges shall be submitted to the Commissioner prior to transmittal of such charges to the OAL; thereafter, it shall be submitted to the ALJ in accordance with applicable rules of the OAL.

4. Where tenure proceedings against a teaching staff member are concluded prior to adjudication because the charged party has unilaterally resigned or retired, the Commissioner may refer the matter to the State Board of Examiners for action against the charged party's certificate as it deems appropriate, when such referral is warranted under the provisions governing resignation or retirement prior to conclusion of tenure charges as set forth in N.J.A.C. 6A:9-17.4.

5. Where a proposed settlement requires the tenured employee to relinquish a certificate issued by the State Board of Examiners, upon approval of the settlement agreement, the Commissioner shall forward the matter to the State Board of Examiners for proceedings in accordance with N.J.A.C. 6A:9-17.11.

Adopted:
All support staff members shall be required to report their arrest or indictment for any crime or offense to the Superintendent of Schools within fourteen calendar days of the arrest or indictment. For purposes of this policy, “support staff members” shall include all school district employees who hold a position in the school district for which no certificate issued by the New Jersey State Board of Examiners is required.

The report submitted to the Superintendent shall include the date of arrest or indictment and charge(s) lodged against the support staff member. Such support staff members shall also report to the Superintendent the disposition of any charges within seven calendar days of the disposition. Failure to comply with these reporting requirements may be deemed “just cause” for disciplinary action, which may include termination or non-renewal of employment in accordance with law.

Teaching staff members are required to report their arrest or indictment for any crime or offense in accordance with Policy 3159 and N.J.A.C. 6A:9-17.1.

The school district shall make these reporting requirements known to all new support staff members upon initial employment and to all employees on an annual basis.

Adopted: